

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )	
WILLIAM A. ETHERTON, ROUTE 1, BOX )	
257, MONTROSE, COLORADO, FOR A CLASS )	<u>APPLICATION NO. 11064-PP</u>
"B" PERMIT TO OPERATE AS A PRIVATE )	
CARRIER BY MOTOR VEHICLE FOR HIRE. )	
----- )	

-----  
April 20, 1951  
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Appearances: William A. Etherton, Montrose,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

On February 26, 1951, William A. Etherton, 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 raw milk, bottled milk, and milk products between points within a radius of 75 miles of Montrose, Colorado.

The application was formally set for hearing on April 12, 1951, at the Court House in Montrose, Colorado, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant has a net worth of approximately \$10,000.00, and desires to haul milk for eleven customers residing within a radius of 75 miles of Montrose; that he plans to operate a 1950 one and one-half-ton Ford, with an insulated van body, and that he has filed a list of eleven customers who have requested his service.

No one appeared protesting the granting of the instant application.

The evidence did not disclose, nor did it appear that the proposed operation of applicant will tend to impair the efficiency of any

## F I N D I N G S

### THE COMMISSION FINDS:

That the instant application should be granted.

## O R D E R

### THE COMMISSION ORDERS:

That William A. Etherton, of Route 1, Box 257, Montrose, Colorado, be, and he hereby is, authorized to operate as a private carrier by motor vehicle for hire for the transportation of raw milk, bottled milk and milk products between points within a radius of 75 miles of Montrose, Colorado, with the return of empty containers.

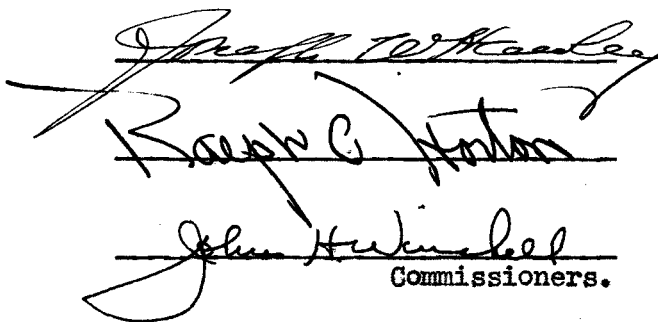
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 20th day of April, 1951.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
TOM H. ENNIS, ROUTE 1, MONTROSE, )  
COLORADO, FOR AUTHORITY TO OPERATE ) APPLICATION NO. 10818  
AS A COMMON CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
----- )

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April 20, 1951  
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Appearances: Charles A. Petrie, Esq., Montrose,  
Colorado, for applicant;  
T. L. Brooks, Esq., Montrose, Colo-  
rado, for West End Freight Line.

S T A T E M E N T

By the Commission:

Applicant herein seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire. Said application was set for hearing on April 12, 1951, at the Court House in Montrose, Colorado.

At the time and place designated for hearing, applicant, by his attorney, moved that the application be withdrawn and dismissed as applicant was not prepared to proceed.

No one objected to the granting of said motion.

F I N D I N G S

THE COMMISSION FINDS:

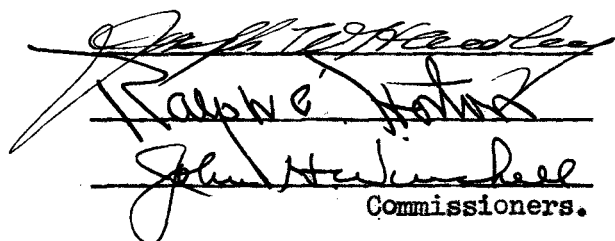
That Application No. 10818 should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That Application No. 10818, of Tom H. Ennis, Route 1, Montrose, Colorado, be, and the same is hereby, dismissed with prejudice.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 20th day of April, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
JACK C. WHARTON, MESA, COLORADO,  
FOR AUTHORITY TO TRANSFER PERMIT  
NO. A-1034 TO ROY GRUNDEI, MESA,  
COLORADO.

APPLICATION NO. 11074-PP-Transfer.

April 20, 1951

Appearances: Haynie and Hotchkiss, Esqs.,  
Grand Junction, Colorado, for  
Transferor and Transferee.

S T A T E M E N T

By the Commission:

On July 11, 1950, by Decision No. 35084, Jack C. Wharton,  
of Mesa, Colorado, became the owner of Permit No. A-1034 which  
authorizes the transportation of:

farm products and livestock from Mesa to Grand  
Junction; butter and sweet cream from Mesa to  
Grand Junction, Clifton and Palisade, with back-  
haul of groceries, cartons and farm supplies,  
Grand Junction to Mesa, specifically excluding  
the right to serve intermediate points, Mesa to  
Grand Junction, except butter haul to Clifton  
and Palisade.

Jack C. Wharton now seeks authority to transfer said per-  
mit to Roy Grundei, of Mesa, Colorado.

At the hearing in Grand Junction, Colorado, on April 11, 1951,  
it appeared that the consideration for the transfer of said permit and  
other property is the sum of \$9,000.00. It also appeared that there  
are no outstanding unpaid obligations against said operation, and that  
transferor, or his predecessors, have operated continuously under said  
permit since the date of its issuance; that ton-mile tax deposit is  
to be transferred to account of transferee. The operating experience  
and pecuniary responsibility of transferee were established to the  
satisfaction of the Commission.

The matter was taken under advisement.

## FINDINGS

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

## ORDER

### THE COMMISSION ORDERS:

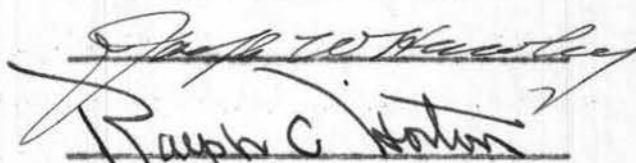
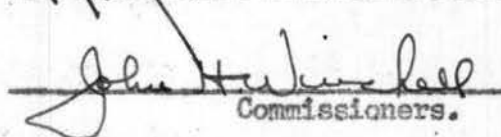
That Jack C. Wharton, of Mesa, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to Permit No. A-1034, to Roy Grudel, of Mesa, Colorado.

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, and the prior filing by transferor of delinquent reports, if any, covering his operations under said permit up to the time of transfer of said permit, and the payment by him or transferee of all unpaid ton-mile tax.

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

This order is made a part of the permit authorized to be transferred, and shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
Ralph C. Wharton  
  
\_\_\_\_\_  
John H. H. Hall  
Commissioners.

Dated at Denver, Colorado,  
this 20th day of April, 1951.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )	
JAMES VELOTTA, BOX 268, SALIDA , )	CASE NO. 54127-INS.
COLORADO. )	(Permit No. C-6296)
-----)	

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April 20, 1951  
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S T A T E M E N T

By the Commission:

On November 21, 1950, in Case No. 54127-Ins., the Commission entered an order revoking Permit No. C-6296 for failure to keep on file effective insurance.

Proper insurance filing was offered prior to revocation, but was returned to agent for correction and refiled November 27, 1950. In the meantime, the permit was revoked, but should have been withheld pending return of corrected insurance. Under the circumstances, order of revocation should be set aside.

F I N D I N G S

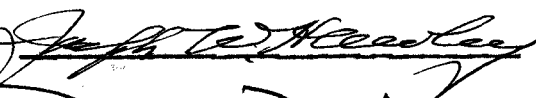
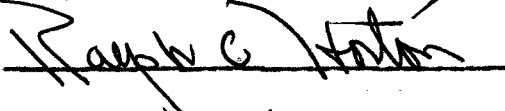
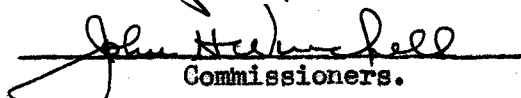
After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 54127-Ins., should be cancelled and set aside, and said Permit No. C-6296 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 54127-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-6296 restored to its former status as of November 21, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 20th day of April, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
R. W. SAMPLES, HILLROSE, COLORADO, )  
FOR A CERTIFICATE OF PUBLIC CON- )  
VENIENCE AND NECESSITY. )  
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APPLICATION NO. 11013

RE MOTOR VEHICLE OPERATIONS OF )  
R. W. SAMPLES, HILLROSE, COLORADO. )  
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PERMIT NO. B-3677

SUPPLEMENTAL ORDER

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April 23, 1951  
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Appearances: R. W. Samples, Hillrose, Colo-  
rado, pro se.

S T A T E M E N T

By the Commission:

On January 27, 1951, R. W. Samples of Hillrose, Colorado, filed his application for a certificate of public convenience and necessity for the transportation of:

dairy products between Brush and Fort Morgan, Colorado, for McLagan Brothers Creamery, only, with return of empty containers; transportation of milk from farms within an area described as: Beginning at Brush, Colorado, thence west 4 miles on Highway No. 6 to west line of Twp. 3-North, Range 56-West; thence north to the Platte River; thence northeast along said Platte River to point where Highway No. 71 and Platte River intersect; thence south on Highway 71 to Brush, Colorado, including the off-route point hospital located just west of Brush City Limits to Brush, with return of empties; and milk from farms within a radius of 5 miles on either side of Highway 71 as extended from Snyder, Colorado, to the north county line of Morgan County, approximately 13 miles, to Brush, with return of empties; and bottled milk from milk plant at Brush to Snyder School, with return of empties.

Inadvertently, the portion of the application covering the transportation of milk from an area five miles on both sides of U. S. Highway No. 6 between Sterling and Roosevelt School, said Roosevelt School being situated on said highway approximately 19 miles from Sterl-

ing, thence on U. S. No. 6 to the Town of Brush; and milk, butter and cheese from Brush to Roosevelt School, was omitted from the authority granted in our Decision No. 36460.

As no one appeared protesting the granting of the application, and sufficient evidence was introduced at the hearing justifying the service between Roosevelt School and Sterling, it therefore appears that our decision should be amended nunc pro tunc to correctly describe the service applicant seeks in his application.

### F I N D I N G S

#### THE COMMISSION FINDS:

That public convenience and necessity require that on the record made at the hearing held in Sterling on March 16, 1951, that applicant should be further authorized to transport:

milk from an area 5 miles on both sides of U. S. Highway No. 6 between Sterling and Roosevelt School, said Roosevelt School being situated on said highway approximately 19 miles from Sterling, thence on U. S. Highway 6 to the Town of Brush; and milk, butter and cheese from Brush to Roosevelt School.

### O R D E R

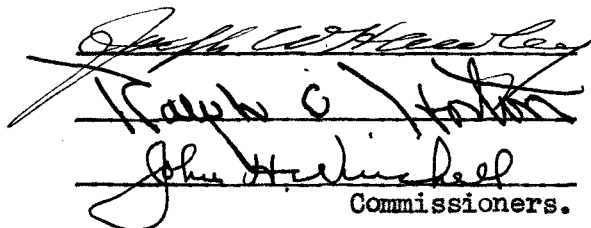
#### THE COMMISSION ORDERS:

That public convenience and necessity require the amendment of our Decision No. 36460 nunc pro tunc for the extended motor vehicle common carrier service of R. W. Samples, of Hillrose, Colorado, for the transportation of:

milk from an area 5 miles on both sides of U. S. Highway 6 between Sterling and Roosevelt School, said Roosevelt School being situated on said highway approximately 19 miles from Sterling, thence on U. S. Highway 6 to the Town of Brush; and milk, butter and cheese from Brush to Roosevelt School,

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 23rd day of April, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
KENNETH GAHAGEN, HENDERSON, COLO-  
RADO, FOR AUTHORITY TO TRANSFER PUC  
NO. 1013 TO GAHAGEN TRUCK LINES, INC.,  
A CORPORATION, HENDERSON, COLORADO.

APPLICATION NO. 11123-Transfer.

April 23, 1951

STATEMENT

By the Commission:

By Decision No. 7479, of date April 13, 1936, Kenneth Gahagen, Henderson, Colorado, was granted a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, not on schedule, for the transportation:

from point to point within the area described as: Beginning at the north city limits of the City and County of Denver, at Washington Street, thence north 10 miles, thence east 24 miles, thence south 10 miles, and thence west to the point of beginning, of:

(a) farm products (except dairy products and livestock, farm supplies and equipment, sand, gravel, dirt, plaster, and well drillers' equipment, and

(b) farm products and feed from points in said area to Denver and feed lots in Adams, Weld and Morgan Counties, and

(c) farm supplies, including seed, and oil well casing from Denver to points in said area; provided he shall not establish a "line-haul" carrier service under this certificate, and shall not transport merchandise or other commodities ordinarily handled by "line-haul" carrier services between points on U. S. Highway No. 85 or State Highway No. 81, in competition with existing motor vehicle common carrier lines operating on schedule,

and operating rights being known as "PUC No. 1013."

Pursuant to authority contained in Decision No. 14002, of date September 16, 1939, said PUC No. 1013 was extended by transfer from



Ralph Schofield, Lafe Schofield, and Glenn Schofield to said Kenneth Gahagen, of authority to:

Conduct a transfer, moving and general cartage business for the transportation of all classes of freight from point to point within the State of Colorado, subject to the following terms and conditions:

(a) For the transportation of commodities other than household goods between points served singly or in combination by scheduled carriers, applicant shall charge rates which in all cases shall be at least twenty percent in excess of those charged by the scheduled carriers.

(b) The applicant shall not operate on schedule between any points.

(c) The applicant shall not be permitted, without further authority from the Commission, to establish a branch office or to have any agent employed in any other town or city than Lafayette for the purpose of developing business.

(d) Jurisdiction of the application herein shall be, and the same is hereby, retained to the end that if and as occasion may arise, appropriate orders may be made to prevent improper encroachment by the applicant upon the field of business occupied by the scheduled carriers, and at the same time to allow the applicant reasonable latitude in the carrying on of business as it may develop in the future.

By the instant application, said certificate-holder seeks authority to transfer said PUC No. 1013 to Gahagen Truck Lines, Inc., a corporation, Henderson, 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 ten-mile tax deposit of transferor 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 application 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 Kenneth Gahagen, Henderson, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1013 -- being the operating rights granted by Decision No. 7479, as extended by Decision No. 14002 -- to Gahagen Truck Lines, Inc., Henderson, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.


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.

The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate up to the time of the transfer of said certificate, and the payment by him or transferee of all unpaid ton-mile tax.

That ton-mile tax deposit of transferor shall be transferred and credited 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

  
*Ralph C. Johnston*  
*Ralph C. Johnston*  
*John H. Williams*  
Commissioners.

Dated at Denver, Colorado,  
this 23rd day of April, 1951.  
ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
ARTHUR A. REHFELD AND VINCENT P.  
DOYLE, ROUTE 1, BOX 236-A, BOULDER,  
COLORADO, FOR AUTHORITY TO TRANSFER  
PUC NO. 2075 TO VINCENT P. DOYLE,  
DOING BUSINESS AS "DOYLE'S HOUSE  
MOVING," ROUTE 1, BOX 236-A,  
BOULDER, COLORADO.

APPLICATION NO. 11124-Transfer

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April 23, 1951  
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S T A T E M E N T

By the Commission:

By Decision No. 33980, of date December 23, 1949, Arthur A. Rehfeld and Vincent P. Doyle were authorized to operate as common carriers by motor vehicle for hire, on call and demand, for the transportation of:

buildings and houses from point to point within a radius of thirty miles of Boulder, Colorado, excluding, however, from this radius the City of Denver, Colorado, and the City of Longmont, Colorado; used box cars (set up or knocked down) from point to point within a radius of ten miles of Boulder, Colorado, only,

said operating rights being designated "PUC No. 2075."

By the instant application, said certificate-holders seek authority to transfer PUC No. 2075 to Vincent P. Doyle, doing business as "Doyle's House Moving," Boulder, Colorado, said Arthur A. Rehfeld being desirous of withdrawing from said partnership.

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 transferee, pecuniarily and otherwise, is qualified to carry on the operation; that there are no outstanding unpaid operating obligations against said certificate, and it does not appear that any useful purpose would be served by setting said application 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 Arthur A. Rehfeld and Vincent P. Doyle, Boulder, Colorado, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 2075 — being the operating rights granted by Decision No. 33980 — to Vincent P. Doyle, doing business as "Doyle's House Moving," Boulder, Colorado, said Arthur A. Rehfeld being hereby authorized to withdraw from partnership of Arthur A. Rehfeld and Vincent P. Doyle.

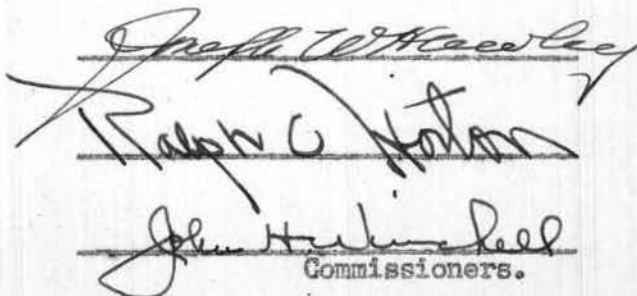
The tariff of rates, rules and regulations of transferors shall become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

The right of transferee to operate under this order shall depend upon the prior filing by transferors of delinquent reports, if any, covering their operations under said certificate up to the time of the transfer of said certificate, and the payment by them or transferee of all unpaid ton-mile tax.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 23rd day of April, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
DELBERT FARRA, ROUTE 2, MONTROSE, )	
COLORADO, FOR AUTHORITY TO LEASE )	
PUC NO. 1068 TO R. C. PIXLER, DOING )	<u>APPLICATION NO. 11126-Lease</u>
BUSINESS AS "R. C. PIXLER DISTRIBUT-	)
ING CO.," 202 NORTH FIRST STREET, )	
MONTROSE, COLORADO. )	
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April 23, 1951  
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S T A T E M E N T

By the Commission:

By the instant application, Delbert Farra, Montrose, Colorado, seeks authority to lease PUC No. 1068 to R. C. Pixler, doing business as "R. C. Pixler Distributing Co.," Montrose, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing, and 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 leasing of said operating rights, the Commission determined to hear, and has heard, said application, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the leasing of PUC No. 1068, as set forth in Lease agreement attached to the application herein, which is made a part of these Findings by reference, is in the public interest, and that application so to lease should be approved by this Commission.

O R D E R

THE COMMISSION ORDERS:

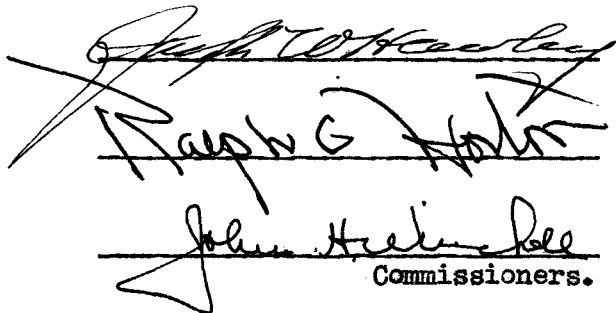
That Delbert Farra, Montrose, Colorado, should be, and he is hereby, authorized to lease PUC No. 1068 to R. C. Pixler, doing business as "R. C. Pixler Distributing Co.," Montrose, Colorado, as per terms of Lease filed with this Commission attached to the application herein, said Lease being hereby approved.

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

The right of lessee to operate under this order shall depend upon the prior filing by lessor of delinquent reports, if any, covering his operations under said certificate, and the payment by him or lessee of all unpaid ton-mile tax.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 23rd day of April, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GEORGE B. STEWART, DOING BUSINESS )  
AS "STEWART TRANSFER," 746 SOUTH )  
FIRST STREET, MONTROSE, COLORADO, )  
FOR AUTHORITY TO TRANSFER PUC NO. )  
916 TO MERLE DAVID, DOING BUSINESS )  
AS "STEWART TRANSFER," ROUTE 4, )  
BOX 47, MONTROSE, COLORADO. )  
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APPLICATION NO. 11125-Transfer

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April 23, 1951  
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S T A T E M E N T

By the Commission:

By Decision No. 7363, as amended by Decision No. 7591, George Stewart was granted a certificate of public convenience and necessity, for the transportation, in irregular service of:

farm products, including wool and live-stock, farm supplies, including coal, feed, and lumber, and farm machinery and equipment, including used furniture, from farm to farm, farm to town, and town to farm, within a fifty-mile radius of Montrose, Colorado; new furniture from town to farm in said area, and used household goods and furniture from and to points in said area, to and from points in the State of Colorado, and to conduct a general transfer business in the Town of Montrose, provided he shall not engage in the hauling of merchandise or such commodities as ordinarily are handled by line haul carriers, in competition with Rio Grande Motor Way,

said operating rights being designated "PUC No. 916."

By Decision No. 35927, of date January 17, 1951, said certificate-holder was authorized to suspend operations under PUC No. 916 until July 10, 1951.

By the instant application, George G. Stewart seeks authority to transfer PUC No. 916 to Merle David, doing business as "Stewart

Transfer," Montrose, 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 operating rights, the Commission determined to hear, and has heard, said application, 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 PUC No. 916 should be, and the same hereby is, reinstated, as of the date of this order.

That George B. Stewart, doing business as "Stewart Transfer," Montrose, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to PUC No. 916 — being the operating rights granted by Decision No. 7363, as amended by Decision No. 7591 — to Merle David, doing business as "Stewart Transfer," Montrose, Colorado, subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

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.

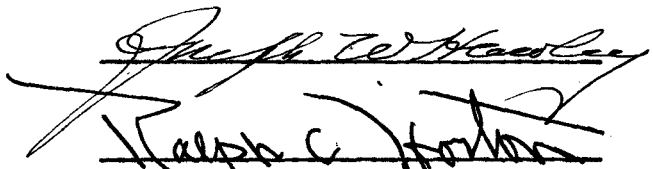
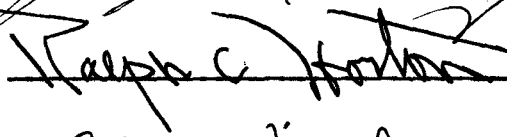
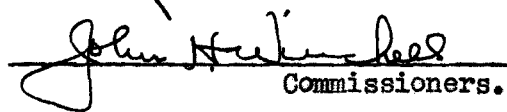
The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering

his operations under said certificate, and the payment by him or transferee of all unpaid ton-mile tax.

That ton-mile tax deposit of transferor shall be transferred and credited to account of transferee, and that credit balance, if any, on road tax paid by transferor, as of date of transfer herein authorized, shall be refunded to transferor.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 23rd day of April, 1951.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GEORGE A. SUMNER, DOING BUSINESS )  
AS "NELSON TRUCK LINE", IDAHO )  
SPRINGS, COLORADO. )  
----- )

PUC NO. 1758

-----  
May 4, 1951  
-----

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-holder, requesting that his PUC No. 1758 be further suspended for six months from April 23, 1951.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

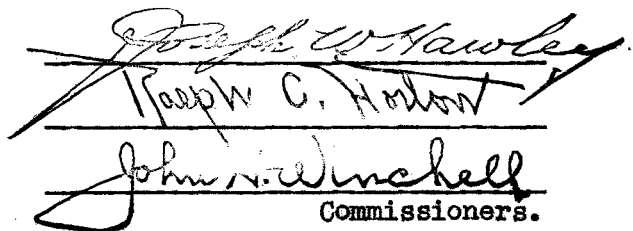
O R D E R

THE COMMISSION ORDERS:

That George A. Sumner, be, and he is hereby, authorized to further suspend his operations under PUC No. 1758 until October 23, 1951.

That unless said George A. Sumner 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

  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CECIL WEBSTER AND HAROLD RIN- )  
DOM, D/B/A C & H EXPRESS, 2544 ) PERMIT NO. B-4276  
STOUT STREET, DENVER, COLORADO. )  
-----)

-----  
May 4, 1951  
-----

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 Permit No. B-4276 be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

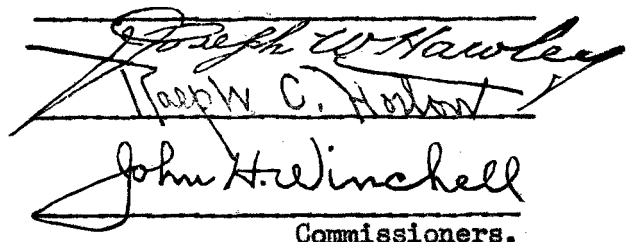
O R D E R

THE COMMISSION ORDERS:

That Cecil Webster and Harold Rindom, doing business as "C & H Express," 2544 Stout Street, Denver, Colorado, be, and they are hereby, authorized to suspend operations under Permit No. B-4276 until October 23, 1951.

That unless said permittees 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

  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
H. E. AND BRUCE HARDMAN, DOING )  
BUSINESS AS "HARDMAN BROTHERS," ) PERMIT NO. B-4082.  
TELLURIDE, COLORADO. )  
-----)

-----  
May 4, 1951  
-----

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 Permit No. B-4082 be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

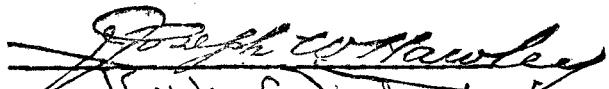
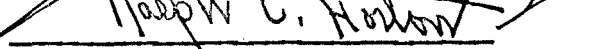

O R D E R

THE COMMISSION ORDERS:

That H. E. and Bruce Hardman, doing business as "Hardman Brothers," Telluride, Colorado, be, and they are hereby, authorized to suspend their operations under Permit No. B-4082 until October 1, 1951.

That unless said permittees 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 shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EVERETT J. MILLER, FLAGLER, )  
COLORADO. )  
-----)

PERMIT NO. C-15108.

-----  
April 25, 1951  
-----

S T A T E M E N T

By the Commission:

On February 21, 1951, the above-named permit-holder came into the office and requested that his Permit No. C-15108 be cancelled. Before cancellation order could be issued, permit-holder again came into the office and asked that his request for cancellation be withdrawn. Inadvertently, the request for cancellation was not withdrawn and cancellation order was issued, effective March 1, 1951, through error, and permit should now be reinstated.

F I N D I N G S

THE COMMISSION FINDS:


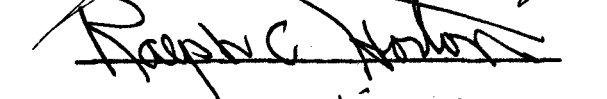

That said cancellation order should be set aside, vacated, and held for naught.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-15108 be, and the same hereby is, reinstated, as of March 1, 1951, cancellation order entered in the matter being hereby set aside, cancelled and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of April, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ORVILLE JENKINS, DOING BUSINESS )  
AS "ARVADA TRANSFER," WEST- ) PUC NO. 247  
MINSTER, COLORADO. )  
-----)

-----  
April 25, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Orville Jenkins, Westminster, Colorado, requesting a written waiver from the Commission in lieu of filing a bond covering payment of C. O. D. collections to shippers.

Rule 24 (a) of the Rules and Regulations Governing Common Carriers by Motor Vehicle, effective January 1, 1951, provides that:

Unless a carrier shall have secured written waiver from the Commission, no such carrier shall accept C. O. D. shipments or otherwise collect money from a consignee to be paid to a consignor, or render any C.O.D.service, unless such carrier has published tariffs and have on file with the Commission cash or surety bond in an amount not less than two thousand dollars, conditioned upon the prompt payment of any C. O. D. or other collection by the carrier to the consignor.

Applicant represents to the Commission that total collection of C. O. D. shipments per month does not exceed \$40.00.

The financial statement of applicant attached to the application is satisfactory.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

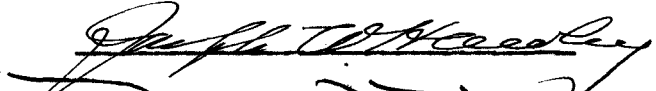
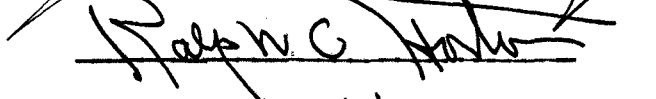
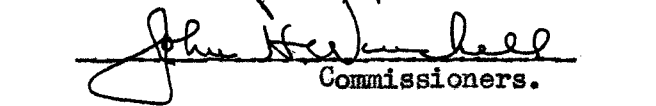
THE COMMISSION ORDERS:

That Orville Jenkins, doing business as "Arvada Transfer," Westminster, Colorado, should be, and he is hereby, granted a written

waiver of the provisions of Section (a) of Rule 24 of the Rules and Regulations Governing Common Carriers by Motor Vehicle, effective January 1, 1951, and shall not be required to file with this Commission cash or surety bond referred to in said Rule.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of April, 1951.

ea

original

(Decision No. 36559)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION  
OF HOWARD MILES AND FRANCES MILES  
FOR AUTHORITY TO DISCONTINUE AND  
ABANDON THE OPERATION OF THE  
PADRONI TELEPHONE EXCHANGE. )

APPLICATION NO. 10973

-----  
April 24, 1951  
-----

Appearances: Ben D. Sublett, Esq., Sterling, Colorado,  
and  
Charles W. Kreager, Esq., Sterling, Colo-  
rado, for applicant;  
Donald Hamil, Sterling, Colorado, pro se;  
Ward McCaulley, Padroni, Colorado, pro se;  
A. D. Johnson, Padroni, Colorado, pro se;  
Mrs. W. J. Idvely, Padroni, Colorado,  
pro se;  
Mrs. Frank Kloberdanz, Padroni, Colorado,  
pro se;  
Mrs. J. Lauderback, Padroni, Colorado,  
pro se;  
J. M. McNulty, Denver, Colorado, for the  
Commission.

S T A T E M E N T

By the Commission:

The instant application was filed with the Commission on January 30, 1951, seeking authority from this Commission to discontinue and abandon the operation of the Padroni Telephone Exchange. The Padroni Telephone Exchange, located in Padroni, Colorado, is owned and operated by Howard and Frances Miles, husband and wife.

The matter was set for hearing after due notice to all interested parties, including all the customers of the Padroni Telephone Exchange, on Friday, March 16, 1951, at 10:00 a.m. in the Court House in Sterling, Colorado, and was there heard by the Commission and taken under advisement.

Testimony at the hearing disclosed that the Miles acquired the

Padroni Telephone Exchange on February 1, 1946, by purchase of a building and all the lines, telephones, and office equipment for the sum of \$1,400.00 from B. R. and Anna Church. This telephone operation was originally organized as a co-operative system. The records of the Commission indicate that no Certificate of Public Convenience and Necessity was issued by the Commission for this telephone operation.

Mrs. Miles testified that at the time the Miles purchased the system there were 40 customers and between 40 and 42 miles of telephone line. In January, 1950, the system had enlarged to where there were 63 customers with approximately 55 miles of telephone line. At the time this application was filed, the number of customers had dropped to 43 and, as of the date of the hearing, there were only 40 customers on the system. The decrease in customers was due to the fact that several customers banded together and constructed their own telephone line into Sterling, Colorado, thereby making a direct connection to the Mountain States Telephone and Telegraph Company at Sterling and by-passing the Padroni Telephone Exchange. This has not only resulted in a loss of customers with a resulting decrease in monthly revenue, but has also resulted in a loss of toll revenues received by the Padroni Company from the Mountain States Company, since these customers no longer place their calls through the Padroni Exchange.

Mrs. Miles further testified that she and her husband borrowed \$2,100.00 from the Commercial Bank in Sterling and they had expended about \$2,000.00 of this loan for repairs, new lines and a new switchboard. They still owe \$1,600.00 at the present time on this loan. It was also her opinion that the system needed additional repairs and she estimated it would take about \$1,500.00 more to put it in good working order. She believed it might be possible to borrow additional funds from the bank to make these repairs, but she and her husband were very reluctant to do so because the income from the business was not sufficient to pay the interest and principal due on the existing loan. The existing loan was being repaid



by money obtained from a separate business enterprise in which her husband was engaged in order to make a living.

Mrs. Miles read the following figures into the record, being the receipts, expenses, and profit or loss for the years applicants have been operating the Padroni Telephone Exchange:

<u>Year</u>	<u>Gross Revenue</u>	<u>Gross Expense</u>	<u>Profit</u>	<u>or</u>	<u>Loss</u>
1946	\$1,599.50	\$1,212.85	\$ 386.65		
1947	2,250.53	2,653.96			\$403.43
1948	2,400.21	2,035.24	364.97		
1949	2,719.35	984.13	1,735.22		
1950	2,384.95	1,108.24	1,276.71		

The above "Gross Expense" figures do not include any salary for Mrs. Miles as switchboard operator or for her husband as maintenance man for the system. She has spent as many as fourteen hours a day, six days a week, and three hours on Sunday working at the switchboard. Her fourteen year old daughter helps at the switchboard, as does a relief operator whom she employs for an average of five hours a week.

Mrs. Miles also stated that she did not believe a rate increase would solve the difficulty as in her opinion, if the rates were increased, about fifteen customers would probably disconnect from the system, as they would not consider the service worth the additional cost. Of the existing 40 customers, 25 pay an average of only \$3.00 per month for service, including their toll calls.

Mr. Howard Miles testified that he operates a garage and service station as he is unable to make a living out of the telephone business. He performs all the maintenance and repair work required on the telephone system and has received no salary for this work. He and his wife have offered to sell the telephone system, but have had no buyers. He further stated that he has offered to give it away, but has had no takers. It is his opinion that this telephone system has very little room for expansion, since the service area is bounded on the south by Sterling and on the east by Iliff, both towns being served by The Mountain States Telephone and Telegraph Company. The area to the north and west is open, but is very sparsely

settled so that it would not be profitable to try to expand into this area. He believes that since the telephone service cannot be expanded and is not a paying proposition, there is no further need for this telephone system.

Several customers of the company appeared at the hearing, and, while they did not offer formal testimony, they were all anxious that some type of telephone service be maintained at Padroni to take care of the needs of the community.

If an abandonment is permitted, there undoubtedly will be some inconvenience to the existing customers of this system and, even though the abandonment is justified, the Commission feels a responsibility to see that the community is not entirely isolated by lack of telephone service. In order that some plan might be worked out whereby service would be available-- at least for an emergency -- an informal conference was held during a short recess at the hearing between Mr. and Mrs. Miles, their attorneys, several of the customers present, two representatives of The Mountain States Telephone and Telegraph Company, and the Commission's Engineer. As a result of that conference, a stipulation was read into the record whereby it was mutually agreed by all interested parties that applicants would continue to render telephone service for a period of 30 days while The Mountain States Telephone and Telegraph Company made a survey of the Padroni area. A report would be submitted to the Commission and to interested parties, on the possibility of The Mountain States Telephone and Telegraph Company rendering some type of telephone service in the area.

The survey of The Mountain States Telephone and Telegraph Company was filed with the Commission on April 13, and is hereby reproduced in full, as follows:

Public Utilities Commission  
State Office Building  
Denver, Colorado

Gentlemen:

At the time of the hearing in Sterling on March 16, 1951, relative to the petition of the Padroni Telephone Company to discontinue their operations in this area, we were requested to inform you within thirty days as to what facilities could be made available at this time by our Company and also what plans, if any, we could offer for the future development of this area.

We have reviewed the matter and have done sufficient preliminary engineering to submit the following for your consideration:

1. We will establish a limited number of toll station services in the community of Padroni immediately.
2. Our engineering studies of the area will be completed after which we will schedule the necessary work to provide local telephone service in the Padroni Area during 1952. This cannot constitute a firm commitment for 1952 as serious delays have been experienced in the last six months due to heavy defense activities and material shortages. Because of these and other reasons beyond our control, any future project of this kind necessarily must be conditioned to this extent.

Between now and such time as we can accomplish the work to provide service in the Padroni Area, it may be possible for the existing customers to secure service on a cooperative basis using present facilities, assuming, of course, that such an arrangement would be agreeable with the owners of the Padroni Company. It might also be possible to locate a small switching unit at or near the location of the present telephone office whereby calls could be handled over the outside distributing lines of the Padroni Company and connected by means of this unit to our toll line terminating in our Sterling Office. This method does not contemplate any intercommunication between present Padroni customers.

We shall be very happy to offer any advice or assistance needed in an attempt to work out some satisfactory interim service arrangement.

At the request of the Commission, copies of this letter are being sent to Messrs. Chas. Krueger and Ben. Sublett, attorneys for the Padroni Telephone Company, and Mr. Donald Hamill at Padroni, Colorado.

Yours truly

(Sgd)

Andrew Horan, Colorado Manager."

In view of the above report and the willingness of The Mountain States Telephone and Telegraph Company to provide complete telephone ser-



vice in the future, and in view of the apparent availability of some temporary service until the complete permanent service by The Mountain States Telephone and Telegraph Company can be installed, it appears that the community will not be isolated. While the toll stations that can be installed immediately will not provide for incoming service, except by pre-arrangement, if the present customers of the Padroni Exchange will cooperate with the Miles and The Mountain States Telephone and Telegraph Company, there does seem to be a very real possibility that some solution for temporary service may be worked out. We suggest, in line with the plan outlined in The Mountain States Telephone and Telegraph Company's report, that the present customers of the Padroni Telephone Exchange most concerned contact Mr. and Mrs. Miles and see if a solution cannot be worked out for a temporary service which will be satisfactory until The Mountain States Telephone and Telegraph Company can take over and provide permanent telephone service in the community.

### FINDINGS

#### THE COMMISSION FINDS:

That the above Statement be made a part of these Findings by reference.

That public convenience and necessity no longer require the operation by the applicants Howard and Frances Miles of the Padroni Telephone Exchange, located in Padroni, Colorado.

### ORDER


#### THE COMMISSION ORDERS:

That Howard and Frances Miles be, and they hereby are, authorized to discontinue and abandon the operation of the Padroni Telephone Exchange, located in Padroni, Colorado.

That all rights express or implied to operate the said Padroni Telephone Exchange as a public utility which the said Howard and Frances Miles may now have or ever have had are hereby cancelled.

That this order shall become effective twenty-one days from  
date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



*[Signature]*  
*Ralph C. Hoken*  
*John H. Hoken*  
Commissioners.

Dated at Denver, Colorado,  
this 24th day of April, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
AL RUMSEY & C. H. WHITE & W. H. )  
WHITE, DOING BUSINESS AS "CUT- )  
A-CORNER MARKET", 303 E. PIKES )  
PEAK AVENUE, COLORADO SPRINGS, )  
COLORADO. )  
----- )

PERMIT NO. C-24002

-----  
May 4, 1951  
-----

S T A T E M E N T

By the Commission:

On April 2, 1951, the Commission authorized Al Rumsey & C. H. White & W. H. White, doing business as "Cut-A-Corner Market", to suspend operations under their Permit No. C-24002 until July 1, 1951.

The Commission is now in receipt of a communication from the above-named permittees, requesting that their permit be reinstated.

F I N D I N G S

THE COMMISSION FINDS:

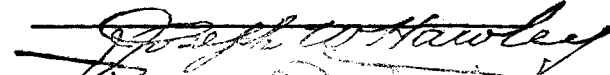
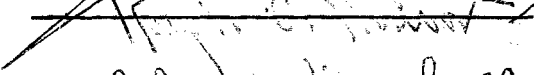
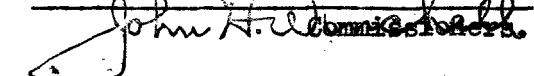
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-24002 should be, and the same hereby is, reinstated as of April 24, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Dated at Denver, Colorado,  
this 4th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF INCREASES IN )  
EXPRESS RATES AND CHARGES. )

Application No. 11129  
(Ex Parte No. 177)

-----  
April 23, 1951.  
-----

S T A T E M E N T

By the Commission:

On April 13, 1951, the Interstate Commerce Commission issued its report and order, authorizing the Railway Express Agency, Inc., an interim increase of 20¢ per shipment on certain less-carload shipments of property by express in Docket Ex Parte No. 177. The Interstate Commerce Commission authorized the increases to be made effective upon not less than 15 days notice to the Commission and to the general public. The interstate adjustment is scheduled to become effective May 3, 1951.

On April 23, 1951, the Railway Express Agency, Inc., filed its petition with this Commission requesting authority to make the same interim increase effective on intrastate traffic in Colorado as was authorized by the Interstate Commerce Commission in the above referred to interstate docket and that the said increases be made effective at the earliest possible date.

F I N D I N G S

THE COMMISSION FINDS:


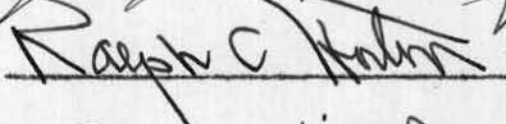
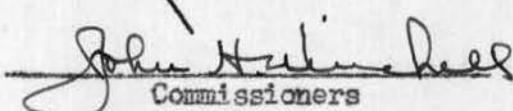
That, the above referred to petition should be set for a public hearing.

O R D E R

THE COMMISSION ORDERS:

That, application number 11129 be, and the same is hereby assigned for hearing before this Commission on Friday, May 4, 1951 at 10 o'clock A.M. in the hearing room of the Commission, 330 State Office Building, Denver, Colo., upon the matter covered by the above referred to petition.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado

this 23d day of April, 1951.

hm



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )	
C. V. GRIGGS, RAY GIBSON AND )	
J. T. BOUTWELL, DOING BUSINESS )	CASE NO. 55931-INS.
AS "GRIGGS EQUIPMENT COMPANY," )	(Permit No. C-23357)
209 BEALE, BELTON, TEXAS. )	
-----)-----	

-----  
April 26, 1951  
-----

S T A T E M E N T

By the Commission:

On April 11, 1951, in Case No. 55931-Ins., the Commission entered an order revoking Permit No. C-23357 for failure to keep on file effective insurance.

Insurance was in effect and was in the process of being corrected when permit was revoked. Since proper filing has now been made, and without lapse, order of revocation should be set aside.

F I N D I N G S

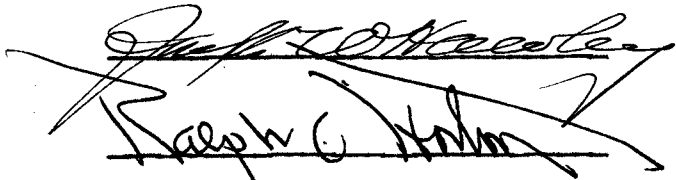
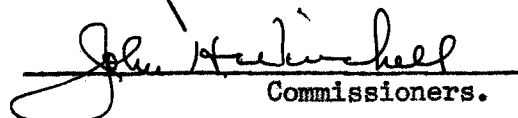
After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 55931-Ins., should be cancelled and set aside, and said Permit No. C-23357 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 55931-Ins., should be and it hereby is, cancelled and set aside, and said Permit No. C-23357 restored to its former status as of April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
  
\_\_\_\_\_  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of April, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HAROLD L. EAKINS, 4421 WEST )  
35TH AVENUE, DENVER 12, )  
COLORADO. )  
-----

PERMIT NO. B-2328

-----  
May 7, 1951  
-----

S T A T E M E N T

By the Commission:

On October 27, 1951, the Commission authorized Harold L. Eakins to suspend operations under his Permit No. B-2328 until May 1, 1951.

The Commission is now in receipt of a communication from the above-named permittee, requesting that his permit be reinstated.

F I N D I N G S

THE COMMISSION FINDS:

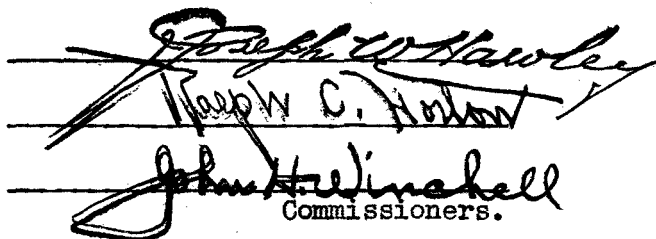
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-2328 should be, and the same hereby is, reinstated as of April 25, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HENRY C. WHEELER, DBA WHEELER )  
MOTOR CO., 1195 SO. BROADWAY, )  
DENVER, COLORADO. ) PERMIT NO. C-25101  
 )  
 )  
 )  
----- )

-----  
May 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Henry C. Wheeler, d/b/a Wheeler Motor Co.,  
-----  
requesting that Permit No. C-25101 -----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-25101 -----, heretofore issued to-----  
Henry C. Wheeler, d/b/a Wheeler Motor Co., -----be,  
and the same is hereby, declared cancelled effective March 23, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
\_\_\_\_\_  
*Joseph W. C. Horton*  
\_\_\_\_\_  
*John H. Winchell*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 195 1.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CHARLES DEAN CLAWSON, BOX 91, )  
HOWARD, COLORADO. )  
 ) PERMIT NO. C-25077.  
 )  
 )  
 )  
-----

-----  
May 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Charles Dean Clawson,  
requesting that Permit No. C-25077 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

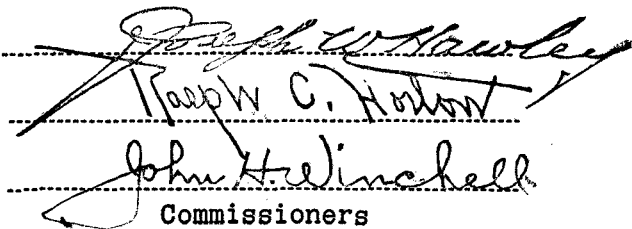
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-25077, heretofore issued to  
Charles Dean Clawson, be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROBERT CALVIN ARPKE, MACK, )  
COLORADO. )  
)  
)  
)

PERMIT NO. C-25027

-----  
May 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Robert Calvin Arpke,  
requesting that Permit No. C-25027 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-25027, heretofore issued to  
Robert Calvin Arpke,  
and the same is hereby, declared cancelled effective March 12, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ONIE CROUCH, 1911 WEST EVANS, )  
DENVER 10, COLORADO. )  
)  
)  
)

PERMIT NO. C-23047.

May 7, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Onie Crouch,  
requesting that Permit No. C-23047 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-23047, heretofore issued to  
Onie Crouch, be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 195 1.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ATLAS POWDER COMPANY, JOPLIN )  
NATIONAL BANK BUILDING, JOPLIN, )  
MISSOURI. )  
)  
)  
-----

PERMIT NO. C-24338.

-----  
May 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Atlas Powder Company, \_\_\_\_\_  
requesting that Permit No. C-24338 \_\_\_\_\_ be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

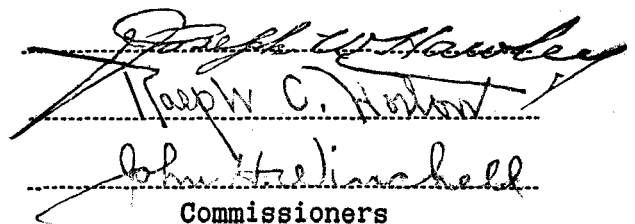
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-24338 \_\_\_\_\_, heretofore issued to \_\_\_\_\_  
Atlas Powder Company, \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective March 20, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
PAUL KOCJAN, GENERAL DELIVERY, )  
OHIO, COLORADO. )  
)  
)  
)  
)  
-----

PERMIT NO. C-23720.

-----  
May 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Paul Kocjan,  
requesting that Permit No. C-23720 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-23720, heretofore issued to  
Paul Kocjan, be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph W. Hawley*  
*Ralph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 195 1.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CLAUDE GALLEGOS, BLACK HAWK, )  
COLORADO. )

PERMIT NO. C-22992.

May 7, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Claude Gallegos,  
requesting that Permit No. C-22992 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-22992, heretofore issued to  
Claude Gallegos, be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph W. C. Horton*  
*John H. Winchell*

Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GEORGE A. BUMGARNER, GUFFEY, )  
COLORADO. )  
)  
)  
)

PERMIT NO. C-23048

May 7, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
George A. Bumgarner,  
requesting that Permit No. C-23048 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-23048, heretofore issued to.....  
George A. Bumgarner, be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph L. Hawley*  
*Joseph W. C. Norton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RAYMOND SCHLICHENMAYER, RT #3, )  
BURLINGTON, COLORADO )  
)  
)  
)

PERMIT NO. C-23098

May 7, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
• Raymond Schlichenmayer,.....  
requesting that Permit No. C-23098.....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-23098....., heretofore issued to.....  
Raymond Schlichenmayer,.....be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph W. Hawley*  
*Ralph C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOHN GILBERT, ASHLAND, KANSAS. )  
)  
)  
)  
)

PERMIT NO. C-23120.

May 7, 1951

S T A T E M E N T

By the Commission:

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

John Gilbert,

requesting that Permit No. C-23120.....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-23120....., heretofore issued to.....

John Gilbert,.....be,

and the same is hereby, declared cancelled effective March 13, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph C. Hartman*  
*John H. Lincoln*  
Commissioners

Dated at Denver, Colorado,

this 7th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JUAN A. ARCHULETA, 3520 BLAKE )  
STREET, DENVER 5, COLORADO. )  
) PERMIT NO. C-23356  
)  
)  
)

-----  
May 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Juan A. Archuleta,.....  
requesting that Permit No. C-23356.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

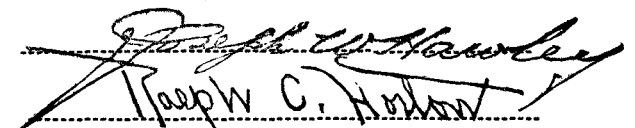
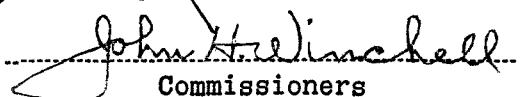
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-23356....., heretofore issued to.....  
Juan A. Archuleta,.....be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Ralph C. Horton  
  
John H. Linchell  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.

\* \* \* \*

PERMIT NO. C-23404

May 7, 1951

## S T A T E M E N T

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

O. Adcock.

requesting that Permit No. C-23404 be cancelled.

## FINDINGS

That the request should be granted.

## O R D E R

That Permit No. C-23404, heretofore issued to \_\_\_\_\_

O. Adcock, \_\_\_\_\_ be.

and the same is hereby, declared cancelled effective April 11, 1951.

~~George L. Hawley~~  
Joseph W. C. Hartout  
John H. Lincoln  
Commissioners

this 7th day of May, 1951.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
J. WALTER HILL, FALFA, COLORADO )  
)  
)  
)  
)

PERMIT NO. C-25318

May 7, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
J. Walter Hill,.....  
requesting that Permit No. C-25318.....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-25318....., heretofore issued to.....  
J. Walter Hill,.....be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Robert C. ...*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JESSE W. DUNLAP AND CLARENCE L. )  
SHREVES, 116 $\frac{1}{2}$  NORTH TEJON, )  
COLORADO SPRINGS, COLORADO. )  
)  
)  
)

PERMIT NO. C-25292.

May 7, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Jesse W. Dunlap and Clarence L. Shreves,  
requesting that Permit No. C-25292 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-25292, heretofore issued to  
Jesse W. Dunlap and Clarence L. Shreves, be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FRANK HARWOOD, FLAGLER, COLORADO.)

) PERMIT NO. C-25392.  
)  
)  
)

-----  
May 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Frank Harwood,.....  
requesting that Permit No. C-25392..... 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-25392....., heretofore issued to.....  
Frank Harwood,..... be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph W. C. Hobson*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
W. C. GRODI, 830 SOUTH LOGAN, )  
COLORADO SPRINGS, COLORADO )  
PERMIT NO. C-25445.  
-----

-----  
May 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
W. C. Grodi,  
requesting that Permit No. C-25445 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-25445, heretofore issued to  
W. C. Grodi,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph W. G. Hobson*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RICHARD PETERSEN, BOX 402, )  
FLAGLER, COLORADO. )  
 ) PERMIT NO. C-25479  
 )  
 )  
 )

-----  
May 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Richard Petersen,  
requesting that Permit No. C-25479 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

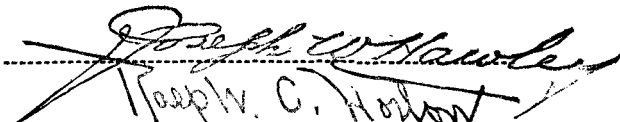
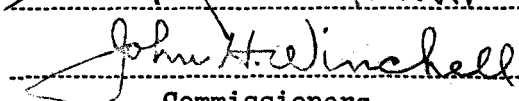
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-25479, heretofore issued to  
Richard Petersen,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ULRICH PRODUCTS CORPORATION, )  
ROANOKE, ILLINOIS )  
)  
)  
)  
)  
)

PERMIT NO. C-25574

-----  
May 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Ulrich Products Corporation,.....  
requesting that Permit No. C-25574.....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-25574....., heretofore issued to.....  
Ulrich Products Corporation,.....be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
*Ralph C. Hawley*  
-----  
*Ralph C. Hawley*  
-----  
*John H. Winchell*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
L. D. MYERS, d/b/a MYERS MOTOR )  
SALES, BOX 494, LA JUNTA, ) PERMIT NO. C-24699  
COLORADO. )  
----- )

-----  
May 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
L. D. Myers, d/b/a Myers Motor Sales,  
requesting that Permit No. C-24699 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

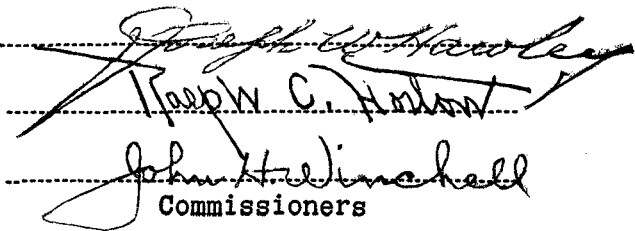
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-24699, heretofore issued to  
L. D. Myers, d/b/a Myers Motor Sales, be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HAROLD T. LAWRENCE, 414 WEST )  
RAILROAD, FORT MORGAN, COLORADO )  
 )  
 )  
 )

PERMIT NO. C-24788

May 7, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Harold T. Lawrence,.....  
 requesting that Permit No. C-24788 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

That the request should be granted.

## ORDER

THE COMMISSION ORDERS:

That Permit No. C-24788, heretofore issued to Harold T. Lawrence, \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

~~Joseph W. Hawley~~  
Ralph W. C. Horton  
John H. Winchester  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HUGH DOUGHTY, d/b/a )  
HUGH DOUGHTY CO., WRAY, COLORADO )  
 )  
 )  
 )

PERMIT NO. C-24781

-----  
May 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Hugh Doughty, d/b/a Hugh Doughty Co.,  
requesting that Permit No. C-24781.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

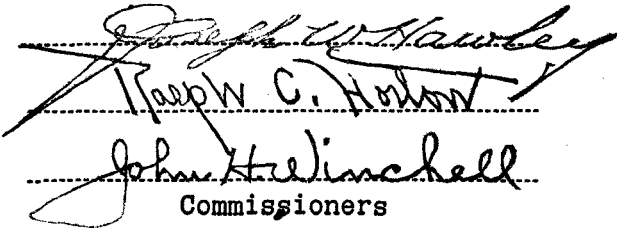
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-24781....., heretofore issued to.....  
Hugh Doughty, d/b/a Hugh Doughty Co.,.....be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOHN T. HYLAND, THOMAS J. )  
HYLAND & GEO. M. FLINT, d/b/a )  
HACK HYLAND BRICK CO., 3800 ) PERMIT NO. C-25006.  
GARFIELD, DENVER 5, COLORADO. )  
----- )

-----  
May 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
John T. Hyland, Thomas J. Hyland & Geo. M. Flint, d/b/a Hack Hyland Brick Co.,  
requesting that Permit No. C-25006 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

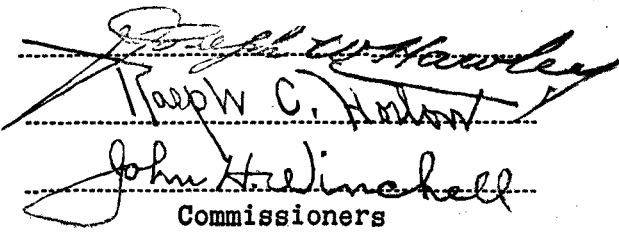
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-25006, heretofore issued to  
John T. Hyland, Thomas J. Hyland & Geo. M. Flint, d/b/a Hack Hyland Brick Co., be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GLEN KRIEG, JR., BOX 622, )  
LAMAR, COLORADO. )  
)  
)  
)

PERMIT NO. C-25544

-----  
May 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Glen Krieg,  
requesting that Permit No. C-25544 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-25544, heretofore issued to.....  
Glen Krieg, be,  
and the same is hereby, declared cancelled effective March 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Frederic C. Holton*  
*John H. Lincoln*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CURTIS BALLARD, VILLEGREEN, )  
COLORADO. )  
)  
)  
)

PERMIT NO. C-25349

May 7, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Curtis Ballard,  
requesting that Permit No. C-25349 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-25349, heretofore issued to  
Curtis Ballard, be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
M. J. REXROAD, C. N. ATHEY & )  
F. M. MENDENHALL, d/b/a )  
CALIFORNIA MINE, LAKE CITY, )  
COLORADO. )  
-----

PERMIT NO. C-25181

-----  
May 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from .....  
M. J. Rexroad, C. N. Athey & F. M. Mendenhall, d/b/a California Mine, .....  
requesting that Permit No. C-25181 ..... 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-25181 ....., heretofore issued to .....  
M. J. Rexroad, C. N. Athey & F. M. Mendenhall, d/b/a California Mine, ..... be,  
and the same is hereby, declared cancelled effective March 13, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
*Joseph C. Hawley*  
-----  
*Joseph W. C. Hart*  
-----  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
VIRGIL & ANDREW SCHAEFER, d/b/a )  
FARMERS IMPLEMENT CO., 2410 E. )  
HIWAY 24, COLORADO SPRINGS, )  
COLORADO. )  
-----

PERMIT NO. C-22999

-----  
May 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Virgil & Andrew Schaefer, d/b/a Farmers Implement Co.,  
requesting that Permit No. C-22999-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

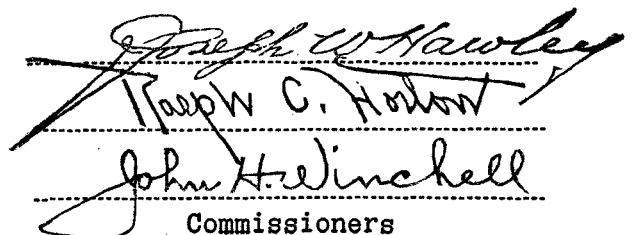
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-22999-----, heretofore issued to-----  
Virgil & Andrew Schaefer, d/b/a Farmers Implement Co.,-----be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 195 1.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BURDELL HAGEMANN, BOX 524, )  
JULESBURG, COLORADO. )  
 ) PERMIT NO. C-23458  
 )  
 )  
 )

May 7, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Burdell Hagemann,  
requesting that Permit No. C-23458 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-23458, heretofore issued to  
Burdell Hagemann, be,  
and the same is hereby, declared cancelled effective March 27, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*[Signature]*  
*Ralph C. Norton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.  
ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
J. A. TISDEL, MAYBELL, COLORADO )  
 )  
 )  
 )  
-----

PERMIT NO. C-23527

-----  
May 7, 1951  
-----

S T A T E M E N T

By the Commission:

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

J. A. Tisdell,.....

requesting that Permit No. C-23527.....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-23527....., heretofore issued to.....

J. A. Tisdell,.....be,

and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 7th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
O. E. & ROBERT B. FLEENER d/b/a )  
FLEENER & SONS FURNITURE CO., )  
417 NO. KANSAS AVE., LIBERAL, )  
KANSAS. )  
-----

PERMIT NO. C-24104

-----  
May 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
O. E. & Robert B. Fleener, d/b/a Fleener & Sons Furniture Co.,.....  
requesting that Permit No. C-24104..... 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-24104....., heretofore issued to.....  
O. E. & Robert B. Fleener, d/b/a Fleener & Sons Furniture Co.,..... be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph W. C. Horton*  
*John H. Winschell*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CARL AND HELEN SCAVO, 3930 FOX )  
STREET, DENVER 16, COLORADO. )  
PERMIT NO. C-21835  
-----

-----  
May 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Carl and Helen Scavo,  
requesting that Permit No. C-21835 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-21835, heretofore issued to  
Carl and Helen Scavo, be,  
and the same is hereby, declared cancelled effective February 7, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.  
ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOE W. TAYLOR, 813 ELM ST., )  
FORT COLLINS, COLORADO. )  
)  
)  
)

PERMIT NO. C-24953

May 7, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Joe W. Taylor,  
requesting that Permit No. C-24953 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-24953, heretofore issued to  
Joe W. Taylor, be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Harold C. Horton*  
*John H. Winchell*

Commissioners

Dated at Denver, Colorado,

this 7th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
IVEL M. CHRISTENSEN, BOX 305, )  
TELLURIDE, COLORADO. )  
)  
)  
)

PERMIT NO. C-26230

-----  
May 10, 1951  
-----

S T A T E M E N T

By the Commission:

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

-----  
Ivel M. Christensen  
-----

requesting that Permit No. C-26230 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-26230, heretofore issued to-----

-----  
Ivel M. Christensen  
-----be,

and the same is hereby, declared cancelled effective April 23, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
\_\_\_\_\_  
*Ralph W. C. Holton*  
\_\_\_\_\_  
*John H. Winchell*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 10th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
J. ROBERT OLSON & JOHN A. OLSON, )  
DOING BUSINESS AS "PLAINS GAS )  
& OIL CO., KARVAL, COLORADO. ) PERMIT NO. C-26189  
)  
)  
)  
-----

-----  
May 10, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
J. Robert Olson & John A. Olson, dba Plains Gas & Oil Co.  
-----  
requesting that Permit No. C-26189 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

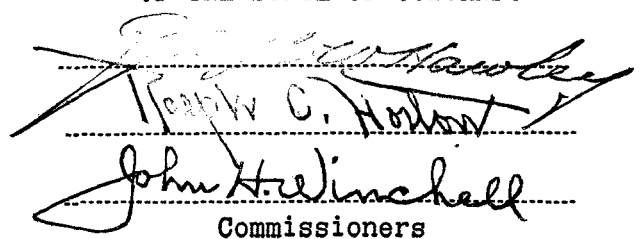
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-26189, heretofore issued to.....  
J. Robert Olson & John A. Olson, dba Plains Gas & Oil Co. be,  
and the same is hereby, declared cancelled effective March 27, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 10th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LEON D. BELL, BOX 514, CLIFTON, )  
COLORADO. )  
)  
)  
)

PERMIT NO. C-26037

May 10, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Leon D. Bell  
requesting that Permit No. C-26037 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-26037, heretofore issued to  
Leon D. Bell be,  
and the same is hereby, declared cancelled effective April 23, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph W. Hawley*  
*Ralph W. C. Horton*  
*John H. Hinchell*  
Commissioners

Dated at Denver, Colorado,  
this 10th day of May, 1951.  
mbs



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FRED J. CHAVEZ & FRANK )  
MARTINEZ, WOODS CROSS, UTAH. ) PERMIT NO. C-25521  
)  
)  
)  
)  
-----

-----  
May 10, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Fred J. Chavez & Frank Martinez  
requesting that Permit No. C-25521 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

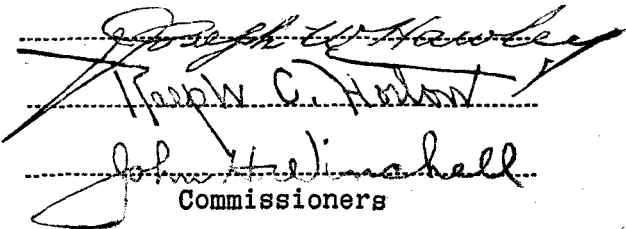
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-25521, heretofore issued to  
Fred J. Chavez & Frank Martinez be,  
and the same is hereby, declared cancelled effective March 23, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 10TH day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CECIL ELKINS, 4406 MORRISON )  
ROAD, DENVER 7, COLORADO. )  
)  
)  
)

PERMIT NO. C-25486

May 10, 1951

S T A T E M E N T

By the Commission:

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

Cecil Elkins

requesting that Permit No. C-25486.....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-25486....., heretofore issued to.....

Cecil Elkins.....be,

and the same is hereby, declared cancelled effective March 17, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ray V. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 10th day of May, 1951.

mas

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
PANHANDLE ASSOCIATED GROCERS, )  
INC., 509 GRANT, AMARILLO, )  
TEXAS. )  
)  
)  
)

PERMIT NO. C-25355

May 10, 1951

S T A T E M E N T

By the Commission:

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

Panhandle Associated Grocers, Inc.

requesting that Permit No. C-25355 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-25355, heretofore issued to.....

Panhandle Associated Grocers, Inc. be,

and the same is hereby, declared cancelled effective April 23, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph W. C. Holton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 10th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
VINCENT MEDELES, 2663 ARAPAHOE )  
ST., DENVER 5, COLORADO. )  
 )  
 )  
 )  
 )  
-----

PERMIT NO. C-24992

-----  
May 10, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Vincent Medeles  
requesting that Permit No. C-24992 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-24992, heretofore issued to  
Vincent Medeles be,  
and the same is hereby, declared cancelled effective April 5, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph W. Hawley*  
*Ralph C. Holton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 10th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EARNEST AMSBERRY, SNYDER, )  
COLORADO. )  
)  
)  
)

PERMIT NO. C-24633

May 10, 1951

S T A T E M E N T

By the Commission:

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

Earnest Amsberry

requesting that Permit No. C-24633 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-24633, heretofore issued to.....

Earnest Amsberry be,

and the same is hereby, declared cancelled effective April 21, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 10th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RALPH O. JEWETT, 1715 ORCHARD )  
AVE., GRAND JUNCTION, COLORADO.)  
PERMIT NO. C-24547  
)  
)  
)

May 10, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Ralph O. Jewett  
requesting that Permit No. C-24547 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-24547, heretofore issued to  
Ralph O. Jewett be,  
and the same is hereby, declared cancelled effective April 19, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Thos W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 10th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EDWARD J. WISE, GENERAL )  
DELIVERY, FOWLER, COLORADO. )  
)  
)  
)

PERMIT NO. C-23671

May 10, 1951

S T A T E M E N T

By the Commission:

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

Edward J. Wise

requesting that Permit No.....C-23671.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

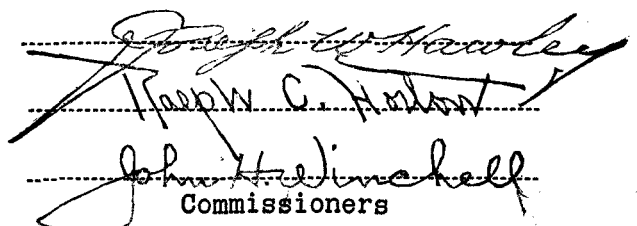
THE COMMISSION ORDERS:

That Permit No.....C-23671....., heretofore issued to.....

Edward J. Wise.....be,

and the same is hereby, declared cancelled effective April 23, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 10th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FRED H. BOLLAN & EMORY H. RAY, )  
NORWOOD, COLORADO. )

PERMIT NO. C-23637

May 10, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from

Fred H. Bollan & Emory H. Ray

requesting that Permit No. C-23637 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

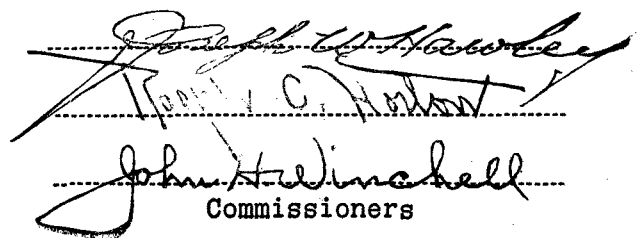
THE COMMISSION ORDERS:

That Permit No. C-23637, heretofore issued to

Fred H. Bollan & Emory H. Ray be,

and the same is hereby, declared cancelled effective April 23, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 10th day of May, 1951.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ALEX DEROSIER, DOING BUSINESS )  
AS "DURANGO PUMICE BLOCK CO., )  
% TURNER SECURITIES, DURANGO, ) PERMIT NO. C-23204  
COLORADO. )  
 )

-----  
May 10, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
----- Alex Derosier, dba Durango Pumice Block Co.-----  
requesting that Permit No. C-23204----- 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-23204-----, heretofore issued to-----  
----- Alex Derosier, dba Durango Pumice Block Co.----- be,  
and the same is hereby, declared cancelled effective April 23, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ray W. C. Nelson*  
*John H. Winchell*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 10th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
G. A. VALENTINE & L. J. GOTT- )  
FRIED, DOING BUSINESS AS )  
TAYLOR MERCANTILE OF PUEBLO, )  
346 SOUTH SANTA FE, PUEBLO, )  
COLORADO. )

PERMIT NO. C-21673

May 10, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
G.A. Valentine & L. J. Gottfried, dba Taylor Mercantile of Pueblo  
requesting that Permit No. C-21673 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-21673, heretofore issued to  
G. A. Valentine & L. J. Gottfried, dba Taylor Mercantile of Pueblo be,  
and the same is hereby, declared cancelled effective April 6, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph C. Hartman*  
*John H. Hinchell*  
Commissioners

Dated at Denver, Colorado,  
this 10th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ART WILLIAMS, PALISADE, )  
COLORADO. )  
)  
)  
)

PERMIT NO. C-21303

-----  
May 10, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Art Williams  
-----  
requesting that Permit No. C-21303 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

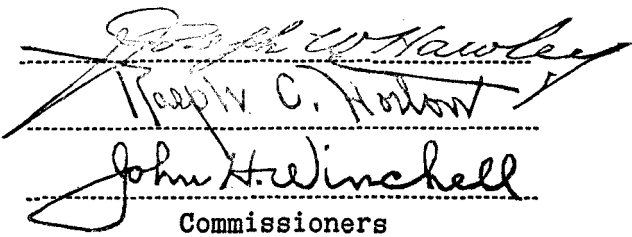
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-21303, heretofore issued to-----  
Art Williams be,  
and the same is hereby, declared cancelled effective March 10, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 10th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HOWARD, NORMAN, MAX, & DEAN )  
McCLELLAN, DOING BUSINESS AS )  
"McCLELLAN BROTHERS, BOX 1191, ) PERMIT NO. C-20911  
CORTEZ, COLORADO. )  
)

May 10, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Howard, Norman, Max & Dean McClellan, dba McClellan Brothers  
requesting that Permit No. C-20911 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

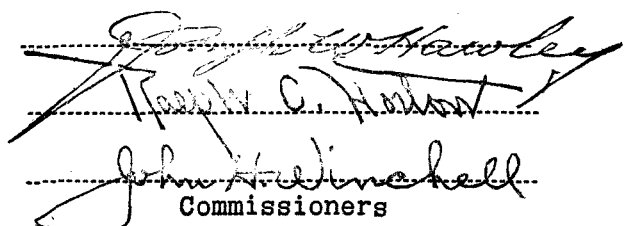
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20911, heretofore issued to  
Howard, Norman, Max & Dean McClellan, dba McClellan Brothers be,  
and the same is hereby, declared cancelled effective April 23, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 10th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MERRILL M. GODDARD, HOLYOKE, )  
COLORADO. )  
)  
)  
)  
)

PERMIT NO. C-19792

-----  
May 10, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Merrill M. Goddard  
requesting that Permit No. C-19792 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-19792, heretofore issued to  
Merrill M. Goddard be,  
and the same is hereby, declared cancelled effective April 7, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 10th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOHN D. STEELE & MELVIN H. )  
WITTMAN, DOING BUSINESS AS )  
LAFAYETTE OIL CO., LAFAYETTE, ) PERMIT NO. C-19635  
COLORADO. )  
----- )

-----  
May 10, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
John D. Steele & Melvin H. Wittman, dba Lafayette Oil Co.  
-----  
requesting that Permit No. C-19635 ----- 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-19635 -----, heretofore issued to-----  
John D. Steele & Melvin H. Wittman, dba Lafayette Oil Co. ----- be,  
and the same is hereby, declared cancelled effective April 9, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph W. C. Norton*  
*John H. Winchell*

Commissioners

Dated at Denver, Colorado,

this 10th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LOWELL BAKER, RT. 2, MONTE )  
VISTA, COLORADO )  
)  
)  
)  
)

PERMIT NO. C-18398

May 10, 1951

S T A T E M E N T

By the Commission:

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

Lowell Baker

requesting that Permit No. C-18398 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-18398, heretofore issued to.....

Lowell Baker be,

and the same is hereby, declared cancelled effective April 23, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Robert W. C. Norton*  
*John H. Wimschell*  
Commissioners

Dated at Denver, Colorado,

this 10th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
H. L. RAY, DOING BUSINESS AS )  
RAY POULTRY & FEED CO., 401 )  
LINDEN ST., FT. COLLINS, COLO. ) PERMIT NO. C-13200  
)  
)  
-----

-----  
May 10<sup>th</sup> 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
H. L. Ray, dba Ray Poultry & Feed Co.  
-----  
requesting that Permit No. C-13200 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

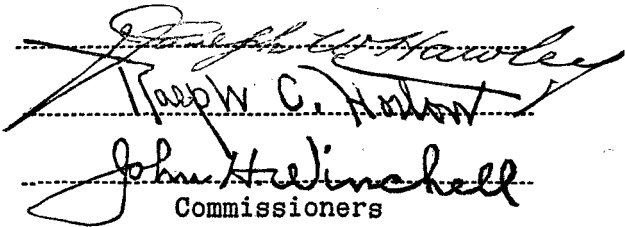
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-13200, heretofore issued to-----  
H. L. Ray, dba Ray Poultry & Feed Co. be,  
and the same is hereby, declared cancelled effective April 15, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 10<sup>th</sup> day of May, 1951.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
OWEN E. NORRIS, % RAY RISENHOOVER )  
LORANE ROUTE, BOX 15, COTTAGE )  
GROVE, OREGON. ) PERMIT NO. C-12796  
 )  
 )  
 )  
-----

-----  
May 10, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Owen E. Norris-----  
requesting that Permit No. C-12796 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

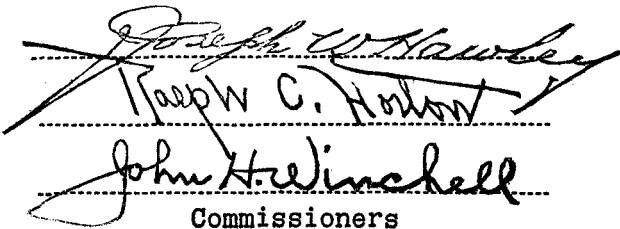
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-12796, heretofore issued to-----  
Owen E. Norris-----be,  
and the same is hereby, declared cancelled effective April 23, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 10th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
C. R. NORRIS, % RAY RISEN- )  
HOOVER, LORANE ROUTE, BOX 15, )  
COTTAGE GROVE, OREGON. ) PERMIT NO. C-12619  
)  
)  
)  
-----

-----  
May 10, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
-----  
C. R. Norris  
-----  
requesting that Permit No. C-12619 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-12619, heretofore issued to-----  
-----  
C. R. Norris be,  
and the same is hereby, declared cancelled effective April 23, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph W. C. Horton*  
*John H. Hinchell*  
Commissioners

Dated at Denver, Colorado,

this 10th day of May, 1951.  
mas

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LLOYD W. KING, BENNETT, )  
COLORADO. )  
)  
)  
)

PERMIT NO. C-10788

-----  
May 10, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Lloyd W. King  
.....  
requesting that Permit No. C-10788.....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-10788....., heretofore issued to.....  
Lloyd W. King.....be,  
and the same is hereby, declared cancelled effective April 21, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Harold C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 10th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FLOYD BEALS, 629 OSCEOLA ST., )  
DENVER 4, COLORADO. )  
 ) PERMIT NO. C-9900  
 )  
 )  
 )  
 )

-----  
May 10, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Floyd Beals  
requesting that Permit No. C-9900 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-9900, heretofore issued to  
Floyd Beals be,  
and the same is hereby, declared cancelled effective April 23, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph C. Hickox*  
*John Commissionershell*

Dated at Denver, Colorado,  
this 10th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
W. N. MOTOR CO., 2420 EAST ) CASE NO. 56835-R  
CENTRAL, ALBUQUERQUE, NEW ) (Permit No. C-25977)  
MEXICO. )  
-----)

-----  
May 1, 1951  
-----

S T A T E M E N T

By the Commission:

On April 16, 1951, in the above-styled case, the Commission entered an order revoking the above-numbered permit for failure of respondent to file monthly road tax reports from October 1, 1950 to March 1, 1951. Said delinquent reports have now been filed with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

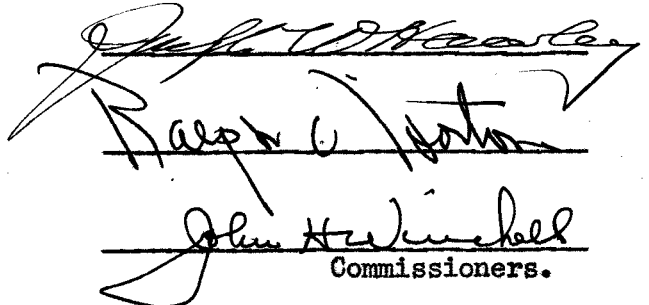
That said order of revocation should be set aside, vacated, and held for naught.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-25977 be, and the same is hereby, reinstated as of April 16, 1951, revocation order entered in the above-captioned case under date of April 16, 1951, being hereby set aside, vacated and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 1st day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN H. KORINEK, ORDWAY, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE ) APPLICATION NO. 11091-PP.  
AS A PRIVATE CARRIER BY MOTOR )  
VEHICLE FOR HIRE. )  
-----)

-----  
May 1, 1951  
-----

Appearances: John H. Korinek, Ordway,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing at the Court House in La Junta, Colorado, on April 25, 1951, at ten o'clock A. M., due notice of the time and place of hearing being forwarded to all parties in interest.

When the matter was called for hearing, applicant requested that the instant application be dismissed.

F I N D I N G S

THE COMMISSION FINDS:

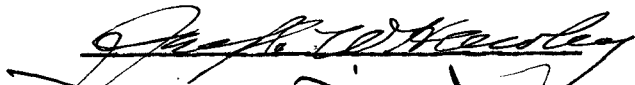
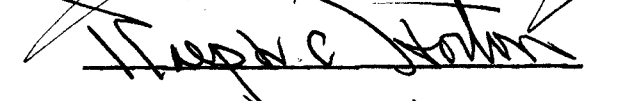
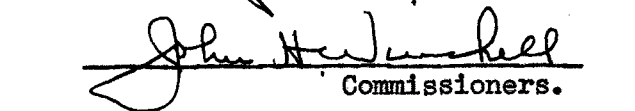
That the request of applicant should be granted.

O R D E R

THE COMMISSION ORDERS:

That Application No. 11091-PP, of John H. Korinek, of Ordway, Colorado, be, and the same hereby is, dismissed.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 1st day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
H. H. GRASWICK, JR., SUGAR CITY, )  
COLORADO, FOR A CLASS "B" PERMIT ) APPLICATION NO. 11092-PP.  
TO OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
-----)

-----  
May 1, 1951  
-----

Appearances: H. H. Graswick, Jr.,  
Sugar City, Colorado,  
pro se.

S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing at the Court House in La Junta, Colorado, on April 25, 1951, at ten o'clock A. M., due notice of the time and place of hearing being forwarded to all parties in interest.

When the matter was called for hearing, applicant requested that the instant application be dismissed.

F I N D I N G S

THE COMMISSION FINDS:

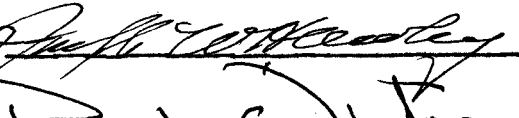
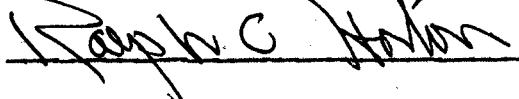

That the request of applicant should be granted.

O R D E R

THE COMMISSION ORDERS:

That Application No. 11092-PP, of H. H. Graswick, Jr., Sugar City, Colorado, be, and the same hereby is, dismissed.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 1st day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
TED BRIGGS, DOING BUSINESS AS "BRIGGS )  
CONSTRUCTION COMPANY," 1005 COLORADO, ) APPLICATION NO. 11093-PP.  
LA JUNTA, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE CARRIER )  
BY MOTOR VEHICLE FOR HIRE. )  
-----)

-----  
May 1, 1951  
-----

Appearances: A. J. Fregeau, Denver,  
Colorado, for Weicker  
Transfer and Storage  
Company.

S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing at the Court House in La Junta, Colorado, on April 25, 1951, at ten o'clock A. M., due notice of the time and place of hearing being forwarded to all parties in interest.

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

A. J. Fregeau, appearing to protest in behalf of Weicker Transfer and Storage Company, moved that said application be dismissed for lack of prosecution.

The matter was taken under advisement.

F I N D I N G S

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be dismissed for lack of prosecution.

O R D E R


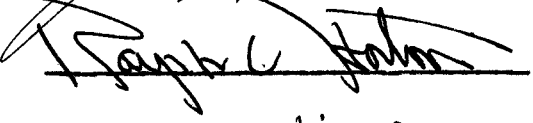
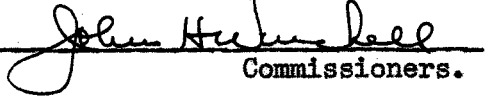
THE COMMISSION ORDERS:

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



This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 1st day of May, 1951.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WILLIAM H. MORRIS, 503 SOUTH TWELFTH )  
STREET, ROCKY FORD, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----)

APPLICATION NO. 11094-PP.

-----  
May 1, 1951  
-----

Appearances: John L. Dennis, Rocky Ford,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing at the Court House in La Junta, Colorado, on April 25, 1951, at ten 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

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be dismissed for lack of prosecution.

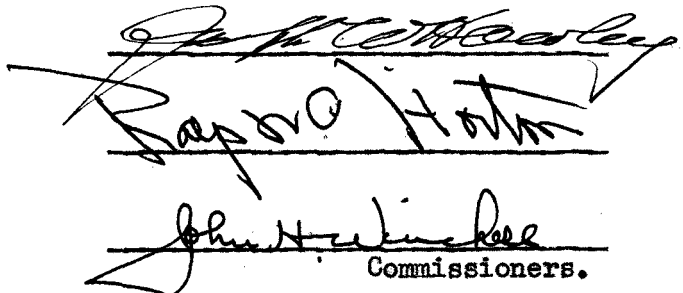
O R D E R

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-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 1st day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF	)	
FRED M. STAPLES AND BOBBY J. MARTIN,	)	
DOING BUSINESS AS "THE WHITE TOP	)	
TAXI SERVICE," GUNNISON, COLORADO,	)	<u>APPLICATION NO. 11065-Extension.</u>
FOR AN EXTENSION OF CERTIFICATE OF	)	
PUBLIC CONVENIENCE AND NECESSITY	)	
NO. PUC-1797.	)	
-----	)	

-----  
May 1, 1951  
-----

Appearances: Porter and Carroll, Esqs.,  
Gunnison, Colorado, for  
applicants.

S T A T E M E N T

By the Commission:

By Decision No. 28539, of date June 30, 1947, Leo Klinker,  
doing business as "White Top Taxi Service," Gunnison, Colorado, was  
authorized to operate as a common carrier by motor vehicle for hire  
for the transportation of:

passengers in cabs of not to exceed five-passenger  
capacity, plus driver, between points within the  
City of Gunnison, Colorado, and from and to said  
City of Gunnison, to and from all points within a  
radius of twenty-five miles of Gunnison, and also  
from Gunnison to the Town of Lake City and return,  
with the proviso that for service between Gunnison,  
on the one hand, and, on the other, points within a  
radius of twenty-five miles of Gunnison, and to Lake  
City, the rate for one passenger shall not be less  
than twenty-five cents per mile one way, with ten  
cents per mile for each additional passenger, and  
two and one-half cents per minute waiting time,

said operating rights being designated "PUC No. 1797."

Pursuant to authority contained in Decision No. 33846, said  
PUC-1797 was transferred to Harold S. Tucker and Minnie C. Tucker, co-  
partners, doing business as "White Top Taxi Service," Gunnison, Colorado.

By Decision No. 34622, of date April 21, 1950, said certificate-  
holders were authorized to extend operations under PUC No. 1797 to include:

(1) transportation of passengers for hire in sightseeing service originating and terminating in Gunnison County within a one-hundred-mile radius of Gunnison, Colorado;

(2) transportation of passengers in sightseeing service from Gunnison County and return via U. S. Highway No. 50 to Montrose, U. S. Highway No. 550, Montrose to Durango (with the right to make side trip to Mesa Verde National Park); thence via U. S. Highway No. 160 to Monte Vista; thence from Monte Vista to Gunnison, Colorado, via U. S. Highway No. 285 and U. S. Highway No. 50, or an alternate route from Monte Vista via U. S. Highway No. 285 and State Highway No. 114.

By Decision No. 35027, of date June 28, 1950, said PUC No. 1797 was transferred by Harold S. Tucker and Minnie C. Tucker, doing business as "White Top Taxi Service," Gunnison, Colorado, to Fred M. Staples and Bobby J. Martin, co-partners, doing business as "White Top Taxi Service," Gunnison, Colorado, applicants herein.

By the instant application, Fred M. Staples and Bobby J. Martin, co-partners, doing business as "White Top Taxi Service," of Gunnison, Colorado, are asking for an extension of their present certificate of public convenience and necessity to include the transportation of a one-way taxi passenger service from Gunnison, Colorado, to Salida, Colorado, and from Gunnison, Colorado, to Montrose, Colorado, picking up passengers only at Gunnison and delivering them either to Salida, Colorado, or to Montrose, Colorado, but without any right to pick up passengers at either Salida, Colorado, or Montrose, Colorado, and without any right to pick up passengers at intermediate points.

The matter was regularly set for hearing, and heard, on April 13, 1951, at the Court House in Gunnison, Colorado, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicants desire to furnish a service to the public in addition to the service offered under their present authority, consisting of a one-way daily service from Gunnison to Salida, and from Gunnison to Montrose; that this service is desired primarily for the purpose of transporting passengers on the Frontier Airlines when planes are grounded at Gunnison so that passengers thus grounded at

Gunnison on westbound planes may be transported by taxi service to Montrose, Colorado, and passengers on grounded eastbound planes may be transported by taxi to Salida, Colorado. The witnesses state that if this application is granted, it will inure to the benefit of the general public, and especially to the Frontier Airlines, in having additional transportation facilities available.

There was no evidence at the hearing, nor were any protests formally filed in the instant matter, so it therefore appears from the record before us that applicants' proposed extension should be authorized. It clearly appears as we view the evidence, that the residents of the Gunnison area, as well as passengers grounded from Frontier Airlines, should have an available service to either Salida or Montrose. Taxi service offered by applicants in the instant application is in the nature of an emergency service, and a service that should be available.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That from the evidence, as reviewed in the preceding Statement, which, by reference is made a part hereof, public convenience and necessity require the extension of authority under PUC No. 1797, as asked for in the instant application, and that such extension should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That public convenience and necessity require the extension of motor vehicle common carrier service of applicants under Certificate of Public Convenience and Necessity No. 1797 to include the transportation of a one-way taxi passenger service from Gunnison to Salida, Colorado, and from Gunnison, Colorado, to Montrose, Colorado, picking up passengers only at Gunnison and delivering them either to Salida or Montrose, Colorado, but without any right to pick up passengers at either Salida or Montrose, Colorado,

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

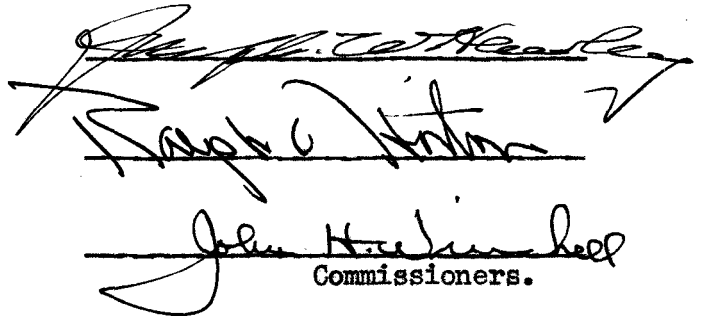
That applicants shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

That applicants shall operate their 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 applicants with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



Three handwritten signatures are present, each written over a horizontal line. The signatures are in cursive and appear to be those of the Commissioners of the Public Utilities Commission of the State of Colorado.

Dated at Denver, Colorado,  
this 1st day of May, 1951.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GEORGE TORGLER, ORDWAY, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE ) APPLICATION NO. 11090-PP.  
AS A PRIVATE CARRIER BY MOTOR VE- )  
HICLE FOR HIRE. )  
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May 1, 1951  
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Appearances: George Torgler, Ordway,  
Colorado, pro se;  
John L. Dennis, Rocky Ford,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

On February 17, 1951, George Torgler, of Ordway, Colorado, 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 sand, gravel, and other road surfacing materials from pits and supply points in the State of Colorado to jobs within a radius of 50 miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties, and all territory within a radius of 50 miles of Denver, Colorado.

The matter was set for hearing at the Court House in La Junta, Colorado, on April 25, 1951, at ten o'clock A. M., and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant is the owner of two 1950 Chevrolet trucks. The evidence did not disclose, nor did it appear, that the granting of the instant application would impair the services of protestant John L. Dennis, or any other common carrier service in the area with which applicant will compete.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application, as hereinafter limited, should be granted.

O R D E R

THE COMMISSION ORDERS:

That George Torgler, of Ordway, 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 road surfacing materials from pits and supply points in Colorado to jobs within a radius of 50 miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties, and all territory within a radius of 50 miles of Denver, Colorado.

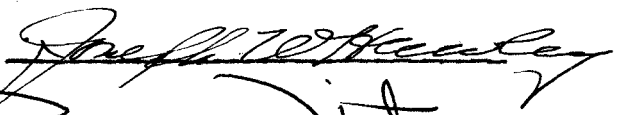
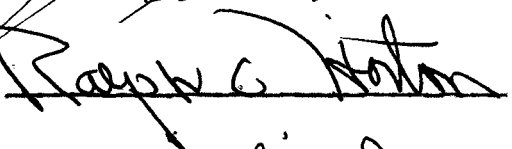
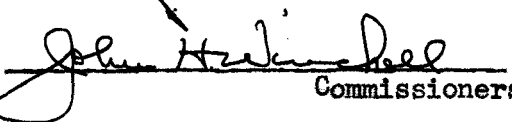
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until 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.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 1st day of May, 1951.

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original

(Decision No. 36625)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF  
DOOLEY FEED SUPPLY, BOX 331,  
SANTA FE, NEW MEXICO.

CASE NO. 56286-R  
(Permit No. C-3057)

RE MOTOR VEHICLE OPERATIONS OF  
MIKE MORRIS, 817 LOMA VISTA  
DRIVE, ALBUQUERQUE, NEW MEXICO.

CASE NO. 56402-R  
(Permit No. C-11133)

RE MOTOR VEHICLE OPERATIONS OF  
T. D. SADBERRY, RT. #2, BOX 86B,  
GISCO, TEXAS.

CASE NO. 56448-R  
(Permit No. C-13692)

RE MOTOR VEHICLE OPERATIONS OF  
CROWN OIL CO., P. O. BOX 198  
CHEYENNE, WYOMING.

CASE NO. 56313-R  
(Permit No. C-14958)

RE MOTOR VEHICLE OPERATIONS OF  
GOLDEN BEAR PRODUCE DISTRIBUTORS,  
816 LINDEN STREET, LOS ANGELES,  
21, CALIFORNIA.

CASE NO. 56499-R  
(Permit No. C-22199)

RE MOTOR VEHICLE OPERATIONS OF  
STEWART COACH INDUSTRIES, INC.,  
BOX 104, BRISTOL, INDIANA.

CASE NO. 56739-R  
(Permit No. C-22245)

RE MOTOR VEHICLE OPERATIONS OF  
J. A. TAICHERT CO., BOX 29,  
LAS VEGAS, NEW MEXICO.

CASE NO. 56547-R  
(Permit No. C-24265)

RE MOTOR VEHICLE OPERATIONS OF  
JOE R. PREUSSER, 7123 DALE RD.,  
EL PASO, TEXAS.

CASE NO. 56555-R  
(Permit No. C-24352)

RE MOTOR VEHICLE OPERATIONS OF  
THERO PRODUCE, ESKRIDGE,  
KANSAS.

CASE NO. 56571-R  
(Permit No. C-24612)

RE MOTOR VEHICLE OPERATIONS OF  
OAKLEY AUTO SALES, HIGHWAY 40,  
OAKLEY, KANSAS.

CASE NO. 56630-R  
(Permit No. C-24904)

RE MOTOR VEHICLE OPERATIONS OF  
KINGMAN & CO., 314 SOUTH 11TH  
STREET, OMAHA, NEBRASKA.

CASE NO. 56608-R  
(Permit No. C-25125)

RE MOTOR VEHICLE OPERATIONS OF  
LESTER CRISP, HARTVILLE,  
MISSOURI.  
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CASE NO. 56600-R  
(Permit No. C-25214)

RE MOTOR VEHICLE OPERATIONS OF  
THE MYERS CO., INC., 530 EAST  
OVERLAND, EL PASO, TEXAS.  
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CASE NO. 56261-R  
(Permit No. C-25491)

RE MOTOR VEHICLE OPERATIONS OF  
W. G. & B. D. LUNDY, 830 OWENS  
AVENUE, JACKSONVILLE, FLORIDA.  
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CASE NO. 56210-R  
(Permit No. C-25799)

RE MOTOR VEHICLE OPERATIONS OF  
BULLOCK CHEVROLET CO., GRANT,  
NEBRASKA.  
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CASE NO. 56124-R  
(Permit No. C-26271)

RE MOTOR VEHICLE OPERATIONS OF  
McALLISTER-FITZGERALD LUMBER  
CO., 113 WEST FULTON, GARDEN  
CITY, KANSAS.  
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CASE NO. 56761-R  
(Permit No. C-26284)

RE MOTOR VEHICLE OPERATIONS OF  
CHARLES C. HOLDEN, BOX 653,  
LEVELLAND, TEXAS.  
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CASE NO. 56749-R  
(Permit No. C-26327)

RE MOTOR VEHICLE OPERATIONS OF  
SCHONROCK EQUIPMENT CO., SAN  
ANGELO, TEXAS.  
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CASE NO. 56206-R  
(Permit No. C-26365)

RE MOTOR VEHICLE OPERATIONS OF  
MANUEL G. MONTANO, BOX 625,  
LAS VEGAS, NEW MEXICO.  
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CASE NO. 56176-R  
(Permit No. C-26467)

RE MOTOR VEHICLE OPERATIONS OF  
H. & W. DAIRY, MONTICELLO,  
UTAH.  
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CASE NO. 56156-R  
(Permit No. C-26529)

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May 1, 1951  
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### S T A T E M E N T

By the Commission:

On April 13, 1951, in the above-styled cases, the Commission entered orders, revoking the above-numbered permits for failure of respondents to file certain delinquent monthly road tax reports. Said de-

Linquent reports have now been filed with the Commission.

### FINDINGS

#### THE COMMISSION FINDS:


That said orders of revocation should be set aside, vacated, and held for naught.

### ORDER

#### THE COMMISSION ORDERS:

That Permits Nos. C-3057, C-11133, C-13692, C-14958, C-22199, C-22245, C-24265, C-24352, C-24612, C-24904, C-25125, C-25214, C-25491, C-25799, C-26271, C-26284, C-26327, C-26365, C-26467, and C-26529 be, and the same hereby are, reinstated as of April 13, 1951, revocation orders entered in the above-captioned cases under date of April 13, 1951, being hereby set aside, cancelled and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



*Joseph C. Hawley*  
*Ralph C. Hutton*  
*John H. H. Bell*  
Commissioners.

Dated at Denver, Colorado,  
this 1st day of May, 1951.  
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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF  
DENVER-LARAMIE-WALDEN TRUCK LINE,  
INC., 2921 WALNUT STREET, DENVER,  
COLORADO, FOR AUTHORITY TO TRANSFER  
THAT PORTION OF PUC NO. 51 AND 51-I  
(FORMERLY KNOWN AS "PUC NO. 1475 AND  
1475-I") TO NORTH PARK TRANSPORTA-  
TION COMPANY, INC., WALDEN, COLORADO,  
SAID TRANSFERRED OPERATING RIGHTS  
TO BE CONSOLIDATED WITH PUC NO. 1600.)  
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APPLICATION NO. 8574-Amended  
PUC NOS. 51, 51-I  
1475, 1475-I

IN THE MATTER OF THE APPLICATION OF  
NORTH PARK TRANSPORTATION COMPANY,  
INC., WALDEN, COLORADO, FOR AN EX-  
TENSION OF PUC NO. 1600.  
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APPLICATION NO. 11107-Extension

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May 4, 1951.  
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Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for North Park  
Transportation Company, Inc.;  
Truman A. Stockton, Jr., Esq.,  
Denver, Colorado, for Denver-  
Laramie-Walden Truck Line,  
Inc.

S T A T E M E N T

By the Commission:

By Application No. 8574, of date July 2, 1947, Denver-Laramie-Walden Truck Line, Inc., sought authority to transfer a portion of its operating rights under PUC No. 1475 and PUC No. 1475-I to North Park Transportation Company, Inc., a Colorado corporation.

Through inadvertence, said application was not set for hearing, and by Decision No. 31723, of date December 20, 1948, the operating rights under said PUC No. 1475 and PUC No. 1475-I were consolidated with PUC No. 51 and PUC No. 51-I of Denver-Laramie-Walden Truck Line, Inc., said consolidated operation in the future to be known as "PUC Nos. 51 and 51-I."

By an amended application, of date March 16, 1951, request was



made that a portion to PUC No. 1475 be transferred to North Park Transportation Company, Inc., and that said operating rights so transferred be consolidated with PUC No. 1600.

By application filed March 16, 1951, said North Park Transportation Company, Inc., seeks an extension of its PUC No. 1600 to authorize transportation of general commodities between Denver, Colorado, and Walden, Colorado and North Park points it is authorized to serve, via U. S. Highway No. 40 to its junction with Colorado Highway No. 14; thence via Colorado Highway No. 14 to Walden, Colorado, serving the points on Colorado Highway No. 14 between its junction with U. S. Highway No. 40 and Walden, Colorado.

Both applications were set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, for April 19, 1951, and after due notice to all interested parties, were there heard upon a consolidated record and taken under advisement.

The portions of said PUC No. 1475 sought in the amended application to be transferred are that portion authorizing the transportation of general commodities, on schedule, between Fort Collins, Colorado, and Walden, Colorado, via Colorado Highway No. 14, and that portion authorizing service between Denver, Colorado, and points in Jackson County, Colorado, via U. S. Highway No. 40 to its junction with Colorado Highway No. 125; thence via Colorado Highway No. 125 to Walden, Colorado.

It is requested in the amended application that the operating rights to be transferred be incorporated in PUC No. 1600 and No. 1600-I of the transferee.

The equipment list of transferee is on file under PUC No. 1600 and 1600-I, and is satisfactory to the Commission. Its balance sheet, as of December 31, 1950 (Exhibit No. 1), shows an earned surplus of \$4,986.04, and there are no debts against that part of the operation being transferred.

Ralph Kerzie, Vice-President and General Manager of the Denver-Laramie-Walden Truck Line, Inc., and Earl M. Harriss, President of North Park Transportation Company, Inc., testified in support of the application. It appears from their testimony that the authority sought to be transferred

has in fact been operated by transferee under the mistaken assumption that favorable action had been taken on the original application. Transferee expects to operate a schedule once per week over the route transferred, in addition to three schedules now being operated between Fort Collins and Walden by another route via Laramie, Wyoming.

The transfer is to be made subject to the terms and conditions of a certain contract to lease and purchase, attached to the original application.

Relative to the application for extension of authority under PUC No. 1600, Mr. Harriss testified that State Highways Nos. 125 and 14 are alternate routes off of U. S. Highway No. 40 to points in Jackson County, and, in order to properly serve in intrastate commerce between Denver and Jackson County points, it is necessary to have authority to traverse both highways for the reason that due to highway conditions, when one highway is not useable, the other could sometimes be used. If the extension is granted, applicant will render a scheduled service in intrastate commerce between Denver and Walden and other authorized North Park points, which service will be maintained regularly, unless interfered with by highway conditions. When these highways are impassable, applicant will use his interstate route, Denver to Walden, via Laramie, Wyoming. State Highway No. 125 is at this time in poor condition for truck operations. State Highway No. 14 is in better condition, twelve miles of the upper end near U. S. Highway No. 40 having been regraded and re-surfaced during the past three years, and eleven miles of State Highway No. 125 from Rand to the top of Willow Creek Pass has been modernized. The Board of County Commissioners of Jackson County and the United States Bureau of Roads have promised further improvement, and either State Highway No. 125 or State Highway No. 14 will eventually become the main highway route between Denver and Walden. Money has been appropriated for re-building seven additional miles of State Highway No. 125 from the top of Willow Creek Pass to U. S. Highway No. 40, near Granby.

Eddie St. Louis, Traffic Manager of Bowman Biscuit Company (formerly Merchants Biscuit Company), Denver, Colorado, testified that

his firm makes shipments to Walden three times per week by applicant, and the service is satisfactory. Walden is a good outlet for its products, and is a distributing point for dude ranches and tourists, and the granting of the extension will offer an additional scheduled service, which will be advantageous.

Sidney Harris, operating a grocery store at Hebron, on State Highway No. 14 between Walden and Muddy Pass, is at present shipping by applicant from Denver to Walden, but either has to go to Walden for his shipments or have them delivered to his store by applicant under its call and demand authority. A scheduled service over State Highway No. 14 would be of benefit to him.

Counsel for applicant stated that W. B. Leatherman, owner of the Rand Hotel and store, W. H. Schmidt, owner of the Walden Cash Store, and D. P. Hawkins, Jr., Manager of a bulk plant at Walden, were in the Hearing Room and, if called as witnesses, would testify to the public convenience and necessity of the proposed extension.

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

### FINDINGS

#### THE COMMISSION FINDS:

That the proposed transfer of that part of the operating rights of PUC No. 51 and 51-I (formerly known as "PUC No. 1475 and 1475-I"), described in the amended application for transfer, of date March 16, 1951, from Denver-Laramie-Walden Truck Line, Inc., to North Park Transportation Company, Inc., is compatible with the public interest and should be authorized, subject to outstanding indebtedness, if any, and the transferred operating rights should be consolidated with PUC Nos. 1600 and 1600-I.

That the application of North Park Transportation Company, Inc., for extension of PUC No. 1600 is in the public interest, and should be granted.

### ORDER

#### THE COMMISSION ORDERS:

That Denver-Laramie Walden Truck Line, Inc., Denver, Colorado,



be, and it hereby is, authorized to transfer to North Park Transportation Company, Inc., Walden, Colorado, all its right, title, and interest in that portion of PUC No. 51 and 51-I (formerly known as "PUC No. 1475 and 1475-I"), which authorizes the transportation of general commodities on schedule between Fort Collins, Colorado, and Walden, Colorado, via Colorado State Highway No. 14, and that portion of said certificate which authorizes service between Denver, Colorado, and points in Jackson County, Colorado, via U. S. Highway No. 40 to its junction with Colorado State Highway No. 125; thence via Colorado State Highway No. 125 to Walden, Colorado, subject, however, to outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That the operating rights authorized to be transferred as aforesaid shall be, and are hereby, consolidated with PUC Nos. 1600 and 1600-I, said consolidated operation in the future to be known as "PUC Nos. 1600 and 1600-I."

That the transfer authorized, as aforesaid, shall be subject to the terms and conditions of the Contract to Lease and Purchase, dated January 31, 1947, and attached to original Application No. 8574.

That the ton-mile tax deposit of transferor, so far as it relates to the operating rights transferred, shall be transferred to the account of the transferee.

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.

The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering its operations under said certificate up to the time of transfer thereof, and the payment by it or transferee of all unpaid ton-mile tax.

That the authority of North Park Transportation Company, Inc., under PUC No. 1600 be, and it is hereby, extended to include the transportation of general commodities between Denver, Colorado, and Walden, Colorado and North Park points it is authorized to serve, via U. S. Highway No. 40 to its junction with Colorado State Highway No. 14; thence



on Colorado State Highway No. 14 to Walden, Colorado, serving the points on Colorado State Highway No. 14 between its junction with U. S. Highway No. 40 and Walden, Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

The 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 (20) days from date.


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

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

Operations of North Park Transportation Company, Inc., under interstate authority shall be subject to the provisions of the Federal Motor Carrier Act of 1935.

This order shall become effective twenty-one (21) days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



*John T. Hawley*  
*Ralph H. Hutton*  
*John H. Hunsicker*  
Commissioners

Dated at Denver, Colorado,  
this 4th day of May, 1951.

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DENVER-BOULDER BUS COMPANY, 1731 )  
TREMONT STREET, DENVER, COLORADO, )  
FOR AN EXTENSION OF CERTIFICATE OF ) APPLICATION NO. 11106-Extension  
PUBLIC CONVENIENCE AND NECESSITY )  
NO. PUC-43. )  
-----)

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May 4, 1951  
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Appearances: T. A. White, Esq., Denver,  
Colorado, for applicant;  
E. B. Evans, Esq., Denver,  
Colorado, for Bill's  
City Taxi.

S T A T E M E N T

By the Commission:

By the instant application, Denver-Boulder Bus Company, a Colorado corporation, seeks authority to extend its routes in the transportation of passengers, baggage, mail, express and newspapers, by motor bus by the operation of a new and alternate route between Denver, Colorado, and Boulder, Colorado, over highways designated in the application.

The matter was regularly set for hearing, and heard, at 330 State Office Building, Denver, Colorado, on April 19, 1951, and at the conclusion of the hearing, the matter was taken under advisement.

It appears from the evidence and the records of the Commission that applicant operates a motor bus transportation system as a common carrier for hire in the transportation of passengers, baggage, mail, express and newspapers, between Denver, Colorado, and Boulder, Colorado, serving all intermediate points via U. S. Highway No. 87 and Colorado State Highway No. 7 via Lafayette, and via U. S. Highway No. 87 and Colorado State Highways Nos. 168 and 7 via Louisville (PUC-43).

F. A. Reich, Secretary-Manager of the Boulder Chamber of Commerce, testified that the United States Government plans construction -- beginning at once -- of an Atomic Energy Commission project, covering four square miles, and lying just east of Colorado State Highway No. 93, and straddling the Boulder County-Jefferson County boundary line, at a cost of \$45,000,000.00. It is estimated that 2,000 persons will be employed in the construction work, and the project, to be operated by the Dow Chemical Company, will be staffed with approximately 1,000 permanent employees. Some of these employees will reside in Boulder and the others at Golden, Arvada and Denver. Marshall, located on Colorado State Highway No. 93, about 5.8 miles south of Boulder, will, no doubt, develop into a large community.

The proposed alternate bus route will run from Denver over Colorado State Highway No. 72 via Arvada and Leyden Junction to the junction of said highway with Colorado State Highway No. 93, thence over Colorado State Highway No. 93 to Marshall, and thence over Colorado State Highway No. 170 to Boulder, and return over the same route, serving all intermediate points except with respect to local service between Denver and Arvada. A good surfaced road, suitable for bus transportation, will be guaranteed. Boulder has a present population (1950 census) of 19,916, and the proposed service will be of great benefit to the Boulder and Denver residents, as well as to the employees of the new project.

Transportation service between Denver and Boulder, Colorado, is in competition with the rail service of the Colorado and Southern Railway Company between said points, but there are no common carriers of passengers, baggage, express, mail and newspapers by motor bus between Denver and Boulder over the route proposed. Such new service will provide transportation between Denver and Boulder on about the same time schedule as the service now operated via U. S. Highway No. 87 and Colorado State Highway No. 7, and will enable the residents of Marshall and Leyden Junction to have transportation

service between Denver and Boulder and enable the public at Arvada, Colorado, to have transportation service to Boulder, Leyden Junction and Marshall. The route will provide direct and convenient service between the proposed atomic energy plant and Boulder on the one hand, and Denver on the other hand, and applicant will provide such reasonable transportation service for the convenience and necessity of shift workers at the plant as may be required by the public interest.

I. B. James, President of applicant company, testified he had sufficient equipment and will operate one round trip daily, and more as required, to take care of the business. Presently, a 37-passenger Aero Coach or a 35-passenger A. C. F. motor bus will be used in the operation.

A balance sheet of applicant company as of March 31, 1950, (Exhibit No. 1) shows a total earned surplus of \$69,774.55.

No one appeared to protest the granting of the extended authority sought.

### F I N D I N G S

#### THE COMMISSION FINDS:

That public convenience and necessity require, and will require, the proposed extended service of applicant, and a certificate of public convenience and necessity should issue therefor.

### O R D E R

#### THE COMMISSION ORDERS:

That applicant, Denver-Boulder Bus Company, be, and hereby is, authorized to extend its routes under PUC-43 in the transportation of passengers, baggage, mail, express and newspapers, by motor bus by operating a new and alternate route between Denver and Boulder, as follows, to-wit:

Between Denver, Colorado, and Boulder, Colorado,  
via State Highways 72, 93 and 170 as follows:  
From Denver over State Highway 72 via Arvada  
and Leyden Junction to the junction of State  
Highway 72 with State Highway 93; thence over  
State Highway 93 to Marshall; thence over State  
Highway 170 to Boulder, Colorado, and return over  
the same route, serving all intermediate points  
except with respect to local service between  
Denver, Colorado, and Arvada, Colorado,

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

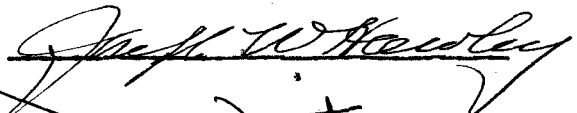
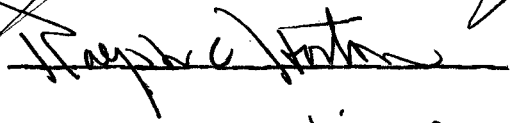
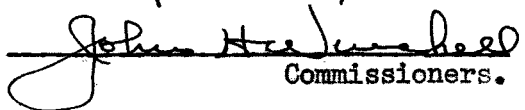
That applicant shall file tariffs of rates, rules and regulations and time and distance schedules as required by the rules and regulations of this Commission within twenty days from date.

That applicant shall operate its 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.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of May, 1951.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HARRY W. HIMES, BEULAH, COLORADO, )  
TO TRANSFER TO N. W. CARTER, 1601 )  
EAST SECOND STREET, PUEBLO, COLO- ) APPLICATION NO. 11099-Transfer  
RADO, HIS CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY NO. 2203. )  
----- )

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May 4, 1951  
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Appearances: Riley R. Cloud, Esq.,  
Pueblo, Colorado, for  
Transferor and Transferee.

S T A T E M E N T

By the Commission:

On January 8, 1951, by Decision No. 35901, Harry W. Himes, of Beulah, Colorado, was authorized to operate as a common carrier by motor vehicle for hire (PUC-2203) for the transportation of milk, dairy products, poultry and eggs, between points along the Pueblo Highway between the City of Pueblo and Beulah, Colorado, a distance of 28 miles, said highway being Highway No. 76, and also between points along the North Creek Road, a distance of about 20 miles northwest of Beulah, Colorado.

He now seeks authority to transfer said certificate to N. W. Carter, 1601 East 2nd Street, Pueblo, Colorado.

At the hearing in Pueblo, Colorado, on April 24, 1951, it appeared that the consideration for the transfer of said certificate and one truck is the sum of \$1,250.00. It also appeared that there are no outstanding unpaid obligations against said operation, and the transferor has operated continuously under said certificate since the date of its issuance. Ton-mile tax deposit is to be transferred to the account of transferee.

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

The matter was taken under advisement.

## FINDINGS

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 Harry W. Himes, of Beulah, 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. 2203 to N. W. Carter, 1601 East 2nd Street, Pueblo, Colorado.


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

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.

The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate up to the time of the transfer of said certificate, and the payment by him or transferee of all unpaid ton-mile tax.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



*Joseph W. Macoley*  
*Raymond C. Johnson*  
*John H. Williams*  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of May, 1951.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
DE FOREST YOUNG, MONUMENT, COLORADO,  
TO TRANSFER CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY NO. 418  
TO EARL B. AND RUTH E. ENGEL, DOING  
BUSINESS AS "ENGEL FUEL AND FEED,"  
MONUMENT, COLORADO.

APPLICATION NO. 11121-Transfer

May 4, 1951

Appearances: Earl B. Engel, Monument,  
Colorado, pro se;  
A. J. Fregeau, Denver, Colo-  
rado, for Weicker Transfer  
and Storage Company.

S T A T E M E N T

By the Commission:

By Decisions Nos. 8103 and 11028, C. N. Lavelett, doing  
business as "Lavelett Truck Line," was authorized to operate a common  
carrier motor vehicle system:

for the conduct of a general transfer business in  
the town of Monument, the transportation of freight  
from point to point within a radius of fifteen miles  
of Monument, and between points in said area and  
Colorado Springs; transportation of farm machinery  
when not in competition with a line-haul operation,  
from and to points in said fifteen-mile radius, to  
and from points in the State of Colorado, except from  
and to points in said area, to and from Denver; farm  
products, including livestock, farm equipment, in-  
cluding used household goods, when moving farmers from  
place to place, to and from points in said area, from  
and to points in the State of Colorado, with the  
proviso that applicant should not engage in the  
transportation of merchandise or freight, generally,  
between points served by motor vehicle common carriers  
operating on schedule,

said authority being assigned "PUC No. 418."

By Decision No. 33162, of August 8, 1949, said authority was  
transferred to DeForest Young, of Monument, Colorado, transferor herein.

Transferor now seeks authority to transfer said certificate to  
Earl B. and Ruth Engel, doing business as "Engel Fuel and Feed," Monument,  
Colorado.



At the hearing in Colorado Springs, Colorado, held on April 26, 1951, it appeared that the consideration for the transfer of said certificate and certain equipment is the sum of \$5,500.00, which money is to be paid upon authorization of this Commission of the transfer.

It also appeared that there are no outstanding unpaid obligations against said operation, and transferor has operated continuously under said certificate since he acquired the same. The ton-mile tax deposit is to be transferred to the account of transferees.

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

The matter was taken under advisement.

### FINDINGS

#### THE COMMISSION FINDS:

That said transfer should be authorized.

### ORDER

#### THE COMMISSION ORDERS:

That DeForest Young, of Monument, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to PUC-418 to Earl B. and Ruth E. Engel, a co-partnership, doing business as "Engel Fuel and Feed," Monument, Colorado.

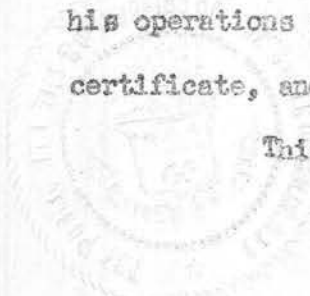
That ton-mile tax deposit of transferor be transferred to account of transferees.

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

The right of transferees to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate up to the time of the transfer of said certificate, and the payment by him or transferees of all unpaid ton-mile tax.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
*[Signature]*  
*[Signature]*  
*[Signature]*  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
SMITH STORAGE AND TRANSFER COMPANY,  
A CORPORATION, 234 NORTH COLORADO  
AVENUE, COLORADO SPRINGS, COLORADO,  
TO TRANSFER CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY NO. 343  
TO LEOTA G. CORNELIUS, DOING BUSI-  
NESS AS "SMITH STORAGE AND TRANSFER  
COMPANY."

APPLICATION NO. 11120-Transfer

-----  
May 4, 1951  
-----

Appearances: Henry I. Smith, Colorado  
Springs, Colorado, pro se;  
Leota G. Cornelius, Colorado  
Springs, Colorado, pro se;  
A. J. Fregeau, Denver, Colo-  
rado, for Weicker Transfer  
and Storage Company.

S T A T E M E N T

By the Commission:

By Decision No. 2167, of date May 3, 1929, Pikes Peak  
Warehousing Company was authorized to operate as a common carrier by  
motor vehicle for hire:

for the conduct of a transfer, moving and  
general cartage business in the Counties of  
El Paso, Teller, Fremont, and Douglas, in the  
State of Colorado, and for occasional service  
throughout the State of Colorado and in each  
of the counties thereof, subject to the terms  
and conditions that for the transportation of  
commodities other than household goods between  
points served singly or in combination by  
scheduled carriers, applicant shall charge  
rates which shall be as much as twenty percent  
higher in all cases than those charged by  
scheduled carriers. Applicant shall not oper-  
ate on schedule between any point. Applicant  
shall not be permitted, without further auth-  
ority from the Commission, to establish a branch  
office or to have an agent employed in any other  
town or city than Colorado Springs for the purpose  
of developing business.

By Decision No. 11037, of date November 27, 1937, Pikes Peak  
Warehousing Company was authorized to transfer said operating rights (PUC-343)  
to Clarence A. Warren, doing business as "Smith Storage and Transfer Company."

By Decision No. 27689, of date February 28, 1947, Clarence A. Warren, doing business as "Smith Storage and Transfer Co.," transferred said operating rights (PUC-343) to Henry I. Smith, doing business as "Smith Storage & Transfer Co.," of Colorado Springs, Colorado.

Transferor now seeks authority to transfer said certificate to Leota G. Cornelius, doing business as "Smith Storage and Transfer Company."

At the hearing in Colorado Springs, Colorado, on April 26, 1951, it appeared that the consideration for the transfer of said certificate and certain specified equipment is the sum of \$37,000.00, of which \$10,000.00 was paid on February 24, 1951, and \$9,000.00 was paid on March 1, 1951. For the balance of \$18,000.00, transferee will execute a promissory note to be payable \$1,500.00 on April 1, 1951 and \$1,500.00 on the first day of each and every month thereafter until the balance of said purchase price is paid in full, said note to be without interest. However, on past due payments of said balance, interest at the rate of 6% per annum shall be charged. Transferee will be permitted to execute proper and legal mortgage securing the unpaid balance due from transferee to transferor if he so desires.

It also appeared that there are no outstanding unpaid obligations against said operation; that transferor has operated continuously under said certificate since the date it was acquired, and that the ton-mile tax deposit of transferor is to be transferred and credited to the account of transferee. The operating experience and pecuniary responsibility of transferee were established to the satisfaction of the Commission.

The matter was taken under advisement.

### FINDINGS

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 Smith Storage and Transfer Company, a corporation, 234 North Colorado Avenue, Colorado Springs, Colorado, be, and it hereby is, authorized to transfer all its right, title, and interest in and to PUC-343 to Leota G.

Cornelius, doing business as "Smith Storage and Transfer Company." If she so desires, said transferee may secure the balance of payments by chattel mortgage.


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

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.

The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering its operations under said certificate up to the time of the transfer of said certificate, and the payment by it or transferee of all unpaid ton-mile tax.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
*Joseph W. Hawley*  
*Ralph C. Hahn*  
*John H. Hines*  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of May, 1951.

es

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RILEY W. COX, 215 E. 7TH, )  
PUEBLO, COLORADO. )  
 ) PERMIT NO. C-26070  
 )  
 )  
 )  
-----

-----  
May 11, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Riley W. Cox  
-----  
requesting that Permit No. C-26070 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

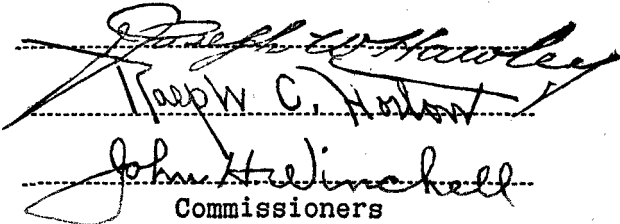
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-26070, heretofore issued to-----  
Riley W. Cox be,  
and the same is hereby, declared cancelled effective March 6, 1951. .

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 11th day of May, 1951.  
m/s



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JIM MAES, BOX 13, AGUILAR, )  
COLORADO. )

PERMIT NO. C-25833

May 11, 1951

S T A T E M E N T

By the Commission:

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

..... Jim Maes .....

requesting that Permit No. C-25833 ..... 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-25833 ....., heretofore issued to.....

..... Jim Maes ..... be,

and the same is hereby, declared cancelled effective April 2, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph W. C. Horton*  
*John H. Winchell*

Commissioners

Dated at Denver, Colorado,

this 11th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CENTRAL POP CORN CO., )  
SCHALLER, IOWA. )  
 ) PERMIT NO. C-25930  
 )  
 )  
 )

-----  
May 11, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Central Pop Corn Co.  
-----  
requesting that Permit No. C-25930 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-25930, heretofore issued to-----  
Central Pop Corn Co.-----be,  
and the same is hereby, declared cancelled effective April 23, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. C. Holton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 11th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
W. F. KARR, Jr. AND S. F. )  
HUGHES, 1795 FLORENCE ST., )  
AURORA, COLORADO. ) PERMIT NO. C-26615  
----- )

-----  
May 11, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
----- W. F. Karr, Jr. and S. F. Hughes -----  
requesting that Permit No. C-26615 ----- 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-26615 -----, heretofore issued to-----  
----- W. F. Karr, Jr. and S. F. Hughes ----- be,  
and the same is hereby, declared cancelled effective April 3, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph W. C. Horton*  
*John H. Linchell*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 11th day of May, 1951.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
O. L. COTTRILL, 225 N. 2nd ST., )  
STERLING, COLORADO. )  
)  
)  
)

PERMIT NO. C-26723

May 11, 1951

S T A T E M E N T

By the Commission:

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

O. L. Cottrill

requesting that Permit No. C-26723 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

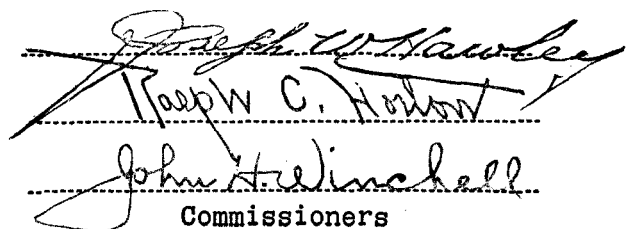
THE COMMISSION ORDERS:

That Permit No. C-26723, heretofore issued to.....

O. L. Cottrill be,

and the same is hereby, declared cancelled effective April 16, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 11th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HENRY F. MAESTAS, 3617 RED )  
CANON, COLORADO SPRINGS, )  
COLORADO. ) PERMIT NO. C-26355  
)  
)  
)  
-----

-----  
May 11, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Henry F. Maestas-----  
requesting that Permit No. C-26355-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

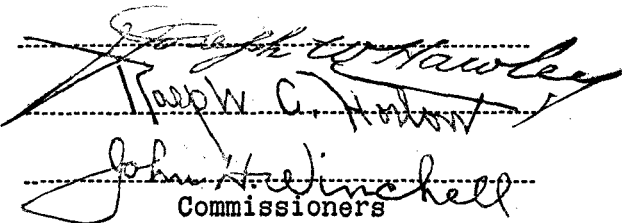
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-26355-----, heretofore issued to-----  
Henry F. Maestas-----be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 11th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HARVEY L. EDSTROM, 1803 SO. )  
COLLEGE, FT. COLLINS, COLORADO )  
 )  
 )  
 )

PERMIT NO. C-26127

May 11, 1951

S T A T E M E N T

By the Commission:

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

Harvey L. Edstrom

requesting that Permit No. C-26127 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-26127, heretofore issued to.....

Harvey L. Edstrom be,

and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 11th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROY WHITSON, DOING BUSINESS AS )  
SAGUACHE FURNITURE, 3523 SO. )  
CHEROKEE, ENGLEWOOD, COLORADO. )  
----- )

PERMIT NO. C-26789

-----  
May 11, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Roy Whitson, dba Saguache Furniture  
requesting that Permit No. C-26789 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-26789, heretofore issued to  
Roy Whitson, dba Saguache Furniture be,  
and the same is hereby, declared cancelled effective April 6, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph W. C. Horton*  
*John H. Lincoln*  
Commissioners

Dated at Denver, Colorado,

this 11th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
PEARL A. POE, 416 E. 6th AVE., )  
FT. MORGAN, COLORADO. )  
 )  
 ) PERMIT NO. C-14162  
 )  
 )  
 )

-----  
May 11, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
----- Pearl A. Poe -----  
requesting that Permit No. C-14162 ----- 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-14162 -----, heretofore issued to-----  
----- Pearl A. Poe ----- be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
Ralph W. C. Horton  
-----  
John H. Winchell  
-----  
Commissioners

Dated at Denver, Colorado,  
this 11th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
A. SCHLOTTHAUER, R. 3, BOX 301 )  
FT. COLLINS, COLORADO. )  
 )  
 )  
 )  
 )  
-----

PERMIT NO. C-7807

-----  
May 11, 1951  
-----

S T A T E M E N T

By the Commission:

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

-----  
A. Schlotthauer  
-----

requesting that Permit No. C-7807-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

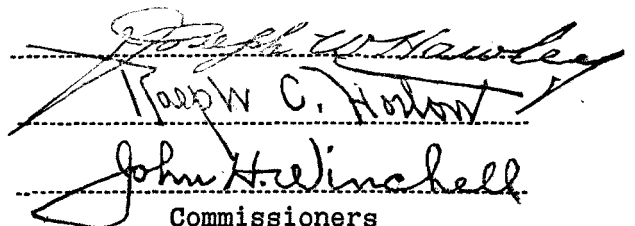
THE COMMISSION ORDERS:

That Permit No. C-7807-----, heretofore issued to-----

-----  
A. Schlotthauer-----be,

and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 11th day of May, 1951.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ARTHUR R. HOWARD, 315 WOOD )  
STREET, FT. COLLINS, COLORADO.)  
)  
)  
)

PERMIT NO. C-9583

May 11, 1951

S T A T E M E N T

By the Commission:

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

Arthur R. Howard

requesting that Permit No. C-9583.....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-9583....., heretofore issued to.....

Arthur R. Howard.....be,

and the same is hereby, declared cancelled effective March 14, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph W. C. Holton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 11th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WAYNE N. MILLER, 842 E. )  
CIMARRON, COLORADO SPRINGS, )  
COLORADO. ) PERMIT NO. C-24461  
 )  
 )  
 )

May 11, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Wayne N. Miller  
requesting that Permit No. C-24461 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-24461, heretofore issued to  
Wayne N. Miller be,  
and the same is hereby, declared cancelled effective April 7, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph L. Hawley*  
*Ralph W. C. Horton*  
*John H. Winschell*  
Commissioners

Dated at Denver, Colorado,

this 11th day of May, 1951.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
F. HUGHEY, Jr. AND CONRAD B. )  
ANTHONY, DOING BUSINESS AS )  
HUGHEY & BURNS OIL CO., ) PERMIT NO. C-10230  
McCLAVE, COLORADO. )  
----- )

-----  
May 11, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
F. Hughey, Jr. & Conrad B. Anthony, dba Hughey & Burns Oil Co.  
-----  
requesting that Permit No. C-10230 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

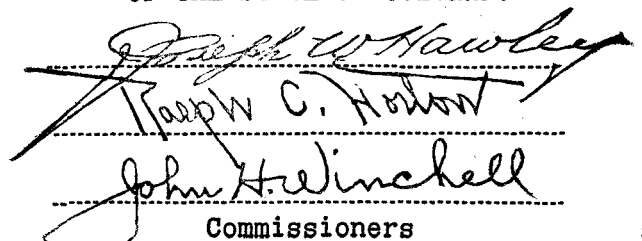
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-10230, heretofore issued to.....  
F. Hughey, Jr. & Conrad B. Anthony, dba Hughey & Burns Oil Co. be,  
and the same is hereby, declared cancelled effective February 3, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 11th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROY HYATT, MASONVILLE, )  
COLORADO. )  
 ) PERMIT NO. C-11345  
 )  
 )  
 )

-----

-----  
May 11, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Roy Hyatt-----  
requesting that Permit No. C-11345-----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-11345-----, heretofore issued to-----  
Roy Hyatt-----be,  
and the same is hereby, declared cancelled effective March 15, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
Joseph W. Hawley  
-----  
Ralph C. Horton  
-----  
John H. Linchell  
Commissioners

Dated at Denver, Colorado,  
this 11th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
M. V. STAGNER, 1735 SOUTH )  
PENN. ST., DENVER 10, COLORADO )  
PERMIT NO. C-15060  
)  
)  
)

May 11, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
M. V. Stagner  
requesting that Permit No. C-15060 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-15060, heretofore issued to  
M. V. Stagner be,  
and the same is hereby, declared cancelled effective April 7, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Roscoe W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 11th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ALEXANDER C. KIRK, P. O. BOX 1 )  
FLORISSANT, COLORADO. )

PERMIT NO. C-24659

May 11, 1951

S T A T E M E N T

By the Commission:

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

Alexznder C. Kirk

requesting that Permit No. C-24659 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-24659, heretofore issued to.....

Alexander C. Kirk be,

and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph W. Hawley*  
*Ralph W. C. Horton*  
*John J. Lincoln*  
Commissioners

Dated at Denver, Colorado,

this 11th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JAMES I. HOLMAN, % G. E. )  
MONTGOMERY, 1156 CLEO ST., )  
PORTERVILLE, CALIFORNIA. ) PERMIT NO. C-26628  
)  
)  
)  
-----

-----  
May 11, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
James I. Holman-----  
requesting that Permit No. ....C-26628.....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-26628....., heretofore issued to-----  
James I. Holman-----be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph W. Hawley*  
*Ralph C. Holton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 11th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROLAN E. LeBLANC, PROCTOR, )  
COLORADO. )  
)  
)  
)

PERMIT NO. C-26503

-----  
May 11, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
-----  
Rolan E. LeBlanc  
-----  
requesting that Permit No. C-26503 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

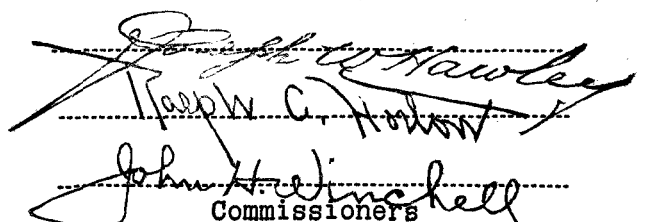
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-26503, heretofore issued to  
-----  
Rolan E. LeBlanc be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 11th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MAURICE I. & MYRON F. HARRI- )  
MAN, 45 BANNOCK ST., DENVER 9, )  
COLORADO. )  
)  
)  
)

PERMIT NO. C-26029

May 11, 1951

S T A T E M E N T

By the Commission:

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

Maurice I. & Myron F. Harriman

requesting that Permit No. C-26029 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-26029, heretofore issued to.....

Maurice I. & Myron F. Harriman be,

and the same is hereby, declared cancelled effective March 26, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph W. C. Holton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 11th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HAROLD & GLEN BLASDEL, FRUITA, )  
COLORADO. )  
 )  
 )  
 )  
 )  
 )  
 )

PERMIT NO. C-24896

May 11, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Harold & Glen Blasdel  
requesting that Permit No. C-24896 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-24896, heretofore issued to  
Harold & Glen Blasdel be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 11th day of May, 1951.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ELIUD SANDOVAL, 460 FRANKLIN )  
ST., MONTE VISTA, COLORADO. )  
 ) PERMIT NO. C-24906  
 )  
 )  
 )

-----

-----  
May 11, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Eliud Sandoval  
-----  
requesting that Permit No. C-24906.....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-24906....., heretofore issued to.....  
Eliud Sandoval.....be,  
and the same is hereby, declared cancelled effective April 3, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
\_\_\_\_\_  
*Harold W. C. Holton*  
\_\_\_\_\_  
*John H. Winchell*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 11th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EUGENE & FANNIE M. FRYBURGER, )  
BOX 671, PAONIA, COLORADO. )

PERMIT NO. C-26089

May 11, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Eugene & Fannie M. Fryburger  
requesting that Permit No. C-26089 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-26089, heretofore issued to  
Eugene & Fannie M. Fryburger be,  
and the same is hereby, declared cancelled effective March 18, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph W. Hawley*  
*Ralph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 11th day of May, 1951..  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CARL GORANSON, LYONS, )  
COLORADO. )  
)  
)  
)

PERMIT NO. C-25001

May 11, 1951

S T A T E M E N T

By the Commission:

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

Carl Goranson

requesting that Permit No. C-25001 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-25001, heretofore issued to.....

Carl Goranson be,

and the same is hereby, declared cancelled effective March 31, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 11th day of May, 1951.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FRED, Jr. & HENRY EHRLICH, )  
DOING BUSINESS AS EHRLICH BROS.)  
RT. 2, BRIGHTON, COLORADO. ) PERMIT NO. C-22178  
 )  
 )  
 )  
-----

-----  
May 11, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Fred, Jr. & Henry Ehrlich-----  
requesting that Permit No. C-22178-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

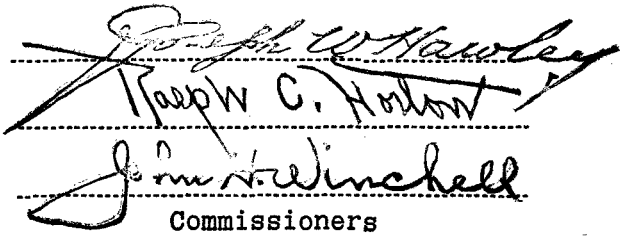
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-22178-----, heretofore issued to-----  
Fred, Jr. & Henry Ehrlich-----be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 11th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
A. W. BENNETT & J. K. CHAMBERS, )  
DOING BUSINESS AS B. & C. DIS- )  
TRIBUTING CO., 519 GILPIN ST., )  
DENVER 2, COLORADO. )  
)  
)  
-----

PERMIT NO. C-21635

-----  
May 11, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
A. W. Bennett & J. K. Chambers, dba B. & C. Distributing Co.  
-----  
requesting that Permit No. ....C-21635.....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-21635....., heretofore issued to.....  
A. W. Bennett & J. K. Chambers, dba B. & C. Distributing Co. ....be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph W. C. Horton*  
*John H. Winchell*  
-----  
Commissioners

Dated at Denver, Colorado,

this 11th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOE KOSTER & E. C. STONER, 123 )  
E. JACKSON, RIVERTON, WYOMING.)

PERMIT NO. C-17890

May 11, 1951

S T A T E M E N T

By the Commission:

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

Joe Koster & E. C. Stoner

requesting that Permit No.....C-17890.....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-17890....., heretofore issued to.....

Joe Koster & E. C. Stoner.....be,

and the same is hereby, declared cancelled effective March 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph C. Hawley*  
*Joseph C. Hawley*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 11th day of May, 1951.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BRUCE HARDMAN, TELLURIDE, )  
COLORADO. )

PERMIT NO. C-25222

May 11, 1951

# STATEMENT

By the Commission:

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

Bruce Hardman

requesting that Permit No. C-25222 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

That the request should be granted.

## O R D E R

THE COMMISSION ORDERS:

That Permit No. C-25222, heretofore issued to.....

Bruce Hardman be.

and the same is hereby, declared cancelled effective April 1, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

~~John W. Hawley~~  
Joseph C. Hobson  
John H. Winchell  
Commissioners

Dated at Denver, Colorado,

this 11th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ED STEINBECKER, RT. 3, BOX 243,) )  
GREELEY COURT, GREELEY, )  
COLORADO. ) PERMIT NO. C-26613  
 )  
 )  
 )  
----- )

-----  
May 11, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Ed Steinbecker-----  
requesting that Permit No. ....C-26613.....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-26613....., heretofore issued to-----  
Ed Steinbecker-----be,  
and the same is hereby, declared cancelled effective April 23, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Harold W. C. Holton*  
*John H. Winchell*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 11th day of May, 1951.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GLENN J. HELFER, 3055 SO. )  
WYANDOT, ENGLEWOOD, COLORADO. )  
)  
)  
)  
-----

PERMIT NO. B-4188

-----  
May 11, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
-----  
Glenn J. Helfer  
-----  
requesting that Permit No. B-4188 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-4188, heretofore issued to  
-----  
Glenn J. Helfer ----- be,  
and the same is hereby, declared cancelled effective April 27, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
-----  
*Joseph W. C. Horton*  
-----  
*John H. Winchell*  
-----  
Commissioners

Dated at Denver, Colorado,

this 11th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FRED HAZEN, BOX 88, SOUTH )  
FORK, COLORADO. )  
)  
)  
)

PERMIT NO. B-3785

May 11, 1951

S T A T E M E N T

By the Commission:

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

.....  
Fred Hazen

requesting that Permit No. B-3785.....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-3785....., heretofore issued to.....

.....  
Fred Hazen.....be,

and the same is hereby, declared cancelled effective April 23, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 11th day of May, 1951.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE PETITION OF  
NORTH PARK TRANSPORTATION COMPANY,  
A CORPORATION, WALDEN, COLORADO,  
FOR WAIVER OF RULES AND REGULA-  
TIONS PERTAINING TO EQUIPMENT.

APPLICATION NO. 11108

May 4, 1951

Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for applicant.

S T A T E M E N T

By the Commission:

Under date of March 12, 1951, North Park Transportation Company, Walden, Colorado, filed its petition herein for a waiver of the rules and regulations of this Commission pertaining to equipment, the specific rule and regulation to be waived being Rule 22 of the Rules and Regulations Governing Common Carriers by Motor Vehicle, effective January 1, 1951, which reads as follows:

"RULE 22

Sanitary Regulations

- "(a) All motor vehicles used for the transportation of foodstuffs shall be kept in a clean and sanitary condition, and all common carriers shall comply with the Rules and Regulations of the State Department of Agriculture and the State Dairy Commissioner when transporting milk, cream, and other commodities, the transportation and distribution of which are under the jurisdiction of the above-mentioned departments of the State.
- "(b) No common carrier by motor vehicle shall transport milk, and cream or other foodstuffs upon the same vehicle with livestock or live poultry, unless such carrier secures the prior approval of the Commission and complies with Section (a) of this Rule.
- "(c) No common carrier by motor vehicle shall transport milk, cream, or other foodstuffs upon the same

vehicle with gasoline, kerosene, oil, mixed feeds, coal, or other commodities that might contaminate the milk, cream, or other foodstuffs, unless the same are carried in a separate, tightly closed compartment."

The petition was set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, for April 19, 1951, and, after due notice to all interested parties, was there heard and taken under advisement.

Earl M. Harriss, Jr., President of applicant corporation, testified that he has contacted Timpfe Brothers for the construction of a new combination trailer, thirty-six feet in length, the front six feet of which will be a van, insulated, with steel partition between the van and the rear 30 feet of the vehicle, which will be used for hauling livestock and general commodities, excluding prepared foods. A blue print of the proposed equipment, prepared by Timpfe Brothers, is attached to the application. There is no means of communication between the compartments, the van being loaded through a side door and no possibility of contamination of the commodities transported in the van. A similar piece of equipment is now being operated by applicant under authority of our Decision No. 34712, of date April 24, 1950, and has been found satisfactory by applicant's customers. It has been inspected twice by the State Patrol, and also by the State Dairy Commissioner, the Dairy and Health Department of the City and County of Denver, approved by the Interstate Commerce Commission, and is operated in compliance with all the rules and regulations of the State Department of Agriculture.

The advantage to applicant's customers in the use of such equipment is the fact that livestock can be hauled to Denver in the rear compartment and freight handled in the van on the return trip.

The State Dairy Commissioner and the Pure Food Department of the City and County of Denver, by letters on file with the Commission, have waived any objection to the use of such equipment by applicant, and Mr. Harriss testified that he has in his files similar waivers from the Interstate Commerce Commission and the Federal Pure Food and Drug Department.

## FINDINGS

### THE COMMISSION FINDS:

That the proposed equipment, as described in the petition herein and the evidence submitted, will be so designed that no purpose could be served by the enforcement of said Rule 22, prohibiting the transportation of milk, cream, and foodstuffs in the same vehicle with livestock, and that the prayer of the petition should be granted.

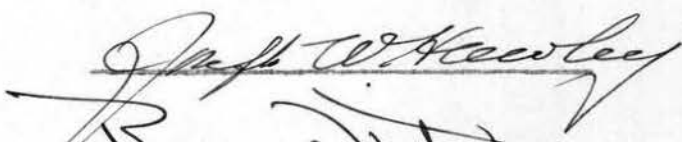
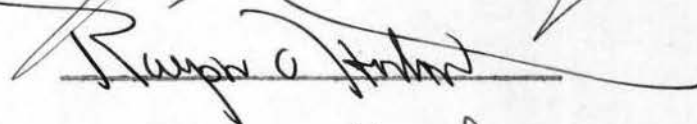
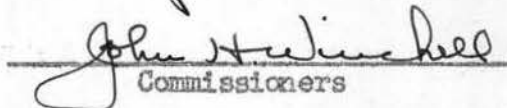
## ORDER

### THE COMMISSION ORDERS:

That North Park Transportation Company, of Walden, Colorado, be, and is hereby, permitted to use the new trailer, described in the petition and the evidence and in the plans submitted to the Commission, and that the prohibition contained in Rule 22, referred to, wherein milk, cream, and other foodstuffs cannot be transported upon the same vehicle with livestock be, and is hereby, waived.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 4th day of May, 1951.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WILLIAM H. BRINKMAN, 1511 BRAGDON, )  
PUEBLO, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 11096-PP

-----  
May 4, 1951  
-----

Appearances: Dorothea Brinkman, Pueblo,  
Colorado, for applicant.

S T A T E M E N T

By the Commission:

On January 10, 1951, William H. Brinkman, of 1511 Bragdon, Pueblo, Colorado, 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 logs and lumber from San Isabel National Forest above San Isabel Lake to Rye, Colorado, and from Rye, Colorado, to Pueblo, Colorado.

The matter was regularly set for hearing on April 24, 1951, at the Court House, in Pueblo, Colorado, due notice of the time and place of hearing being forwarded to all parties in interest.

When the matter was called for hearing, Dorothea Brinkman, wife of applicant herein, appeared and requested that the instant application be dismissed.

The matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application be dismissed at the request of applicant.

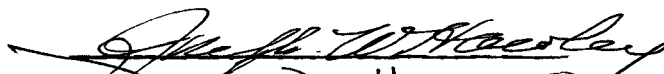
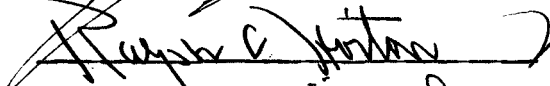
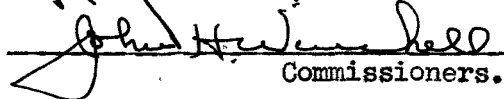
O R D E R

THE COMMISSION ORDERS:

That the instant application of William H. Brinkman, of 1511 Bragdon,

Pueblo, Colorado, be, and the same hereby is dismissed, at the request of applicant.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
TONY CARESTIA, RURAL ROUTE NO. 1, )  
FLORENCE, COLORADO, FOR A CLASS "B" ) APPLICATION NO. 11118-PP  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )  
-----)

-----  
May 4, 1951  
-----

Appearances: Tony Carestia, Florence,  
Colorado, pro se;  
John Hanssen, Westcliffe,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

On February 8, 1951, Tony Carestia, of R. R. #1, Florence, Colorado, filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of coal and wood to all points within a 100-mile radius of Florence, Colorado, excepting Victor and Cripple Creek, Colorado.

The matter was regularly set for hearing, and heard, on April 26, 1951, at the City Hall in Colorado Springs, Colorado, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant is the owner of a 1947 1½-ton Ford Dump Truck and has three customers who desire his service. It further appears that applicant has a net worth of \$1500.00.

John Hanssen, of Westcliffe, Colorado, asked the applicant if he was interested in serving points located within Custer County. Applicant agreed to eliminate all service in Custer County and Mr. Hanssen withdrew his protest to the application.

With the withdrawal of all protests, it now appears that the proposed service of applicant will not impair the common carrier service now authorized to serve the area, and the Commission can see no good reason why said application should not be granted.



## F I N D I N G S

### THE COMMISSION FINDS:

That the instant application, as hereinafter limited, should be granted.

## O R D E R

### THE COMMISSION ORDERS:

That Tony Carestia, of R. R. #1, Florence, Colorado, be, and he hereby is, authorized to operate as a private carrier by motor vehicle for hire for the transportation of coal and wood to all points within a 100-mile radius of Florence, Colorado, excluding, however, from said radius all points in Custer and Teller Counties. In all other respects the application is denied.

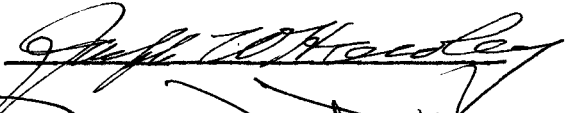
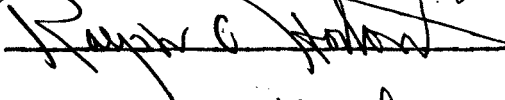
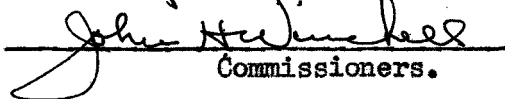
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
ROY KOHL, DILLON, COLORADO, FOR }  
AUTHORITY TO TRANSFER PUC NO. 1484 } APPLICATION NO. 11150-Transfer  
TO FRANK J. BYERS, DILLON, COLORADO. }  
-----}

-----  
May 4, 1951  
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Appearances: Marion F. Jones, Esq.,  
Denver, Colorado, for  
applicants.

S T A T E M E N T

By the Commission:

By Decision No. 19398, of date July 31, 1942, Roy Kohl,  
doing business as "Summit County Transfer," Dillon, 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:

timber products, mining machinery and supplies,  
used household goods, livestock, farm products,  
farm equipment and farm supplies, on call and  
demand, between points within an area around  
Breckenridge bounded on the south by Hoosier  
Pass, on the west by Fremont Pass, on the east  
by Loveland Pass, and on the north by the  
Summit-Grand County Line; ore and concentrates  
from mines and mills located within said area  
to mills in said area, and to Leadville, Krem-  
mling, and Colorado City; coal from Kremmling  
and Leadville to points in said area; mining  
machinery and supplies, livestock, farm products,  
farm equipment and farm supplies from and to  
points in said area, to and from points in the  
State of Colorado, movements of mining machinery  
to points in the area to be limited to movements  
of less than seven tons; and used household goods  
from and to points in the area, to and from points  
west of the Continental Divide, and from points in  
the area to points east of the Continental Divide,

said operating rights being designated "PUC No. 1484."

Pursuant to authority contained in Decision No. 22859, of date  
November 10, 1944, that portion of the authority granted by Decision  
No. 19398, authorizing:

transportation of ore and concentrates from  
mines and mills located in the area,

was transferred to Ellis B. Webster.

By Decision No. 26507, of date August 27, 1946, Roy Kohl was authorized to extend operations under PUC No. 1484 to include the right to transport:

household goods, on call and demand, from points east of the Continental Divide to points within the area around Breckenridge, bounded on the south by Hoosier Pass, on the west by Fremont Pass, on the east by Loveland Pass, applicant being limited to use of open or stake body trucks, and not allowed to use padded moving vans under extended authority.

Pursuant to authority contained in Decision No. 31471, of date November 8, 1948, Roy Kohl transferred PUC No. 1484 to Regis McKay, doing business as "Summit County Transfer," Dillon, Colorado, who, pursuant to authority contained in Decision No. 34119, of date January 18, 1950, transferred said operating rights to Roy Kohl, Dillon, Colorado.

By the instant application, said Roy Kohl requests authority to transfer PUC No. 1484 to Frank J. Byers, Dillon, Colorado.

Inasmuch as the files of the Commission and the verified application filed 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, financially and otherwise, is qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said application 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 Roy Kohl, Dillon, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to PUC No. 1484 -- being the operating rights granted by Decisions Nos. 19398, (as restricted by Decision No. 22859) and 26507 -- to Frank J. Byers, Dillon, Colorado, in accordance with Contract of Sale attached to the application herein, which by reference is made a part hereof, and subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.


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.

The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate up to the time of the transfer of said certificate, and the payment by him or transferee of all unpaid ton-mile tax.

That ton-mile tax deposit of transferor shall be transferred and credited 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

  
*Joseph W. Hawley*  
*Raymond C. Hobbs*  
*John H. Winchell*  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of May, 1951.

es

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOE BOWMAN AND PAUL E. BOWMAN, CO- )  
PARTNERS, 221 SOUTH WASHINGTON )  
STREET, LOVELAND, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUC NO. 2150 ) APPLICATION NO. 11149-Transfer  
TO MRS. LETTIE BOWMAN, 221 SOUTH )  
WASHINGTON STREET, LOVELAND, COLO- )  
RADO. )  
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May 4, 1951  
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S T A T E M E N T

By the Commission:

By Decision No. 34966, of date June 13, 1950, Joe Bowman and Paul E. Bowman, co-partners, Loveland, Colorado, were granted a certificate of public convenience and necessity to operate as common carriers by motor vehicle for hire, for the transportation of:

ashes and trash within the corporate limits of the City of Loveland, Larimer County, Colorado, and from points within said corporate limits to the City Dump, west of said City of Loveland,

said operating rights being designated "PUC No. 2150."

By the instant application, said certificate-holders seek authority to transfer said certificate to Mrs. Lettie Bowman, Loveland, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; 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 application 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, and as set forth in the Order following.

### O R D E R

#### THE COMMISSION ORDERS:

That Joe Bowman and Paul E. Bowman, co-partners, Loveland, Colorado, should be, and they are hereby, authorized to transfer all their right, title, and interest in and to PUC No. 2150 — being the operating rights granted by Decision No. 34966 — to Mrs. Lettie Bowman, Loveland, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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.

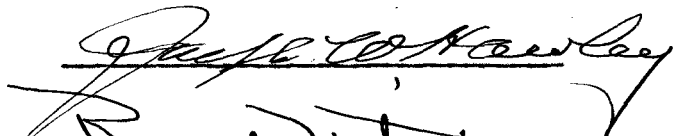
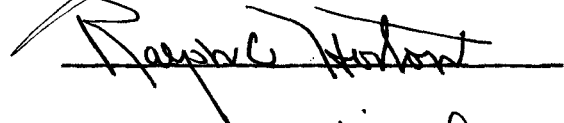
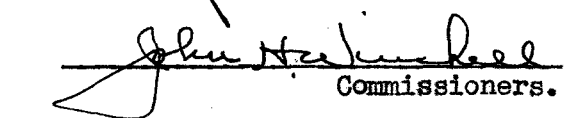
The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate, and the payment by him or transferee of all unpaid ton-mile tax.

Transfer herein authorized shall become effective only in the event that transferee shall first obtain authority from the City of Loveland to conduct the service authorized by PUC No. 2150.

Ton-mile tax deposit shall 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

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of May, 1951.  
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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
CHARLES E. DANBURY, WILLIAMSBURG, )	
OHIO, FOR AUTHORITY TO TRANSFER )	
INTERSTATE OPERATING RIGHTS TO )	
CHARLES E. DANBURY, INC., WILLIAMS- )	<u>PERMIT NO. B-3473-I</u>
BURG, OHIO. )	
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May 4, 1951  
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S T A T E M E N T

By the Commission:

Heretofore, Charles E. Danbury, Williamsburg, Ohio, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a private carrier by motor vehicle for hire, in interstate commerce, and Permit No. B-3473-I issued to him.

Said permit-holder now seeks authority to transfer said operating rights to Charles E. Danbury, Inc., a corporation, Williamsburg, Ohio.

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 authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Charles E. Danbury, Williamsburg, Ohio, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to Permit No. B-3473-I to Charles E. Danbury, Inc., a corporation, Williamsburg, Ohio, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured, and subject to

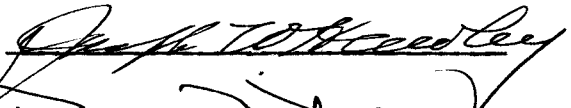
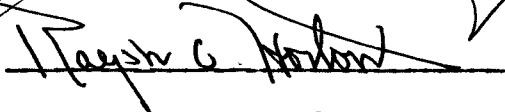
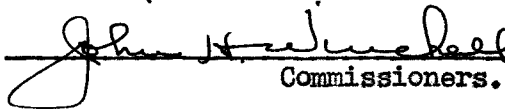


the provisions of the Federal Motor Carrier Act of 1935.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of May, 1951.

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
EMMA C. BRENNER, AS CONSERVATRIX OF )  
THE ESTATE OF WILLIAM F. BRENNER, )  
MENTAL INCOMPETENT, IDALIA, COLO- )  
RADO, FOR AUTHORITY TO TRANSFER PER- )  
MIT NO. B-1497 TO CHARLES E. )  
BRENNER, DOING BUSINESS AS "BRENNER )  
TRUCK LINE," IDALIA, COLORADO. )  
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APPLICATION NO. 11148-PP  
Transfer

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May 4, 1951  
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S T A T E M E N T

By the Commission:

By Decision No. 7515, of date April 15, 1936, W. F. Brenner, Idalia, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

farm products, including livestock, from point to point within the area extending forty miles north and forty miles south and twenty-five miles west of Idalia and to the Kansas State Line on the east, and the transportation of farm products and livestock from points in said area to Denver, Colorado, with back-haul of coal and farm implements directly to farms in said area,

said operating rights being designated "Permit No. B-1497."

Said William F. Brenner has now been declared mentally incompetent, and Emma C. Brenner has been appointed Conservatrix of his estate by the Probate Court of Yuma County, and with the consent, and under the direction of said Probate Court, she has applied to this Commission for authority to transfer said operating rights to Charles E. Brenner, doing business as "Brenner Truck Line," Idalia, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that ton-mile tax deposit is to be transferred to account of transferee herein; 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 application 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 Emma C. Brenner, as Conservatrix of the Estate of William F. Brenner, mental incompetent, Idalia, Colorado, should be, and she is hereby, authorized to transfer all right, title, and interest in and to Permit No. B-1497 -- being the operating rights granted to said William F. Brenner, by Decision No. 7515 -- to Charles E. Brenner, doing business as "Brenner Truck Line," Idalia, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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, and the prior filing by transferor of delinquent reports, if any, covering her operations under said permit up to the time of transfer of said permit, and the payment by her or transferee of all unpaid ton-mile tax.

That ton-mile tax deposit of said William F. Brenner shall be transferred and credited to account of transferee herein.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
*[Signature]*  
*[Signature]*  
*[Signature]*  
Commissioners

Dated at Denver, Colorado,  
this 4th day of May, 1951  
bf

original

(Decision No. 36668)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
J. E. BAILEY, DOING BUSINESS AS )  
"BAILEY TRUCK LINE," 2552 WEST 56TH )  
AVENUE, DENVER, COLORADO, FOR AUTH- )  
ORITY TO TRANSFER PERMIT NO. A-4116 )  
TO J. E. BAILEY AND HAROLD E. TAYLOR, )  
CO-PARTNERS, DOING BUSINESS AS )  
"BAILEY TRUCK LINE," 2552 WEST 56TH )  
AVENUE, DENVER, COLORADO. )  
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APPLICATION NO. 11146-PP  
TRANSFER

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May 4, 1951  
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S T A T E M E N T

By the Commission:

On June 8, 1946, by Decision No. 27073, Harry Russell, Pueblo, Colorado, was authorized to operate as a Class "A" private carrier by motor vehicle for hire, for the transportation of:

newspapers generally between Pueblo, Lamar, Eads, Ordway, and return to Pueblo, via U. S. Highway No. 50 to Lamar, U. S. Highway No. 287 to Eads, U. S. Highway No. 96 to Pueblo, with the right to serve all intermediate points, and the off-route point of Kit Carson, via U. S. Highway No. 287, and points intermediate, Eads to Kit Carson; and the Rocky Mountain News, only, between Denver and Pueblo, and intermediate points, via U. S. Highway No. 85, it being contemplated that he can haul the Rocky Mountain News thereby from Denver to points heretofore named that he is authorized to serve east and south of Pueblo,

said operating rights being designated "Permit No. A-4116."

Said permit-holder, pursuant to authority contained in Decision No. 35089, of date July 17, 1950, was authorized to transfer said operating rights to Harold E. Taylor, Englewood, Colorado, who, by the same decision, was authorized to extend operations thereunder to include the right to transport:

motion picture films from Denver, Colorado, and points beyond, to Lamar, Colorado, on U. S. Highway No. 50; thence to Eads and Kit Carson, Colorado, and the off-route point of Cheyenne Wells, Colorado; thence to Denver, on U. S. Highway No. 40, serving all points between Pueblo and east, back to Denver, no service being authorized between Denver and

Pueblo, Colorado, on U. S. Highways Nos. 85 and 87.

Pursuant to authority contained in Decision No. 36093, of date February, 7, 1951, Harold E. Taylor transferred said Permit No. A-4116 to J. E. Bailey, doing business as "Bailey Truck Line," Denver, Colorado, who, by the instant application, seeks authority to transfer said operating rights to J. E. Bailey and Harold E. Taylor, co-partners, doing business as "Bailey Truck Line," Denver, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that ton-mile tax deposit is to be transferred to account of transferees; that transferees, pecuniarily and otherwise, are qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said application 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.

#### O R D E R

##### THE COMMISSION ORDERS:

That J. E. Bailey, doing business as "Bailey Truck Line," Denver, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. A-4116 — being the operating rights granted by Decisions Nos. 27073 and 35089 — to J. E. Bailey and Harold E. Taylor, co-partners, doing business as "Bailey Truck Line," Denver, Colorado, subject to payment of outstanding indebtedness against said operation, whether secured or unsecured, and specifically provided that transferees shall assume and pay ton-mile tax due and owing from transferor to the Commission on account of operations under said permit.




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, and the prior filing by transferor of delinquent reports, if any, covering his operations under said permit up to the time of transfer of said permit, and the payment by him or transferees of all unpaid ton-mile tax.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



*Joseph H. Hawley*  
*Ralph C. Horton*  
*John J. Wheeler*  
Commissioners

Dated at Denver, Colorado,  
this 4th day of May, 1951.

bf

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
J. W. HENDERSON, PALISADE, COLORADO, )  
FOR AUTHORITY TO TRANSFER PERMIT NO. )  
B-1306 TO KARL BENZEL, PALISADE, )  
COLORADO. )  
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APPLICATION NO. 11147-PP  
TRANSFER

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May 4, 1951  
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Appearances: William H. Hyde, Esq., Grand  
Junction, Colorado, for  
Applicants.

STATEMENT

By the Commission:

On February 17, 1936, by Decision No. 7194, Earl Wert was authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

coal from the Garfield Coal Mine to customers located between Cameo and Fruita, Colorado, and general mining supplies back to said Garfield, Mine,

said operating rights being designated "Permit No. B-1306."

Pursuant to authority contained in Decision No. 24650, said operating rights were acquired by C. U. Spangler, and by the same decision, his authority thereunder was extended to include the right to transport:

coal, livestock, furniture, fruit, farm produce, lumber, building materials, and gravel, between points within a ten-mile radius of Clifton, Colorado, without the right to make deliveries of any commodity except coal in the Towns of Palisade and Grand Junction, in competition with then-authorized common carrier services in said towns.

Pursuant to authority contained in Decision No. 25141, of date November 19, 1945, said permit-holder transferred said Permit No. B-1306 to Leland D. Clark, Clifton, Colorado, who, pursuant to authority contained

in Decision No. 35444, of date October 4, 1950, transferred said operating rights to J. W. Henderson, Palisade, Colorado, who, by the instant application, seeks authority to transfer said Permit No. B-1306 to Karl Benzel, Palisade, Colorado.

It appears from a letter directed to the Commission from William H. Hyde, attorney for applicants herein, that the purchase price for transfer of operating rights and equipment is Twenty-Two Hundred Fifty Dollars (\$2250.00); that \$1250.00 was paid down at the time of the agreement for transfer; that the remaining \$1,000.00 is to be paid in two installments of \$500.00 each on November 15, 1951, and on November 15, 1952; that the said installments of \$500.00 are to be paid directly to Lee Clark of Clifton, Colorado, and reduce Mr. Henderson's debt to Mr. Clark.

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 ten-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 application 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 in the public interest, and should be authorized, subject to outstanding indebtedness.

#### O R D E R

##### THE COMMISSION ORDERS:

That J. W. Henderson, Palisade, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to Permit No. B-1306 -- being the operating rights granted by Decisions Nos. 7194 and 24650 -- to Karl Benzel, Palisade, Colorado, subject to payment of outstanding indebtedness against said permit, whether secured or



unsecured, balance of purchase price to be paid as set forth in the Statement preceding, which by reference is made a part hereof.


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, and the prior filing by transferor of delinquent reports, if any, covering his operations under said permit up to the time of transfer of said permit, and the payment by him or transferee of all unpaid ton-mile tax.

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

That credit balance of transferor on road tax payments, if any there be, as of date of transfer, shall be refunded to him.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



*Joseph C. Hawley*  
*Ralph C. Hobart*  
*John H. Hinchel*  
Commissioners

Dated at Denver, Colorado,  
this 4th day of May, 1951.

bf

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
JOHN VAN OORT AND MARVIN CLARK, CO- )  
PARTNERS, HOTCHKISS, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUC NO. 1035 )  
TO JOHN VAN OORT AND C. W. VAN OORT, )  
CO-PARTNERS, DOING BUSINESS AS "VAN )  
OORT TRUCK," HOTCHKISS, COLORADO. )  
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APPLICATION NO. 11144-Transfer

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May 7, 1951  
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STATEMENT

By the Commission:

On November 8, 1937, by Decision No. 10890, George Alber, Hotchkiss, Colorado, was authorized to operate as a common carrier by motor vehicle, in irregular service, for the transportation of:

farm products, including livestock, farm supplies, and used household goods, from point to point and into and out of a twenty-five-mile area around Hotchkiss, Colorado; farm equipment from towns to ranches within a fifty-mile radius of Hotchkiss, Colorado; and fence posts from and to points within a radius of twenty-five miles of Hotchkiss, to and from points within a radius of one hundred and ten miles of Hotchkiss; provided, however, that in the transportation of feed between points on the line of Rio Grande Motor Way's scheduled route, applicant shall charge rates at least twenty per cent in excess of those charged by said Rio Grande Motor Way, Inc.,

"PUC No. 1035" being assigned to the operation.

Pursuant to authority contained in Decision No. 25796, of date April 10, 1946, said certificate-holder transferred PUC No. 1035 to John Van Oort and Marvin Clark, co-partners, Hotchkiss, Colorado, who, by the instant application, seek authority to transfer PUC No. 1035 to John Van Oort and C. W. Van Oort, co-partners, doing business as "Van Oort Truck," Hotchkiss, Colorado.

Inasmuch as the files of the Commission and the verified application herein show that said certificate is in good standing; that ton-

mile tax deposit is to be transferred to account of transferees; that transferees, pecuniarily and otherwise, are qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said application 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 payment of outstanding indebtedness.

### ORDER

#### THE COMMISSION ORDERS:

That John Van Oort and Marvin Clark, co-partners, Hotchkiss, Colorado, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 1035 — being the operating rights granted by Decision No. 10890 — to John Van Oort and C. W. Van Oort, co-partners, doing business as "Van Oort Truck," Hotchkiss, Colorado, subject to payment of outstanding indebtedness against said operation, whether secured or unsecured.

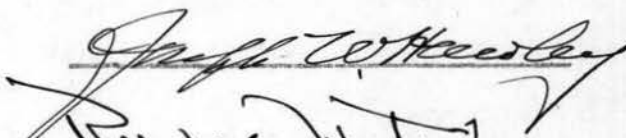
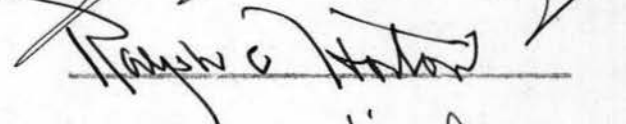
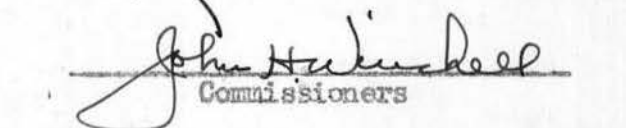
The tariff of rates, rules and regulations of transferors shall become and remain those of transferees until changed according to law and the rules and regulations of this Commission.

The right of transferees to operate under this order shall depend upon the prior filing by transferors of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate, and payment by them or transferees of all unpaid ton-mile tax.

That ton-mile tax deposit of transferors shall be transferred and credited to account of transferees herein.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.

mw



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
JOHN VAN OORT, HOTCHKISS, COLORADO, )  
FOR AUTHORITY TO TRANSFER PERMIT NO. )  
A-789 TO JOHN VAN OORT AND G. W. )  
VAN OORT, CO-PARTNERS, DOING BUSI- )  
NESS AS "VAN OORT TRUCK," HOTCHKISS, )  
COLORADO. )  
-----

APPLICATION NO. 11145-PP-Transfer

-----  
May 7, 1951  
-----

STATEMENT

By the Commission:

On July 17, 1934, John Van Oort, Hotchkiss, Colorado, was authorized to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of:

freight over Highway No. 92, Delta to Maher, approximately forty-two miles; Highway No. 92, to Delta, and on to Montrose over Highway No. 50, approximately forty-five miles; Highway No. 92 to Delta and north over Highway No. 50; Highway No. 135 east to perhaps Crested Butte,

"Permit No. A-789" being assigned to the operation.

By the instant application, said permit-holder seeks authority to transfer said Permit No. A-789 to John Van Oort and G. W. Van Oort, co-partners, doing business as "Van Oort Truck," Hotchkiss, Colorado.

Inasmuch as the files of the Commission and the verified application herein show that said permit is in good standing; that ton-mile tax deposit is to be transferred to account of transferees; 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 application 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 application, 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 Van Oort, Hotchkiss, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to Permit No. A-789 -- being the operating rights granted to him on July 17, 1934 by this Commission -- to John Van Oort and C. W. Van Oort, co-partners, doing business as "Van Oort Truck," Hotchkiss, Colorado, subject to payment of outstanding indebtedness against said operation, whether secured or unsecured.

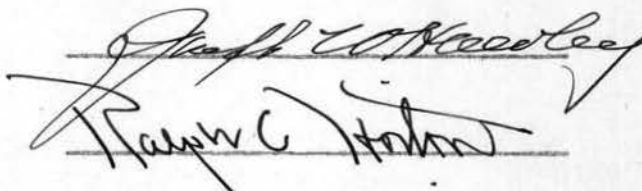
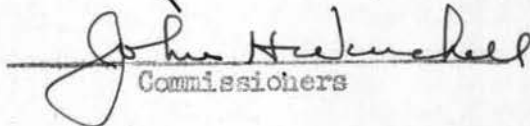
The right of transferees to operate under this order shall depend upon their compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering his operations under said permit up to the time of transfer of said permit, and payment by him or transferees of all unpaid ton-mile tax.

This order is made a part of the permit authorized to be transferred.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
Ralph C. Johnson  
  
\_\_\_\_\_  
John H. Hinchel  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.  
MW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DOMINICK FRANCH AND SAN JUAN TRUCK )  
LINES, INC., A COLORADO CORPORATION, ) APPLICATION NO. 9623-PP-Clarification  
1371 GREENE STREET, SILVERTON, COLO- )  
RADO, FOR CLARIFICATION OF PERMIT )  
NO. A-841. )  
-----)

-----  
May 7, 1951  
-----

Appearances: T. L. Brooks, Esq.,  
Montrose, Colorado,  
for applicant.

S T A T E M E N T

By the Commission:

On November 13, 1950, Dominick Franch, the owner of San Juan Truck Lines, Inc., a Colorado corporation, filed application for clarification of his present authority under Permit No. A-841, which present authority is as follows:

transportation of freight from Grand Junction to the Colorado-New Mexico state line, and intermediate points, via U. S. Highways Nos. 550 and 50, and from Durango to Denver via U. S. Highways Nos. 160 and 85.

The matter was regularly set for hearing, and heard, on April 12, 1951, at the Court House in Montrose, Colorado, after due notice to all parties in interest.

At the hearing, the evidence disclosed that from the time said authority was originally granted, the owners and operators of and under said authority have transported freight from Silverton, Colorado, to Durango, Colorado, and return Durango to Silverton, and since said time have transported freight from Durango to Denver, and return from Denver to Durango, Colorado, and that said owners and operators have carried on operations under said authority, believing that the authority authorized said operation; that during the years of operation under Permit No. A-841,

the reports and records filed with the Public Utilities Commission consistently showed such operation, that is, a to-and-from operation; that since applicants have owned and operated under the permit there has been no question as to the right of both-way service, however, in April, 1950, an officer of Applicant San Juan Truck Lines, Inc., was orally apprised by an officer of the Public Utilities Commission that both-way service was not provided for under a literal construction of the permit as written.

Applicant herein asks that the Commission enter an order clarifying Permit No. A-841 to grant authority in conformation with and consistent with its history of interpretation.

The Commission has carefully considered the evidence adduced at the hearing, examined the records on file with the Commission -- that is, the ton-mile tax reports and tariffs filed -- and it appears that Permit No. A-841 has been operated in both directions, and that in actuality it was the intent of the Commission to grant a to-and-from service.

Competing common carriers have recognized since 1934 the right of applicant to carry freight in both directions, and it appears to the Commission that the clarification of this authority is in the public interest.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the authority under Permit No. A-841, which permit grants authority as follows:

transportation of freight from Grand Junction to the Colorado-New Mexico state line, and intermediate points, via U. S. Highways Nos. 550 and 50, and from Durango to Denver via U. S. Highways Nos. 160 and 85,

should be clarified so as to read as follows:

transportation of freight from Grand Junction and intermediate points to Silverton, and from Silverton to Grand Junction and intermediate points via U. S. Highways Nos. 550 and 50; transportation of freight, both ways, between Silverton and the Colorado-New Mexico State Line and intermediate points via U. S. Highway No. 550; transportation of freight, both ways, between Durango and Denver via U. S. Highways Nos. 160 and 85.



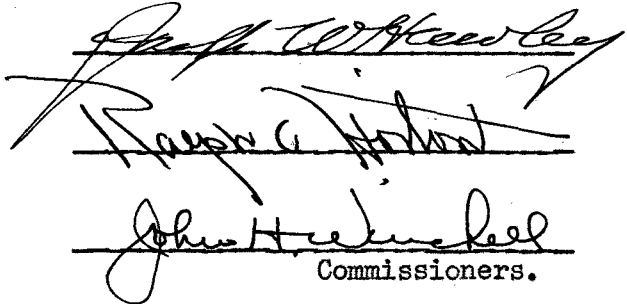
O R D E R

THE COMMISSION ORDERS:

That the authority under Private Carrier Permit No. A-841 be, and the same is hereby, clarified to authorize the transportation of freight from Grand Junction and intermediate points to Silverton, and from Silverton to Grand Junction and intermediate points via U. S. Highways Nos. 550 and 50; transportation of freight, both ways, between Silverton and the Colorado-New Mexico State Line and intermediate points via U. S. Highway No. 550; transportation of freight, both ways, between Durango and Denver via U. S. Highways Nos. 160 and 85.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of May, 1951.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GALE CAMPER, WESTCLIFFE, COLORADO, )  
FOR AN EXTENSION OF THE AUTHORITY ) APPLICATION NO. 11098-PP-Extension  
GRANTED BY DECISION NO. 35602 IN )  
APPLICATION NO. 10866-PP-Transfer. )  
-----

-----  
May 7, 1951  
-----

Appearances: Conour and Conour, Esqs.,  
Del Norte, Colorado,  
for applicant;  
John Hanssen, Westcliffe,  
Colorado, for Hanssen  
Truck Line.

S T A T E M E N T

By the Commission:

On February 13, 1951, Gale Camper, of Westcliffe, Colorado, filed his application for an extension of the authority granted by Decision No. 35602 in Application No. 10866-PP to include the transportation of ore and concentrates from points within a radius of 15 miles of Westcliffe, Colorado, to Leadville, Colorado.

The above application was regularly set for hearing, and heard, at the Court House in Pueblo, Colorado, on April 24, 1951, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant is the holder of Permit No. A-1335, and presently has authority to transport ore from mines within a radius of 15 miles of Westcliffe, Colorado, to Texas Creek, and to Florence and Canon City, Colorado.

Applicant now seeks authority to transport ore from his 15-mile radius of Westcliffe to Leadville. He states he is the owner of a 1946 2-ton Chevrolet truck and has a net worth of \$3,000.00; that Mr. Stacey,

the operator of the Defender Mining Company, has requested his service to haul ore to Leadville; that he is willing and desires to render this service for the Defender Mining Company.

Mr. Ed Stacey, Manager of the Defender Mining Company, stated he had contacted applicant and requested this service; that his company has started operation on the Defender Mine and it is their plan to haul approximately 100 tons of ore per month to Leadville, and he desires applicant's service to haul this ore.

John Hanssen, of Westcliffe, Colorado, who holds common carrier authority in Custer County, which includes the right to haul ore to Leadville, protested the granting of the proposed extension, stating that he had equipment available which presently was not in use, and that his operation needed this haul; that he had served the mine in the past, but had not solicited this business from the present management. It also appears that protestant has general authority in Custer County and has been taking care of that service.

The Commission has carefully reviewed the evidence in the above matter and it appears from the record that applicant is presently a private carrier with authority to haul ore; that one of his customers, viz. the Defender Mining Company, under the operation of Mr. Stacey, has requested his service in hauling ore beyond his present authority. Protestant failed to show that the granting of this extension would impair his present operation, in fact, he has testified that he is not presently hauling any ore in Custer County, so the granting of this application would not take away any of his present business. On the other hand, we feel that applicant should be limited to one customer who testified he needed applicant's proposed service.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the instant application, as hereinafter limited, should be granted.

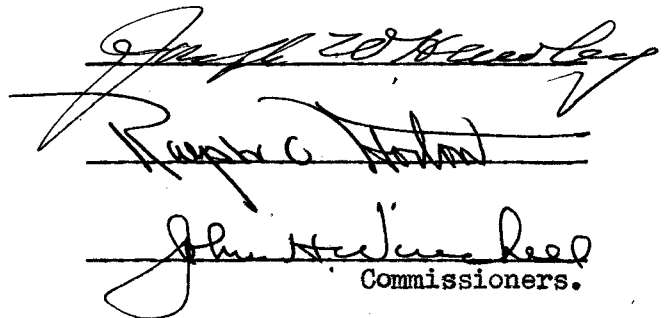
O R D E R

THE COMMISSION ORDERS:

That Gale Camper, of Westcliffe, Colorado, be, and he hereby is, authorized to extend his authority under Private Carrier Permit No. A-1335 to include the transportation of ore and concentrates from the Defender Mine, located approximately  $2\frac{1}{2}$  miles of Westcliffe, Colorado, to Leadville, Colorado, for Ed Stacey's operation only.

This order is made a part of the permit granted to applicant, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RAY O. BRIGHT, PRINCETON, )  
MISSOURI )  
)  
)  
)

PERMIT NO. C-25982

-----  
May 14, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Ray O. Bright-----  
requesting that Permit No. C-25982 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-25982, heretofore issued to-----  
Ray O. Bright-----be,  
and the same is hereby, declared cancelled effective March 12, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchel*  
*Ralph C. Kelson*  
*John H. Winchel*  
Commissioners

Dated at Denver, Colorado,

this 14th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EVERETT L. BUCK, EADS, )  
COLORADO. )  
 )  
 ) PERMIT NO. C-26338  
 )  
 )  
 )  
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-----  
May 14, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Everett L. Buck  
-----  
requesting that Permit No. C-26338 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-26338, heretofore issued to-----  
Everett L. Buck be,  
and the same is hereby, declared cancelled effective April 23, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Frank W. Hawley*  
*Joseph C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 14th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
D. H. HINES, RT. 1, ALAMOSA, )  
COLORADO. ) PERMIT NO. C-24900  
----- )

-----  
May 14, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
D. H. Hines  
-----  
requesting that Permit No. C-24900 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-24900, heretofore issued to  
D. H. Hines be,  
and the same is hereby, declared cancelled effective March 30, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Harold W. C. Holcomb*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 14th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
OTTO A. HOHLFELD, ARIBA, )  
COLORADO. ) PERMIT NO. C-22073  
----- )  
----- )  
----- )

-----  
-- May 14, 1951 --

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Otto A. Hohlfeld  
-----  
requesting that Permit No. C-22073 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

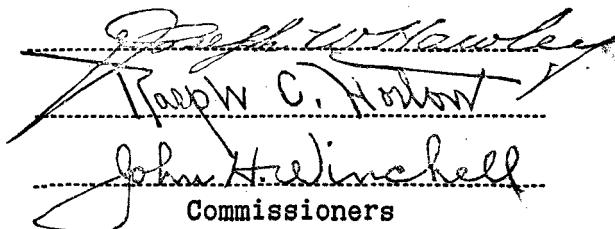
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-22073, heretofore issued to-----  
Otto A. Hohlfeld be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 14th day of May, 1951.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOE J. PADILLA, BOX 471, )  
TOD PARK, UTAH. )  
 )  
 )  
 )

PERMIT NO. C-21471

May 14, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Joe J. Padilla  
requesting that Permit No. C-21471 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-21471, heretofore issued to  
Joe J. Padilla be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Harold W. C. Norton*  
*John H. Winchell*

Commissioners

Dated at Denver, Colorado,

this 14th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
W. A. KELLY, CARNEGIE, )  
OKLAHOMA. )  
 ) PERMIT NO. C-2932  
 )  
 )  
 )  
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-----  
May 14, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
W. A. Kelly-----  
requesting that Permit No. C-2932-----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-2932-----, heretofore issued to-----  
W. A. Kelly-----be,  
and the same is hereby, declared cancelled effective April 7, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
\_\_\_\_\_  
*Joseph W. C. Horton*  
\_\_\_\_\_  
*John H. Winchell*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 14th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
L. R. VICKERS, P. O. BOX 167, )  
DERBY, COLORADO. )  
 ) PERMIT NO. C-25302  
 )  
 )  
 )  
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-----  
May 14, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
L. R. Vickers  
-----  
requesting that Permit No. C-25302.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

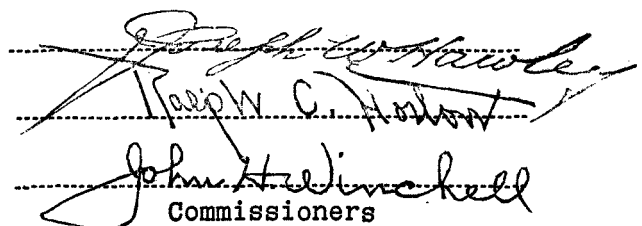
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-25302....., heretofore issued to.....  
L. R. Vickers.....be,  
and the same is hereby, declared cancelled effective March 28, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 14th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ALBERT BAUDER, BURLINGTON, )  
COLORADO. )  
 )  
 )  
 )  
 )  
 )  
-----

PERMIT NO. C-18936

-----  
May 14, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Albert Bauder  
-----  
requesting that Permit No. C-18936 be cancelled.

F I N D I N G S

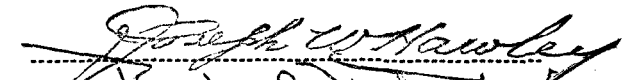
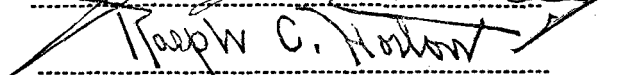
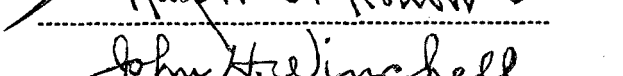
THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18936, heretofore issued to-----  
Albert Bauder-----be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
  
  
  
Commissioners

Dated at Denver, Colorado,  
this 14TH day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WIDERGREN-HART, INC. 5755 NORTH )  
WASHINGTON, DENVER 16, COLORADO )  
 )  
 )  
 )  
-----

PERMIT NO. C-26617

-----  
May 14, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
-----Widergren-Hart, Inc.-----  
requesting that Permit No. C-26617-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

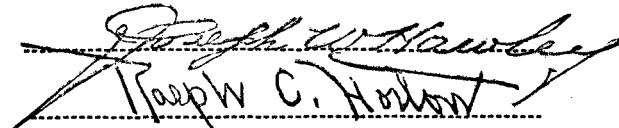
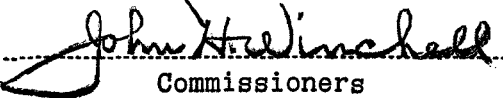
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-26617-----, heretofore issued to-----  
-----Widergren-Hart, Inc.-----be,  
and the same is hereby, declared cancelled effective March 1, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
-----  
  
-----  
Commissioners

Dated at Denver, Colorado,  
this 14th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
J. W. MILLER & GEORGE H. WELDON, )  
DOING BUSINESS AS W. & M. SUPPLY )  
CO., 2434 NORTH AVENUE, GRAND )  
JUNCTION, COLORADO. )  
----- )

PERMIT NO. C-18657

-----  
May 14, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
J. W. Miller & George H. Weldon, dba W. & M. Supply Co.  
-----  
requesting that Permit No. C-18657.....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-18657....., heretofore issued to.....  
J. W. Miller & George H. Weldon, dba W. & M. Supply Co. ....be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Harold W. C. Horton*  
*John H. Winchell*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 14th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CLARENCE W. LONG, RT. 1, )  
CEDAREDGE, COLORADO. )  
)  
)  
)

PERMIT NO. C-18968

-----  
May 14, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Clarence W. Long  
requesting that Permit No. C-18968 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-18968, heretofore issued to  
Clarence W. Long be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Harold W. C. Horton*  
*John H. Winchell*

Commissioners

Dated at Denver, Colorado,

this 14th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HENRY VALLEJOS, 231½ W. 7th ST.)  
WALSENBURG, COLORADO. )  
 )  
 )  
 )  
 )

PERMIT NO. C-20587

May 14, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Henry Vallejos  
requesting that Permit No. C-20587 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-20587, heretofore issued to  
Henry Vallejos be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 14th day of May, 1951.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
DON SCOTT, 9518 SAN GABRIEL, )  
SOUTH GATE, CALIFORNIA. )  
 ) PERMIT NO. C-26205  
 )  
 )  
 )  
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-----  
May 14, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Don Scott-----  
requesting that Permit No. C-26205-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

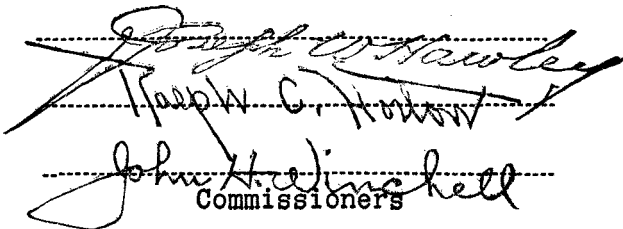
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-26205-----, heretofore issued to-----  
Don Scott-----be,  
and the same is hereby, declared cancelled effective March 9, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 14th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HUBERT A. JONES, ROUTE 1, FOWLER, )  
COLORADO, FOR A CLASS "B" PERMIT ) APPLICATION NO. 11088-PP  
TO OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
-----)

-----  
May 7, 1951  
-----

Appearances: Hubert A. Jones, Fowler,  
Colorado, pro se;  
John L. Dennis, Fowler,  
Colorado, pro se;  
Ernest L. Tyler, Fowler,  
Colorado, for Fowler  
Truck Line.

S T A T E M E N T

By the Commission:

On February 1, 1951, Hubert A. Jones, of Fowler, Colorado, 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 grain, beans, and baled hay between points within a radius of 25 miles of Fowler, and to and from points in said area to and from points within a radius of 75 miles of Fowler, Colorado.

The matter was regularly set for hearing, and heard, on April 25, 1951, at the Court House in La Junta, Colorado, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, applicant testified that he is the owner of a 1940 1½-ton Chevrolet truck and has a net worth of approximately \$10,000; that he has listed as customers some 27 farmers living at Fowler, Manzanola, and Olney Springs, Colorado, and that he desires to secure a private carrier permit so that he can combine said hauling, as his present occupation is custom grain and bean combining and threshing, and at times bales hay.

Applicant produced no shipper-witnesses as to the need of his proposed service. While, on the other hand, the application was vigorously

protested by presently authorized common carriers now serving the area. These carriers testified that if said application is granted, it would impair the service they are now offering to the public; that they have idle equipment, and if business does not increase, they will be compelled to dispose of part of their equipment, which they contend will impair the service they now offer.

The Commission is of the opinion that the granting of the instant application — while it would be for the benefit of applicant, and possibly might be beneficial to some special shippers — would not be in the public interest as a whole because it is of more importance to maintain adequate and satisfactory service for the shipping public as a whole than it is to favor the desires of certain individuals.

### F I N D I N G S

#### THE COMMISSION FINDS:

From the evidence adduced at the hearing, it appears to the Commission that the service of protestants is adequate, or can be made adequate under the direction of the Commission, and that the granting of a permit to applicant would impair the efficiency 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 service is adequate, or can be made adequate, the Commission believes that the instant application should be denied.

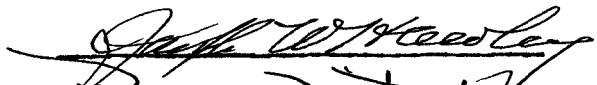
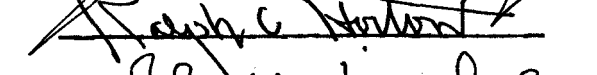

### O R D E R

#### THE COMMISSION ORDERS:

That the instant application should be, and the same hereby, denied.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
W. J. THOMPSON, ORDWAY, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS A PRIVATE CARRIER BY MOTOR VE- )  
HICLE FOR HIRE. )  
----- )

APPLICATION NO. 11089-PP.

-----  
May 7, 1951  
-----

Appearances: W. J. Thompson, Ordway,  
Colorado, pro se;  
A. J. Fregeau, Denver,  
Colorado, for Weicker  
Transfer & Storage Company;  
R. M. Jackson, Rocky Ford,  
Colorado, for Jackson's  
Transfer & Storage Company;  
A. R. Cornelius, Lamar, Colo-  
rado, for Cornelius Transfer  
and Storage Company;  
George Wright, Rocky Ford, Colo-  
rado, for Law Motor Lines;  
John E. Avara, Ordway, Colorado,  
for Avara & Avara Truck Line.

S T A T E M E N T

By the Commission:

On April 16, 1951, W. J. Thompson, of Ordway, Colorado, 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 sand, gravel, and other road surfacing materials from pits and supply points in the State of Colorado to jobs within a radius of 50 miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties, and all territory within a radius of 50 miles of Denver, Colorado; new and used farm machinery and equipment from farm to farm and farm to town and town to farm within a radius of 10 miles of Ordway; loose hay from farms and ranches within a radius of 30 miles of Ordway to hay mills in Ordway, King Center, Fort Lyons; and new lumber from Missouri Pacific rail yards in Ordway to the Foster Lumber Company in Ordway and other lumber yards in Sugar City, Crowley and Olney Springs, Colorado.

The matter was regularly set for hearing, and heard, on April 25, 1951, at the Court House in La Junta, Colorado, and there taken under advisement.

At the hearing, the evidence disclosed that applicant is the owner of a 2-ton 1948 Chevrolet truck, and by his statement to the Commission, desires to haul hay within a radius of 30 miles of Ordway, and to unload train cars for the Foster Lumber Company in Ordway. The hay haul is to be from farms located within a 30-mile radius of Ordway to points located in the above area. The unloading of railroad cars is to be within the town of Ordway for delivery to the Foster Lumber Company, a distance of approximately two blocks.

Applicant states that he is willing at this time to amend his application to include the transportation of hay and the unloading of lumber from the Missouri Pacific rail yards at Ordway to the Foster Lumber Company at Ordway only. He states he has had many requests by prospective customers for this service.

Ken Varah, of La Junta, Colorado, who operates sales rings for livestock, states he has had difficulty in obtaining operators to haul hay to his sales yard and to other points within the 30-mile radius of Ordway; that if applicant is granted authority for this service, he will use same and he feels that applicant's proposed service is needed by him and by other shippers similarly situated.

John E. Avara, Ordway, Colorado, of the Avara and Avara Truck Line, stated he is authorized to perform the service asked for by applicant, and by his testimony vigorously protested the granting of any authority.

Upon the record as made, and after a careful consideration thereof, the Commission is of the opinion that it did not appear from the evidence that the granting of said permit will impair the efficiency of existing adequate common carrier motor vehicle services now operating in the area sought to be served by applicant, and that limited authority should be granted.

## FINDINGS

### THE COMMISSION FINDS:

That applicant is fit, willing and able to render a transportation service properly and to conform to the provisions of the Carrier Acts and rules and regulations and requirements thereunder, and that said application, as hereinafter limited, should be granted.

## ORDER

### THE COMMISSION ORDERS:

That W. J. Thompson, of Ordway, Colorado, be, and he hereby is, authorized to operate as a private carrier by motor vehicle for hire for the transportation of hay — both loose and baled — between points within a 30-mile radius of Ordway, Colorado; new lumber from the Missouri Pacific rail yards at Ordway, Colorado, to the Foster Lumber Company at Ordway, only.

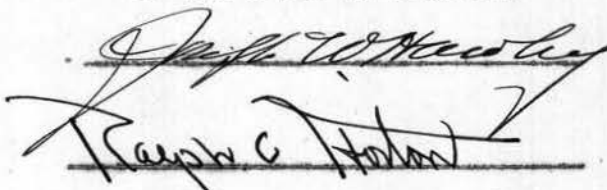
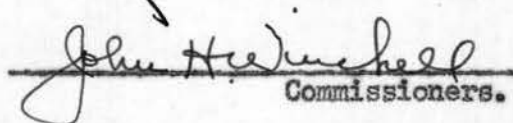
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
  
\_\_\_\_\_  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of May, 1951.  
ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GEORGE F. JACKSON, DOING BUSINESS )  
AS "A-ONE TRUCK LINE," 2903 NORTH ) APPLICATION NO. 11117-PP-Extension  
TEJON STREET, COLORADO SPRINGS, )  
COLORADO, FOR AN EXTENSION OF PER- )  
MIT NO. A-404. )  
-----)

-----  
May 7, 1951  
-----

Appearances: George F. Jackson, Colorado  
Springs, Colorado, pro se;  
A. J. Fregeau, Denver, Colo-  
rado, for Weicker Transfer  
and Storage Company;  
Bennie Goldstein, Denver,  
Colorado, for Goldstein  
Refrigerator Line.

S T A T E M E N T

By the Commission:

A-One Truck Line is presently authorized to operate as a  
Class "A" private carrier by motor vehicle for hire between Denver and  
Pueblo and intermediate points, said operating rights being designated  
"Permit No. A-404."

On March 26, 1951, the applicant herein filed its application  
for an extension of Private Carrier Permit No. A-404 to include the trans-  
portation of perishable merchandise moving on Government Bill of Lading  
only from present authority to Peterson Field.

The matter was regularly set for hearing, and heard, on  
April 26, 1951, at the Council Chambers, City Hall, Colorado Springs,  
Colorado, and at the conclusion of the hearing, the matter was taken  
under advisement.

At the hearing, the evidence disclosed that applicant has a  
net worth of approximately \$60,000.00, and is presently operating three  
refrigerator units. It also appears that applicant presently has a contract



with the United States Government for delivery of perishable products from points he is presently authorized to serve to Peterson Field, an army installation near Colorado Springs, all freight to be on Government Bill of Lading.

A. J. Fregeau, of Weicker Transfer and Storage Company, stated his company had no objection to the granting of the instant application if said authority is confined to points within his present authority to Peterson Field under Government Bill of Lading.

Bennie Goldstein stated he is running a competitive service and presently has refrigerated trucks available for this service and is operating under Private Carrier Permit No. B-503.

The evidence did not disclose, nor did it appear, that the proposed operation of applicant will tend to impair the efficiency of any motor vehicle common carrier service with which applicant will compete.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the instant application should be granted.

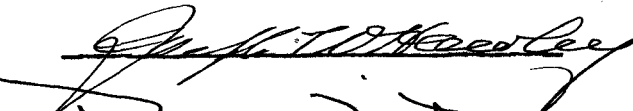
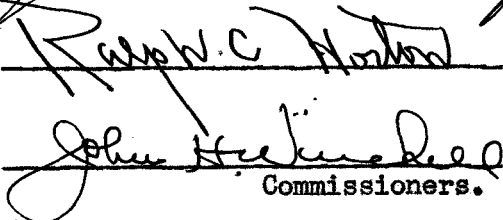
#### O R D E R

##### THE COMMISSION ORDERS:

That George F. Jackson, doing business as "A-One Truck Line," 2903 North Tejon Street, Colorado Springs, Colorado, be, and he hereby is, authorized to extend his operations under Private Carrier Permit No. A-404 to include the transportation of perishable merchandise moving on Government Bill of Lading only, from his presently authorized territory to Peterson Field.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of May, 1951.



THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
THE ACME BUS COMPANY, 210 WEST 7TH )	
STREET, PUEBLO, COLORADO, FOR AN )	APPLICATION NO. 11095-Extension
EXTENSION OF CERTIFICATE OF PUBLIC )	
CONVENIENCE AND NECESSITY NO. 1937. )	
-----)	

-----  
May 7, 1951  
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Appearances: Thomas F. Phelps, Esq.,  
Pueblo, Colorado,  
for applicant;  
Harry S. Petersen, Esq.,  
Pueblo, Colorado, for  
Pueblo Transit Company.

S T A T E M E N T

By the Commission:

By Decision No. 31366, Acme Bus Company, the applicant herein,  
was authorized to operate under a certificate of public convenience and  
necessity which authorizes the following:

transportation of passengers by motor vehicle,  
on schedule, between applicant's office in Pueblo,  
Colorado, and Blende, via Rose Lawn Cemetery and  
Salt Creek, a distance of approximately 4 miles.

On February 28, 1951, applicant herein filed its application  
for an extension or change in route under Certificate of Public Convenience  
and Necessity No. 1937, which change provides that the route, when leaving  
the City of Pueblo on the trip to Blende, shall proceed in a southerly  
direction along Santa Fe Avenue to Northern Avenue, thence easterly along  
said Northern Avenue to the intersection of said Northern Avenue with U. S.  
Highway No. 50, at a point immediately west of the bridge over Salt Creek;  
that the rest of the route will remain unchanged, and that the Blende to  
Pueblo route will be the same as the Pueblo to Blende route.

Said application was regularly set and publicly heard, after  
notice to all parties in interest, at the Court House in Pueblo, Colorado,  
on the 24th day of April, 1951, and there taken under advisement.

In writing, Pueblo Transit Company consented to the instant application if the foregoing routes, as heretofore set forth, are followed.

At the hearing, the evidence disclosed that there are presently in the community of Salt Creek a large number of individuals who work at the Colorado Fuel and Iron Corporation, and who at the present time have no means of transportation to their place of employment; that if said change in route is permitted, it would then be possible for applicant to render a valuable and needed service to the residents of Salt Creek by transporting them to their place of employment, and, further, by transporting them from their place of employment to their homes near Salt Creek on their return from work.

The evidence further discloses that there is an entrance to the Colorado Fuel and Iron Corporation on Northern Avenue, which entrance would be on the route of applicant if the proposed change of route is approved; that the distance to be traveled over the proposed route would be very little longer than the present route and would not in any manner interfere with the present operations of applicant, while, on the other hand, it is the opinion of the witnesses that it would serve a larger portion of the public.

The evidence further discloses that applicant is now the owner of two buses used in its present bus operation, and that applicant will use the same equipment if this change in operation is granted; that applicant is fit, willing and able to perform the proposed service and to conform with all the requirements thereto; that applicant is financially responsible and will file necessary tariffs covering the route applied for. It is the intention of Acme Bus Company, the applicant herein, now transporting passengers for a fare of 15¢ from all points east of the Northern Avenue Gate of the Colorado Fuel and Iron Corporation, Pueblo, Colorado, to the said Northern Avenue Gate, to likewise charge a fare of 15¢ for passengers transported from said Northern Avenue Gate to any point east of said gate, and that all other fares will remain unchanged.

John A. O'Bellmite, who resides on the route proposed to be served by applicant, stated that he was employed by the Colorado Fuel and

Iron Corporation and made daily trips to and from his work. He stated he would use applicant's proposed service and that it would be a convenience, not only to him, but to his neighbors who are similarly situated.

It was stipulated that Earl Ballou, of Blende, Colorado, Frank Garcia of Salt Creek, and Adrian Martinez, of Salt Creek, would testify substantially the same as Mr. O'Bellmite.

From a careful review of the record, it appears to the Commission that the public interest requires the granting of the instant application, as it will make transportation available to a portion of the public who do not now have public transportation.

### F I N D I N G S

#### THE COMMISSION FINDS:

That public convenience and necessity require the extended, or change in route, motor vehicle common carrier service of applicant which the Commission finds is in the public interest, 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 extended motor vehicle common carrier scheduled for-hire service of applicant, Acme Bus Company, operating under PUC-1937, for the proposed changes in its route when leaving the City of Pueblo on its trip to Blende.

Applicant shall proceed in a southerly direction along Santa Fe Avenue to Northern Avenue, thence easterly along said Northern Avenue to the intersection of said Northern Avenue with U. S. Highway No. 50, at a point immediately west of the bridge over Salt Creek; that the rest of the route shall remain unchanged, and that the Blende to Pueblo route shall be the same as the Pueblo to Blende route, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

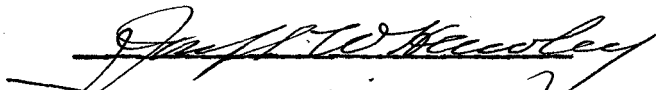
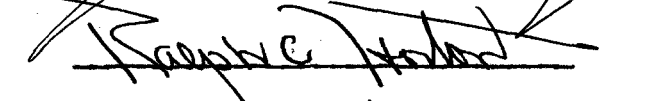
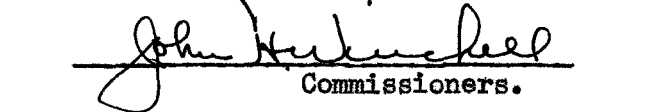
That applicant shall file tariffs of rates, rules and regulations and time and distance schedules as required by the rules and regulations of this Commission within twenty days from date.

That applicant shall operate its 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.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of May, 1951.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WILLARD GARVER, 1401 BAXTER, PUEBLO, )  
COLORADO, FOR AUTHORITY TO TRANSFER ) APPLICATION NO. 11153-PF-Transfer  
PERMIT NO. B-3546 TO PAUL W. SHIELDS, )  
318 AQUA STREET, PUEBLO, COLORADO. )  
-----)

-----  
May 7, 1951  
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S T A T E M E N T

By the Commission:

By Decision No. 27275, of date December 21, 1946, John L. Di Rocchi, Rockvale, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

coal and wood from Rockvale, Colorado, to Pueblo, Colorado Springs, Canon City, and other points within a radius of one hundred miles of Rockvale, Colorado, excluding all service from or to points in Teller County, Colorado,

said operating rights being designated "Permit No. B-3546."

Pursuant to authority contained in Decision No. 30406, of date May 6, 1948, said permit-holder transferred said Permit No. B-3546 to John W. Baxter, Penrose, Colorado, who, pursuant to authority contained in Decision No. 32369, of date April 2, 1949, transferred said Permit No. B-3546 to Willard Garver, who, by the instant application, seeks authority to transfer said operating rights to Paul W. Shields, Pueblo, 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 of transferor 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 permit, 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:


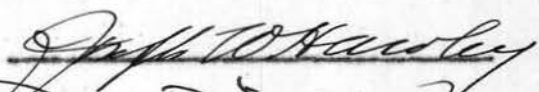
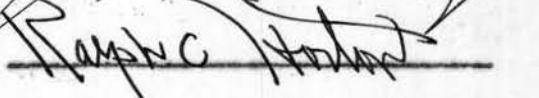

That Willard Garver, Pueblo, Colorado, be, and he is hereby, authorized to transfer all his right, title, and interest in and to Permit No. B-3546 --- being the operating rights granted by Decision No. 27275 --- to Paul W. Shields, Pueblo, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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, and the prior filing by transferor of delinquent reports, if any, covering his operations under said permit up to the time of transfer of said permit, and the payment by him or transferee of all unpaid ton-mile tax.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of May, 1951.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CLAIR H. MILTON, DOING BUSINESS AS )  
"YELLOW CAB AND DELIVERY SERVICE," )  
1212 - 8TH AVENUE, GREELEY, COLORADO, )  
FOR AUTHORITY TO TRANSFER PUC NO. )  
545 TO EMPIRE DISPATCH, INC., DOING )  
BUSINESS AS "YELLOW CAB AND DELIVERY )  
SERVICE," ROUTE 3, BOX 228F5, )  
GREELEY, COLORADO. )  
----- )

APPLICATION NO. 11154-Transfer

-----  
May 7, 1951  
-----

S T A T E M E N T

By the Commission:

On March 10, 1943, Louie Oster and Emma Oster, doing business as "Yellow Cab and Transfer Company," Greeley, Colorado, became the holders of PUC No. 545, (Decision No. 20521), with authority as follows:

passengers, baggage, and trunks from point to point within a radius of 4 miles of the Weld County Court House, and between points within said area and other points in the State of Colorado. Applicant shall not operate outside of City of Greeley on schedule except to and from LaSalle, Colorado, for the purpose of meeting U. P. Trains Nos. 15 and 13. Decision No. 25266 extended to: Package and delivery system for hire from retail stores in Greeley to points within a radius of 4 miles of the Court House in Greeley, with back-haul of trade-ins or returned merchandise, subject to the following conditions: (1) that applicants, in performing such service, shall not operate any equipment except taxicabs and one truck with rated capacity of 3/4 ton or less; (2) that no shipments shall be picked up at any one point of origin for delivery to any customer weighing in excess of 200 pounds, except that said maximum shall not apply to "furniture and household furnishings" and feed sold by retail stores in Greeley, unless said service is rendered between points on the routes of line-haul motor vehicle common carriers.

Pursuant to authority contained in Decision No. 28653, said certificate-holders transferred said operating rights to Clair H. Milton, doing business as "Yellow Cab and Delivery Service," Greeley, Colorado, who, by the instant application, seeks authority to transfer said PUC No. 545 to Empire Dispatch, Inc., doing business as "Yellow Cab and Delivery Service, Greeley, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that road 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 application 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.

### ORDER

#### THE COMMISSION ORDERS:

That Clair H. Milton, doing business as "Yellow Cab and Delivery Service," Greeley, Colorado, should be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 545 --- being the operating rights acquired pursuant to authority contained in Decision No. 28653 --- to Empire Dispatch, Inc., doing business as "Yellow Cab and Delivery Service," Greeley, Colorado, subject to payment of outstanding indebtedness against said certificate, whether secured or unsecured, and specifically providing that transferee shall assume and pay road tax due and owing from transferor to the Commission on account of operations under said certificate.

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.


The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate up to the time of the transfer of said certificate, and the payment by him or transferee of all unpaid passenger and ton-mile tax.



That road tax deposit of transferor shall be transferred and credited 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

  
*Joseph H. W. Kearney*  
*Ralph C. Anderson*  
*John H. Winchell*  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of May, 1951.

ca

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOE A. ALVIS, 2603 CEDAR, )  
PUEBLO, COLORADO. )  
 ) PERMIT NO. C-20250  
 )  
 )  
 )

-----  
May 16, 1951  
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S T A T E M E N T

By the Commission:

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

-----  
Joe A. Alvis  
-----

requesting that Permit No. C-20250 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-20250, heretofore issued to.....

-----  
Joe A. Alvis  
----- be,

and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
-----  
*Joseph W. C. Horton*  
-----  
*John H. Winchell*  
-----  
Commissioners

Dated at Denver, Colorado,

this 16th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MIKE MONTOYA, BOX 55, HOEHNE, )  
COLORADO. )  
)  
)  
)

PERMIT NO. C-19718

-----  
May 16, 1951  
-----

S T A T E M E N T

By the Commission:

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

Mike Montoya

requesting that Permit No. C-19718.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

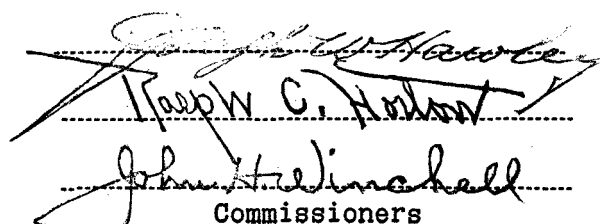
THE COMMISSION ORDERS:

That Permit No. C-19718....., heretofore issued to.....

Mike Montoya.....be,

and the same is hereby, declared cancelled effective March 19, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 16th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JACK C. LEWIS & DARRELL D. PER-) )  
KINS, DOING BUSINESS AS )  
PIONEER SERVICE, RT. 2, BOX 204,) PERMIT NO. C-26857  
PUEBLO, COLORADO. )  
 )  
 )  
-----

-----  
May 16, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
..... Jack C. Lewis & Darrell D. Perkins, dba Pioneer Service  
.....  
requesting that Permit No. C-26857..... be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

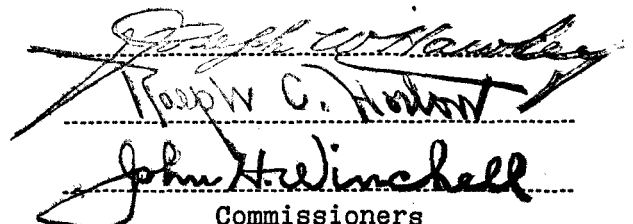
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-26857....., heretofore issued to.....  
..... Jack C. Lewis & Darrell D. Perkins, dba Pioneer Service..... be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 16th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HENRY TROUTMAN, WALSH, COLORADO )  
 )  
 )  
 )  
 )

PERMIT NO. C-22633

May 16, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Henry Troutman  
requesting that Permit No. C-22633 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-22633, heretofore issued to  
Henry Troutman be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 16th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROY SNAVELY, RT. 2, LIMON, )  
COLORADO. )  
)  
)  
)  
)  
)

PERMIT NO. C-20634

-----  
May 16, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
..... Roy Snavelly .....  
requesting that Permit No. C-20634 ..... 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-20634, heretofore issued to.....  
..... Roy Snavelly ..... be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph W. Hawley*  
*Ralph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 16th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
H. R. HINES & DON HEBBELN, )  
DOING BUSINESS AS HINES SEAFOOD )  
CO., 1700 20th AVE., GREELEY, ) PERMIT NO. C-26852  
COLORADO. )  
 )  
 )  
-----

-----  
May 16, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
..... H. R. Hines & Don Hebbeln, dba Hines Seafood Co. ....  
requesting that Permit No. .... C-26852 ..... 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-26852 ..... , heretofore issued to.....  
..... H. R. Hines & Don Hebbeln, dba Hines Seafood Co. .... be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
\_\_\_\_\_  
*Ralph C. Horton*  
\_\_\_\_\_  
*John H. Winchell*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 16th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
A. M. LOWDER, 528 LINCOLN ST., )  
STERLING, COLORADO. )  
)  
)  
)

PERMIT NO. C-20769

-----  
May 16, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
A. M. Lowder

requesting that Permit No. C-20769-----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-20769-----, heretofore issued to-----  
A. M. Lowder-----be,  
and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 16th day of May, 1951.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CHARLES F. MADDEN, 502½ E. 4th, )  
PUEBLO, COLORADO. )  
)  
)  
)

PERMIT NO. C-26893

May 16, 1951

S T A T E M E N T

By the Commission:

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

Charles F. Madden.....

requesting that Permit No. C-26893.....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-26893....., heretofore issued to.....

Charles F. Madden.....be,

and the same is hereby, declared cancelled effective April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Raymond C. Holton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 16th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MILLARD D. YOUNG, 1528 )  
CHEYENNE ROAD, COLORADO SPRINGS )  
COLORADO. )

PERMIT NO. C-1031

-----  
May 16, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
-----  
Millard D. Young  
-----  
requesting that Permit No. C-1031 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

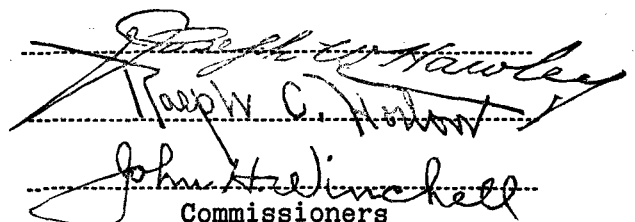
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-1031, heretofore issued to  
-----  
Millard D. Young be,  
and the same is hereby, declared cancelled effective April 30, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 16th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JAMES W., OTHAL E., ONAS D., & )  
KNOX H. BRAND, DOING BUSINESS AS )  
BRAND BROS., 1050 MURPHY AVE. S )  
W., ATLANTA, GEORGIA. )  
)  
)  
-----

PERMIT NO. C-13591

-----  
May 16, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
James W., Othal E., Onas D., & Knox H. Brand, dba Brand Bros. ....  
requesting that Permit No. C-13591 ..... 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-13591 ....., heretofore issued to.....  
James W., Othal E., Onas D., & Knox H. Brand, dba Brand Bros. .... be,  
and the same is hereby, declared cancelled effective May 30, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 16th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
B. B. CLARK, DOING BUSINESS AS )  
RATON PACKING CO., BOX NO. 846, )  
RATON, NEW MEXICO. )  
)  
)  
)  
-----

PERMIT NO. C-14362

-----  
May 16, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
B. B. Clark, dba Raton Packing Co.  
-----  
requesting that Permit No. C-14362 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-14362, heretofore issued to.....  
B. B. Clark, dba Raton Packing Co. be,  
and the same is hereby, declared cancelled effective April 30, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
\_\_\_\_\_  
*Joseph W. C. Horton*  
\_\_\_\_\_  
*John H. Winchell*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 16th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JAMES H. TINSLEY, CHEYENNE )  
WELLS, COLORADO. )  
)  
)  
)

PERMIT NO. C-16893

-----  
May 16, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
James H. Tinsley  
-----  
requesting that Permit No. C-16893 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-16893, heretofore issued to-----  
James H. Tinsley be,  
and the same is hereby, declared cancelled effective April 30, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 16th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RUFINO TREVINO, 10 LARAGOZA ST.)  
LAREDO, TEXAS. )  
 )  
 )  
 )  
 )  
-----

PERMIT NO. C-25907

-----  
May 16, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Rufino Trevino  
-----  
requesting that Permit No. C-25907-----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-25907-----, heretofore issued to-----  
Rufino Trevino-----be,  
and the same is hereby, declared cancelled effective March 26, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Frank C. Horton*  
*John V. Winchell*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 16th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MIKE LANTIS, GENERAL DELIVERY, )  
BOULDER, COLORADO. )

PERMIT NO. C-16919

May 16, 1951

S T A T E M E N T

By the Commission:

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

Mike Lantis

requesting that Permit No. C-16919 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-16919, heretofore issued to.....

Mike Lantis be,

and the same is hereby, declared cancelled effective April 30, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Harold W. C. Norton*  
*John H. Winchell*

Commissioners

Dated at Denver, Colorado,

this 16th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
W. B. & MACK MOLLER, DOING )  
BUSINESS AS BLACK HILLS PACKING )  
CO., RAPID CITY, SOUTH DAKOTA. )  
)  
)  
-----

PERMIT NO. C-26097

-----  
May 16, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
----- W. B. & Mack Moller, dba Black Hills Packing Co.-----  
requesting that Permit No. C-26097----- 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-26097-----, heretofore issued to-----  
----- W. B. & Mack Moller, dba Black Hills Packing Co.----- be,  
and the same is hereby, declared cancelled effective April 30, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph W. C. Horton*  
*John H. Winchell*  
-----  
Commissioners

Dated at Denver, Colorado,

this 16th day of May, 1951.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LOUIS MONTOYA, 2729 WEST )  
COLFAX, DENVER 4, COLORADO. )  
)  
)  
)

PERMIT NO. C-26956

May 16, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Louis Montoya  
requesting that Permit No. C-26956 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-26956, heretofore issued to  
Louis Montoya be,  
and the same is hereby, declared cancelled effective April 30, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Harold C. Roberts*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 16th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
G. W. HUTCHISON, 200 SO. HOLLY, )  
DENVER 7, COLORADO. )

PERMIT NO. C-27055

May 16, 1951

S T A T E M E N T

By the Commission:

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

G. W. Hutchison

requesting that Permit No. C-27055 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-27055, heretofore issued to.....

G. W. Hutchison be,

and the same is hereby, declared cancelled effective April 30, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph W. C. Horton*  
*John H. Winschell*  
Commissioners

Dated at Denver, Colorado,

this 16th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EVERETT D. WARDRIP, RT. 1, )  
BOX 88, DERBY, COLORADO. )

PERMIT NO. C-20599

May 16, 1951

S T A T E M E N T

By the Commission:

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

Everett D. Wardrip

requesting that Permit No. C-20599 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-20599, heretofore issued to.....

Everett D. Wardrip be,

and the same is hereby, declared cancelled effective April 30, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 16th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
KENNETH GAHAGEN, HENDERSON, COLO-  
RADO, FOR AUTHORITY TO TRANSFER PUC  
NO. 1013 TO GAHAGEN TRUCK LINES,  
INC., A CORPORATION, HENDERSON,  
COLORADO.

APPLICATION NO. 11123-Transfer  
SUPPLEMENTAL ORDER

May 7, 1951

S T A T E M E N T

By the Commission:

By Decision No. 36550, of date April 23, 1951, Kenneth Gahagen, Henderson, Colorado, was authorized to transfer all his right, title, and interest in and to PUC No. 1013 to Gahagen Truck Lines, Inc., Henderson, Colorado, subject to payment of outstanding indebtedness.

The application for transfer was filed on March 27, 1951. When such an application is filed, the records are carefully checked to determine whether or not a formal hearing upon the application is advisable. The Commission recognizes the fact that such an application is not usually granted without a formal hearing, but has, in some instances, granted the application when it is satisfied that insurance is in order, ton-mile tax has been paid, and there are no competing carriers who might be interested in the transfer.

On April 27, 1951, "Certificate of Amendment to Certificate of Incorporation of Gahagen Truck Lines, Inc." was filed with the Commission, showing change in corporate name from "Gahagen Truck Lines, Inc." to "Melton Service, Inc."

On May 3, 1951, Nelson Tank Lines, Inc., et al, filed a petition for rehearing and complaint, setting forth the interest they have

in the prior and future operations under this certificate, and setting forth grounds which seem sufficient in law to entitle them to a rehearing on the original application for transfer.

### FINDINGS

#### THE COMMISSION FINDS:

That petition for rehearing herein should be granted.

### ORDER


#### THE COMMISSION ORDERS:

That petition for rehearing filed herein by Nelson Tark Lines, Inc., et al, on May 3, 1951, should be, and the same hereby is, granted, said rehearing on original application for transfer to be held at some future date convenient to the Commission.

That Decision No. 36550, of date April 23, 1951, should be, and the same is hereby, vacated and set aside.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



*Joseph W. Hawley*  
*Ralph C. Hoban*  
*John H. Hinchel*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF  
THE STATE HIGHWAY DEPARTMENT OF  
COLORADO FOR AUTHORITY TO CONSTRUCT  
RAILROAD GRADE CROSSING AND INSTALL  
AUTOMATIC RAILROAD GRADE CROSSING  
SIGNALS ON STATE HIGHWAY NO. 111 ON  
MAIN STREET IN THE TOWN OF LA VETA,  
IN HUERFANO COUNTY, COLORADO, OVER  
THE TRACKS AND RIGHT-OF-WAY OF THE  
DENVER AND RIO GRANDE WESTERN RAIL-  
ROAD COMPANY, AT MILE POST 190.30.

APPLICATION NO. 10939  
SUPPLEMENTAL ORDER

-----  
May 7, 1951  
-----

Appearances: E. L. Higbee, Esq., Denver,  
Colorado, for State High-  
way Department;  
T. A. White, Esq., Denver,  
Colorado, for The Denver  
and Rio Grande Western  
Railroad Company;  
Ralph Sargent, Jr., Esq.,  
Denver, Colorado, for the  
Commission.

STATEMENT

By the Commission:

By Decision No. 36395, of date April 4, 1951, The Denver and Rio Grande Western Railroad Company was directed to effect the removal of a red tin structure on railroad tract of land leased to Goemmer Brothers at La Veta, Colorado, and carry out other terms and provisions of said order.

It has been represented to the Commission that the Chamber of Commerce and the Town Board of La Veta, Colorado, and other interested parties, are negotiating with said railroad relative to the moving of said building, and that more time is required in order to complete said negotiations.

Said Decision No. 36395 became effective on April 4, 1951,



and by the terms thereof, sixty (60) days from and after said date were granted the Railroad Company in which to move said structure. It is represented that the negotiations referred to can be completed by July 1, 1951.

### FINDINGS

#### THE COMMISSION FINDS:

That the time in which The Denver and Rio Grande Western Railroad Company shall effect the removal of said structure should be extended, as provided in the Order following.


### ORDER

#### THE COMMISSION ORDERS:

That the time in which The Denver and Rio Grande Western Railroad Company shall effect the removal of a certain red tin structure on railroad tract of land leased to Gummer Brothers at La Veta, Colorado, as directed by Decision No. 36395, of date April 4, 1951, should be, and the same hereby is, extended to July 1, 1951.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
*Joseph W. McCawley*  
*Ralph C. Hobart*  
*John H. McCawley*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of May, 1951.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOE A. KING, JR., DOING BUSINESS )  
AS "KING TRANSPORTATION COMPANY," )  
BOX 501, GRAND JUNCTION, COLORADO. )  
----- )

PERMITS NOS. A-494  
A-545  
A-660

-----  
May 7, 1951  
-----

Appearances: Henry S. Sherman, Esq.,  
Denver, Colorado, for  
applicant.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to mortgage Permits Nos. A-494, A-545, and A-660, issued to him by this Commission, to the United States Bank of Grand Junction, Colorado, to secure payment of the sum of Forty-Two Thousand Dollars (\$42,000.00), in accordance with the terms and conditions set forth in Chattel Mortgage, of date April 14, 1951, executed by said Joe A. King, Jr., doing business as "King Transportation Company," Grand Junction, Colorado, payable to the United States Bank of Grand Junction, Grand Junction, Colorado, said Mortgage, by reference, being made a part hereof.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed mortgage is not inconsistent with the public interest, and should be authorized.

O R D E R

THE COMMISSION ORDERS:

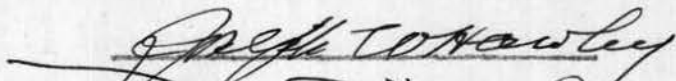
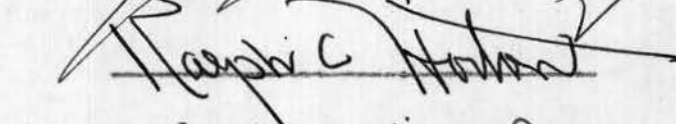
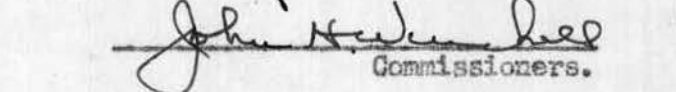
That Chattel Mortgage, of date April 14, 1951, on all right, title, and interest in and to Permits Nos. A-494, A-545, and A-660, given by Joe A. King, Jr., doing business as "King Transportation Company," Grand Junction, Colorado, to United States Bank of Grand Junction, Colorado, Grand Junction, Colorado, to secure payment of indebtedness in the amount of \$42,000.00, in accordance with the terms and conditions therein set forth, should be, and is hereby, authorized and approved.



That the Chattel Mortgage, of date April 14, 1951, attached to the application herein, is by reference made a part hereof.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of May, 1951.

es

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROBERT TROXLER, 4300 SOUTH )  
PENNSYLVANIA STREET, ENGLEWOOD, ) PUC NO. 328  
COLORADO. )  
-----)

-----  
May 7, 1951  
-----

S T A T E M E N T

By the Commission:

By Decision No. 36438, of date April 6, 1951, as amended by Decision No. 36495, of date April 17, 1951, in Application No. 11042, Walter Adams, Morrison, Colorado, was authorized to transfer to Robert Troxler, Englewood, Colorado, a portion of PUC No. 328, authorizing transportation of "milk, cream, and dairy products" in territory described in said decisions.

The Commission is now in receipt of two communications from said Robert Troxler, requesting: (1) that authority to haul dairy products be eliminated from said operating rights, and (2) that the records show said certificate to be operated under the trade name of "Robert G. Troxler Truck Line."

F I N D I N G S

THE COMMISSION FINDS:

That said requests should be granted.

O R D E R


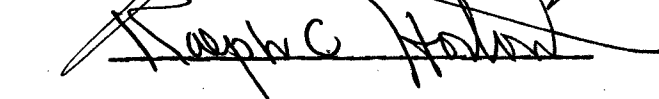
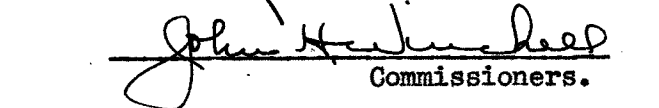
THE COMMISSION ORDERS:

That operating rights of Robert Troxler under that portion of PUC No. 328 transferred to him pursuant to authority contained in Decision No. 36438, as amended by Decision No. 36495, should be, and they are hereby, amended and restricted, by deleting therefrom the right to haul dairy products, said certificate, in the future, to authorize transportation of milk and cream, only, in the territory set forth in said Decisions Nos. 36438 and 36495.

That the Secretary of the Commission is hereby instructed to change the records of the Commission to show that authority transferred to said Robert Troxler pursuant to Decisions Nos. 36438 and 36495 is owned and operated by "Robert Troxler, doing business as 'Robert G. Troxler Truck Line," Englewood, Colorado."

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of May, 1951.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
L. L. RICHARDSON, 920 CENTRAL )  
COURT, PUEBLO, COLORADO. )  
-----)

PERMITS NOS. B-1101  
B-1101-I.

-----  
May 18, 1951  
-----

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 Permits Nos. B-1101 and B-1101-I be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

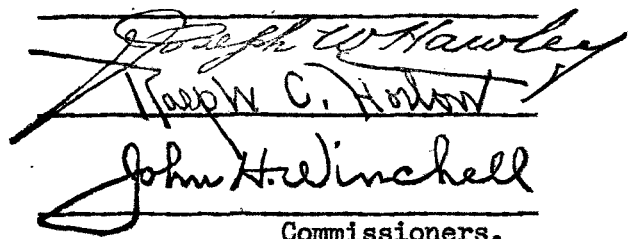
O R D E R

THE COMMISSION ORDERS:

That L. L. Richardson be, and he is hereby, authorized to suspend his operations under Permits Nos. B-1101 and B-1101-I until November 1, 1951.

That unless said L. L. Richardson shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permits, 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

  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of May, 1951.  
ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROBERT E. FOSTER, ROUTE 5, BOX ) PERMIT NO. B-3341.  
159, DENVER 11, COLORADO. )  
-----)

-----  
May 18, 1951  
-----

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-3341 be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

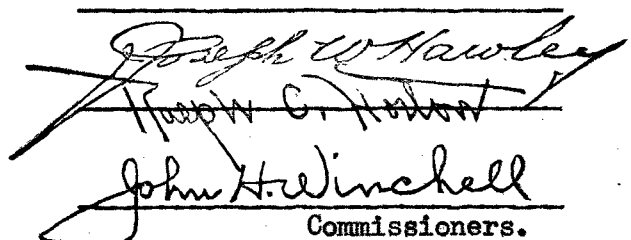
O R D E R

THE COMMISSION ORDERS:

That Robert E. Foster be, and he is hereby, authorized to suspend his operations under Permit No. B-3341 until November 9, 1951.

That unless said Robert E. Foster 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

  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JAMES E. EGGERING, 702 EAST ) PERMIT NO. B-4035.  
12TH, DENVER, COLORADO. )  
-----)

-----  
May 18, 1951  
-----

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-4035 be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

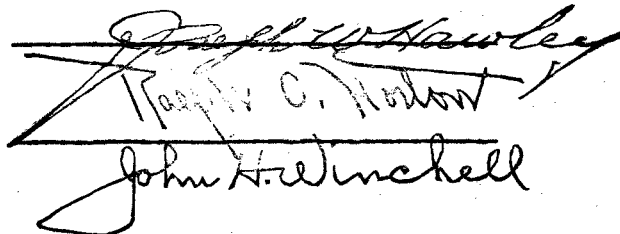
O R D E R

THE COMMISSION ORDERS:

That James E. Eggering be, and he is hereby, authorized to suspend his operations under Permit No. B-4035 until November 1, 1951.

That unless said James E. Eggering 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 shall, without further action by the Commission, be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado,  
this 18th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MERLE DEMOSS, DOING BUSINESS AS )  
DEMOSS MOTORS, HOTCHKISS, COLO- )  
RADO. )  
-----)

PERMIT NO. B-4080.

-----  
May 18, 1951  
-----

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-4080 be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

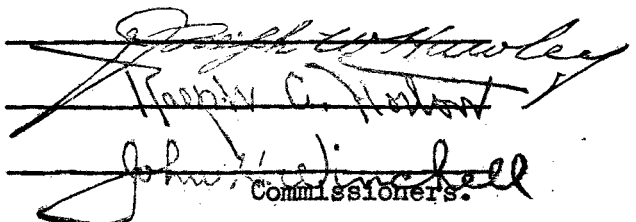
O R D E R

THE COMMISSION ORDERS:

That Merle DeMoss, doing business as "DeMoss Motors," be, and he is hereby, authorized to suspend his operations under Permit No. B-4080 until November 7, 1951.

That unless said Merle DeMoss, doing business as "DeMoss Motors," 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

  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
W. A. LAYCOCK, DOING BUSINESS )  
AS "LAYCOCK MOTOR CO.", 7th & )  
WHITE, GRAND JUNCTION, COLORADO, )  
)  
)

PERMIT NO. C-1775

-----  
May 25, 1951  
-----

S T A T E M E N T

By the Commission:

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

-----  
W. A. Laycock  
-----

requesting that Permit No. C-1775 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-1775, heretofore issued to.....

-----  
W. A. Laycock  
----- be,

and the same is hereby, declared cancelled effective May 9, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph W. C. Norton*  
*John H. Winchell*  
-----  
Commissioners

Dated at Denver, Colorado,

this 25th day of May, 1951.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
A. E. RODGERS & V. E. HOISINGTON )  
DOING BUSINESS AS "RODGERS- )  
HOISINGTON, PARADISE, KANSAS. ) PERMIT NO. C-23632  
)  
)  
)  
-----

-----  
May 25, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
A. E. Rodgers & V. E. Hoisington  
-----  
requesting that Permit No. C-23632 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-23632, heretofore issued to-----  
A. E. Rodgers & V. E. Hoisington be,  
and the same is hereby, declared cancelled effective May 9, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph C. Holton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 25th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
WILLIAM H. WESTON, JR., 2202 )  
EAST PERSHING AVE., CHEYENNE, )  
WYOMING. ) PERMIT NO. C-26773  
 )  
 )  
 )  
-----

-----  
May 25, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
William H. Weston-----  
requesting that Permit No. C-26773-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

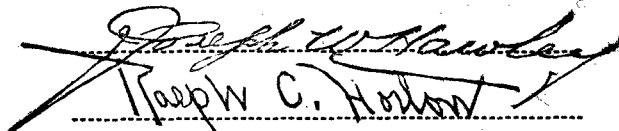

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-26773-----, heretofore issued to-----  
William H. Weston-----be,  
and the same is hereby, declared cancelled effective May 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
-----  
  
Commissioners

Dated at Denver, Colorado,  
this 25th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EARL D. LAYTON, DOING BUSINESS )  
AS "PARKER TRANSFER", PARKER, )  
COLORADO. )

PERMIT NO. C-8395

May 25, 1951

S T A T E M E N T

By the Commission:

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

Earl D. Layton, dba Parker Transfer.....

requesting that Permit No. C-8395.....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-8395....., heretofore issued to.....

Earl D. Layton, dba Parker Transfer.....be,

and the same is hereby, declared cancelled effective May 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 25th day of May, 1951.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CITIES SERVICE OIL CO., 406 WEST )  
34TH STREET, KANSAS CITY 2, )  
MISSOURI. ) PERMIT NO. C-200  
)  
)  
)  
-----

-----  
May 25, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
.....Cities Service Oil Co.....  
requesting that Permit No.....C-200.....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-200....., heretofore issued to.....  
.....Cities Service Oil Co.....be,  
and the same is hereby, declared cancelled effective May 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph C. Holton*  
*John H. Winchell*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 25th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
PAT REALE, 5840 NORTH WASHING- )  
TON, DENVER, COLORADO. )  
----- )

PERMIT NO. B-3988

-----  
May 25, 1951  
-----

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-3988 be suspended for six months from April 12, 1951.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

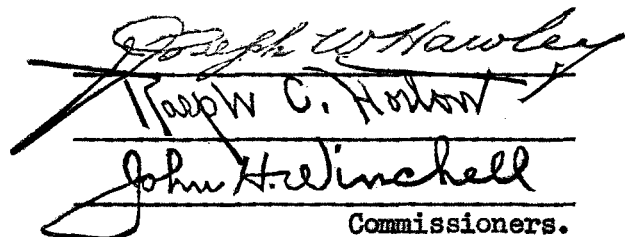
O R D E R

THE COMMISSION ORDERS:

That Pat Reale be, and he is hereby, authorized to suspend his operations under Permit No. B-3988 until October 12, 1951.

That unless said Pat Reale 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

  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of May, 1951.  
mls

original

(Decision No. 36726)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
C. HENRY STOLBERG, DOING BUSINESS )  
AS "PIONEER TRUCKING COMPANY," 1336 )  
WATER STREET, BOULDER, COLORADO, )  
FOR AUTHORITY TO TRANSFER PUC NO. )  
616 TO MYLES M. VONDRA, DOING BUSI- )  
NESS AS "PIONEER TRUCKING COMPANY," )  
1336 WATER STREET, BOULDER, COLORADO. )  
----- )

APPLICATION NO. 11161-Transfer

-----  
May 16, 1951  
-----

Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for applicant.

S T A T E M E N T

By the Commission:

By Decision No. 35978, of date January 17, 1951, C. Henry Stol-  
berg, doing business as "Pioneer Trucking Company," Boulder, Colorado, ac-  
quired from John J. Tisone, Don T. Tisone, Anthony F. Tisone, and William  
T. Bullard, co-partners, doing business as "Pioneer Trucking Company,"  
Boulder, Colorado, PUC No. 616.

Subsequently, pursuant to authority contained in Decision No.  
36369, of date March 30, 1951, said C. Henry Stolbert transferred a por-  
tion of said operating rights to William R. Leist and Edna B. Leist, co-  
partners, doing business as "Leist Trucking Company," Boulder, Colorado,  
said transferred authority thereafter being known as "PUC No. 422,"  
operating rights retained by C. Henry Stolberg under PUC No. 616 being  
as follows:

Transportation of milk and cream with the return of empty cans to Boulder, Lafayette and Longmont, Colorado, from the following territory: Beginning at a point in the center of the west line of Section 12, Township 3-North, Range 71-West; thence due east to Highway U. S. 87; thence south along said highway to the north line of Section 34, Township 2-North, Range 69-West; thence east two and one-half miles; thence south one mile; thence east one mile to the northwest corner of Section 5, Township 1-North, Range 68-West; thence south two miles; thence southwesterly to the southwest corner of Section 18, Township 1-North, Range 68-West; thence south three miles; thence west to Highway U. S. 87; thence south along said highway to the south Boulder County Line; thence east to Broomfield; thence south along State Highway No. 121 to the northwest corner of the SE $\frac{1}{4}$  of Section 26, Township 3-South, Range 69-West; thence west to the center of the west line of Section 30, Township 3-South, Range 69-West; thence south one-half mile; thence east to State Highway No. 121; thence south two miles; thence west to the southwest corner of Section 2, Township 4-South, Range 70-West; thence north one-half mile; thence west one-half mile; thence north one and one-half miles; thence west one-half mile; thence north one mile; thence east one mile; thence north one and one-half miles; thence east two miles; thence north one-half mile; thence west one-half mile; thence north six miles; thence west one mile; thence north one mile; thence west one mile; thence north one mile to the south Boulder County Line; thence west along said line to the southwest corner of Section 31, Township 1-South, Range 70-West; thence North one-half mile; thence west one and one-half miles; thence north to the center of the west line of Section 24, Township 1-South, Range 71-West; thence east one mile; thence north through Boulder and along State Highway No. 7 to the Town of Lyons; thence in a northwesterly direction to place of beginning, including service from such places or farms as abut upon or are adjacent to the highways abounding said described area or may be reached therefrom by private roads; excluding service in the NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 12, Township 1-North, Range 69-West, and in Section 6, Township 2-North, Range 68-West;

Transportation of milk and cream and the return of empty cans from the following-described territory to Boulder: Within a fifteen-mile radius of Berthoud, 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 and able to carry on the operation, and it does not appear that any useful purpose would be served by setting said application 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 application, 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 C. Henry Stolberg, doing business as "Pioneer Trucking Company," Boulder, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 616 -- being the operating rights acquired by him pursuant to authority contained in Decision No. 35978, as restricted and limited by transfer of a portion thereof pursuant to authority contained in Decision No. 36369 -- to Miles M. Vondra, doing business as "Pioneer Trucking Company," Boulder, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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.

The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate, and the payment by him or transferee of all unpaid ton-mile tax.




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

Chairman Hawley was absent.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



Ralph C. Hobart  
John H. Winchell  
Commissioners.

Dated at Denver, Colorado,  
this 16th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF  
H. G. BRESSLER AND G. L. CALDWELL,  
CO-PARTNERS, DOING BUSINESS AS  
"BEARD TAXI SERVICE," 1644 BROADWAY,  
DENVER, COLORADO, FOR AUTHORITY TO  
TRANSFER PUC NO. 193 TO H. G.  
BRESSLER, DOING BUSINESS AS "A A  
SIGHTSEEING TOURS," 1644 BROADWAY,  
DENVER, COLORADO.

APPLICATION NO. 11162-Transfer

-----  
May 16, 1951  
-----

STATEMENT

By the Commission:

By Decision No. 1309, of date March 7, 1927, Schram Scenic Auto Tours was granted a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, for the transportation of:

passengers over the following routes: (1) Denver to Pikes Peak and return; (2) Denver to Silver Plume and return; (3) Denver to Echo Lake and return; (4) Denver to Denver Mountain Parks and return; (5) Denver to Lookout Mountain and return; subject to the following terms and conditions: (a) That no transportation of passengers to any intermediate points on the route designated shall be permitted; (b) All operations by the applicant herein shall be limited to sightseeing, round-trip, one-day operations; (c) That the quantity of equipment to be used in this operation shall be limited to two cars.

Said operating rights were designated "PUC No. 193," and by Decision No. 1145, of date March 7, 1927, said PUC No. 193 was extended to include the right to transport:

passengers over the following routes: (a) Denver to Pikes Peak; (b) Denver to Silver Plume; (c) Denver to Denver Mountain Parks; (d) Denver to Echo Lake and Mt. Evans; (e) Denver to Estes Park, subject to the following terms and conditions: (a) No transporta-

tion of passengers to any intermediate points on the routes designated shall be permitted; (b) That all operations by applicant herein shall be limited to sightseeing, round-trip, one-day operations; (c) That the quantity of equipment to be used in this operation shall be limited to two cars.

Pursuant to authority contained in Decision No. 3748, of date November 12, 1931, Schram Scenic Auto Tours transferred to J. R. Beard, doing business as "Beard Taxi Service," authority granted by Decision No. 1145 as it relates to the operation of one car, subject to the same terms and conditions as contained in said Decision No. 1145.

By Decision No. 10174, of date June 12, 1937, said operating rights were extended to include the right to transport:

passengers on sightseeing round trips from Denver to the various scenic attractions in the State of Colorado:

Trip No. 1 - "Gold Patch Trip" reaching Nederland, Central City, and Idaho Springs, approximately 112 miles, charge \$8.00 per person, minimum number of persons on a trip being two.

Trip No. 2 - "Jarvis Canon Trip" covering a section of South Platte and Jarvis Canon, approximately 162 miles, charge of \$8.00 per passenger, minimum of three passengers on the trip.

Trip No. 3 - Part of the Denver Mountain Parks including Mt. Evans and Leadville, Fairplay Section covering approximately 318 miles, charge \$16.00 per person with a minimum of three passengers.

Trip No. 4 - "Peak to Peak Trip" - extends from Long's Peak to Pikes Peak, approximately 411 miles, charge of \$20.00 per passenger with a minimum of four passengers.

Trip No. 5 - "Mesa Verde Trip" - Reaches most of the major scenic attractions in the Colorado mining areas, mountainous districts of the State and points of interest on the Western Slope, approximately 1,000 miles, charge \$60.00 per passenger, minimum of four passengers to the car.

Trip No. 6 - Denver to Colorado Springs, approximately 223 miles, charge \$10.00 per passenger, with a minimum of three passengers per car. Limited to three cars for all of said trips.

Pursuant to authority contained in Decision No. 34769, of date May 1, 1950, John R. Beard, doing business as "Beard Taxi Service,"

transferred PUC No. 193 to H. G. Bressler and G. L. Caldwell, co-partners, doing business as "Beard Taxi Service," Denver, Colorado, who, by the instant application, seek authority to transfer said operating rights to H. G. Bressler, doing business as "A A Sightseeing Tours," Denver, Colorado, said G. L. Caldwell being desirous of withdrawing from said partnership.

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 otherwise, is qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said application 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 application, 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 H. G. Bressler and G. L. Caldwell, co-partners, doing business as "Beard Taxi Service," Denver, Colorado, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 193 — being the operating rights acquired by them pursuant to authority contained in Decision No. 34769 — to H. G. Bressler, doing business as "A A Sightseeing Tours," Denver, Colorado, said G. L. Caldwell being hereby authorized to withdraw from said partnership.



That transfer herein authorized is subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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.

The right of transferee to operate under this order shall depend upon the prior filing by transferors of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate, and payment by them or transferee of all unpaid passenger-mile tax.

That passenger-mile tax deposit of transferors shall be transferred and credited to account of transferee herein.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



*Ralph C. Hohn*  
*John H. Hunshee*  
Commissioners

CHAIRMAN HAWLEY ABSENT.

Dated at Denver, Colorado,  
this 16th day of May, 1951.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
C. E. LONG, 4934 ST. PAUL STREET, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 11132-PP

-----  
May 18, 1951  
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Appearances: C. E. Long, Denver, Colorado,  
pro se.

S T A T E M E N T

By the Commission:

On April 2, 1951, C. E. Long, 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 sand, gravel, and other road surfacing materials, from pits and supply points in the State of Colorado, to road and building construction jobs located within a fifty-mile radius of said pits and supply points, excluding service in Clear Creek, Gilpin, and Boulder Counties, except hauling may be done in Boulder County for the Boulder Toll Road, only; coal from the northern Colorado coal fields to Denver, to Valmont Plant of Public Service Company, located near Boulder; also to Great Western Sugar Company Plants and Kurer-Empson Company Plants.

The matter was regularly set for hearing, and heard, on May 16, 1951, at 330 State Office Building, Denver, Colorado, after due notice to all parties in interest, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant is the owner of a 1946 Diamond-T three-ton truck, and has a net worth of approximately \$4,000.00.

No one appeared in opposition to the granting of the instant application.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the instant application should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That C. E. Long, 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 located within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties, except hauling may be done in Boulder County for the Boulder Toll Road, only; coal from mines in the northern Colorado coal fields to Denver, to Valmont Plant of Public Service Company, located near Boulder, Colorado, and to Great Western Sugar Company Plants and Kuner-Emmerson Company Plants.



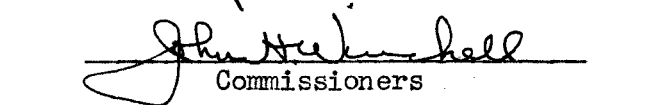
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one (21) days from  
the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 18th day of May, 1951.

mw



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RAYMOND J. HERTZ AND E. L. PHILLIPS, )  
1968 IOLA STREET, AURORA, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS PRIVATE CARRIERS BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION NO. 11133-PP

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May 18, 1951  
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Appearances: Raymond J. Hertz, Aurora,  
Colorado, for ap-  
plicants.

S T A T E M E N T

By the Commission:

On March 30, 1951, Raymond J. Hertz and E. L. Phillips, a co-partnership, Aurora, Colorado, filed their application for a Class "B" permit to operate as private carriers by motor vehicle for hire, for the transportation of sand, gravel, and other road surfacing materials, from pits and supply points in the State of Colorado, to road and building construction jobs located within a fifty-mile radius of said pits and supply points, excluding service in Clear Creek, Gilpin, and Boulder Counties, except hauling may be done in Boulder for the Boulder Toll Road, only; coal from the northern Colorado coal fields to Denver, Colorado, to Valmont Plant of Public Service Company, located near Boulder; also to Great Western Sugar Company Plants and Kurer-Empson Company Plants, within a radius of fifty miles of Denver, Colorado.

The matter was regularly set for hearing, and heard, on May 16, 1951, at 330 State Office Building, Denver, Colorado, after due notice to all parties in interest, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicants are the owners of a 1951 Chevrolet two-ton truck, and their net worth is approximately \$4,000.00.

No one appeared at the hearing to protest the granting of this application.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the instant application should be granted, as limited in the Order following.

### O R D E R

#### THE COMMISSION ORDERS:

That Raymond J. Hertz and E. L. Phillips, a co-partnership, Aurora, 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, and other road surfacing materials from pits and supply points in the State of Colorado, to road and building construction jobs located within a radius of fifty miles of said pits and supply points, excluding service in Blear Creek, Gilpin, and Boulder Counties, except hauling may be done in Boulder County for the Boulder Toll Road, only; coal from mines in the northern Colorado coal fields to Denver, Colorado, to Valmont Plant of Public Service Company, located near Boulder, Colorado; also to Great Western Sugar Company Plants and Kurer-Empson Company Plants within a radius of fifty miles of Denver, Colorado, this operation to be conducted as a co-partnership, and not as individuals.

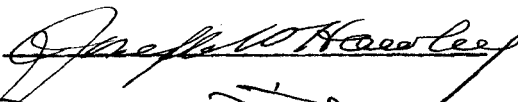
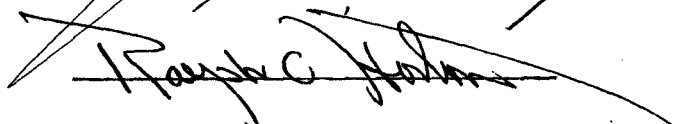
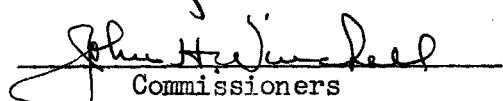
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 twenty-one (21) days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 18th day of May, 1951.

DW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CLARENCE ACHZIGER, ROUTE 4, LONG- )  
MONT, COLORADO, FOR A CLASS "B" PER- )  
MIT TO OPERATE AS A PRIVATE CARRIER )  
BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 11130-PP

-----  
May 18, 1951  
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Appearances: Mrs. Clarence Achziger,  
Longmont, Colorado,  
for applicant.

S T A T E M E N T

By the Commission:

On April 9, 1951, Clarence Achziger, 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 sand, gravel, dirt, and other road surfacing materials from pits and supply points in the State of Colorado, to road and building construction jobs within a fifty-mile radius of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties, with the exception of the Boulder Toll Road job.

The matter was regularly set for hearing, and heard, on May 16, 1951, at 330 State Office Building, Denver, Colorado, after due notice to all parties in interest, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant is the owner of a 1951 Dodge two-ton truck, and has a net worth of approximately \$2,000.00.

No one appeared in opposition to the granting of the instant application.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That Clarence Achziger, Longmont, 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, with the exception of the Boulder Toll Road job.

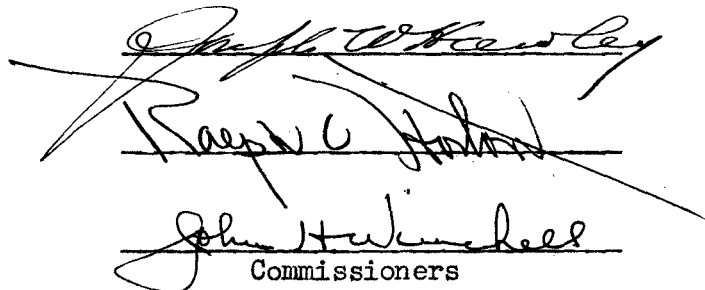
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one (21) days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 18th day of May, 1951.

Original

(Decision 36731)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CHARLES WORTHMAN, 2251 WEST CENTER )  
AVENUE, DENVER, COLORADO, FOR AN ) APPLICATION NO. 11137-PF  
EXTENSION OF PERMIT NO. B-4039. ) EXTENSION  
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-----  
May 18, 1951  
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Appearances: Charles Worthman, Denver,  
Colorado, pro se;  
Harold Swena, Golden,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

On July 12, 1949, by Decision No. 33040, Charles Worthman, the applicant herein, was granted authority to operate as a private carrier by motor vehicle for hire (Permit No. B-4039) for the transportation of:

Forest and sawmill products, including logs and timber, from Fraser and Winter Park, Colorado, and points within a five-mile radius of each of said towns, to Denver, Colorado.

By the instant application, applicant desires to extend his authority in hauling the same commodities now authorized, from his presently-authorized territory to lumber yards within a radius of 10 miles of Denver, Colorado.

The matter was regularly set for hearing, and heard, on Wednesday, May 16, 1951, at 330 State Office Building, Denver, Colorado, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant has many calls to serve points in Metropolitan Denver, being outside of the Denver City Limits.

Mr. Harold Swena, of Swena Transfer, Golden, Colorado, stated he had no objection to the granting of the proposed extension so long as all freight originated within a five-mile radius of Fraser and Winter

Park, Colorado.

Upon the record as made, and after a careful consideration thereof, the Commission is of the opinion that it did not appear from the evidence that the granting of said extension will impair the efficiency of existing adequate common carrier motor vehicle service now in the area sought to be served by applicant and with which applicant will compete, and that authority sought should be granted.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the proposed extension sought in the instant application should be granted.

### O R D E R

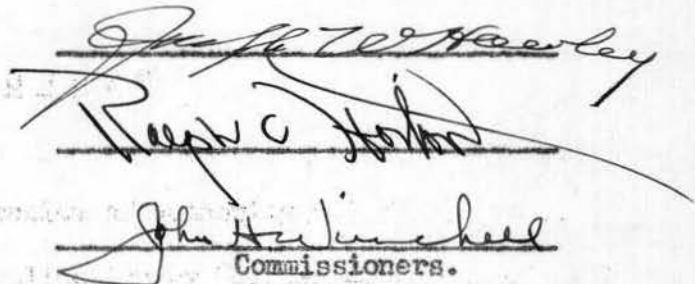
#### THE COMMISSION ORDERS:

That the proposed extension of authority under Permit No. B-4039, sought in the instant application by Charles Worthman, of 2251 West Center Avenue, Denver, Colorado, be, and the same hereby is granted, so that the extended authority will read:

Forest and sawmill products, including logs and timber, from Fraser and Winter Park, Colorado, and points within a five-mile radius of each of said towns, to Denver, Colorado, and points within a radius of ten miles of Denver, Colorado.

This order is made a part of the permit granted to applicant, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of May, 1951.

bf

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FLOYD A. DUNN, 1575 GALENA STREET, )  
AURORA, COLORADO, FOR A CLASS "B" ) APPLICATION NO. 11136-PP  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )  
-----)

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May 18, 1951  
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Appearances: Floyd A. Dunn, Aurora,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

On March 26, 1951, Floyd A. Dunn, of Aurora, Colorado, 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 sand, gravel, dirt and other road surfacing materials from pits and supply points in the State of Colorado, to road and building construction jobs within a 50-mile radius of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties, with the exception of the Denver-Boulder Toll Road job; and coal from mines in the northern Colorado coal fields to Denver, Colorado.

The matter was regularly set for hearing, and heard, on May 16, 1951, at 330 State Office Building, Denver, Colorado, after appropriate notice to all interested parties, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant is the owner of a 1947 2-ton Chevrolet truck, and has a net worth of approximately \$3,500.00.



No one appeared at the hearing to protest the granting of the instant application.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the instant application should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That Floyd A. Dunn, of 1575 Galena Street, Aurora, 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 road surfacing materials, from pits and supply points in the State of Colorado, to road and building construction jobs within a 50-mile radius of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties, with the exception of the Denver-Boulder Toll Road job; and coal from mines in the northern Colorado coal fields to Denver, Colorado.

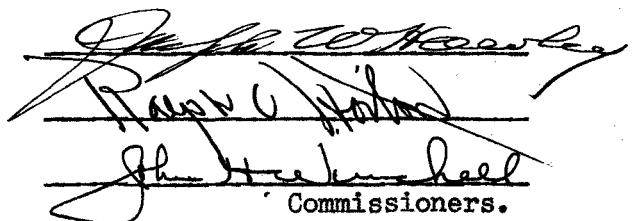
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until 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.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of May, 1951.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CARL STERKEL, 1678 SOUTH PEARL STREET, )  
DENVER, COLORADO, FOR A CLASS "B" PER- ) APPLICATION NO. 11135-PP  
MIT TO OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
-----)

-----  
May 18, 1951  
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S T A T E M E N T

By the Commission:

On April 10, 1951, Carl Sterkel, 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 sand, gravel, dirt, and other road surfacing materials from pits and supply points in the State of Colorado, to road and building construction jobs within a 50-mile radius of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties, with the exception of the Boulder Toll Road job; and coal from mines in the northern Colorado coal fields to Denver, Colorado.

The matter was regularly set for hearing on May 16, 1951, with due notice to all parties in interest, at 330 State Office Building, Denver, Colorado.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing, whereupon the files were made a part of the record.

It appears that applicant owns a 1948 2-ton Ford dump truck, and has a net worth of approximately \$1,200.00.

No one appeared at the hearing to protest the granting of the instant application.

The matter was taken under advisement.

## F I N D I N G S

### THE COMMISSION FINDS:

That the instant application should be granted.

## O R D E R

### THE COMMISSION ORDERS:

That Carl Sterkel, of 1678 Pearl Street, 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, dirt, and other road surfacing materials from pits and supply points in the State of Colorado, to road and building construction jobs within a 50-mile radius of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties, with the exception of the Boulder Toll Road job; and coal from mines in the Northern Colorado coal fields to Denver, Colorado.

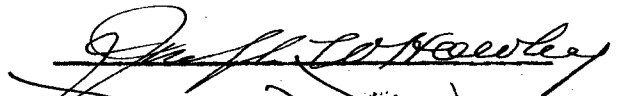
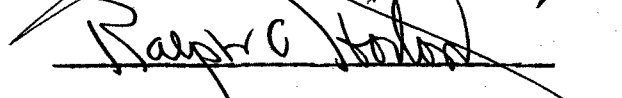
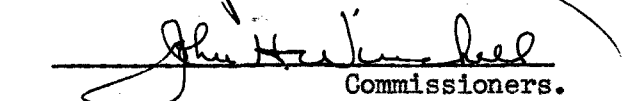
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until 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.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of May, 1951.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ALFRED HURTADO, 3314 GILPIN STREET, )  
DENVER, COLORADO, FOR A CLASS "B" ) APPLICATION NO. 11131-PP  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )  
-----)

-----  
May 18, 1951  
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S T A T E M E N T

By the Commission:

On March 16, 1951, Alfred Hurtado, 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 sand, gravel, 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, except service on the Boulder Toll Road; and coal from mines in the northern Colorado coal fields to Denver, Colorado.

The matter was regularly set for hearing on May 16, 1951, at 330 State Office Building, Denver, Colorado, with due notice to all parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing, whereupon the files were made a part of the record, and as there were no protestants to the granting of the application, the matter was taken under advisement.

F I N D I N G S

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 Alfred Hurtado, of 3314 Gilpin Street, 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 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, except service on the Boulder Toll Road; and coal from mines in the northern Colorado coal fields to Denver, Colorado.

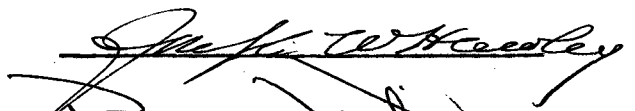
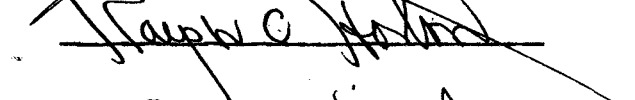

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit advisable.

That this order is the permit herein provided for, but it shall not become effective until applicant has failed 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.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
the 18th day of May, 1951.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
H. R. BLAIR, 7390 WEST 38TH AVENUE, )  
WHEATRIDGE, COLORADO, FOR A CLASS ) APPLICATION NO. 11134-PP  
"B" PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----)

-----  
May 18, 1951  
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Appearances: H. R. Blair, Wheatridge,  
Colorado, pro se;  
Harold Swena, Golden,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

On April 17, 1951, H. R. Blair, of Wheatridge, Colorado, 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 brick only for the Denver Sewer Pipe and Clay Company, only, from point to point within a ten mile radius of Denver, Colorado.

The matter was regularly set for hearing, and heard, on May 16, 1951, at 330 State Office Building, Denver, Colorado, after appropriate notice to all parties in interest, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant is the owner of a 1949 Ford 1½-ton truck, and that his net worth is approximately \$3,000.00.

Mr. Harold Swena, appearing for Swena Transfer Company of Golden, Colorado, withdrew his objections to the granting of the instant application if the authority is limited to a ten mile radius of Denver, with no service to Golden, Colorado.

Upon the record as made, and after a careful consideration thereof, the Commission is of the opinion that it did not appear from

the evidence that the granting of said permit would impair the efficiency of existing adequate common carrier authority now operating in the area sought to be served by applicant, and with which applicant will compete.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the instant application, as hereinafter limited in the Order, should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That H. R. Blair, of 7390 West 38th Avenue, Wheatridge, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of brick only for the Denver Sewer Pipe and Clay Company, only, from point to point within a ten-mile radius of Denver, Colorado, excluding all service to Golden, Colorado.

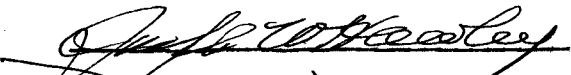
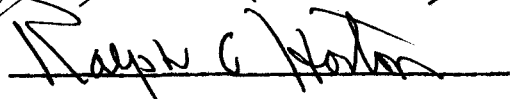
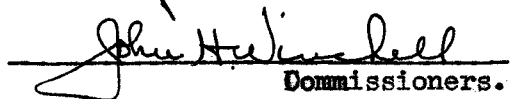
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until 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.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of May, 1951.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
I. BERNSTEIN, 1630 KING ST., )  
DENVER, COLORADO. )  
)  
)  
)

PERMIT NO. C-13852

-----  
May 28, 1951  
-----

S T A T E M E N T

By the Commission:

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

.....  
I. Bernstein  
.....

requesting that Permit No. C-13852 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

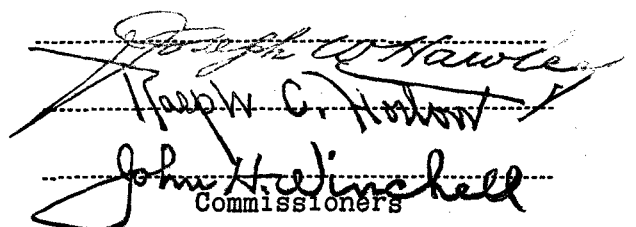
THE COMMISSION ORDERS:

That Permit No. C-13852, heretofore issued to.....

.....  
I. Bernstein..... be,

and the same is hereby, declared cancelled effective April 14, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 28th day of May, 1951.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FRANK E. CULVERWELL, CRAIG, )  
COLORADO. )

PERMIT NO. C-14900

May 28, 1951

S T A T E M E N T

By the Commission:

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

Frank E. Culverwell

requesting that Permit No. C-14900 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-14900, heretofore issued to.....

Frank E. Culverwell be,

and the same is hereby, declared cancelled effective May 9, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph W. C. Holton*  
*John H. Winschell*

Commissioners

Dated at Denver, Colorado,

this 28th day of May, 1951.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CHARLES TINDALL, BOX 506, ROCKY )  
FORD, COLORADO. )

PERMIT NO. C-16065

May 28, 1951

S T A T E M E N T

By the Commission:

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

Charles Tindall

requesting that Permit No. C-16065 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-16065, heretofore issued to.....

Charles Tindall be,

and the same is hereby, declared cancelled effective May 9, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph C. Hawley*  
*Ralph C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 28th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CARL BEDEL, BOX 105, ROCKY )  
FORD, COLORADO. )  
 ) PERMIT NO. C-16881  
 )  
 )  
 )  
-----

-----  
May 28, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Carl Bedel  
-----  
requesting that Permit No. C-16881 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

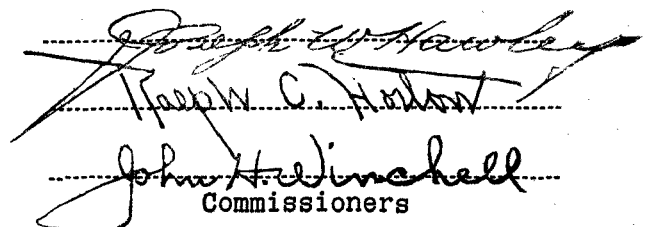
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16881, heretofore issued to.....  
Carl Bedel be,  
and the same is hereby, declared cancelled effective May 9, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 28th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
T. N. WILLIAMS, 701 WEST 4th )  
ST., LA JUNTA, COLORADO. )  
)  
)  
)

PERMIT NO. C-24214

-----  
May 28, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
T. N. Williams

requesting that Permit No. ....C-24214..... 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-24214....., heretofore issued to.....  
T. N. Williams..... be,

and the same is hereby, declared cancelled effective April 23, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph C. Horton*  
*John Winchell*  
Commissioners

Dated at Denver, Colorado,

this 28th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LUTHER MULLINS, BOX 861, )  
MONTE VISTA, COLORADO. )  
)  
)  
)

PERMIT NO. C-20734

May 28, 1951

S T A T E M E N T

By the Commission:

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

Luther Mullins

requesting that Permit No. C-20734 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

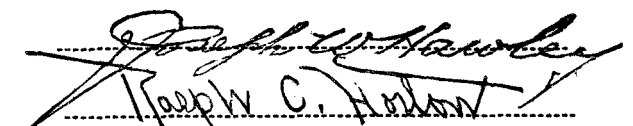
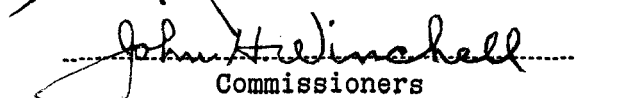
THE COMMISSION ORDERS:

That Permit No. C-20734, heretofore issued to.....

Luther Mullins be,

and the same is hereby, declared cancelled effective April 26, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Ralph W. C. Horton  
  
John H. W. Inschell  
Commissioners

Dated at Denver, Colorado,

this 28th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
R. E. ASHTON, DOING BUSINESS )  
AS ASHTON EQUIPMENT CO., P. O.)  
BOX 128, ARVADA, COLORADO. ) PERMIT NO. C-23074  
)  
)  
)  
-----

-----  
May 28, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
R. E. Ashton, dba Ashton Equipment Co.  
requesting that Permit No. C-23074 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-23074, heretofore issued to  
R. E. Ashton, dba Ashton Equipment Co. be,  
and the same is hereby, declared cancelled effective May 9, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 28th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
IVAN L. NIELSON, ROMEO, )  
COLORADO. )  
)  
)  
)

PERMIT NO. C-24486

-----  
May 28, 1951  
-----

S T A T E M E N T

By the Commission:

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

-----  
Ivan L. Nielson  
-----

requesting that Permit No. C-24486 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

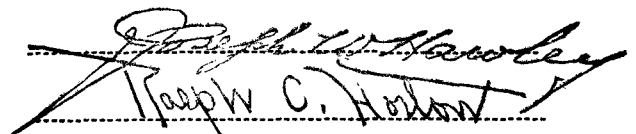
THE COMMISSION ORDERS:

That Permit No. C-24486, heretofore issued to.....

-----  
Ivan L. Nielson  
----- be,

and the same is hereby, declared cancelled effective April 23, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
-----  
John H. W. Hinchell  
-----  
Commissioners

Dated at Denver, Colorado,

this 28th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CELIAUS PETERSON, DOING BUSI- )  
NESS AS PETERSON OIL CO., 222 )  
WEST FIRST, JULESBURG, COLORADO )  
----- )

PERMIT NO. C-24498

-----  
May 28, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Celiaus Peterson, dba Peterson Oil Co.  
-----  
requesting that Permit No. C-24498 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-24498, heretofore issued to-----  
Celiaus Peterson, dba Peterson Oil Co. be,  
and the same is hereby, declared cancelled effective March 23, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph W. C. Holton*  
*John H. Hineshell*  
Commissioners

Dated at Denver, Colorado,  
this 28th day of May, 1951.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EVERETT C. EMOND, 1015 RUDD, )  
CANON CITY, COLORADO. )  
)  
)  
)

PERMIT NO. C-21178

May 28, 1951

S T A T E M E N T

By the Commission:

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

Everett C. Emond

requesting that Permit No. C-21178 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

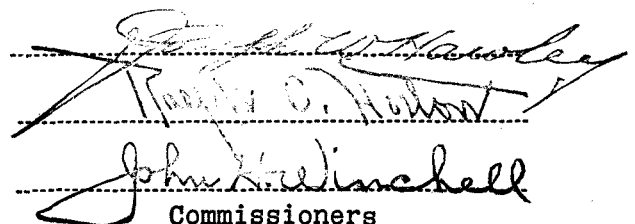
THE COMMISSION ORDERS:

That Permit No. C-21178, heretofore issued to.....

Everett C. Emond be,

and the same is hereby, declared cancelled effective March 14, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 28th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JAMES PHYE, RT. 1, BOX 394, )  
PUEBLO, COLORADO. )  
)  
)  
)  
)

PERMIT NO. C-24396

May 28, 1951

S T A T E M E N T

By the Commission:

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

James Phye

requesting that Permit No. C-24396 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-24396, heretofore issued to .....

James Phye be,

and the same is hereby, declared cancelled effective May 1, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph W. Hawley*  
*Ralph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 28th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RICHARD T. BAKER, DOING BUSI- )  
NESS AS BAKER DISTRIBUTORS, 336 )  
WEST 13th AVE., DENVER 4, )  
COLORADO. )  
)  
)

PERMIT NO. C-24608

May 28, 1951

S T A T E M E N T

By the Commission:

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

Richard T. Baker, dba Baker Distributors

requesting that Permit No. C-24608 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-24608, heretofore issued to.....

Richard T. Baker, dba Baker Distributors be,

and the same is hereby, declared cancelled effective May 9, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph C. Horton*  
*John H. Winchell*

Commissioners

Dated at Denver, Colorado,

this 28th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CLAUDE SWEGER, DOING BUSINESS )  
AS SWEGER FURNITURE CO., )  
HOLYOKE, COLORADO. ) PERMIT NO. C-24734  
)  
)  
)  
-----

-----  
May 28, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Claude Sweger, dba Sweger Furniture Co.  
-----  
requesting that Permit No. C-24734 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-24734, heretofore issued to.....  
Claude Sweger, dba Sweger Furniture Co. be,  
and the same is hereby, declared cancelled effective May 9, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph C. Horton*  
*John H. Winchell*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 28th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
R. T. DODGE & M. W. MINISTER, )  
DOING BUSINESS AS KITTREDGE )  
MERCANTILE & SUPPLY, KITTREDGE, ) PERMIT NO. G-25328  
COLORADO. )  
)  
-----

-----  
May 28, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
.....R. T. Dodge & M. W. Minister, dba Kittredge Mercantile & Supply  
requesting that Permit No.....G-25328.....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.....G-25328....., heretofore issued to.....  
.....R. T. Dodge & M. W. Minister, dba Kittredge Mercantile & Supply.....be,  
and the same is hereby, declared cancelled effective May 9, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
*Ralph C. Hawley*  
*Ralph C. Hawley*  
-----  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 28th day of May, 1951.  
mls

original

(Decision No. 36750)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THE COLORADO & WYOMING RAILWAY COM- )  
PANY FOR AN ORDER APPROVING TWO )  
GRADE CROSSINGS AT THE UNINCORPORATED )  
TOWN OF WESTON, LAS ANIMAS COUNTY, )  
COLORADO. )  
----- )

APPLICATION NO. 11138

-----  
May 18, 1951  
-----

Appearances: Fred Farrar, Esq., General Counsel,  
The Colorado-Wyoming Railway Company,  
Denver, Colorado,  
and  
Robert L. Moore, Chief Engineer of The  
Colorado-Wyoming Railway Company,  
Pueblo, Colorado, for Applicant;  
E. L. Higbee, Assistant Attorney General,  
Denver, Colorado, for the Colorado  
State Highway Department;  
J. M. McHulty, Denver, Colorado, for  
the Commission.

S T A T E M E N T

By the Commission:

On April 26, 1951, General Counsel for the Colorado & Wyoming  
Railway Company filed an application with this Commission seeking authority  
to construct two railroad crossings at grade, one over a County road, the  
other over State Highway No. 12, both located in the unincorporated commu-  
nity of Weston, Las Animas County, Colorado.

The matter, after due notice to all interested parties, was set  
for hearing and heard on May 17, 1951, in the Commission's hearing room,  
330 State Office Building, Denver, Colorado, and taken under advisement.

Testimony at the hearing revealed that applicant is a common  
carrier by rail authorized to do business within the State of Wyoming and  
Colorado and that it now operates within said States three separate and  
distinct divisions. One, known as the Northern Division, is in the County

of Platte, State of Wyoming. One, known as the Middle Division, is in the County of Pueblo, State of Colorado, and the third, known as the Southern Division, is located entirely within the County of Las Animas, State of Colorado, and is the division involved in the present application.

Applicant's railroad now extends from a point immediately west of the city of Trinidad, known as Jansen, up the Purgatoire River to the unincorporated town known as Weston, thence up the South Fork of the Purgatoire River to a point known as Tercio. Applicant now proposes to build and operate an extension of this division from a point adjacent to Weston, thence up the Middle Fork of the Purgatoire River a distance of 9.544 miles to a point known as the Allen Mine, now in the course of development by The Colorado Fuel and Iron Corporation. The purpose of the extension of said railroad is to transport coking coal, primarily for the use at the steel plant of The Colorado Fuel and Iron Corporation, known as the Mamequa Plant, adjacent to Pueblo, Colorado.

Applicant has applied to the Interstate Commerce Commission for a Certificate of Public Convenience and Necessity authorizing the construction and operation of the extension of its Southern Division, above described, said application being docketed before the Interstate Commerce Commission as Finance Docket No. 17235. Applicant was duly authorized by the Interstate Commerce Commission to construct and operate the line of railroad as applied for upon the condition that construction be commenced on or before July 1, 1951 and completed on or before July 1, 1952.

In the course of the construction, outlined above, it will be necessary for applicant to cross at grade a County road known as Powell Street in the unincorporated community of Weston and also to cross at grade State Highway No. 12 at the Westerly edge of the unincorporated community of Weston. Testimony disclosed that applicant proposes to fill in Powell Street so as to build it up to the proposed grade of the railroad crossing. The crossing at Powell Street, when completed, will be at grade and the

approach to the track from the South going North on Powell Street will be approximately level with said track for a distance of 450 feet and will continue approximately level after the crossing is made on the North side of the track for a further distance of about 40 feet, whence the highway will then turn East going down grade to cross the Purgatoire River on an existing bridge. The crossing proper will consist of treated timber plank-  
ing, 24 feet in width. The signal protection will consist of two standard reflectorized railroad cross bucks and two reflectorized advance warning signs. The advance warning signs will be installed approximately 300 feet from the point of crossing, one on each side of the crossing.

The crossing on State Highway No. 12 is also at grade and the approach to the crossing will be on a one percent down grade to the West for a distance of about 100 feet on both sides of the track. The crossing proper will consist of an asphalt base material, the same as in Highway 12, with guard rails so placed so as to provide proper flange protection. The signal protection will consist of two reflectorized standard railroad cross bucks and two reflectorized advance warning signs. The advance warning signs will be placed approximately 300 feet from the point of crossing, one on each side of the crossing.

Testimony revealed that to the West of the crossing on State Highway No. 12 there is a bank of earth that partially obscures the view of a motorist going West, limiting the sight distance. Witness for applicant stated that this bank would be cut back as far as possible without injuring an existing road so as to improve the vision of a motorist looking West from the crossing.

Witness for applicant further stated that they expected to operate two trains each way daily, five days a week, as a beginning schedule. It might be necessary to work six days a week, in which event trains would operate on Saturday. The Saturday operation would probably only be necessary in the event of a labor shortage at the Allen Mine, but



it is a possibility. He did not think it probable that there would be any Sunday operation. It was also his opinion that when the Mine reached a capacity of 750,000 tons of coal annually that the company would probably run three trains daily each way and that, if the mine ever reached its full proposed capacity of one and one-fourth to one and one-half million tons a year, it would be necessary to run four or five trains each way daily. A maximum proposed speed of trains over the crossings involved herein will be 25 miles per hour. There will be no passenger train service over this division of the railroad.

The construction cost involved in the 9.544 miles of railroad from Weston to the Allen Mine is estimated at \$1,320,000.00. On the basis of the tonage hauled and the revenue received therefrom, the company estimates the cost of construction will be amortized in eight years. Included in the above estimate of cost of construction are the two grade crossings proposed herein and the railroad company will stand the full expense of their construction and maintenance.

Applicant stated that this railroad was needed because of the fact that some of the existing coking coal mines in Las Animas County have either been depleted or the cost of mining has increased to where it is no longer economically feasible to operate them. There are only three areas in Colorado that produce coking coal of the type and quality required by The Colorado Fuel and Iron Company at its Pueblo Plant. One is the area involved herein in Las Animas County; another area is located in Northwestern Colorado; and a third area South of Glenwood Springs in central West Colorado. Applicant has been obtaining coking coal from New Mexico and Arkansas to supplement its Colorado supply. With the opening of the Allen Mine and the attaining of full production at the Mine, the bulk of the needs for coking coal can be handled by this railroad.

#### FINDINGS

##### THE COMMISSION FINDS:

1. That the above Statement be made a part hereof by reference.

2. That the authority sought should be granted.

ORDER

THE COMMISSION ORDERS:

That The Colorado & Wyoming Railway Company be, and it is hereby authorized, to construct two railroad-highway grade crossings as herein-after described:



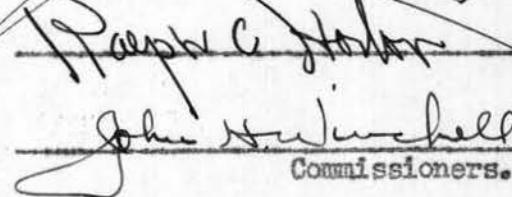
Crossing No. 1 to be established at grade where Powell Street, in the unincorporated community of Weston, crosses the proposed line of The Colorado & Wyoming Railway Company.

Crossing No. 2 to be established at grade where Colorado State Highway No. 12, in the unincorporated community of Weston, crosses the proposed line of The Colorado & Wyoming Railway Company.

That applicant shall install at each crossing two standard reflectorized railroad-highway grade crossing signs and two reflectorized advance warning signs. The advance warning signs shall be installed 300 feet on either side of the crossing. The Railroad shall pay the cost of all labor and materials necessary for the establishment of the two crossings described above and, after their installation, shall maintain them.

That this Order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MILTON AND I. TOLTZ, DOING )  
BUSINESS AS "UNITED TIRE COM- )  
PANY," 245 BROADWAY, DENVER, )  
COLORADO. )  
-----)

CASE NO. 55525-INS.  
(Permit No. C-2026)

-----  
May 22, 1951  
-----

S T A T E M E N T

By the Commission:

On March 22, 1951, in Case No. 55525-Ins., the Commission entered an order revoking Permit No. C-2026 for failure to keep on file effective insurance.

Proper insurance filing was made within the 5-day period of grace allowed in the order, and order of revocation should be set aside.

F I N D I N G S

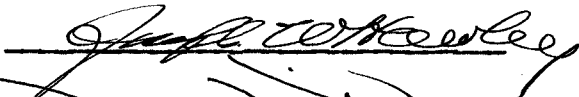
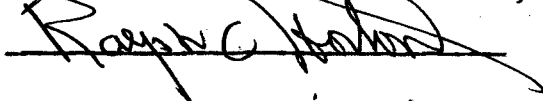
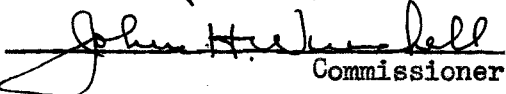
After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 55525-Ins., should be cancelled and set aside, and said Permit No. C-2026 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 55525-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-2026 restored to its former status as of March 22, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 22nd day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
K. H. THIEL, 1214 $\frac{1}{2}$  EAST SOUTH, ) CASE NO. 56855-INS.  
HASTINGS, NEBRASKA. ) (Permits Nos. B-2717-I & C-9256)  
-----)

-----  
May 22, 1951  
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S T A T E M E N T

By the Commission:

On April 30, 1951, in Case No. 56855-Ins., the Commission entered an order revoking Permits Nos. B-2717-I and C-9256 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 permits. Proper filing has now been made and the insurance is in order without lapse.

F I N D I N G S

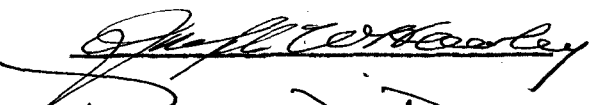
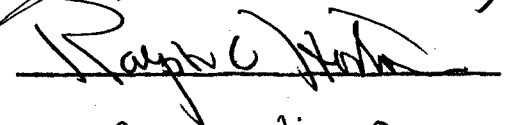
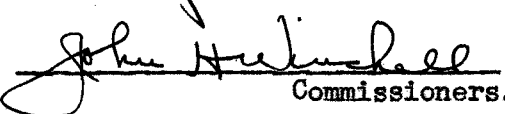
After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 56855-Ins., should be cancelled and set aside, and said Permits Nos. B-2717-I and C-9256 restored to their former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 56855-Ins., should be, and it hereby is, cancelled and set aside, and said Permits Nos. B-2717-I and C-9256 restored to their former status as of April 30, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 22nd day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LLOYD A. WAGNER, DOING BUSINESS )  
AS "LLOYD'S CAB," STEAMBOAT ) PUC NO. 1708  
SPRINGS, COLORADO. )  
-----)

-----  
May 22, 1951  
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S T A T E M E N T

By the Commission:

By Decision No. 35305, of date September 5, 1950, Lloyd A. Wagner, doing business as "Lloyd's Cab," Steamboat Springs, Colorado, was authorized to suspend operations under PUC No. 1708 until March 1, 1951. Pursuant to authority contained in Decision No. 36205, of date March 1, 1951, said certificate-holder further suspended operations under said certificate until June 1, 1951.

The Commission is in receipt of a communication from said Lloyd A. Wagner, requesting authority to further suspend operations under PUC No. 1708 until September 1, 1951.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

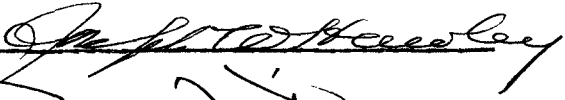
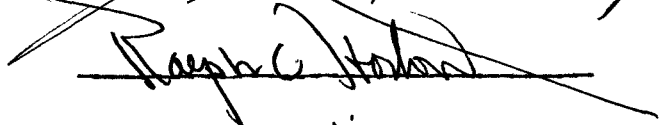
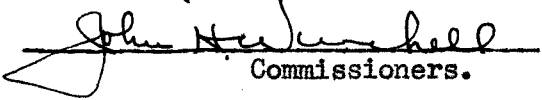
THE COMMISSION ORDERS:

That Lloyd A. Wagner, doing business as "Lloyd's Cab," Steamboat Springs, Colorado, should be, and he hereby is, authorized to further suspend operations under PUC No. 1708 until September 1, 1951.

That unless said Lloyd A. Wagner 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 stand revoked, without right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 22nd day of May, 1951.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE OPERATIONS OF MASSEY AND	)	
RANSOM FLYING SERVICE, INC.,	)	<u>CASE NO. 5031</u>
FORT COLLINS, COLORADO	)	<u>ORDER TO SHOW CAUSE AND</u>
-----	)	<u>NOTICE OF HEARING</u>

-----  
May 22, 1951  
-----

S T A T E M E N T

By the Commission:

IT APPEARING, That heretofore Massey and Ransom Flying Service, Inc., Fort Collins, Colorado, was granted a certificate of public convenience and necessity, authorizing it to operate as a common carrier, by airplane, in intrastate commerce.

And it having been reported to the Commission that said Massey and Ransom Flying Service, Inc., is not now operating under said authority,

F I N D I N G S

THE COMMISSION FINDS:

That a hearing should be had, to determine whether said certificate of public convenience and necessity should or should not be cancelled for failure to furnish service thereunder, and on account of abandonment thereof, and that said Massey and Ransom Flying Service, Inc., Fort Collins, Colorado, should be required to show cause why said certificate of public convenience and necessity should not be cancelled and revoked.


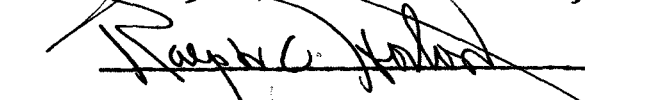
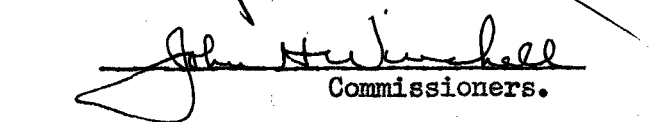
O R D E R

THE COMMISSION ORDERS:

That, upon the Commission's own motion, an investigation should be had of the operations of Massey and Ransom Flying Service, Inc., Fort Collins, Colorado, under certificate of public convenience and necessity now held by them.

That said Massey and Ransom Flying Service, Inc., should be, and it hereby is, required to show cause, on or before the 6th day of June, 1951, why an Order should not be entered, cancelling, setting aside, and revoking said certificate of public convenience and necessity, on account of failure of said certificate-holder to furnish service in the manner authorized and required under said certificate, and said matter should be, and the same hereby is, set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, on the 6th day of June, 1951, at ten o'clock A. M.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 22nd day of May, 1951.

ea



The Commission issued its Order to Satisfy or Answer on the 20th day of November, 1950, ordering the company to satisfy the matters complained of or to answer the complaint in writing within 10 days. A written answer was filed with the Commission by Frontier Power Company on November 27, 1950, wherein they admit certain allegations contained in said complaint and deny others. Simultaneously with the filing of its written answer, Frontier Power Company also filed a written motion with the Commission, asking that the Commission issue its order making the Southeast Colorado Power Association, a non-profit corporation, a party-respondent in Case No. 5024.

The motion to make the Southeast Colorado Power Association a party-respondent in Case No. 5024 was set for oral argument and heard by the Commission. The Commission, by Decision No. 36283, denied the motion, leaving the matter of the original complaint to be set and heard by the Commission at some future date.

The Commission set the matter of the complaint for hearing on Tuesday, April 17, 1951, at ten o'clock A. M., in the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, where the matter was heard and taken under advisement.

The gist of the testimony of complainants as presented at the hearing was substantially as follows: That complainants and others so situated have lived in the area for several years and have contacted the Frontier Power Company at Trinidad, Colorado, relative to the securing of electric service in the area. According to several of the witnesses, one of the contacts was made in the Year 1946, but up to the present time they have not as yet received electric service. The company was again contacted in 1948 and in 1950. In 1950 certain of the complainants were told that they might receive electric service from Frontier Power Company but that because of the amount of investment involved, the company would require a guaranteed monthly revenue of from \$12 to \$25 per month. The witnesses further stated that no final agreement was ever reached, because the com-

pany did not believe the project economically feasible.

Witness for Frontier Power Company stated that the areas involved in the complaint were within the boundary as defined in a certificate of public convenience and necessity held by Frontier and issued by this Commission. The company had made a study relative to supplying certain of the prospective customers in the area with electricity, and that the study revealed that there were 95 possible consumers in the area desirous of service which would require approximately 60 miles of distribution line to supply them, at a preliminary estimated cost of \$98,000.00. On the basis of the high cost and the small number of consumers, it was felt that a minimum bill of about \$12.00 monthly would be required, and the company was doubtful as to whether or not the prospective customers would agree to pay such a sum. This survey was made in the Summer of 1950, but no final contract or commitment was made with any prospective customers. In its survey of the area the company concluded that it would in all probability not be economically feasible due to the large area involved, the number of customers per mile of line, and the amount of probable revenue to be derived.

Complainants herein have stated they have contacted the Southeast Colorado Power Association at La Junta, Colorado, and San Isabel Electric Association at Pueblo, relative to obtaining electric service in the areas in question. While one or the other of the REA's involved has expressed a willingness to serve the territory, they would not encroach in an area in which there was a certificate of public convenience and necessity. Complainants endeavored to obtain an agreement from Frontier Power Company by which it would relinquish to the REA's certain territory lying within its presently certificated area. Frontier Power Company prepared such an agreement, a copy of which was filed as Exhibit "A" and attached to the Frontier Power Company Answer herein. This agreement was sent to Southeast Colorado Power Association at La Junta for signature. Frontier Power Company in said agreement agreed to release to Southeast Colorado Power Asso-

original

(Decision No. 36755)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

PROSPECTIVE CUSTOMERS OF FRONTIER  
POWER COMPANY, TRINIDAD, COLORADO,  
RESIDENTS OF THE LUDLOW-GULNARE-  
SOUTHERN HUERFANO COUNTY AREA,

Complainants,

vs.

CASE NO. 5024

FRONTIER POWER COMPANY, TRINIDAD,  
COLORADO,

Defendant.

May 23, 1951

Appearances: Lee, Bryans, Kelly & Stansfield, Esqs.,  
Denver, Colorado, by  
William Bryans, III,  
and  
Paul M. Brown, President, Frontier  
Power Company, Trinidad, Colorado,  
for Frontier Power Company;  
John Masch, Gulnare, Colorado,  
for Complainants;  
Leo Altman, Esq., Pueblo, Colorado,  
for San Isabel Electric Associa-  
tion, Inc.;  
Ralph Sargent, Jr., Esq., Denver,  
Colorado, for the Commission.

S T A T E M E N T

By the Commission:

On November 18, 1950, a complaint was filed with this Commission by approximately 40 residents living, for the most part, in the Ludlow-Gulnare-Southern Huerfano County area, stating they were potential consumers of electric light and power; that they are not now served with electricity in any form; that they reside in an area in which Frontier Power Company of Trinidad, Colorado, has a certificate of public convenience and necessity for the service of electricity, but that said signers of the petition have been unable to obtain electrical service from said power company.



ciation operating rights in certain territory, with the reservation that Frontier would serve any future industrial user in the relinquished area whose requirements would be 50 KW or greater. Southeast Colorado Power Association, in response to the agreement, stated it was not willing to enter into the agreement as it is not authorized to do so.

A witness for the San Isabel Electric Association, Inc., stated at the hearing that said Association serves an area north of the territory involved herein, and that they would like to serve the entire territory if the territory is released by Frontier Power Company. REA has already obtained 214 signatures for service from prospective customers in this area out of a potential of 237. The witness was not positive that the Rural Electric Association would give permission to serve in the territory even if the certificate of Frontier were cancelled, but stated it was the policy for REA's to build if at all feasible. The witness also stated it was his opinion that an agreement withholding the right to serve industrial consumers of 50 KW or larger, was unfair to a prospective server in the area, since it would, in effect, be "skimming the cream and leaving the skim milk." If an REA were to serve in this territory, it would be necessary to serve all prospective customers, both large and small, as it is only through this policy that the area can be "proved in" as economically feasible and a Project Loan obtained from Washington. Furthermore, it is necessary to serve both large and small loads as it is the overall usage in the area that helps lower the rates for service.

It was finally determined at the hearing that the Frontier Company was not adverse to specifying certain territory to be relinquished from its certificated area under certain conditions, said area to include part of Las Animas County and a part of southern Huerfano County. A committee, consisting of representatives of the complainants living in both Las Animas and Huerfano Counties, was to meet with Mr. Brown, President of Frontier Power Company at Trinidad, and prepare a late filed exhibit to be sent in to the Commission.

The late filed exhibit to be sent in by Frontier Power Company was duly received by the Commission. In this exhibit, Frontier Power Company has described two separate areas by metes and bounds which it will relinquish from its presently certificated area, with the proviso that the Company be permitted to serve any future industrial loads of 50 KW or more within the certificated area to be released. In addition to the two separate areas mentioned above, this exhibit also lists certain prospective customers, who, by reason of their location, will remain in the certificated area retained by Frontier Power Company, but who are released by said late filed exhibit so that they may be served with electricity by others without objection by Frontier Power Company. In addition, this exhibit defines two Sections of land within the area to be relinquished within which Frontier Power Company is presently serving customers at retail, and to be retained by Frontier Power Company. The company also wishes to reserve the right to continue to operate existing transmission lines crossing the areas proposed to be removed from the present certificate, and also the right to build such transmission lines in the future as may be necessary in the transmission of power between points of generation and points of distribution. Frontier Power Company also wishes to continue the right to serve existing customers now being served from these transmission lines in the areas to be removed from the present certificate.

An examination of the late filed exhibit discloses that Area No. 1, as defined, met with no objections from complainants. Area No. 2, as defined, however, was objected to by complainants as not including enough territory to embrace several prospective customers not now being served by Frontier Power Company, and who are desirous of service from another source. The territory involved in Area No. 2 is only in dispute at its northern boundary where the company has defined a line to include an area to be retained in its presently certificated area which contains approximately 12 prospective customers that Frontier Power Company claims can be served by it with only a small additional expenditure.

Specifically these 12 prospective customers are located for the most part in an area of land lying between the D & RGW Railroad and U. S. Highway No. 160 in Sections 27, 28, 29, 32, and 33, T. 28 S. R. 67 W. The Frontier Power Company has proposed the D & RGW Railroad as its boundary through these sections so that these prospective customers will remain in the area retained by the company in its certificate. The Frontier Company is presently serving retail customers residing along or close to U. S. Highway 160 in this area, but they are not yet serving the 12 prospective users.

While there has been no definite assurance that any of the territory proposed to be relinquished will receive electric service from any other source, the REA has been soliciting prospective customers in this area. It is apparent from the testimony that the REA will need as many prospective customers as possible to "prove-in" the territory so the 12 prospective customers should certainly be permitted to become members of the REA project, if they so desire. The fact that the Frontier Company has distribution mains in the area, but are not serving these people indicates that the company in the past has not been too eager to render the service.

The records of the Commission reveal that part of the certificated territory to be released in Area No. 1 is included in a certificate of public convenience and necessity issued to the Monument Electric Company. The Monument company is a wholly-owned subsidiary of Frontier Power Company. In order that the records and files of the Commission may correctly reflect the transactions involved herein, Area No. 1 will be defined in two parts; one, described as Area No. 1-A, being the area to be relinquished under certificate of public convenience held by Frontier in Application No. 6987, As Amended, (Decision No. 26347), and the other defined as Area No. 1-B to be relinquished from the certificate issued to Monument Electric Company in Application No. 7620 (Decision No. 26336).



That the right to continue to serve existing customers now being served from transmission lines crossing the areas to be removed from the existing certificates in the Order following should be granted.

That Frontier Power Company should be permitted to waive the right to supply electricity to the 6 prospective customers remaining within the certificated area of Frontier Power Company listed in the Order following.

### ORDER

#### THE COMMISSION ORDERS:

That public convenience and necessity require the deletion of certain territory from the presently certificated area of Frontier Power Company, defined as follows:

#### AREA NO. 1-A

Beginning at the point of intersection of the Huerfano-Costilla County lines with the southern boundary of Sec. 7, T. 30-S, R. 69-W, thence east about  $2\frac{1}{2}$  miles to the SE Cor. of Sec. 9, T. 30-S, R. 69-W, thence north 5 miles to the SE Cor. of Sec. 16, T. 29-S, R. 69-W, thence west 1 mile to the SW Cor. of Sec. 16, T. 29-S, R. 69-W, thence north 1 mile to the NW Cor. of Sec. 16, T. 29-S, R. 69-W, thence east 1 mile to the NE Cor. Sec. 16, T. 29-S, R. 69-W, thence north approximately  $1\frac{1}{2}$  miles to U. S. Highway No. 160, thence along U. S. Highway No. 160 in a southeasterly direction approximately 2.1 miles to the intersection of said highway with the east section line of Sec. 11, T. 29-S, R. 69-W, thence north along the east section line of said Section 11, about .4 of a mile to the NE Cor. of Sec. 11, T. 29-S, R. 69-W, thence east 1 mile to the NE Cor. of Sec. 12, T. 29-S, R. 69-W, thence north about  $3\frac{1}{2}$  miles to the West  $\frac{1}{4}$  Cor. Sec. 19, T. 28-S, R. 68-W, thence east on  $\frac{1}{2}$  section line about 4 miles to a point in East  $\frac{1}{4}$  Cor. Sec. 22, T. 28-S, R. 68-W, thence  $1\frac{1}{2}$  miles South to the SW Cor. Sec. 26, T. 28-S, R. 68-W, thence east 1 mile to the SE Cor. Sec. 26, T. 28-S, R. 68-W, thence North 4 miles to the NE Cor. Sec. 11, T. 28-S, R. 68-W, thence West 1 mile to the NW Cor. Sec. 11, T. 28-S, R. 68-W, thence 5 miles North to the NW Cor. Sec. 14, T. 27-S, R. 68-W, thence West 12 miles to the NW Cor. Sec. 14, T. 27-S, R. 70-W, thence South approximately  $6\frac{1}{2}$  miles to point of Costilla-Huerfano County line, thence southerly along said Costilla-Huerfano County line approximately 12 miles to point of beginning.

The total area so defined as Areas Nos. 1-A and 1-B will correspond with Area No. 1 in the late filed exhibit, and as concurred in by both Frontier Power Company and the Complainants.

## FINDINGS

### THE COMMISSION FINDS:

That public convenience and necessity require the deletion of certain territory from the presently certificated area of Frontier Power Company, as defined in the Order following.

That Monument Electric Company, a wholly-owned subsidiary of Frontier Power Company, should delete from its presently certificated area the territory described in the Order following.

That the reservation of the exclusive right of Frontier Power Company to serve future industrial loads of 50 KW or more in said relinquished territory is unfair and should not be allowed. Service in an area such as this must of necessity be predicated upon serving all prospective customers now in the area and all future customers, both large and small, as it is only upon such a condition that service would prove economical.

That the territory in Area No. 2 under dispute should be re-defined by the Commission to include the 12 prospective customers within the area to be released by the Frontier Power Company.

That the right of Frontier Power Company to continue to serve in Sections 30 and 32, to be defined more fully in the Order following, should be confirmed.

That the right to operate existing transmission lines crossing the proposed area to be removed from the presently certificated areas, and the right to continue the operation of these transmission lines and to build transmission lines in the future as they may be necessary in the transmission of power between points of generation and points of distribution should be approved, with the provision that the points of distribution mentioned above should not be within territory relinquished in the Order following.



AREA NO. 2

Beginning at a point in the SE Cor. of Sec. 31, T. 28-S, R. 67-W, thence South  $11\frac{1}{2}$  miles more or less to the Huerfano-Las Animas County line, thence SW following the Huerfano-Las Animas County line to the NW Cor. Sec. 17, T. 31-S, R. 68-W, thence South 4 miles to the SW Cor. Sec. 32, T. 31-S, R. 68-W, thence East 1 mile to the NW Cor. Sec. 4, T. 32-S, R. 68-W, thence South 5 miles to the SW Cor. Sec. 28, T. 32-S, R. 68-W, thence East 1 mile to the NW Cor. Sec. 34, T. 32-S, R. 68-W, thence South 1 mile to the SW Cor. of Sec. 34, T. 32-S, R. 68-W, thence East 2 miles to the NW Cor. Sec. 1, T. 33-S, R. 68-W, thence South to the SW Cor. Sec. 1, T. 33-S, R. 68-W, thence East 1 mile to the NW Cor. Sec. 7, T. 33-S, R. 67-W, thence South 2 miles to the SW Cor. Sec. 18, T. 33-S, R. 67-W, thence Easterly 21 miles to the SE Cor. Sec. 16, T. 33-S, R. 64-W, thence North 3 miles to the NW Cor. Sec. 3, T. 33-S, R. 64-W, thence East 2 miles to the NE Cor. Sec. 2, T. 33-S, R. 64-W, thence North 4 miles to the NW Cor. Sec. 13, T. 32-S, R. 64-W, thence East 1 mile to the SE Cor. Sec. 12, T. 32-S, R. 64-W, thence North 12 miles to the NE Cor. Sec. 13, T. 30-S, R. 64-W, thence Westerly about  $8\frac{1}{2}$  miles to Highway 85-87, thence SE along said Highway 85-87 about 1 mile in Sec. 15, T. 30-S, R. 65-W, thence in an Easterly direction about  $1\frac{1}{2}$  miles to NE Cor. Sec. 23, T. 30-S, R. 65-W, thence South 2 miles to SE Cor. Sec. 26, T. 30-S, R. 65-W, thence West 1 mile to the NW Cor. Sec. 35, T. 30-S, R. 65-W, thence South 1 mile to the SW Cor. Sec. 35, T. 30-S, R. 65-W, thence West 2 miles to the SW Cor. Sec. 33, T. 30-S, R. 65-W, thence North 3 miles to the NE Cor. Sec. 20, T. 30-S, R. 65-W, thence West 2 miles to the SW Cor. Sec. 18, T. 30-S, R. 65-W, thence North 3 miles to the NE Cor. Sec. 1, T. 30-S, R. 66-W, thence West 1 mile to the SW Cor. Sec. 36, T. 29-S, R. 66-W, thence North 6 miles to the NE Cor. Sec. 2, T. 29-S, R. 66-W, thence 3 miles West to the NW Cor. Sec. 4, T. 29-S, R. 66-W, thence North 2 miles to the NE Cor. Sec. 29, T. 28-S, R. 66-W, thence West 2 miles to the SW Cor. Sec. 19, T. 28-S, R. 66-W, thence North 1 mile to the NE Cor. of Sec. 24, T. 28-S, R. 67-W, thence West 5 miles to the NW Cor. Sec. 20, T. 28-S, R. 67-W, thence South approximately 3 miles to the point of beginning.

That public convenience and necessity require the deletion of certain territory from the presently certificated area of Monument Electric Company, defined as follows:

AREA NO. 1-B

All of Sections 2, 3, 10 and 11, in T. 30-S, R. 69-W, all of Sections 22, 23, 26, 27, 34, 35, in T. 29-S, R. 69-W, and the portions of the following sections lying South of U. S. Highway No. 160: Sections 3, 10 and 11, all being in T. 29-S, R. 69-W.

That the reservation of the exclusive right of Frontier Power Company to serve future industrial loads of 50 KW or more in said relinquished territory is hereby denied.

That the right of Frontier Power Company to continue to serve in Section 30, T. 31-S, R. 64-W, and in Section 32, T. 32-S, R. 65-W, is hereby granted.

That the right to operate existing transmission lines crossing the proposed area to be removed from the presently certificated areas, and the right to continue the operation of these transmission lines and to build transmission lines in the future as they may be necessary in the transmission of power between points of generation and points of distribution is hereby granted, with the provision that the points of distribution mentioned above should not be within the territory relinquished.

That the right to continue to serve existing customers now being served from distribution lines within and transmission lines crossing the areas to be removed from the existing certificates is hereby granted.

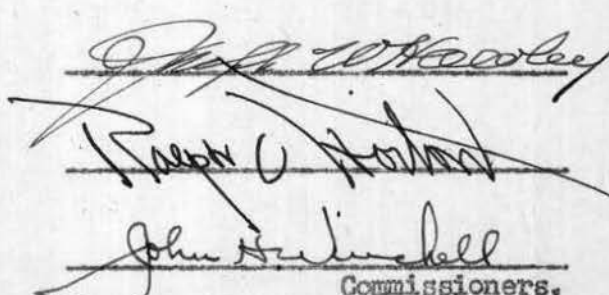
That Frontier Power Company is hereby permitted to waive the right to supply electricity to the 6 prospective customers remaining within the certificated area of Frontier Power Company listed below:

<u>Name</u>	<u>Location</u>
George W. Payne	Sec. 35, T. 29-S, R. 65-W
Ann Smith	Sec. 15, T. 30-S, R. 65-W
John Balone	Sec. 12, T. 29-S, R. 66-W
Max K. Miser	Sec. 35, T. 28-S, R. 68-W
Mike L. Helkes	Sec. 3, T. 29-S, R. 68-W
State Highway Department Garage	Sec. 3, T. 29-S, R. 68-W,

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

This order shall become effective twenty-one days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 23rd day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
C. J. SCHULER AND WILLIAM L. NARDIN,  
DOING BUSINESS AS "TELLURIDE TRANSFER  
COMPANY," TELLURIDE, COLORADO, TO  
EXTEND PUC NO. 60.  
-----

} APPLICATION NO. 10819-Extension  
}

-----  
May 23, 1951  
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Appearances: Fairlamb & Fairlamb, Esqs.,  
Delta, Colorado, for  
applicants;  
Pierpont Fuller, Jr., Esq.,  
Denver, Colorado, for The  
Rio Grande Southern Rail-  
way Company;  
Robert W. Banta, Silverton,  
Colorado, for Red Mountain  
Company;  
T. L. Brooks, Esq., Montrose,  
Colorado, for Fast Taxi  
Service.

S T A T E M E N T

By the Commission:

C. J. Schuler and William L. Nardin, doing business as  
"Telluride Transfer Company," are the owners of Certificate of Public  
Convenience and Necessity No. 60, which authorizes the following service:

Transportation of passengers and express  
Telluride and Tomboy Mines, San Miguel County,  
Colorado. Decision No. 9604 Extension: Trans-  
portation of freight, generally, except ore and  
concentrates, by motor vehicle, on schedule, from  
and to Grand Junction, Montrose, and Delta, to and  
from Fall Creek and Telluride and points inter-  
mediate Fall Creek and Telluride, without the  
right to serve locally between Grand Junction and  
Placerville, and the occasional transportation of  
high grade concentrates in truckload lots from  
Telluride to Leadville. Decision No. 10924-Extension:  
Transportation of freight from point to point within  
a radius of 50 miles of Telluride, Colorado; PROVIDED,  
that no freight excepting used household goods and  
used mining machinery shall be transported between  
towns in competition with Rio Grande Motor Way, Inc.,  
or any other established line haul carrier, nor shall  
any service be rendered to Alta Mine in competition  
with the established rights of Peterson & Porterfield  
of Telluride, nor shall any service be rendered which  
shall directly conflict with the authority heretofore  
granted to C. E. Deering, of Silverton, Colorado, or



Fellin Brothers of Ouray. Decision No. 14180-

Extension: Transportation of general freight, on call and demand, from point to point within a radius of 50 miles of Telluride, Colorado, to and from points in the State of Colorado, PROVIDED, HOWEVER, that under this extension no freight excepting used household goods and used mining machinery may be transported between towns in competition with the Rio Grande Motor Way, Inc., or Theobald Truck Line, or any other established line haul common carrier nor shall any service be rendered in competition with Peterson Truck Line of Telluride, C. E. Deering of Silverton, or Fellin Brothers of Ouray, and, provided also that any shipments from Denver to Telluride district shall be only such as are deemed emergency shipments. Decision No. 17113 transfers from PUC 888 the following: Transportation of freight over the highways and between the points described as follows: Beginning at the junction of State Highways 62 and 145, and at the town and place known as Old Placerville, in San Miguel County, to the City of Telluride, including all points intermediate on said Highway 145 PROVIDED, HOWEVER, that this transfer is confined to line haul rights and does not cover any portion of its call and demand or rover's certificate and does not exclude transferor from rendering service to the Town of Placerville. Decision No. 17733-Extension: Transportation of general freight to the mines and mills at Old Ophir, Butterfly and Matterhorn from the depot at Ophir Loop, Colorado, and ores and concentrates from said mines and mills at or near Old Ophir, Butterfly, and Matterhorn to said railroad depot at Old Ophir.

Decision No. 29012-Extension: Transportation of passengers and their baggage between the town of Telluride and the mines and mills in the vicinity of Pandora, Colorado. Decision No. 33736-Extension: Transportation, on schedule, of passengers, together with their baggage, between Telluride, Colorado, and Ophir Loop, Colorado, and between Telluride and Matterhorn, Colorado; and transportation, in charter service, on Sundays only, of passengers, limited to charter parties of not less than ten persons, between Telluride and Trout Lake, Colorado.

On February 15, 1951, applicants herein filed their application for an extension of Certificate of Public Convenience and Necessity No. 60, to include the transportation of:

Passengers, baggage and express, between Telluride, Colorado, and Placerville, Colorado, on schedule, and to establish service for the transportation of passengers on non-schedule trips within a 25-mile radius of Telluride, Colorado, without limitation on number of passengers to be transported; and further extended to include common carrier service on general commodities to Rico, Colorado, on an un-scheduled service from Grand Junction, Delta, Montrose, Telluride and all intermediate points to Rico, Colorado.

The instant application was regularly set for hearing, and heard, at the Court House in Montrose, Colorado, on April 12, 1951, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicants desire to establish service for the transportation, on schedule, of passengers, together with their baggage, between Telluride, Colorado, and Placerville, Colorado, and that applicants propose to initiate the following schedule:

Leave Telluride      10:15 A. M.    Arrive Placerville 11:00 A. M.

Leave Placerville    1:00 P. M.    Arrive Telluride    1:45 P. M.,

said schedule to be subject to change to fit the convenience of the public if said change in schedule is warranted.

Applicants propose to charge as their proposed rates on said scheduled service, \$1.00 per passenger for each one-way trip, which includes tax; for children 12 years old or under, half fares will be assessed.

Applicant Schuler states in filing passenger rates, they will also file express rates in conformity with the Commission's requirements. He further testified that his company plans to use a 1949 International bus and truck in the proposed service, and will add additional equipment which may be required in the future.

The evidence discloses that The Rio Grande Southern Railway Company, in the past, has been the only method of scheduled transportation between Telluride and Placerville, except an operation for a short period of time performed by Faast Taxi Service of Montrose, Colorado; that the service rendered by both The Rio Grande Southern Railway Company and Faast Taxi Service has been abandoned, leaving no scheduled service between the above-named points.

Applicants also ask for a sightseeing service between points within a radius of 25 miles of Telluride, and in support thereof testified they had received numerous requests from tourists and visitors in Telluride for this proposed service. On cross-examination, Applicant Schuler indicated that the demand for that service was on a round-trip basis, and that all trips would originate and terminate at Telluride. They propose to charge for this

passenger service the following:

1 to 2 persons, \$3.00 per hour

3 to 4 persons, \$4.00 per hour

Over 4 persons, \$1.00 per person.

The evidence clearly indicates to the Commission that a sightseeing service originating and terminating in Telluride is needed, especially by the tourists and sightseers in the Telluride area, and said service is definitely in the public interest.

The San Juan mountain area, in which Telluride is located, is one of the most scenic areas in the state, and some service should be available at Telluride to take care of the tourists and visitors.

Representatives of The Rio Grande Southern Railway Company and the Red Mountain Company, stated they had no objection to the sightseeing authority if said authority is confined to a round-trip service originating and terminating at Telluride, and if said authority is so restricted, they will withdraw their protests.

Applicants also ask for an unscheduled service on general commodities to Rico, Colorado, from Grand Junction, Delta, Montrose, Telluride, and all intermediate points. Witness Schuler testified as to numerous calls he had had for this service, especially to the Rico-Argentine Mine. He states there are times of the year when the railroad is not in a position to give a prompt and efficient service.

A review of applicants' present authority would indicate that many of the calls they have received could be handled by applicants without extending their present authority. On the other hand, C. W. Graebing, General Manager of The Rio Grande Southern Railway Company, vigorously protested the granting of any further extension of applicants' freight authority into Rico, contending that the railroad company is presently operating at a loss, and if any further business is lost, his company will be compelled to abandon all freight service, and to pull up the rails.

The Commission realizes that the service to the Rico area is not as complete, or as satisfactory, as the shippers, or the Commission



would like to have it. We realize that The Rio Grande Southern Railway Company is fighting a losing battle; that eventually this service will no longer be available; however, under present conditions, we feel it is our duty and obligation to the public to protect this service until such time as satisfactory roads are built into the area, and a motor vehicle common carrier service can be established to adequately take care of the needs of the area. The service offered by applicants to Rico might be of individual benefit to some of the shippers in the Rico territory, but in the over-all picture, we do not believe this service is in the public interest because it would place a competitor in the field, and thereby take business from the railroad which it can ill afford to lose.

### FINDINGS

#### THE COMMISSION FINDS:

From the evidence, as reviewed in the preceding Statement, which by reference is made a part hereof, that public convenience and necessity require the extension of authority under PUC No. 60 to include the transportation of passengers, baggage and express, between Telluride, Colorado, and Placerville, Colorado, on schedule, and to establish a sightseeing service for the transportation of passengers on non-scheduled trips within a 25-mile radius of Telluride, Colorado.

That the balance of the application should be denied.

### ORDER

#### THE COMMISSION ORDERS:

1. That public convenience and necessity require the extension of the motor vehicle common carrier service of applicants under Certificate of Public Convenience and Necessity No. 60, to include the transportation of passengers, baggage and express, between Telluride, Colorado, and Placerville, Colorado, on schedule.

2. Transportation of passengers in sightseeing service in vehicles of not to exceed 6-passenger capacity, each originating and terminating at Telluride, Colorado, to all points, or combination of points, within a 25-mile radius of the Town of Telluride, Colorado, and this order

shall be taken, deemed and held to be a certificate of public convenience and necessity therefor; in all other respects the instant application is hereby denied.


That applicants 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 applicants shall operate their 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.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Joseph C. Hawley  
Ralph C. Antkowiak  
John H. Hinchel  
Commissioners.

Dated at Denver, Colorado,  
this 23rd day of May, 1951.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF	}	<u>APPLICATION NO. 11167-Transfer.</u>
ROY E. JOHNSON, ARriba, COLORADO,		
FOR AUTHORITY TO TRANSFER PUC NO.		
403 TO LESTER D. KEMP, ARriba,		
COLORADO.	}	
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-----  
May 23, 1951  
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Appearances: Marion F. Jones, Esq.,  
Denver, Colorado,  
for applicants.

S T A T E M E N T

By the Commission:

On September 12, 1929, by Decision No. 2485, W. W. Clark, doing business as "The Clark Transportation Company," was authorized to operate as a common carrier by motor vehicle for hire, for the transportation of:

freight between Arriba, Colorado, and points within the area extending 35 miles north, 6 miles east, 7 miles west thereof, on the one hand, and Denver, Colorado, on the other hand,

said operating rights (PUC No. 403), by authority of the Commission, thereafter being acquired by M. E. Wagner, who, subsequently, with the consent of the Commission, transferred said certificate to Byron S. Bunker, who, pursuant to authority contained in Decision No. 20748, of date April 8, 1943, as amended by Decision No. 20866, of date May 1, 1943, extended operations under PUC No. 403 to include the right to:

serve the area south of and immediately adjacent to the territory now served, said area extending to a point ten miles south of Arriba, and from and to points in said area, as extended, to and from points in the State of Colorado, on call and demand.

Also, by authority contained in Decision No. 20748, said Byron S. Bunker transferred said operating rights, as extended, to Roy E. Johnson, Arriba, Colorado.

By the instant application, Roy E. Johnson, seeks authority to transfer PUC No. 403 to Lester D. Kemp, Arriba, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; 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 application 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 application, 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 Roy E. Johnson, Arriba, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to PUC No. 403 -- being the operating rights granted by Decision No. 2485, as extended by Decision No. 20748 (as amended by Decision No. 20866) -- to Lester D. Kemp, Arriba, Colorado, subject to payment of outstanding indebtedness against said operation if any there be, whether secured or unsecured.


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.

The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate up to the time of the transfer of said certificate, and the payment by him or transferee of all unpaid ton-mile tax.

That ten-mile tax deposit of transferor shall be transferred  
and credited 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

  
*Joseph C. Hawley*  
*Ralph C. Johnson*  
*John H. Winchell*  
Commissioners.

Dated at Denver, Colorado,  
this 23rd day of May, 1951.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
G. F. HOOF, JR., 3800 KALAMATH ST., )  
DENVER, COLORADO, FOR AUTHORITY TO )  
TRANSFER PERMIT NO. B-3765 TO E. J. )  
LYONS, 1001 SHERMAN STREET, DENVER, )  
COLORADO. )  
-----)

APPLICATION NO. 11168-PP-Transfer.

-----  
May 23, 1951  
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STATEMENT

By the Commission:

By Decision No. 28899, of date August 26, 1947, as amended by Decision No. 29011, of date September 17, 1947, Glenn E. Tuttle, Denver, 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-3765."

Pursuant to authority contained in Decision No. 30428, of date May 7, 1948, said permit-holder transferred said Permit No. B-3765 to Charles J. Beck, Denver, Colorado, who, pursuant to authority contained in Decision No. 35335, of date September 18, 1950, transferred said operating rights to G. F. Hoof, Jr., Denver, Colorado, who, by the instant application, seeks authority to transfer said permit to E. J. Lyons, 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 ten-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit;

that transferee, peculiarly and otherwise, is qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said application 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 application, 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:


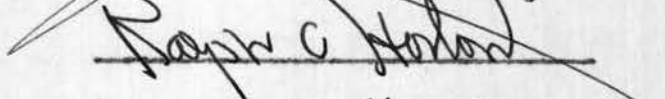
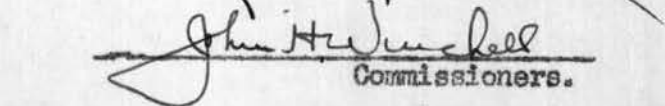
That G. F. Hoof, Jr., Denver, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-3765 -- being the operating rights granted by Decision No. 28899 -- to E. J. Lyons, Denver, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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, and the prior filing by transferor of delinquent reports, if any, covering his operations under said permit up to the time of transfer of said permit, and the payment by him or transferee of all unpaid ton-mile tax.

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

This order is made a part of the permit authorized to be transferred, and shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 23rd day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
FRANK C. WOOD, MESA, COLORADO, FOR }  
AN EXTENSION OF PERMIT NO. B-3687. }  
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APPLICATION NO. 11060-PP-Extension.

-----  
May 24, 1951  
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Appearances: Miles Kara, Esq.,  
Grand Junction, Colo-  
rado, for applicant;  
W. C. Maley, Collbran,  
Colorado, pro se;  
E. C. Pound, Grand Junction,  
Colorado, pro se;  
Eugene Mast, Esq., Grand  
Junction, Colorado, for  
W. R. Hall Transportation  
Company;  
Roy Grundel, Mesa, Colorado,  
pro se.

S T A T E M E N T

By the Commission:

Applicant herein filed his application for an extension of Permit No. B-3687 to include the transportation of farm produce, barnyard fertilizer, livestock, lumber and logs, and emigrant moveables between points within a radius of 35 miles of Mesa, Colorado, except Collbran, Molina and DeBeque; and from points in said 35-mile radius of Mesa, Colorado, to points and places within the State of Colorado, excluding service to Collbran, Molina, and DeBeque, Colorado.

The matter was regularly set for hearing, and heard, on April 11, 1951, at the Court House in Grand Junction, Colorado, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant is presently operating under Private Carrier Permit No. B-3687, which authorizes the following:



farm produce, barnyard fertilizer, and emigrant moveables between points (except Collbran, Molina, and DeBeque), within a radius of ten miles of Mesa, Colorado, the right to serve from and to Collbran, Molina and DeBeque, Colorado, being excluded; livestock, lumber and logs between points within a radius of ten miles of Mesa, Colorado, and from points in said ten-mile radius of Mesa, to points and places within a radius of twenty-five miles of Mesa, excluding service to Collbran, Molina, and DeBeque, Colorado.

Applicant states he is presently operating one 1939 GMC 2-ton truck and is chiefly hauling livestock from his authorized area to livestock sales barns, and in order to serve his customers, he desires to enlarge his authorized area. He desires to haul barnyard fertilizer, emigrant moveables and livestock; he has a net worth of approximately \$9,000.00, and definitely needs a larger radius to take care of his present customers' demands.

Woodrow Saunders, of Mesa, Colorado, one of applicant's customers, stated he is presently using applicant's service and has found him an excellent operator; that the present service in general meets his needs, but he does need him to deliver stock to Schultz' Livestock Sales Barn, which is beyond applicant's present territory but within a 35-mile radius of Mesa, Colorado. He desires that applicant's authority be increased to take care of his livestock hauling needs. On cross-examination the witness was asked if he could not use other carriers. He stated he had a contract with applicant for hauling his livestock and it would be an inconvenience to him to call other carriers to take care of this haul.

Several protestants appeared protesting the granting of any further extension of applicant's present authority, among whom were the following: E. C. Pound, who operates PUC-1517, stated he presently has two livestock units and that he has not been able to keep them busy; that any substantial increase in territory would take customers away from him, thereby impairing his present service, and he does not wish applicant to have increased territory thereby becoming a competitor in an area that is now taken care of by common carrier service. W. R. Hall, Jack Wharton, W. C. Maley and Roy Grundel, all holders of authority from this Commission vigorously protested the extension of the existing permit, contending that they were

presently giving an adequate service in their respective territories and did not feel that additional service would be justified, all contending that they need additional business to keep their present equipment busy.

In considering the record before the Commission, it appears that the Commission cannot say that the common carrier service will not be impaired by the granting of the application for extension as asked for in the instant matter, and we believe it would impair the adequacy of their service to the public's detriment. However, applicant does have a private carrier permit and is presently serving some twenty-one customers with whom he has written contracts. One of applicant's customers appeared before the Commission and stated the present 25-mile radius is not sufficient to take care of his livestock haul. The Commission realizes that applicant's present authority to serve his customers is restricted, and the needs of one of his customers, at least, require a larger territory, in fact, Mr. Woodrow Saunders testified he needed applicant's service for a 35-mile radius.

After considering the needs of applicant's customers, we are inclined to extend his area to 35 miles so as to meet his customers' needs in the hauling of livestock. We cannot see from the record before us, after a careful consideration thereof, where this limited extension would impair the services of competing common carriers.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That applicant is entitled to extend his permit so he can deliver livestock from and to his 10-mile radius to points within a 35-mile radius of Mesa, Colorado, and in all other respects the application should be denied.

#### O R D E R

##### THE COMMISSION ORDERS:


That Frank C. Wood, of Mesa, Colorado, be, and he hereby is, authorized to extend his authority under Private Carrier Permit No. B-3687 to include the transportation of livestock between points within a radius of 10 miles of Mesa, Colorado, and from points in said 10-mile radius of Mesa,



Colorado, to points and places within a radius of 35 miles of Mesa,  
Colorado, excluding service to the towns of Collbran, Molina and  
DeBeque, Colorado,

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
*Joseph W. Hawley*  
*Ralph C. Holbrook*  
*John H. Hinchel*  
Commissioners.

Dated at Denver, Colorado,  
this 24th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MRS. GERTRUDE I. CAMERON, DOING )  
BUSINESS AS "J. M. CAMERON COAL ) APPLICATION NO. 11141-PP-Extension  
COMPANY," 601 11th STREET, GREELEY, )  
COLORADO, FOR AN EXTENSION OF )  
PERMIT NO. B-1326. )  
-----)

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May 24, 1951  
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Appearances: Claude W. Blake, Esq.,  
Denver, Colorado, for  
applicant;  
A. J. Fregeau, Denver,  
Colorado, for Weicker  
Transfer & Storage Company.

S T A T E M E N T

By the Commission:

By Decision No. 20826, Private Carrier Permit No. B-1326  
was transferred to Gertrude I. Cameron, doing business as "J. M.  
Cameron Coal Company, Greeley, Colorado.

On April 4, 1951, applicant filed her application for  
an extension of the above-named permit, for the transportation of  
cinder and pumice blocks, lintle, tile, sewer pipe, and flue lining,  
from Denver to Greeley, and rock lath from Wilds Spur to Greeley,  
Colorado.

The matter was regularly set for hearing, and heard, at  
330 State Office Building, Denver, Colorado, on May 18, 1951, and  
there taken under advisement.

At the hearing, the evidence disclosed that applicant is  
presently the owner of Private Carrier Permit No. B-1326, which auth-  
orizes the following:

Transportation of coal from mines in the northern Colorado coal fields, brick from Denver and Longmont; fresh fruit from Western Slope points, and wool and pipe from Colorado-Wyoming State Line to Greeley; wool from ranches in Weld and Morgan Counties to Greeley and Denver; corn from farms in Phillips County to feeding points in Weld County; hides, seed, grain, hay, feed and irrigation and reservoir supplies from point to point in Weld County and from Weld County points to Colorado-Wyoming State Line; irrigation and reservoir supplies to irrigation ditches and reservoirs in Morgan and Logan Counties; junk and hides from Greeley to Denver. Applicant shall not engage in the transportation of merchandise in competition with common carriers operating on schedule, and in all cases of transportation of other freight in competition with scheduled carriers, he shall charge a rate 20 per cent in excess of that of said common carrier.

By Decision No. 12195, dated July 25, 1938, this authority was extended to include:

Transportation of brick from Golden, Boulder, Loveland and Ft. Collins to Greeley, for contractors residing in Greeley; and the transportation of plaster from Loveland and cement from Ft. Collins to Greeley.

Edwin M. Cameron, the son of applicant herein, stated he is the manager of J. M. Cameron Coal Company, and that his present customers, for whom he has been hauling brick for the past few years, due to the changes in construction, now desire flue lining, pumice and cinder blocks, and also lintles. The witness states that the present authority when granted took care of the needs of his customers, but his customers now have changed their mode of building and are now backing their bricks with cinder and pumice tile, and in addition, they desire applicant to haul flue linings. In other words, applicant desires to have an authority that will take care of the needs of his regular customers; that he presently is hauling plaster from Wilds Spur to Greeley and his customers desire that he be given the additional authority so he may carry rock lath.

A. J. Fregeau, Manager of Weicker Transfer and Storage Company, after hearing the statements of Mr. Cameron, withdrew his protest to the application, stating they had no objection to the granting of the proposed extension.

The evidence did not disclose, nor did it appear, that the proposed operation of applicant will tend to impair the efficiency of any

motor vehicle common carrier with which applicant will compete.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted, as the evidence and record clearly indicate that common carriers now serving in the area have no objection or protest, and we cannot see where common carrier service would be impaired.

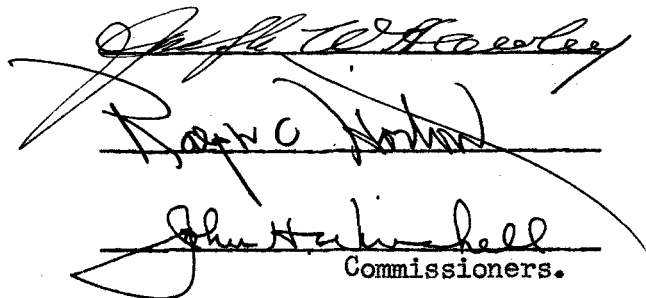
O R D E R

THE COMMISSION ORDERS:

That Gertrude I. Cameron, doing business as "J. M. Cameron Coal Company," of 601 — 11th Street, Greeley, Colorado, be, and she hereby is, authorized to extend her authority under Private Carrier Permit No. B-1326 to include the transportation of cinder and pumice blocks, lintle, tile, sewer pipe, and flue lining, from Denver to Greeley, and rock lath from Wilds Spur to Greeley, Colorado.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 24th day of May, 1951.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF	)	
LE ROY GORMAN, 427 - 23rd STREET,	)	
DENVER, COLORADO, FOR A CLASS "B"	)	<u>APPLICATION NO. 11140-PP</u>
PERMIT TO OPERATE AS A PRIVATE	)	
CARRIER BY MOTOR VEHICLE FOR HIRE.	)	
-----	)	

-----  
May 24, 1951  
-----

S T A T E M E N T

By the Commission:

On March 23, 1951, LeRoy Gorman, of Denver, Colorado, 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 sand, gravel 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 50 miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties, except service on the Boulder Toll Road.

The matter was regularly set for hearing, at 330 State Office Building, Denver, Colorado, on May 18, 1951, after appropriate notice to all parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing, whereupon the files were made a part of the record herein.

It appears that applicant herein is the owner of a 1947 1½-ton Ford dump truck and is presently employed by Northwestern Engineering Company of Denver, Colorado.

No one appeared to protest the granting of the instant application, and the matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That LeRoy Gorman, of 427 - 23rd Street, Denver, Colorado, the applicant herein, be, and he is hereby, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel 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, except service on the Boulder Toll Road.

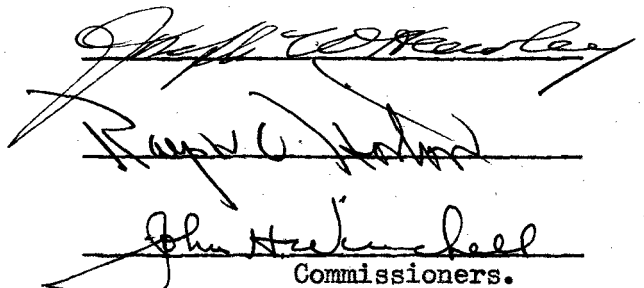
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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.

This order shall become effective 21 days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 24th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF  
DENVER-BOULDER BUS COMPANY, 1731  
TREMONT STREET, DENVER, COLORADO,  
FOR AN EXTENSION OF PUC NO. 43.  
-----

APPLICATION NO. 11106-Extension  
SUPPLEMENTAL ORDER

-----  
May 25, 1951  
-----

Appearances: T. A. White, Esq., Denver,  
Colorado, for applicant;  
E. B. Evans, Esq., Denver,  
Colorado, for Bill's City  
Taxi.

STATEMENT

By the Commission:

By Decision No. 36627, of date May 4, 1951, in the above-  
styled application, Denver-Boulder Bus Company, Denver, Colorado, was  
authorized to extend operations under PUC No. 43, as set forth in said  
Order.

The Commission is now in receipt of a communication from

T. A. White, attorney for applicant herein, as follows:

"The Certificate of Public Convenience and  
Necessity, granted by the Commission's Deci-  
sion No. 36627 in the above numbered appli-  
cation, becomes final twenty-one days from  
date, or on May 25, 1951.

"Because of the change in the location of the  
Atomic Energy plant and necessary road work  
in the vicinity of Marshall, the commencement  
of operation on May 25th would serve no public  
purpose. On behalf of Denver-Boulder Bus Com-  
pany I therefore respectfully request that the  
effective date for compliance with the Commis-  
sion's order above referred to, be extended to  
and until June 18, 1951."

FINDINGS

THE COMMISSION FINDS:

That said request should be granted.


ORDER

THE COMMISSION ORDERS:

That the effective date of Decision No. 36627, entered in the above-styled matter on May 4, 1951, should be, and the same is hereby, extended to June 18, 1951.

That, in all other respects, said Decision No. 36627 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



Joseph W. Hawley  
Ralph C. Hoban  
John H. Kell  
Commissioners

Dated at Denver, Colorado,  
this 25th day of May, 1951.

mw



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF  
R. N. USHER AND PAULINE USHER, CO-  
PARTNERS, DOING BUSINESS AS "CORTEZ  
FLYING SERVICE," CORTEZ, COLORADO,  
FOR AUTHORITY TO TRANSFER CERTIFI-  
CATE GRANTED BY DECISION NO. 30440  
(APPLICATION NO. 9019) TO VICTOR  
REYNOLDS, DOING BUSINESS AS "CORTEZ  
FLYING SERVICE," CORTEZ, COLORADO.

APPLICATION NO. 11169-Transfer

-----  
May 25, 1951  
-----

STATEMENT

By the Commission:

By Decision No. 30440, of date May 10, 1948, in Application No. 9019, R. N. Usher and Pauline Usher, co-partners, doing business as "Cortez Flying Service," Cortez, Colorado, were granted a certificate of public convenience and necessity to conduct a non-schedule operation, by airplane, in interstate and intrastate commerce, for the transportation, on call and demand, of:

passengers and property between all points in the State of Colorado, applicants not to establish an office or branch for the purpose of developing business at any town, place, or city other than Cortez, Colorado, and nearby airports.

By the instant application, said certificate-holders seek authority to transfer said operating rights to Victor Reynolds, doing business as "Cortez Flying Service," Cortez, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; 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 application 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 application, 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 R. H. Usher and Pauline Usher, co-partners, doing business as "Cortez Flying Service," Cortez, Colorado, should be, and they are hereby, authorized to transfer all their right, title, and interest in and to certificate of public convenience and necessity granted by Decision No. 30440 (Application No. 9019) to Victor Reynolds, doing business as "Cortez Flying Service," Cortez, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.


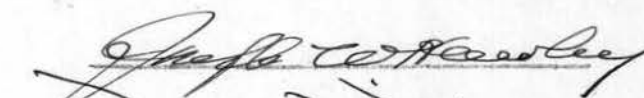
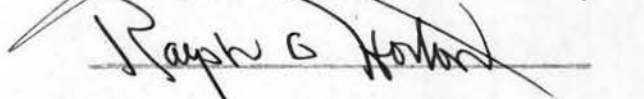

The tariff of rates, rules, and regulations of transferors shall become and remain those of transferees until changed according to law and the rules and regulations of this Commission.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Dated at Denver, Colorado,  
this 25th day of May, 1951.

mv

  
  
  
  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MANUEL R. MARTINEZ AND ELOY F. )  
ARELLANO, CO-PARTNERS, DOING BUSI- )  
NESS AS "ARELLANO AND MARTINEZ," ) APPLICATION NO. 11165-PP-Transfer  
DEL NORTE, COLORADO, FOR AUTHORITY )  
TO TRANSFER PERMIT NO. B-1518 TO )  
LEROY MOORE, DEL NORTE, COLORADO. )  
----- )

-----  
May 25, 1951  
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Appearances: Conour and Conour, Esqs.,  
Del Norte, Colorado,  
for applicants.

S T A T E M E N T

By the Commission:

Heretofore, Manuel R. Martinez, Del Norte, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

farm products, including livestock, farm supplies and farm equipment from and to farms and ranches situated within a radius of twenty-five miles of Del Norte, and to and from towns, loading points and storage, as well as ice, from point to point in said area, and to conduct a drayage business in Del Norte, provided applicant shall not engage in any transportation service of a competitive character along the line of scheduled common carriers now serving this territory; lettuce from farms in Mineral County to loading sheds between South Fork and Del Norte, Colorado,

said operating rights being designated "Permit No. B-1518."

Pursuant to authority contained in Decision No. 27241, of date December 9, 1946, said permit-holder transferred said Permit No. B-1518 to Manuel R. Martinez and Eloy F. Arellano, co-partners, doing business as "Arellano and Martinez," Del Norte, Colorado, who, by the instant application, seek authority to transfer said operating rights to Leroy Moore, Del Norte, 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 application 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 Manuel R. Martinez and Eloy F. Arellano, co-partners, doing business as "Arellano and Martinez," Del Norte, Colorado, be, and they hereby are, authorized to transfer all their right, title, and interest in and to Permit No. B-1518 -- being the operating rights acquired by them pursuant to authority contained in Decision No. 27241 -- to Leroy Moore, Del Norte, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

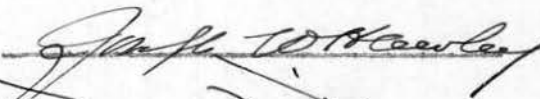
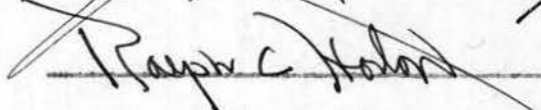

The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferors of delinquent reports, if any, covering their operations under said permit up to the time of transfer of said permit, and the payment by them or transferee of all unpaid ton-mile tax.

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



This order is made a part of the permit authorized to be transferred, and shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of May, 1951.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
MARSHALL DAVIS, DOING BUSINESS AS  
"ROYAL CAB COMPANY," 314 WEST NORTH-  
ERN AVENUE, PUEBLO, COLORADO, FOR  
AUTHORITY TO TRANSFER PUC NO. 1882  
TO THE ROYAL CAB COMPANY, A CORPOR-  
ATION, 314 WEST NORTHERN AVENUE,  
PUEBLO, COLORADO.

APPLICATION NO. 11170-Transfer

May 25, 1951

Appearances: Riley R. Clowd, Esq.,  
Pueblo, Colorado,  
for applicants.

S T A T E M E N T

By the Commission:

By Decision No. 30397, of date May 4, 1948, Marshall Davis, doing business as "Royal Cab Company," Pueblo, Colorado, 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 on call and demand, of:

passengers and their baggage, in the same vehicle, between points within a radius of twenty-five miles of the City of Pueblo, and from and to points within said area, to and from other points within the State of Colorado,

by means of five-passenger-and-driver taxicabs. Said operation was designated "PUC No. 1882."

By the instant application, said certificate-holder seeks authority to transfer said operating rights to The Royal Cab Company, a corporation, Pueblo, 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 otherwise, is qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said application 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 application, forthwith, without formal notice, upon the records and files herein.

### FINDINGS

#### THE COMMISSION FINDS:

That the proposed transfer should be authorized, subject to outstanding indebtedness, if any.

### ORDER

#### THE COMMISSION ORDERS:

That Marshall Davis, doing business as "Royal Cab Company," Pueblo, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to PUC No. 1882 -- being the operating rights granted by Decision No. 30397 -- to The Royal Cab Company, a corporation, Pueblo, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.


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.

The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate up to the time of the transfer of said certificate, and the payment by him or transferee of all unpaid passenger-mile tax.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



*Joseph C. Kealey*  
*Ralph C. Holman*  
*John H. Lincoln*  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of May, 1951.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RUEBEN JACOBY, JOHNSTOWN, )  
COLORADO. )  
----- )

APPLICATION NO. 10346-PP

-----  
June 4, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Rueben Jacoby, requesting that his Class "B" permit, granted in Application No. 10346-PP, Decision No. 36112, under date of February 10, 1951, be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

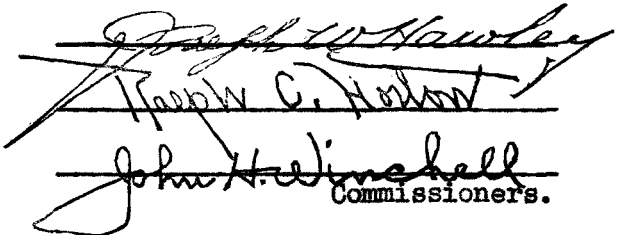
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Class "B" permit, granted Rueben Jacoby, in the above-numbered application, Decision No. 36112, under date of February 10, 1951, be, and the same hereby is, declared cancelled, effective May 21, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JAMES O. CLAYCOMB, JR., EVANS )  
COLORADO. )  
----- )

PERMIT NO. B-3981

-----  
June 4, 1951  
-----

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-3981 be suspended for six months from May 17, 1951.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

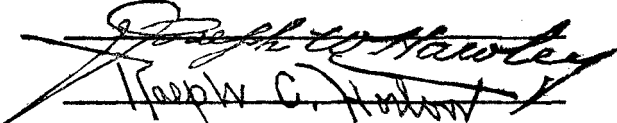
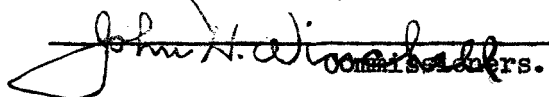
O R D E R

THE COMMISSION ORDERS:

That James O. Claycomb, Jr., be, and he is hereby, authorized to suspend his operations under Permit No. B-3981 until November 17, 1951.

That unless said James O. Claycomb, Jr., 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

  
  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
F. M. CRAIN, 2403 BALBOA ST., ) PERMIT NO. B-3956  
COLORADO SPRINGS, COLORADO. )  
-----)

-----  
June 4, 1951  
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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-3956 be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

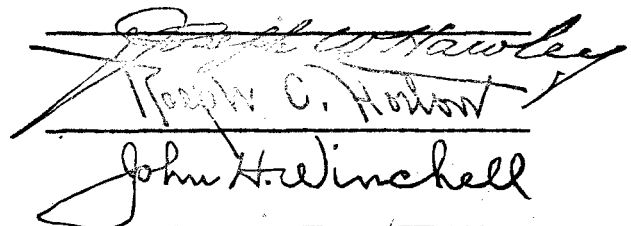
O R D E R

THE COMMISSION ORDERS:

That F. M. Crain be, and he is hereby, authorized to suspend his operations under Permit No. B-3956 until November 21, 1951.

That unless said F. M. Crain 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. Horton  
John H. Winchell

Commissioners.

Dated at Denver, Colorado,  
this 4th day of June, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GRACE I. ALLISON AND CARL J. )  
DOTY, 221 SOUTH THIRD STREET, ) PUC NO. 1440  
WALSENBURG, COLORADO. )  
----- )

-----  
May 25, 1951  
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S T A T E M E N T

By the Commission:

Grace I. Allison and Carl J. Doty, co-partners, Walsenburg, Colorado owners and operators of PUC No. 1440 herein seek authority to mortgage said PUC No. 1440, issued to them by this Commission, to The First State Bank of Walsenburg, Walsenburg, Colorado, to secure payment of the sum of Five Thousand Five Hundred Twenty-two Dollars Eighty-Nine Cents (\$5,522.89), in accordance with the terms and conditions set forth in Chattel Mortgage, of date May 5, 1951, executed by said Allison and Doty, payable to The First State Bank of Walsenburg, said Mortgage, by reference, being made a part hereof.

F I N D I N G S

THE COMMISSION FINDS:

That authority sought should be granted.

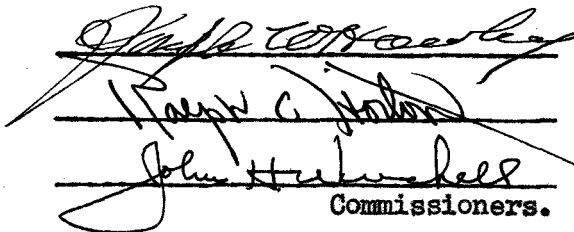
O R D E R

THE COMMISSION ORDERS:

That Grace I. Allison and Carl J. Doty, co-partners, Walsenburg, Colorado, should be, and they hereby are, authorized to mortgage all their right, title, and interest in and to PUC No. 1440 to The First State Bank of Walsenburg, Walsenburg, Colorado, to secure payment of the sum of \$5,522.89, as set forth in the Statement preceding.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
THE ANTLERS LIVERY & TAXICAB CO., )	
COLORADO SPRINGS, COLORADO, FOR )	
AUTHORITY TO TRANSFER PUC NO. 139 )	<u>APPLICATION NO. 11177-Transfer</u>
TO THE ANTLERS HOTEL COMPANY, COLO- )	
RADO SPRINGS, COLORADO. )	
-----	

-----  
May 25, 1951  
-----

S T A T E M E N T

By the Commission:

Heretofore, The Antlers Livery & Taxicab Co., Colorado Springs, Colorado, was granted a certificate of public convenience and necessity to operate as a common carrier by motor vehicle, and PUC No. 139 issued to it.

By the instant application, said certificate-holder seeks authority to transfer said PUC No. 139 to The Antlers Hotel Company, 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 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 operating rights, the Commission determined to hear, and has heard, said application, 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 The Antlers Livery & Taxicab Co., Colorado Springs, Colorado, should be, and it hereby is, authorized to transfer all its right, title, and interest in and to PUC No. 139 to The Antlers Hotel Company, a Corporation, Colorado Springs, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

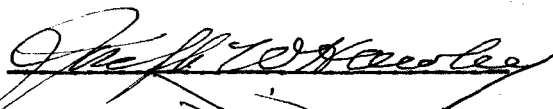
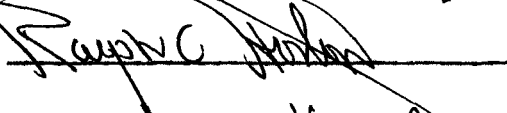
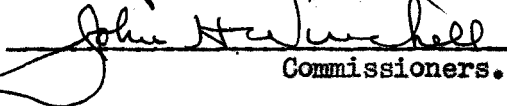
The tariff of rates, rules and regulations of transferor shall become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering its operations under said certificate, and the payment by it or transferee of all unpaid ton-mile tax.

That road tax deposit of transferor shall be transferred to account of transferee herein.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF  
HOME LIGHT AND POWER COMPANY (BY  
NAME CHANGED FROM "THE HOME GAS AND  
ELECTRIC COMPANY,") GREELEY, COLORADO,  
FOR APPROVAL OF THE ISSUANCE OF  
\$1,500,000 PRINCIPAL AMOUNT OF FIRST  
MORTGAGE BONDS, 3% SERIES DUE 1975.

APPLICATION NO. 10879-Securities

ORDER MODIFYING ORDER  
AUTHORIZING ISSUANCE OF SECURITIES

May 25, 1951

Appearances: William R. Kelly, Esq., and  
John R. Clayton, Esq., Greeley,  
Colorado,  
Edgar A. Stansfield, Esq., Denver,  
Colorado,  
R. W. Farr, Warren Terry and  
M. A. Smith, Greeley, Colorado,  
for applicant;  
Paul M. Hupp, Esq., Denver, Colo-  
rado, for the Commission.

STATEMENT

By the Commission:

By Order issued on December 13, 1950, Decision No. 35804,  
the Commission authorized the Applicant, Home Light and Power Company,  
of Greeley, Colorado, to issue \$1,500,000 principal amount of its First  
Mortgage Bonds, 3% Series due 1973, and to enter into and issue a new  
Indenture of Mortgage and Deed of Trust dated December 1, 1950, subject  
to certain terms and conditions in such Order.

The Commission's attention has been directed to the fact that  
subsequent to the public hearing held in this proceeding on November 27,  
1950, and the issuance of the Commission's Order on December 13, 1950,  
the Applicant had further negotiations with the proposed purchasers of its  
new 3% First Mortgage Bonds which resulted in the following substantive  
changes in its financing program from that contemplated by the evidence  
adduced at the public hearing held on this proceeding on November 27, 1950:

- (1) That the closing of the proposed new loan which  
was originally scheduled to be held in December, 1950, was not  
effected, by agreement of the parties, until January 18, 1951.

(2) That, by agreement of the parties, the Indenture of Mortgage and Deed of Trust was dated January 1, 1951 and the \$1,500,000 principal amount of Applicant's new 3% Bonds issued thereunder were dated January 1, 1951, due on January 1, 1976 and were designated as the Company's First Mortgage Bonds, 3% Series due 1976.

(3) That by the terms of the final closing arrangements the Company was permitted to take down \$1,443,000 of the proceeds of the new loan in lieu of only \$1,300,000 as originally contemplated and as the evidence adduced at the hearing disclosed.

### F I N D I N G S

#### THE COMMISSION FINDS:

It is appropriate in the circumstances that the Findings of the Commission and the Order issued herein on December 13, 1950, authorizing the Applicant to issue and sell \$1,500,000 principal amount of its First Mortgage 3% Bonds and to enter into and issue a new Indenture of Mortgage and Deed of Trust, be modified and amended as hereinafter ordered.


### O R D E R

#### THE COMMISSION ORDERS:

That the Commission's Findings and Order issued herein on December 13, 1950, be, and they are hereby, amended by deleting therefrom, wherever they appear, the words and figures "3% Series due 1975" and the date "December 1, 1950" and by substituting in lieu thereof the words and figures "3% Series due 1976" and the date "January 1, 1951" respectively.

This order is made effective nunc pro tunc as of January 1, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
*Joseph C. Hawley*  
*Ralph C. Holm*  
*John H. Winchell*  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of May, 1951.  
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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF  
NORMAN R. BLAKE, DOING BUSINESS AS  
"GILPIN COUNTY BUS AND FREIGHT  
LINE," BLACKHAWK, COLORADO, FOR  
AUTHORITY TO TRANSFER TO DENVER-  
BOULDER BUS COMPANY, 1731 TREMONT  
STREET, DENVER, COLORADO, THAT POR-  
TION OF PUC NO. 1127 AUTHORIZING  
TRANSPORTATION OF PASSENGERS AND  
EXPRESS, TRANSFEROR TO RETAIN THAT  
PORTION THEREOF AUTHORIZING OPERA-  
TION OF FREIGHT SERVICE.

APPLICATION NO. 11113-Transfer

IN THE MATTER OF THE APPLICATION OF  
NORMAN R. BLAKE, DOING BUSINESS AS  
"GILPIN COUNTY BUS AND FREIGHT  
LINE," BLACKHAWK, COLORADO, FOR  
AUTHORITY TO TRANSFER TO DENVER-  
BOULDER BUS COMPANY, 1731 TREMONT  
STREET, DENVER, COLORADO, THAT POR-  
TION OF PUC NO. 1693 AUTHORIZING  
TRANSPORTATION OF PASSENGERS AND  
EXPRESS, TRANSFEROR TO RETAIN THAT  
PORTION THEREOF AUTHORIZING OPERA-  
TION OF FREIGHT SERVICE.

APPLICATION NO. 11114-Transfer

May 25, 1951

Appearances: T. A. White, Esq., Denver,  
Colorado, for applicants;  
J. G. Hodges, Esq., Denver,  
Colorado, for Rocky  
Mountain Motor Company;  
E. B. Evans, Esq., Denver,  
Colorado, for Bill's  
City Taxi and Ray Armstead.

S T A T E M E N T

By the Commission:

Norman R. Blake, doing business as "Gilpin County Bus and Freight Line," Blackhawk, Colorado, is the owner of PUC Nos. 1127 and 1693, authorizing freight transportation and passenger service under Decisions Nos. 10149, 12496, 13668, 19458, 21059, 33016, 33076, and 26210 of this Commission.

By the instant application, said certificate-holder seeks authority to transfer to Denver-Boulder Bus Company, a Colorado corporation, that portion of his operating rights under said certificate authorizing the transportation of passengers and express, retaining that portion of his operating rights authorizing the operation of freight service.

That part of the operating rights to be transferred under PUC No. 1127 was set up on the records of the Commission as "Application No. 11113-Transfer," and that part to be transferred under PUC No. 1693 was set up under "Application No. 11114-Transfer." Both applications were set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, April 19, 1951, at ten o'clock A. M., and after due notice to all parties in interest, were there heard upon a consolidated record and taken under advisement.

I. B. James, President of Denver-Boulder Bus Company, testified that the company is operating a motor bus transportation system under PUC No. 43 as a common carrier for hire, in the transportation of passengers, baggage, mail, express, and newspapers between Denver, Colorado and Boulder, Colorado, serving all intermediate points via U. S. Highway No. 87 and Colorado State Highway No. 7, via Lafayette, and via U. S. Highway No. 87 and Colorado State Highways Nos. 168 and 7, via Louisville, Colorado.

He identified Exhibit No. 1, a Balance Sheet of his company, as of date March 31, 1951, showing net earned surplus of \$69,774.55, and Exhibit No. 2, the Contract of Sale between his company and the certificate-holder. By the terms of this contract, of date April 3, 1951, Blake agrees to sell to Denver-Boulder Bus Company that portion of his operating rights under the two certificates authorizing transportation of passengers and express, one sixteen-passenger Pony Cruiser Bus, and one 1949 Chevrolet seven-passenger Suburban automobile, for a total consideration of \$6,250.00. A down-payment of \$750.00 has been made, and one-half of the balance is to be paid if and when the transfer requested is authorized by the Commission, and the balance is to be evidenced by a promissory note,

payable one year after the date of the authorization, at which time the buyer is to convey to the seller a 1948 four-door Packard sedan, free of encumbrances.

Mr. James testified that his company owns eleven busses, some of which will be available for the proposed scheduled service from Denver to Central City, one round trip daily, except that one and one-half round trips will be made on Saturdays and Sundays. The Central City Opera Association operates the Opera House at Central City during the summer months, during which there is a great demand for bus service from Denver, and probably at least three busses will be required for each schedule. Blake operated in 1950 with equipment leased from James, and the latter expects to continue the same operation that Blake has conducted, and over the same routes. He requests that the operating rights, if transferred, be consolidated with PUC No. 43, and that the ton-mile tax deposit of transferor be credited to said transferor.

Donald Stronghout, Business Manager of the Central City Opera Association, testified that his main interest is in getting people from Denver to Central City during the summer months. He estimated the number of potential customers at fifty thousand per season. Many requests for transportation have been received through the Business and Box Offices of the Association, and these requests have been channeled through Blake. Up to last year, there had been complaints on the quality of the equipment used, but the equipment leased from James in 1950 and used by Blake was satisfactory. The off-season load is small, and can be handled by one station wagon. The proposed operation of James is definitely in the public interest.

Norman R. Blake testified that it is in the public interest to split his operating rights, as the Denver-Boulder Bus Company has sufficient equipment to conduct the passenger transportation service, and his own equipment is not satisfactory, and he is not financially able to purchase more. The sale of the passenger rights will permit him to devote his entire time to the freight business, which will inure to the benefit of his freight customers. There is no similar bus service offered by any



other carrier. All operating expenses against the passenger operation are current, and will be paid in the usual course of business.

Arthur K. Holmes, Vice-President and General Manager of Rocky Mountain Motor Company, protested the proposed transfer. His company has inter-city authority, Denver to Silver Plume and intermediate points, except between Denver and Golden, and sightseeing authority from Denver to points within a radius of twenty-five miles of Central City, originating and terminating at Denver. In his opinion, there is no need for the proposed service of James.

Alean M. LaSalle, Operating Manager of Bill's City Taxi, and DeLuxe Cab Company at Boulder, also testified in opposition to the transfer. She stated that both companies have sightseeing authority based at Boulder, and covering a twenty-five-mile radius of Central City, and that the sightseeing service authorized by the certificates to be transferred is not needed. However, she voiced no objection to such sightseeing service, if all trips are to originate and terminate at Central City, and her chief objection to favorable action on the applications is the fact that Blake was not an aggressive operator, while James is very much so.

Counsel for each protestant has filed with the Commission a statement of the position of his client relative to the proposed transfer. Mr. Hodges objects to the transfer "only if the operation to be conducted by the transferee is beyond that authorized by the certificates sought to be transferred", and argues that the actual authority of the certificate owner can be determined only in the light of the language of the certificates, and the practical construction placed upon the language by those operating thereunder.

Mr. Hodges contends that the certificate granted by Decision No. 10149 authorizes service between Central City and Denver, via Golden, and was intended to, and does, authorize service via Golden Gate Canyon, State Highway No. 58, only; that the certificate granted by Decision No. 26210 for call and demand service between Central City and scenic attractions within a twenty-five-mile radius thereof is limited to round trip service, only, commencing and terminating at Central City; that the operation between

Central City and Idaho Springs authorized by Decision No. 12496 is confined to call and demand service, and cannot be linked or joined with operations between Denver and Central City, so that a through or continuous trip can be conducted from Denver to Idaho Springs, via U. S. Highway No. 48 and pass through the points on said highway where State Highway No. 119 joins it; and that none of the conditions contained in Decision No. 33016 relative to the operation of charter service should be abandoned, modified, or eliminated by filing a tariff, not mentioning such a condition.

On behalf of his clients, Mr. Evans contends that under the sightseeing authority to be transferred, all trips must be round trips, and must originate and terminate in Central City; that neither passenger cars nor station wagons can be used in the charter bus service authorized by Decision No. 33016, and that it will be detrimental to his clients if the authority transferred should be consolidated and made a part of PUC No. 43.

The instant applications contemplate the transfer of certain operating rights, without change, amendment, or modification in any form. The record shows no pending application for clarification of any of the authorities to be transferred, and no interested party is barred from filing such an application at any time, irrespective of the transfer. The transfer to be authorized will be of operating rights already specifically described in various decisions, without any change or modification. However, the Commission is of the opinion that the operating rights to be transferred should not be consolidated with the operating rights under PUC No. 43 of transferee, and that a new number should be assigned to the operating rights transferred.

#### FINDINGS

##### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

That the application for the consolidation of the operating

rights to be transferred with operating rights under PUC No. 43 should be denied, and that a new number should be assigned to said transferred authority.

That the passenger-mile tax deposit of transferor should be credited to account of transferor.

#### ORDER

##### THE COMMISSION ORDERS:

That Norman R. Blake, doing business as "Gilpin County Bus and Freight Line," Blackhawk, Colorado, should be, and he is hereby, authorized to transfer to Denver-Boulder Bus Company, Denver, Colorado, all his right, title, and interest in and to that portion of PUC Nos. 1127 and 1693 authorizing transportation of passengers and express, only, viz.:

passengers, between Central City and Blackhawk and Denver, Colorado, without the right to render any service between Golden and Denver and Denver and Golden, including the right to make such trips to Russell Gulch as traffic may require (Decision No. 10149).

passengers and light express packages (not over 50 pounds in weight), between Denver, Colorado and Central City, Russell Gulch and Blackhawk, via U. S. 40 and Colo. 119; said route may be used as an alternate route to the one over which applicant now is authorized to operate via Golden Gate Canon; passengers, only, between Idaho Springs and Central City, Russell Gulch and Blackhawk, via Colo. 119. No authority to conduct any local service between Idaho Springs and Golden, Golden and Denver, or between Denver and Idaho Springs or points intermediate thereto, via U. S. 40 (Decision No. 12496).

passengers and express between Denver on the one hand and Russell Gulch, Central City and Blackhawk on the other, via U. S. 40 and Colo. 119, also as an alternate route via U. S. 40 to Golden and Colo. 58 and 119 and all intermediate points west of Golden on Colo. 58 and 119, or via U. S. 40 — Floyd Hill, Forks Creek and Blackhawk; and between Idaho Springs and Russell Gulch, Central City and Blackhawk via Highway 119, and all intermediate points. However, no service is authorized between Idaho Springs and Denver and intermediate points, nor between Golden and Denver and intermediate points, in competition with scheduled carriers serving between Denver and these points. (Decision No. 13668).

Suspension of daily bus service authorized between Central City and Russell Gulch, and substitution



of "on call" service therefor during the period of suspension, and suspension of Saturday evening bus service, Central City to Denver, and Sunday morning service, Denver to Central City (Decision No. 21059).

Charter bus service for the transportation of passengers from any point in Gilpin County to any point in the State of Colorado with the following limitations: 1. No sightseeing service; 2. Round trip originating and terminating in Gilpin County; 3. Limited to school, social and fraternal groups; 4. No transportation to any point in area described as follows: on the south, the south border of Rocky Mountain National Park, on the east, the north and south line drawn through Lyons, Colorado; on the north, the north line of Rocky Mountain National Park, as extended; on the west, the north and south line through Granby, Colorado; 5. Nothing herein shall be construed as to restrict applicant from going through that area set forth in "4" or any portion of said area, in order to transport a party to or from a point outside that area (Decision No. 33016).

passengers, on call and demand, between Central City on the one hand, and, on the other, scenic attractions within a radius of twenty-five miles of Central City, said service to be round trip service, only (Decision No. 26210).

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.

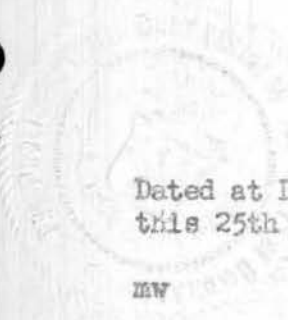
The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said operating rights, and payment by him or transferee of all unpaid passenger-mile tax.

That a new number should be assigned to transferee herein covering operating rights herein authorized to be transferred, transferor to retain the numbers "PUC 1127" and "PUC 1693," application of transferor to consolidate transferred authority with PUC No. 40 being hereby denied.

That passenger-mile tax deposit of transferor shall be credited to his account.

This order shall become effective twenty-one (21) days from  
the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Joseph W. Healey  
Raymond C. Johnson  
John H. Churchill  
Commissioners

Dated at Denver, Colorado,  
this 25th day of May, 1951.

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF  
OLIVER WALKER AND CHARLES SHEHORN,  
DOING BUSINESS AS "WALKER-SHEHORN  
TRUCK LINES," 726 WEST KANSAS AVE-  
NUE, TRINIDAD, COLORADO, TO EXTEND  
CERTIFICATE OF PUBLIC CONVENIENCE  
AND NECESSITY NOS. 641 AND 641-I.

APPLICATION NO. 11078-Extension

May 25, 1951

Appearances: Barry and Hupp, Esqs.,  
Denver, Colorado,  
for applicants;  
A. J. Fregeau, Denver,  
Colorado, for Weicker  
Transfer and Storage  
Company;  
R. M. Jackson, Rocky Ford,  
Colorado, for Jackson  
Transfer and Storage  
Company;  
George Wright, Rocky Ford,  
Colorado, for Law  
Motor Lines;  
Grant, Shafroth and Toll, Esq.,  
Denver, Colorado, for The  
Atchison, Topeka and Santa  
Fe Railway Company and The  
Santa Fe Trail Transportation  
Company.

STATEMENT

By the Commission:

Applicants, the owners of Certificate of Public Convenience and Necessity No. 641, are now engaged in rendering transportation service as a co-partnership, under the trade name of "Walker-Shehorn Truck Lines," 726 West Kansas Avenue, Trinidad, Colorado, pursuant to authority granted by this Commission, which authorizes the following:

Freight and express between La Junta and Trinidad and intermediate points, as well as a general transfer, moving and cartage business or "anywhere for hire" service within a radius of 50 miles of Thatcher. Interstate authority issued 7-11-50: Between all points in Colorado and the Colorado state boundary lines where all highways cross same in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935.

On March 22, 1951, the above-named applicants filed their application to extend their Certificate of Public Convenience and Necessity No. 641 to include the transportation in line-haul service of freight and express from Trinidad to Rocky Ford, Colorado, via State Highway No. 71 as an alternate route; livestock and farm products from all points within a 50-mile radius of Thatcher, Colorado, to all points in the State of Colorado, and from all points in the State of Colorado to all points within said 50-mile radius of Thatcher, Colorado.

The above application was regularly set for hearing, and heard, at the Court House in La Junta, Colorado, on April 25, 1951, and there taken under advisement.

The application was opposed, generally, by all protestants appearing at the hearing, that is, the proposed service which would be in competition with their respective operations.

Applicant Oliver J. Walker, of 726 West Kansas Avenue, Trinidad, Colorado, testified that he and Charles Shehorn are co-partners; that they have operated under PUC-641 since October 24, 1949; that applicants have a net worth in excess of \$40,000.00, as disclosed by their Exhibit No. 1; that they have presently available sufficient equipment to take care of the extended authority asked for in the application. The witness testified that they have had numerous requests for delivery of livestock to points beyond their present 50-mile radius for residents and shippers residing in their presently certificated area; also, requests from same shippers to pick up livestock out of their area to points within their area; that to get this hauling done and to take care of their patrons, it has been necessary for the witness to contact authorized carriers residing many miles away, and on numerous occasions he has had to take care of their transportation requests under special emergency letters from carriers domiciled at remote distances who have state-wide authority. This, he has found embarrassing to him as a common carrier, and also to his patrons and customers who desire services for the transportation of livestock beyond the 50-mile radius.

The witness further stated that he had nine years of experience in transporting livestock, and that the present service offered by his operation to the livestock shippers in his certificated area is not adequate to take care of their needs.

Mr. E. D. Dickson, a livestock dealer who resides at La Junta, Colorado, stated he presently has 400 head of livestock, and in his buying and selling operation he handles approximately 3,000 head of cattle each year; that he has used applicants' service for the transportation of livestock and finds the service very satisfactory and considers them superior livestock carriers. He stated the only trouble he finds with applicants' service is that their area is too restricted; that he purchases cattle in a 50-mile radius of Thatcher, and on numerous occasions needs service to points beyond the 50-mile radius, and feels, as a livestock shipper, that he is entitled to applicants' service for an enlarged area for the delivery of his cattle.

Mr. Ken Varrach, manager of a livestock sales ring, stated he was called upon to secure transportation for livestock, and on occasions used livestock carriers himself; that he was well acquainted with applicants' service and was familiar with the service asked for in the application presently before the Commission; that applicants' present service is excellent and he feels that public convenience and necessity demand an extension of their present service.

Mr. Frank Monroe, a livestock raiser residing near Thatcher, Colorado, stated he maintained his herd of livestock from 600 to 1,000 head. He stated in his livestock operation that it was necessary to hire for-hire carriers for delivery of his livestock to markets; that he had used applicants' service and found same satisfactory, but would like to use applicants' service to points and places beyond their certificated area. The witness further testified that applicants are the local carrier for his community, and he feels that the community and the shippers are in need of an enlarged service.



Mr. Norman Mills, a rancher and livestock raiser residing near Timpas, Colorado, stated he raises approximately 100 head of cattle a year and is presently using applicants' service for all his transportation needs and finds same satisfactory; that his only criticism of applicants' service is that he, on occasion, needs service beyond the 50-mile limit, and states it is exceedingly difficult to get outside carriers on account of the scarcity of telephones in his area. He feels the local carrier should have more territory to take care of his needs as well as the need of the public.

Mr. Paul Jones, a rancher residing in applicants' territory, stated he used applicants' service and presently runs 300 head of cattle. He states he is familiar with the instant application and, in his judgment, the extension is vitally needed.

Mr. Lynn Barbee stated he was a rancher who is presently running 150 to 200 head of cattle; that applicants' present service was satisfactory, and that he was the only accessible carrier to his locality because of the unsatisfactory condition of the telephone service. He also stated that applicants' proposed extension is needed by him for delivery of his cattle to market.

Other witnesses testified as to the need of applicants' proposed extension, among whom were Claude Hill, Jim Grimsby and C. W. Hall. These witnesses corroborated the testimony of the other public and shipper witnesses.

Mr. Charles Shehorn, one of the applicants herein, testified concerning the line-haul service of freight and express from Trinidad to Rocky Ford, Colorado, via La Junta, and return via State Highway No. 71 as an alternate route. He states they desire to haul, especially meat, milk and icecream from Rocky Ford to destinations along their present route.

Weicker Transfer and Storage Company withdrew their protest to the line-haul service so long as service is only made to points presently served.

In opposition to the granting of the proposed extension, the following protestants testified: George Wright, the owner of Certificate of Public Convenience and Necessity No. 960, testified he operated a general

cartage business and presently maintains and operates 27 tractors and trailers based at Rocky Ford, Colorado; that he uses exclusively 4 trucks for hauling livestock, one 32-foot, two 34-foot, and one 40-foot trailer; that he has a large investment in his equipment and the present business offered to him does not keep his present equipment busy; that at present he has idle equipment on hand, and is ready, willing and able to take care of all livestock shipments in the Thatcher area. He stated he is offering a complete service and that public convenience and necessity do not require the granting of additional authority, especially the application for extension in the instant matter.

Clyde Fox, of The Atchison, Topeka and Santa Fe Railway Company, protested the granting of the application, testifying that his company operates a regularly-scheduled truck service over U. S. Highway No. 350 between La Junta and Trinidad, and that these trucks are not now operating at full capacity; that they make deliveries to stations of their railroad along the route and he contends that public convenience and necessity do not require the establishment and operation of the transportation service proposed to be rendered by applicants, and asks that the instant application be denied.

In considering the above application, the Commission has carefully considered the evidence, the exhibits and files in the instant case. The Commission has already authorized the common carrier service for this area, and applicants are now appearing before the Commission asking for an extended service. In analyzing the record, it appears to the Commission that at the time PUC-641 was issued it was adequate to take care of the needs of the area certificated. However, it appears as we view the evidence that the transportation need of this area has increased, and that what a few years ago was an adequate service, does not now take care of the needs of the area. True, common carriers in other areas have increased the scope of their operations and have increased their equipment to take care of the demands for service. Law Motor Freight has had this experience and is now giving an excellent service.

The Commission, in approaching this question, must consider that Rocky Ford -- the base of the Law operation -- is approximately 40 miles airline from Thatcher, and some 50 miles by highway, bearing in mind that Thatcher is the center of applicants' operation. In other words, a shipper under present conditions would be forced, if he calls Law Motor Freight, to bring a carrier possibly 75 miles. We cannot see where this service would be adequate to take care of the shipper and public witnesses who have testified at this hearing. The Commission, on numerous occasions in the past, has held that a community is entitled to the best transportation service that is economically feasible. From the evidence in the instant case, we feel that these people are not getting that service. True, they have certain carriers who have authority to render service and are giving an excellent service for part of the transportation problems, but these carriers are not in a position to take care of all the transportation needs of this area.

## FINDINGS

### THE COMMISSION FINDS:

That applicants are fit, willing, and able to perform the aforementioned transportation service properly, and to conform to the provisions of the Carrier Acts and rules, regulations and requirements thereunder.

That public convenience and necessity require the proposed extended common carrier service of applicants for the transportation in line-haul service of freight and express between Trinidad and Rocky Ford, Colorado, via La Junta, and return via State Highway No. 71 as an alternate route; livestock and farm products from all points within a 50-mile radius of Thatcher, Colorado, to all points in the State of Colorado, and from all points in the State of Colorado to all points within said 50-mile radius of Thatcher, Colorado, which, in the opinion of the Commission, the public interest requires, 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 extended service of Oliver Walker and Charles Shehorn, doing business as "Walker-Shehorn Truck Lines," of 726 West Kansas Avenue, Trinidad, Colorado, operating under Certificate of Public Convenience and Necessity No. 641, to include the transportation in line-haul service of freight and express from Trinidad, Colorado, to Rocky Ford, Colorado, via La Junta, and return via State Highway No. 71 as an alternate route, excluding service between Rocky Ford and La Junta in competition with Weicker Transfer and Storage Company; livestock and farm products from all points within a 50-mile radius of Thatcher, Colorado, to all points in the State of Colorado, and from all points in the State of Colorado, to all points within said 50-mile radius of Thatcher, Colorado, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.


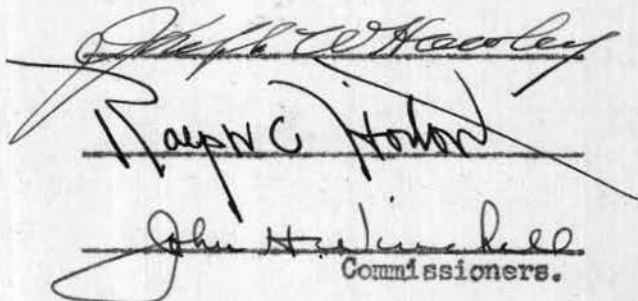
That applicant shall file tariffs of rates, rules and regulations, and time and distance schedules as required by the rules and regulations of this Commission within twenty days from date.

That applicant shall operate its 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.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF  
BEN A. SULLIVAN, LOVELAND, COLORADO,  
FOR AUTHORITY TO TRANSFER PUC NO. 1125  
TO LLOYD H. IDEKER, 315 LINCOLN STREET,  
DENVER, COLORADO.

APPLICATION NO. 11176-Transfer

May 25, 1951

Appearances: Worth Allen, Esq.,  
Denver, Colorado,  
for applicants.

S T A T E M E N T

By the Commission:

By the instant application, Ben A. Sullivan, Loveland, Colorado, seeks authority to transfer PUC No. 1125 to Lloyd H. Ideker, Denver, Colorado, said PUC No. 1125, as clarified and restricted by Decision No. 36037, being the right to operate as a common carrier by motor vehicle for hire for the transportation of:

milk to Loveland, Fort Collins, Johnstown, Greeley, and Fort Lupton from the area described as: beginning at a point one mile west of Loveland on Colorado Highway No. 16; thence east to a point one mile east of Loveland; thence north one and one-half miles; thence east one mile; thence north one-half mile; thence east to U. S. Highway No. 85; thence north to Ault; thence west on Colorado Highway No. 14 to a point one mile west of Fort Collins; thence south to the point of beginning, and the transportation of said commodity between cooling plants in Loveland and condenseries at Johnstown, Greeley, and Fort Lupton;

Common carrier service, on schedule, or on call and demand, as business development may require, for the transportation of fluid milk from Loveland to Denver and Golden, with back-haul of empty containers, and the transportation of milk to Loveland, Fort Collins, Johnstown, Greeley, and Fort Lupton from all points on and within the area bounded by a line described as: beginning at a point six miles due west of Fort Collins; thence due north to the intersection of U. S. Highway No. 287; thence along U. S. Highway No. 287 to the intersection of Wyoming State Line; thence east along the Wyoming State Line to a point two miles east of the Weld-Larimer County Line; thence due south to the intersection of Colorado Highway No. 14; thence west to the point of beginning;



Transportation on schedule, of milk to Boulder, Colorado, from points in the territory described as follows: beginning at a point one mile west of Loveland; thence west seven miles; thence south four miles; thence east approximately three and one-fourth miles; thence south five miles; thence east approximately three and one-half miles to U. S. Highway No. 287; thence south seven miles; thence east approximately ten and one-half miles; thence north to U. S. Highway No. 34; thence west on said highway to point of beginning, with return of empty cans;

Transportation, on schedule, of milk to Boulder, Colorado, from points in the territory described as follows: beginning at a point one mile west of Loveland; thence west seven miles; thence south four miles; thence east approximately three and one-fourth miles; thence south five miles; thence east approximately three and one-half miles to U. S. Highway No. 87; thence south seven miles; thence east approximately ten and one-half miles; thence north to U. S. Highway No. 34; thence west of said highway to point of beginning, with return of empty cans;

Transportation of milk from the milk condensery in Johnstown, Colorado, to Denver, Colorado, and to Golden, Colorado, and other points in the Metropolitan Area of Denver, Colorado, together with return of empty cans.

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 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 application 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 application, 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.

O R D E R

THE COMMISSION ORDERS:

That Ben A. Sullivan, Loveland, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1125, with authority as set forth in the Statement preceding, which by reference is made a part hereof, to Lloyd H. Ideker, Denver, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.


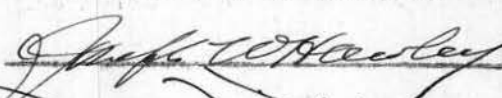
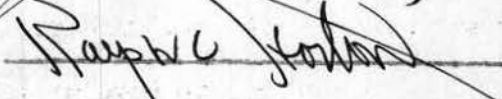

The tariff of rates, rules and regulations of transferor shall become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate up to the time of the transfer of said certificate, and the payment by him or transferee of all unpaid ton-mile tax.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of May, 1951.

ea

(Decision No. 236776)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
PUBLIC SERVICE COMPANY OF COLORADO, A )  
CORPORATION ORGANIZED AND EXISTING )  
UNDER THE LAWS OF THE STATE OF COLORADO, ) APPLICATION NO. 11178  
FOR AN ORDER AUTHORIZING THE ISSUANCE OF )  
274,027 SHARES OF ITS COMMON STOCK. )

-----  
May 23, 1951  
-----

STATEMENT

By the Commission:

Upon consideration of the application filed May 22, 1951,  
by the Public Service Company of Colorado, a Corporation, in the  
above-entitled matter:

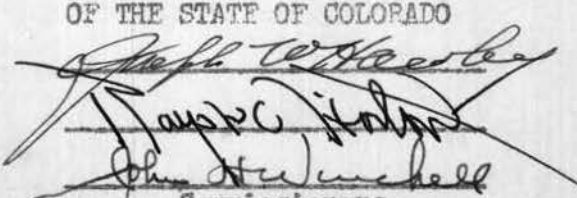
ORDER

THE COMMISSION ORDERS:

That a public hearing be held, commencing on Monday, June 4,  
1951, at 10:00 o'clock A. M., at 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 inter-  
est, may intervene in said proceedings. Intervention petitions should  
be filed with the Commission on or before May 31, 1951, 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

Dated at Denver, Colorado,  
this 23rd day of May, 1951.

  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MARCO CHEMICAL COMPANY, 2001 )  
NORTH GROVE, FORT WORTH, TEXAS. )  
-----)

CASE NO. 57260-INS.  
(Permit No. C-22155)

-----  
May 28, 1951  
-----

S T A T E M E N T

By the Commission:

On May 16, 1951, in Case No. 57260-Ins., the Commission entered an order revoking Permit No. C-22155 for failure to keep on file effective insurance.

Proper insurance is on file and without lapse of coverage. Under the circumstances, order of revocation should be set aside.

F I N D I N G S

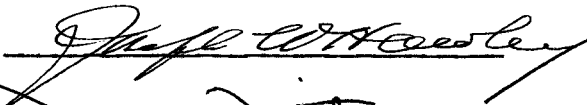
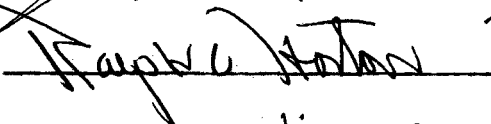
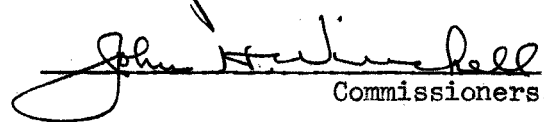
After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 57260-Ins., should be cancelled and set aside, and said Permit No. C-22155 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 57260-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-22155 restored to its former status as of May 16, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of May, 1951.

~~BEFORE~~ THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF	)	
CLIFFORD BURGE, 2961 SOUTH	)	<u>CASE NO. 55862-INS.</u>
CLARKSON STREET, ENGLEWOOD,	)	(Permit No. C-24090)
COLORADO.	)	
-----	)	

-----  
May 28, 1951  
-----

S T A T E M E N T

By the Commission:

On April 11, 1951, in Case No. 55862-Ins., the Commission entered an order revoking Permit No. C-24090 for failure to keep on file effective insurance.

Proper insurance was filed in due time, but not in proper form. However, proper insurance has now been filed and without lapse. Under the circumstances, order of revocation should be set aside.

F I N D I N G S

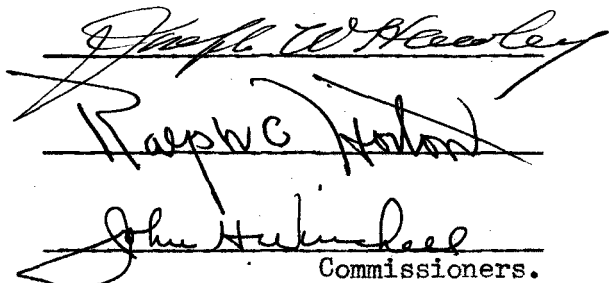
After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 55862-Ins., should be cancelled and set aside, and said Permit No. C-24090 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 55862-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-24090 restored to its former status as of April 11, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )	
EUGENE H. STEWART, 1939 WEST )	CASE NO. 56913-INS.
3RD, DURANGO, COLORADO. )	(Permit No. C-22933)
-----)	

-----  
May 28, 1951  
-----

S T A T E M E N T

By the Commission:

On April 30, 1951, in Case No. 56913-Ins., the Commission entered an order revoking Permit No. C-22933 for failure to keep on file effective insurance.

Proper insurance was on file but through oversight was not posted to this permit. Under the circumstances, order of revocation should be set aside.

F I N D I N G S

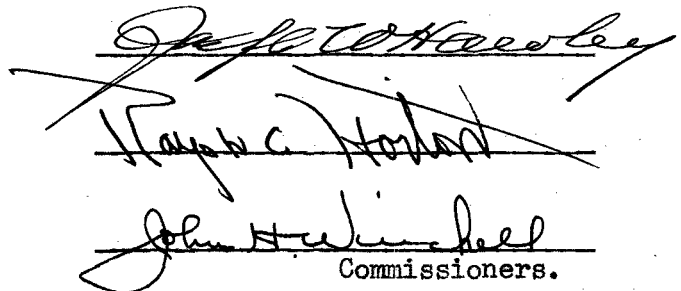
After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 56913-Ins., should be cancelled and set aside, and said Permit No. C-22933 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 56913-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-22933 restored to its former status as of April 30, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of May, 1951.  
ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
K. L. VAN VALKENBURG, 4755 )  
OSCEOLA STREET, DENVER, COLO- ) PERMIT NO. B-4189  
RADO. )  
-----)

-----  
June 4, 1951  
-----

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-4189 be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

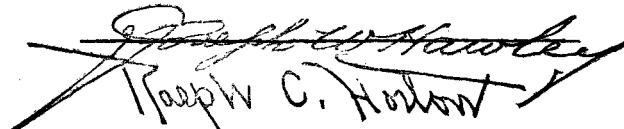
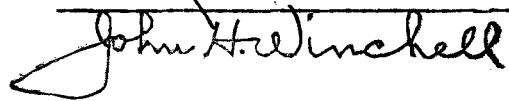
O R D E R

THE COMMISSION ORDERS:

That K. L. Van Valkenburg be, and he is hereby, authorized to suspend his operations under Permit No. B-4189 until November 23, 1951.

That unless said K. L. Van Valkenburg 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 shall, without further action by the Commission, be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
  
\_\_\_\_\_

Commissioners.

Dated at Denver, Colorado,  
this 4th day of June, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
ROCKY MOUNTAIN MOTOR COMPANY, A  
COLORADO CORPORATION, 1730 GLENHURST  
PLACE, DENVER, COLORADO, FOR AUTH-  
ORITY TO TRANSFER A PORTION OF PUC  
NO. 55 TO SAMUEL C. WELKER AND  
MARTHA R. WELKER, DOING BUSINESS AS  
"ROCKY MOUNTAIN FREIGHT LINES,"  
ESTES PARK, COLORADO.

APPLICATION NO. 11128-Transfer

-----  
May 25, 1951  
-----

Appearances: J. G. Hodges, Esq., Denver,  
Colorado, for transferor;  
Barry and Hupp, Esqs., Denver,  
Colorado, by John R. Barry,  
for Transferees;  
A. J. Fregeau, Denver, Colo-  
rado, for Welcker Transfer  
and Storage Company.

S T A T E M E N T

By the Commission:

Rocky Mountain Motor Company, transferor herein, has hereto-  
fore been engaged in the transportation of freight by motor vehicle  
over the following routes:

1. Denver to Estes Park via Longmont, Lyons,  
and either North or South St. Vrain and  
return.
2. Boulder to Estes Park, via Lyons and  
either North or South St. Vrain and return.
3. Loveland to Estes Park and return.
4. Fort Collins to Estes Park and return.
5. Greeley to Estes Park via Loveland and  
return.
6. Estes Park to Drake via North Big Thompson  
and return.
7. Estes Park to Grand Lake and return.



8. Estes Park to Horseshoe Park to Moraine Park, Glacier Basin, Bear Lake, Y.M.C.A. Conference Camp, to Estes Park, in either direction.
9. Grand Lake to Granby and return.
10. Boettcher to Estes Park (sacked cement, only).

By the instant application, said certificate-holder seeks authority to transfer to Samuel C. Welker and Martha R. Welker, co-partners, doing business as "Rocky Mountain Freight Lines," Estes Park, Colorado, a portion of said operating rights, viz., so far as they authorize transportation of freight only (exclusive of passengers, hand baggage, express, mail and newspapers), over the said routes. Transferor does not propose to transfer any portion of operating rights authorizing transportation of passengers, hand baggage, express, mail, and newspapers, it to continue the operation of said transportation service. Transferees propose to serve all intermediate points on said routes, except that no service will be conducted between points intermediate Denver to Longmont, Fort Collins to Loveland, or Greeley to Loveland, and no service will be conducted between points intermediate, Boettcher to Estes Park.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, May 1, 1951, at 9:30 o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

Walter C. Emery, Assistant General Manager of Rocky Mountain Motor Company, identified an Agreement for Purchase, executed by the parties on April 18, 1951 (Exhibit No. 1). By its terms, transferor agrees to sell eight pieces of motor vehicle equipment, other miscellaneous equipment and freight operating rights granted under Decisions Nos. 1001 and 22167, for the sum of Twenty Thousand Dollars (\$20,000.00), payable as follows: a down-payment of \$2,500.00; a payment of \$5,000.00 upon authorization of the transfer by this Commission; a payment of \$2,500.00 on or before September 15, 1951, evidenced by promissory note,

and a payment of \$10,000.00, represented by promissory note, as of date of authorization of the transfer. The purchase price is allocated as follows: \$9,500.00 for motor vehicle equipment; \$500.00 for miscellaneous equipment; \$10,000.00 for the operating rights.

Mr. Emery testified that the net operating loss of the Rocky Mountain Parks Transportation Company Division of Rocky Mountain Motor Company over the period 1941 to 1951 was \$154,020.18, the net loss in 1949 being \$20,786.26, and in 1950, \$17,982.87 (Exhibit No. 2).

The current liabilities of Rocky Mountain Motor Company, as of March 21, 1951, amounted to \$86,765.42 (Exhibit No. 3). The net loss for 1950 on passenger and freight business of Rocky Mountain Parks Transportation Company Division was approximately \$2,000.00. Any charges against the freight operation will be paid promptly in due course of business.

Freight has been handled by transferor at a loss, but transferees reside at Estes Park, which will be a suitable base for their proposed freight operations, and they should be able to conduct such operations at a profit. There are no other carriers operating daily over the territory covered by the authorities to be transferred.

In the event transfer is authorized, transferees will be able to offer better freight service than is presently offered, and transferor will be relieved of the present freight burden, and offer better passenger service.

Samuel C. Welker, one of transferees, identified Exhibit No. 4, a financial statement of transferees, showing a net worth of \$24,241.11, and Exhibit No. 5, a statement of equipment to be used in the freight operation, consisting of eight trucks purchased under the contract, and three additional units now in operation under their Permit No. C-25055. He was of the opinion that there is a definite demand for the proposed freight service on the part of residents of the Estes Park area, in which it will be based, and he expects the operation to be profitable because of additional freight available to a locally-based carrier, a reduction in overhead cost of operation, and the use of trucks to transport freight not now

efficiently transported under their Class "C" permit. Transferees will be the only common carrier offering full and adequate freight service to and from the Estes Park area.

### FINDINGS

#### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

That a new number should be assigned to said transferred operating rights.

That road-tax deposit, insofar as it applies to transferred operating rights, should be credited to account of transferor.

### ORDER

#### THE COMMISSION ORDERS:

That Rocky Mountain Motor Company, Denver, Colorado, should be, and it hereby is, authorized to transfer to Samuel C. Walker and Martha R. Walker, co-partners, doing business as "Rocky Mountain Freight Lines," Estes Park, Colorado, all its right, title, and interest in and to that portion of PUC No. 55 described in the preceding Statement, which by reference is made a part hereof.

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

The right of transferees to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate, and payment by it or transferees of all unpaid ton-mile tax.

That a new number should be assigned to transferees herein covering operating rights herein authorized to be transferred, transferor to retain the number "PUC No. 55."

That road-tax deposit of transferor, insofar as it applies to operating rights herein transferred, should be credited to account

of transferor, transferees to file cash deposit with the Commission covering operating rights hereby acquired by them.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 25th day of May, 1951.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MERLE FRED WIECHMAN, 1133 WEST )  
MULBERRY STREET, FORT COLLINS, ) APPLICATION NO. 11083-PP-Extension  
COLORADO, FOR AUTHORITY TO EXTEND )  
OPERATIONS UNDER PERMIT NO. B-3941. )  
-----)

-----  
May 28, 1951  
-----

Appearances: Merle Fred Wiechman,  
Fort Collins, Colo-  
rado, pro se;  
Earl Harriss, Walden,  
Colorado, for North  
Park Transportation  
Company.

S T A T E M E N T

By the Commission:

By Decision No. 31316, of date September 25, 1948, Merle Fred Wiechman, Fort Collins, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

rough or planed logs from point to point  
within a radius of fifty miles north, west,  
and east of Durango, Colorado.

"Permit No. B-3941" was assigned to the operation.

By the instant application, said permit-holder seeks authority to extend operations under said Permit No. B-3941 to include the right to transport rough logs, finished logs, rough lumber, finished lumber, poles, and props from point to point within a radius of twenty-five miles of Gould, Colorado, and to and from points within said area, to and from all points in the State of Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Greeley, Colorado, April 27, 1951, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.



Applicant testified that his equipment consists of one 1948 Dodge two-ton truck, with pole trailer, and his net worth is \$6,000.00. He has been operating under temporary authority from this Commission. He has been requested to obtain the extended authority to haul commodities named for Paul Bouchman, Don Bouchman, and Fred Bouchman, of Gould, Colorado, who operate a sawmill at North Fork, and Fred Lindquist, who operates a coal and lumber business at Gould, and applicant agreed that his service shall be limited to the four customers named. His principal haul will be lumber to Denver and poles to Cowdrey, Colorado.

Protestant withdrew protest, provided that any authority granted should be limited as above agreed.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That authority sought should be granted, as hereinafter limited.

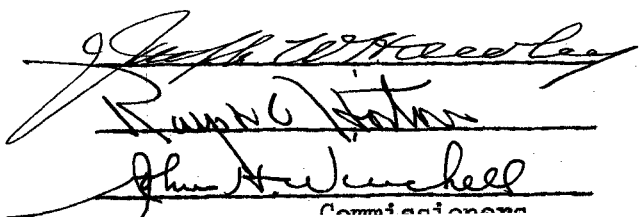
#### O R D E R

##### THE COMMISSION ORDERS:

That Merle Fred Wiechman, Fort Collins, Colorado, should be, and he hereby is, authorized to extend operations under Permit No. B-3941 to include the right to transport rough logs, finished logs, rough lumber, finished lumber, poles, and props, from point to point within a radius of twenty-five miles of Gould, Colorado, and to and from points within said area, from and to all points in the State of Colorado, all service herein authorized to be performed for Paul Bouchman, Don Bouchman, and Fred Bouchman, of Gould, Colorado, and for Fred Lindquist, Gould, Colorado, without the right to add to the number of customers served before approval of the Commission is had and obtained.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 28th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
VERNON L. MILLER, 2414 EAST TENTH )  
STREET, CHEYENNE, WYOMING, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
----- )

APPLICATION NO. 11084-PP.

-----  
May 28, 1951  
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Appearances: Robert F. Stauffer, Esq.,  
Cheyenne, Wyoming, for  
applicant;  
Earl Harriss, Walden, Colo-  
rado, for North Park  
Transportation Company;  
A. J. Fregeau, Denver, Colo-  
rado, for Weicker Trans-  
fer and Storage Company;  
Harold D. Torgan, Esq.,  
Denver, Colorado, for  
Gallagher Transportation  
Company, Duffy Storage  
and Moving Company;  
Floyd A. Henriksen, Denver,  
Colorado, for Denver-  
Loveland Transportation  
Company.

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 building materials between points within a radius of seventy-five miles of Fort Collins, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Greeley, Colorado, April 27, 1951, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

Applicant testified that he is engaged in hauling brick and building materials from Denver, Colorado, to Cheyenne, Wyoming, in inter-state commerce, and has intrastate authority, state-wide, in Wyoming.

His equipment consists of six units, his net worth is approximately \$36,000.00, and his operation has been profitable. His present customers, whom he named, need his service for the occasional delivery of building materials from Denver to Cheyenne, and to Fort Collins area.

Applicant agreed that under any authority granted, the commodities to be transported should be limited to brick and tile, and no service should be authorized in Jackson County, Colorado. Whereupon, Weicker Transfer and Storage Company, Gallagher Transportation Company, and Duffy Storage and Moving Company withdrew their protests.

Floyd A. Henrikson, operator of Denver-Loveland Transportation Company (PUC No. 205), with common carrier authority from Denver to Loveland -- the latter being the only Colorado point served out of Denver -- protested the granting of the authority sought, on the ground that he has hauled between 300,000 and 400,000 pounds of building materials to Loveland in the past two years for one of applicant's Denver customers. His service has been adequate, and would be impaired should applicant be allowed to haul building materials from Denver to Loveland.

The Commission is of the opinion that protestant's objection is well founded, and his present operation should be protected.

#### FINDINGS

##### THE COMMISSION FINDS:

That permit should issue, as limited and restricted by the Order following.

#### ORDER

##### THE COMMISSION ORDERS:

That Vernon L. Miller, Cheyenne, Wyoming, should be, and he is hereby, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of brick and tile between



points within a radius of seventy-five miles of Fort Collins, Colorado, excluding the right to serve in Jackson County, Colorado, and no service shall be performed between Denver and Loveland, Colorado.

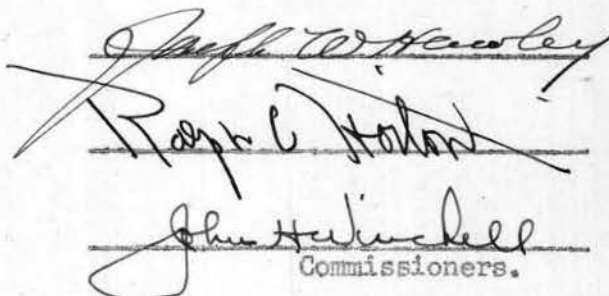
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of May, 1951.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROLAND W. TREXLER, HILL CITY, )  
KANSAS. )  
-----)

CASE NO. 55564-INS.  
(Permit No. C-12986)

-----  
May 28, 1951  
-----

S T A T E M E N T

By the Commission:

On March 22, 1951, in Case No. 55564-Ins., the Commission entered an order revoking Permit No. C-12986 for failure to keep on file effective insurance.

However, a check of the Commission's records shows proper insurance was on file in due time, but through an oversight was not posted to the permit. Under the circumstances, order of revocation should be set aside.

F I N D I N G S

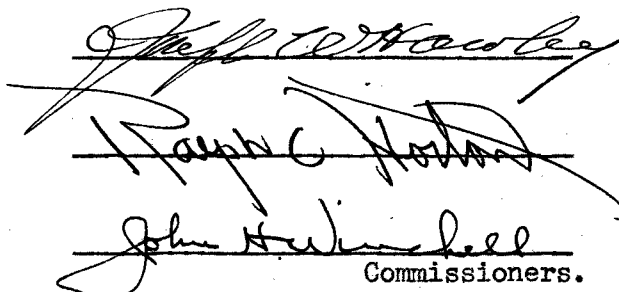
After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 55564-Ins., should be cancelled and set aside, and said Permit No. C-12986 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 55564-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-12986 restored to its former status as of March 22, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF )  
THE ARVADA ELECTRIC COMPANY, A COLORA- )  
DO CORPORATION, FOR AN ORDER AUTHOR- )  
IZING IT TO ISSUE 20,000 SHARES OF )  
COMMON STOCK OF THE PAR VALUE OF )  
\$5.00 PER SHARE IN EXCHANGE FOR )  
2,000 SHARES OF PRESENTLY OUTSTANDING )  
COMMON STOCK WITHOUT PAR VALUE AND TO )  
ISSUE AND SELL 5,000 SHARES OF )  
COMMON STOCK OF THE PAR VALUE OF \$5.00 )  
PER SHARE UPON AMENDMENT OF ITS CERT- )  
IFICATE OF INCORPORATION CHANGING )  
ITS AUTHORIZED COMMON CAPITAL STOCK )  
FROM 2,000 SHARES OF COMMON STOCK )  
WITHOUT PAR VALUE TO 50,000 SHARES OF )  
COMMON STOCK OF THE PAR VALUE OF )  
\$5.00 PER SHARE, AND TO ISSUE )  
\$100,000 PRINCIPAL AMOUNT OF ITS )  
PROMISSORY NOTES. )

APPLICATION NO. 11193-Securities

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May 28, 1951  
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STATEMENT

By the Commission:

Upon consideration of the application filed May 25, 1951, by  
The Arvada Electric Company, a Corporation, in the above-styled matter:

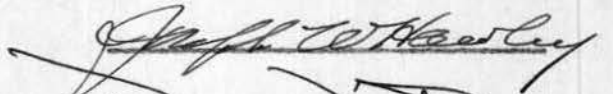
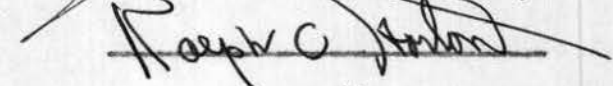
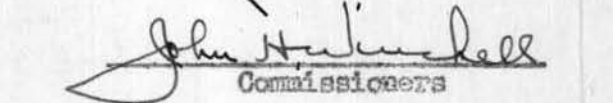
ORDER

THE COMMISSION ORDERS:

That a public hearing be held, commencing on Monday, June 11,  
1951, at 10:00 o'clock A. M., at 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 June 7, 1951, 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

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 28th day of May, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
TOM DIXON, 1109 SOUTH FIRST, )  
CANON CITY, COLORADO. )

PERMIT NO. C-14651

June 7, 1951

S T A T E M E N T

By the Commission:

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

Tom Dixon

requesting that Permit No. C-14651 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-14651, heretofore issued to.....

Tom Dixon

be,

and the same is hereby, declared cancelled effective May 15, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph W. C. Holton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
THOMAS E. SCHROEDER, 122 EWING )  
ROAD, LEADVILLE, COLORADO. )  
)  
)  
)

PERMIT NO. C-17859

June 7, 1951

S T A T E M E N T

By the Commission:

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

Thomas E. Schroeder

requesting that Permit No. C-17859.....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-17859....., heretofore issued to.....

Thomas E. Schroeder.....be,

and the same is hereby, declared cancelled effective May 9, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph W. C. Hobson*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EARL DAVIS, ST. FRANCIS, )  
KANSAS. )

PERMIT NO. C-25043

June 7, 1951

S T A T E M E N T

By the Commission:

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

Earl Davis

requesting that Permit No. C-25043 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-25043, heretofore issued to.....

Earl Davis be,

and the same is hereby, declared cancelled effective May 17, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Harold W. C. Horton*  
*John H. Winchell*

Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1951.  
mis

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JESS MYERS, RIFLE, COLORADO. )

PERMIT NO. C-26166

June 7, 1951

S T A T E M E N T

By the Commission:

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

Jess Myers

requesting that Permit No. C-26166 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-26166, heretofore issued to.....

Jess Myers be,

and the same is hereby, declared cancelled effective May 17, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

9 *Joseph W. Hawley*  
*Ralph W. C. Holton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1951.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WILLIAM E. WADDLE, 110 WEST )  
BELLVIEW, LITTLETON, COLORADO. )  
)  
)  
)

PERMIT NO. C-26336

June 7, 1951

S T A T E M E N T

By the Commission:

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

William E. Waddle

requesting that Permit No. C-26336.....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-26336....., heretofore issued to.....

William E. Waddle.....be,

and the same is hereby, declared cancelled effective April 26, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RICHARD H. BLECHA, STEAMBOAT )  
SPRINGS, COLORADO. )  
 ) PERMIT NO. C-15716  
 )  
 )  
 )

June 7, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Richard H. Blecha  
requesting that Permit No. C-15716 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-15716, heretofore issued to.....  
Richard H. Blecha be,  
and the same is hereby, declared cancelled effective May 10, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ray W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
DEAN COLLINS, GRIMES, IOWA. )

PERMIT NO. C-16887

June 7, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Dean Collins  
requesting that Permit No. C-16887 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-16887, heretofore issued to  
Dean Collins be,  
and the same is hereby, declared cancelled effective May 15, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph W. C. Horton*  
*John H. H. H. H. H.*  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FORDYCE BROWNLEE, 1548 WASHING-) )  
TON, LOVELAND, COLORADO. ) )  
 ) )  
 ) )  
 ) )

PERMIT NO. C-16897

-----  
June 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
-----Fordyce Brownlee-----  
requesting that Permit No. C-16897-----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-16897-----, heretofore issued to-----  
-----Fordyce Brownlee-----be,  
and the same is hereby, declared cancelled effective May 15, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Robert W. Hawley*  
*Harvey C. Holton*  
*John H. Winchell*  
-----  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
D. L. MIKELSON, BOX 224, )  
CASTLE ROCK, COLORADO. )  
 ) PERMIT NO. C-20150  
 )  
 )  
 )

-----  
June 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
D. L. Mikelson.....  
requesting that Permit No. C-20150.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

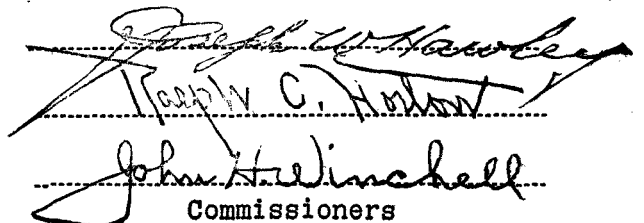
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20150....., heretofore issued to.....  
D. L. Mikelson.....be,  
and the same is hereby, declared cancelled effective May 15, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
J. F. RODRIGUEZ, % AMADEO )  
VIGIL AGENCY, P. O. BOX 317, )  
SAN LUIS, COLORADO. ) PERMIT NO. C-20669  
 )  
 )  
 )  
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-----  
June 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
J. F. Rodriguez-----  
requesting that Permit No. C-20669-----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-20669-----, heretofore issued to-----  
J. F. Rodriguez-----be,  
and the same is hereby, declared cancelled effective May 15, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Robert C. Nelson*  
*John H. Winchell*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 7th day of June, 1951  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FRANK E. & CARL O. EARLEY, )  
LYTLE STAR RANCH, COLORADO )  
SPRINGS, COLORADO. )  
)  
)  
)

PERMIT NO. C-24728

June 7, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Frank E. & Carl O. Earley  
requesting that Permit No. C-24728 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-24728, heretofore issued to  
Frank E. & Carl O. Earley be,  
and the same is hereby, declared cancelled effective May 15, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ray W. C. Norton*  
*John A. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
"M" SYSTEM MANUFACTURING CO., )  
INC., P. O. BOX 471, VICKSBURG, )  
MISSISSIPPI. )

PERMIT NO. C-24878

June 7, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
"M" System Manufacturing Co., Inc.  
requesting that Permit No. C-24878 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-24878, heretofore issued to  
"M" System Manufacturing Co., Inc. be,  
and the same is hereby, declared cancelled effective May 15, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Harold W. C. Norton*  
*John H. Winchell*

Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1951.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JAMES BYKERK, 635 GRANT ST., )  
DENVER 3, COLORADO. )

PERMIT NO. C-25269

June 7, 1951

S T A T E M E N T

By the Commission:

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

James Bykerk

requesting that Permit No. C-25269.....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-25269....., heretofore issued to.....

James Bykerk.....be,

and the same is hereby, declared cancelled effective May 15, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
J. E. HENSELY, GENERAL DELIVERY )  
DERBY, COLORADO. )  
)  
)  
)

PERMIT NO. C-26325

June 7, 1951

S T A T E M E N T

By the Commission:

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

J. E. Hensely

requesting that Permit No. C-26325 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-26325, heretofore issued to.....

J. E. Hensely be,

and the same is hereby, declared cancelled effective April 30, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
F. I. SAUCEDA, DOING BUSINESS )  
AS A-ONE PROVISIONS, 1557 SO. )  
GRANT ST., DENVER 10, COLORADO.) PERMIT NO. C-25146  
)  
)  
-----

-----  
June 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
F. I. Saucedo, dba A-One Provisions  
-----  
requesting that Permit No. C-25146 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-25146, heretofore issued to.....  
F. I. Saucedo, dba A-One Provisions be,  
and the same is hereby, declared cancelled effective May 8, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph C. Norton*  
\_\_\_\_\_  
*John H. Winchell*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WILLIAM SULLIVAN, P. O. BOX )  
745, COLORADO SPRINGS, COLORADO )  
 )  
 )  
 )

PERMIT NO. C-25187

-----  
June 7, 1951  
-----

S T A T E M E N T

By the Commission:

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

William Sullivan

requesting that Permit No. C-25187.....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-25187....., heretofore issued to.....

William Sullivan.....be,

and the same is hereby, declared cancelled effective May 9, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph W. C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EUGENE R. BROWN & THOMAS E. )  
JACKSON, DOING BUSINESS AS )  
BROWN & JACKSON LUMBER CO., ) PERMIT NO. C-25274  
BRECKENRIDGE, COLORADO. )  
)

June 7, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Eugene R. Brown & Thomas E. Jackson, dba Brown & Jackson Lumber Co.  
requesting that Permit No. C-25274.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

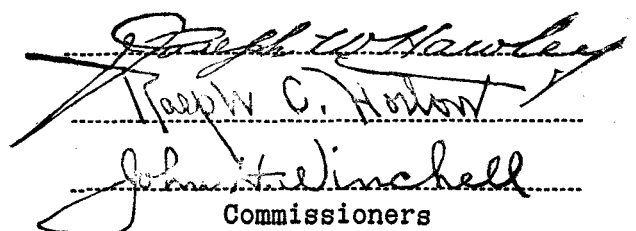
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-25274....., heretofore issued to.....  
Eugene R. Brown & Thomas E. Jackson, dba Brown & Jackson Lumber Co. ....be,  
and the same is hereby, declared cancelled effective May 9, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BUDGET PACK, INC., 3140 E. PICO )  
BLVD., LOS ANGELES, CALIFORNIA.)

PERMIT NO. C-20310

June 7, 1951

S T A T E M E N T

By the Commission:

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

Budget Pack, Inc.

requesting that Permit No. C-20310 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-20310, heretofore issued to.....

Budget Pack, Inc. be,

and the same is hereby, declared cancelled effective May 9, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Boyd W. Hawley*  
*Harold W. C. Nelson*  
*John H. Winchell*

Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
DEL LESTER, BOX 667, DERBY, )  
COLORADO. )

PERMIT NO. C-27077

June 7, 1951

S T A T E M E N T

By the Commission:

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

Del Lester

requesting that Permit No. C-27077 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-27077, heretofore issued to.....

Del Lester be,

and the same is hereby, declared cancelled effective May 9, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Robert C. Holton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MRS. WILLIAM I. EBERSOLE, )  
NEDERLAND, COLORADO. )  
 ) PERMIT NO. C-18974  
 )  
 )  
 )  
-----

-----  
June 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Mrs. William I. Ebersole  
-----  
requesting that Permit No. C-18974.....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-18974....., heretofore issued to.....  
Mrs. William I. Ebersole.....be,  
and the same is hereby, declared cancelled effective April 9, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ray W. C. Holton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of June, 1951.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LEE E. TROUDT, RT. 2, BOX 83, )  
FT. COLLINS, COLORADO. )  
)  
)  
)

PERMIT NO. C-24980

June 7, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Lee E. Troudt

requesting that Permit No. C-24980 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-24980, heretofore issued to.....  
Lee E. Troudt be,

and the same is hereby, declared cancelled effective April 27, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph W. C. Horton*  
*John H. Lincoln*  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1951.  
ms

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LELA MAE EMERSON, SOUTH 10th )  
ST., GRAND JUNCTION, COLORADO )  
)  
)  
)

PERMIT NO. C-1735

June 7, 1951

S T A T E M E N T

By the Commission:

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

Lela Mae Emerson

requesting that Permit No. C-1735 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-1735, heretofore issued to.....

Lela Mae Emerson be,

and the same is hereby, declared cancelled effective May 15, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Haworth*  
*Joseph W. C. H. H. H.*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOHN L. STEWART, 8308 EAST )  
QUIMBY, PARAMOUNT, CALIFORNIA. )  
)  
)  
)

PERMIT NO. C-26909

June 7, 1951

S T A T E M E N T

By the Commission:

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

John L. Stewart

requesting that Permit No. C-26909.....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-26909....., heretofore issued to.....

John L. Stewart.....be,

and the same is hereby, declared cancelled effective May 9, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Robert W. C. Norton*  
*John H. Winchell*

Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ARLIE RUCKMAN, GOLDEN, )  
COLORADO. ) PERMIT NO. C-26334  
 )  
 )  
 )

June 7, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Arlie Ruckman  
requesting that Permit No. C-26334 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-26334, heretofore issued to.....  
Arlie Ruckman be,  
and the same is hereby, declared cancelled effective May 9, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Frederic C. Norton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOE L. HEINEN, BOX 224, AURORA, )  
COLORADO )  
)  
)  
)

PERMIT NO. B-4128

-----  
June 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Joe L. Heinen,  
requesting that Permit No. B-4128 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-4128, heretofore issued to  
Joe L. Heinen, be,  
and the same is hereby, declared cancelled effective April 30, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Harold W. C. Norton*  
*John H. Winchell*

Commissioners

Dated at Denver, Colorado,  
this 7th day of June, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CLARENCE SWAEBY, RR 1, BOX 114, )  
LAFAYETTE, COLORADO. )  
)  
)  
)

PERMIT NO. B-4265.

June 7, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Clarence Swaebly,  
requesting that Permit No. B-4265 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-4265, heretofore issued to  
Clarence Swaebly, be,  
and the same is hereby, declared cancelled effective May 9, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Robert W. C. Anton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of June, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RODNEY NELSON, HIDEAWAY PARK, )  
COLORADO. )  
)  
)  
)

PERMIT NO. B-4069

June 7, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Rodney Nelson,  
requesting that Permit No. B-4069 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-4069, heretofore issued to  
Rodney Nelson, be,  
and the same is hereby, declared cancelled effective May 15, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Harold W. C. Holton*  
*John H. Winchell*

Commissioners

Dated at Denver, Colorado,  
this 7th day of June, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
W. H. RANSON, D/B/A TROPICOOOL )  
PRODUCE CO., 1005 EAST 11th, )  
PUEBLO, COLORADO. )  
----- )

PERMIT NO. B-4259-I

-----  
June 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
W. H. Ranson, d/b/a Tropicool Produce Co.,.....  
requesting that Permit No. B-4259-I.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

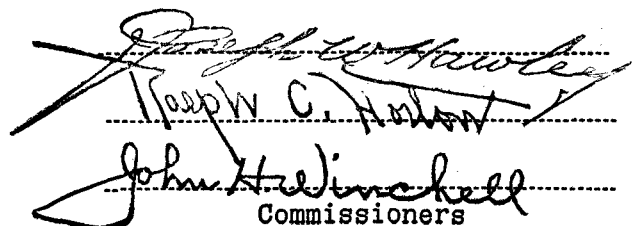
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-4259-I....., heretofore issued to.....  
W. H. Ranson, d/b/a Tropicool Produce Co.,.....be,  
and the same is hereby, declared cancelled effective May 9, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 7th day of June, 1951.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FANNY E. MABE, 909 STARBIRD ST.)  
LONGMONT, COLORADO. )

PERMIT NO. C-9102.

June 7, 1951

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Fanny E. Mabe,  
requesting that Permit No. C-9102 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-9102, heretofore issued to  
Fanny E. Mabe,  
and the same is hereby, declared cancelled effective May 15, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Joseph C. Horton*  
*John H. Winchell*  
Commissioners

Dated at Denver, Colorado,  
this 7th day of June, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FANNY E. MABE, 909 STARBIRD ST.),  
LONGMONT, COLORADO. )

PERMIT NO. B-3641

June 7, 1951

S T A T E M E N T

By the Commission:

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

Fanny E. Mabe,.....

requesting that Permit No. B-3641.....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-3641....., heretofore issued to.....

Fanny E. Mabe,.....be,

and the same is hereby, declared cancelled effective May 15, 1951

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
*Ralph C. Norton*  
*John H. Hinchell*  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LESTER DILLON, d/b/a LES DILLON )  
MOVING & STORAGE, 4th & KANSAS ) PUC NO. 2101-I.  
AVENUE, GARDEN CITY, KANSAS. )  
-----)

-----  
June 7, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Lester Dillon, doing business as "Les Dillon Moving & Storage," requesting that Certificate of Public Convenience and Necessity No. 2101-I be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

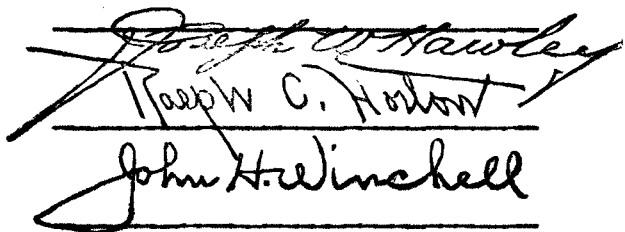
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate No. PUC-2101-I, heretofore issued to Lester Dillon, doing business as "Les Dillon Moving & Storage, 4th & Kansas Avenue, Garden City, Kansas, be, and the same is hereby, declared cancelled, effective May 15, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of June, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
E. E. ECKELS, DOING BUSINESS AS )  
"GREELEY-LONGMONT MOTORWAY," ) PUC NO. 301  
1115 THIRTEENTH STREET, GREELEY, )  
COLORADO. )  
-----)

-----  
May 31, 1951  
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S T A T E M E N T

By the Commission:

By Decision No. 33143, of date August 4, 1949, E. E. Eckels, doing business as "Greeley-Longmont Motorway," Greeley, Colorado, was granted a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for the transportation of:

passengers and their baggage, express and freight between Greeley, Colorado, and Longmont, Colorado, and intermediate points, via Milliken, Johnstown and Mead, Colorado, on schedule.

The Commission is now in receipt of a communication from said certificate-holder, as follows:

"Please eliminate from the authority granted in Decision 33143 dated 8/4/49 the right to transport 'freight.'"

F I N D I N G S

THE COMMISSION FINDS:

That PUC No. 301 should be restricted as requested by the owner thereof.

O R D E R

THE COMMISSION ORDERS:

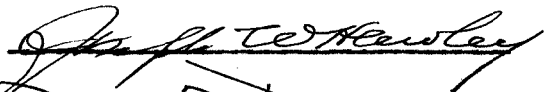
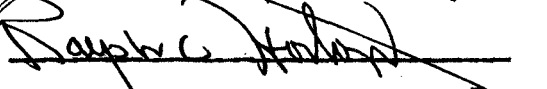

That Decision No. 33143, of date August 4, 1949, should be, and is hereby, amended, by deleting from the Order contained in said decision the word "freight," appearing in the fourth line of the first paragraph of said Order, so that said authority shall, in the future, authorize;

transportation of passengers and their baggage,  
and express, between Greeley, Colorado, and Long-  
mont, Colorado, and intermediate points, via  
Milliken, Johnstown and Mead, Colorado, on schedule.

That, except as herein amended, said Decision No. 33143 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

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 31st day of May, 1951.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EVERARD P. MILLER, JR., AND C. A. )  
PENNINGTON, CO-PARTNERS, DOING )  
BUSINESS AS "EVERGREEN TAXI AND )  
SIGHTSEEING COMPANY," EVERGREEN, )  
COLORADO. )  
-----

PUC NO. 1589

-----  
May 31, 1951  
-----

Appearances: George I. McGee, Esq., Kilgore,  
Texas, for Evergreen Taxi and  
Sightseeing Company.

S T A T E M E N T

By the Commission:

By Decision No. 35307, of date September 8, 1950, the above-  
styled certificate-holders were authorized to suspend operations under PUC  
No. 1589 until June 1, 1951.

The Commission is now in receipt of a request from said certifi-  
cate-holders for authority to further suspend operations under said PUC No.  
1589 until July 1, 1951.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

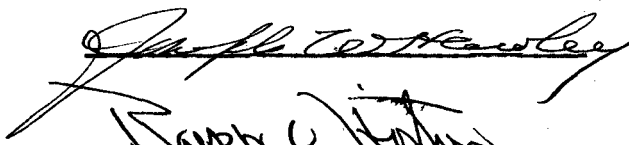
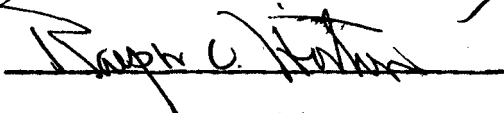
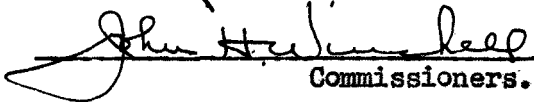
O R D E R

THE COMMISSION ORDERS:

That Everard P. Miller, Jr., and C. A. Pennington, co-partners,  
doing business as "Evergreen Taxi and Sightseeing Company," Evergreen,  
Colorado, should be, and they are hereby, authorized to suspend operations  
under PUC No. 1589 until July 1, 1951.

That unless said certificate-holders 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

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 31st day of May, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
UNION PACIFIC RAILROAD COMPANY FOR  
THE CLOSING OF THE COUNTY ROAD CROSSING  
AT GRADE OVER ITS TRACKS JUST EAST OF  
THE TOWN OF KIT CARSON, COLORADO.

APPLICATION NO. 11115

IN THE MATTER OF THE APPLICATION OF  
THE STATE HIGHWAY DEPARTMENT OF COLO-  
RADO FOR AUTHORITY TO CONSTRUCT HIGH-  
WAY-RAILROAD GRADE CROSSING AND HIGH-  
WAY GRADE CROSSING PROTECTION DEVICES  
LOCATED IN THE TOWN OF KIT CARSON ON  
STATE HIGHWAY NO. 59 IN CHEYENNE COUNTY  
COLORADO, IN THE NE $\frac{1}{4}$  NW $\frac{1}{4}$  SEC. 9, T. 15-S.,  
R. 48-W., OVER THE TRACKS AND RIGHT OF  
WAY OF THE UNION PACIFIC RAILROAD  
COMPANY, APPROXIMATELY 0.55 MILES EAST  
OF MILE POST 488.

APPLICATION NO. 11122

June 1, 1951

Appearances: Ed L. Higbee, Esq., Assistant  
Attorney General, Denver,  
Colorado, for Colorado State  
Highway Department;  
E. G. Knowles, Esq., Denver, Colo-  
rado, and  
C. D. Knowles, Esq., Denver, Colo-  
rado, for Union Pacific Rail-  
road Company;  
Gordon Allott, Esq., Lamar, Colo-  
rado, for protestants Price,  
Cullen and Kunzle;  
Floyd E. Mills, Mayor of the Town  
of Kit Carson, and  
Don Collins, Kit Carson, Colorado,  
for the Town of Kit Carson;  
George M. Hopfenbeck, Denver, Colo-  
rado, for The Colorado Milling  
and Elevator Company;  
Ralph Sargent, Jr., Esq., Denver,  
Colorado, for the Commission.

S T A T E M E N T

By the Commission:

By Decision No. 35916, of date January 11, 1951, in Application  
No. 10728, Union Pacific Railroad Company was permitted to close to vehicular



traffic U. S. Highway No. 287 at the point where it passed under applicant's railroad bridge, approximately seven hundred feet east of Mile Post 488, near Kit Carson, in Cheyenne County, Colorado.

As clearance under the said railroad bridge had not been sufficient to handle the large truck loads using the highway, a by-pass had been constructed, generally designated as a "truck route," branching off of U. S. Highway No. 287 about one mile south of the under-pass, and proceeding in a northeasterly direction, crossing the railroad at grade approximately twenty-two hundred feet east of said under-pass, at a point about midway between the depot and the stockyards at Kit Carson.

By Application No. 11115, filed April 4, 1951, Union Pacific Railroad Company sought permission to close to vehicular traffic this truck route crossing at grade over its tracks, and by Application No. 11122, filed April 18, 1951, the Colorado State Highway Department sought authority to construct a state highway grade crossing, with automatic signal devices, at the same location.

Applications Nos. 11115 and 11122 were set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, May 3, 1951, at ten o'clock A. M., after due notice to all parties in interest, and by agreement were there heard on a consolidated record.

The files and exhibits in Application No. 10728 were made a part of the record, by reference.

It appears from the testimony that U. S. Highway No. 287 is one of the main arteries for north and south-bound traffic between points in Oklahoma, Texas, Colorado, and Wyoming. It meets U. S. Highway No. 40 at Kit Carson, Colorado, and is coincident with U. S. Highway No. 40 from Kit Carson to Denver, a distance of approximately one hundred fifty miles. The bridge-underpass which the Commission permitted the railroad to close by said Decision No. 35916, is about eight hundred feet south along U. S. Highway No. 287 from the junction of said highway and U. S. Highway No. 40. Prior to the closing of said bridge-underpass, there was a very

heavy movement by trucks of oil well equipment, machinery, and general merchandise over U. S. Highway No. 287, in addition to the passenger traffic that used this bridge-underpass.

At the hearing on Application No. 10728, the possibility of re-routing traffic over the overpass on U. S. Highway No. 40, about one thousand feet east of Kit Carson, and also at another point designated as "Station 30" was discussed, and the oral application of the State Highway Department to construct a crossing at grade at Station 30 was denied.

In the instant proceedings a written answer and protest to Application No. 11122 was filed on behalf of L. E. Price, John Cullen, and Ted Kinzie, requesting that Application No. 11122 be dismissed and that the Commission fix a crossing at the underpass heretofore vacated or create a grade crossing at Station 30.

At the hearing, R. M. Jolley, Division Engineer, was called as a witness by the Union Pacific Railroad Company, and he testified that with the closing of the underpass, despite the efforts of the State Highway Department to detour through traffic over the overpass referred to, heavy traffic began and has continued to use the county road grade crossing on the truck route. The use of this crossing has been satisfactory for local traffic in the past, since it gave the people of Kit Carson access to the grain elevator and stockyards on the south side of the railroad tracks, but with the additional traffic now using the truck route crossing, it has lost its status as a local crossing, and, as presently constructed, is entirely unsuitable for the heavy highway through traffic to which it is subjected. There are two railroad tracks to cross at this point — one main line and one passing track — which tracks are on a one-degree curve to the right, and because of this curvature, it has been necessary to elevate the south rail of the main line track more than three inches above the north rail, which results in a very rough vehicular crossing. The view of a motorist coming from the south and approaching the crossing is obscured by gasoline tanks on the east side of the crossing, and by grain elevators on the west side, with the possibility of railroad cars standing on the passing track further limiting the visibility. The witness

further stated that there were seven scheduled trains daily over this crossing, and frequently extra trains. Three of the seven trains are high-speed passenger trains, with a maximum permissible speed of seventy-five miles per hour on this section of the track. The other four scheduled daily trains stop at Kit Carson, and hence their speed would not be as great a factor, since they would either be pulling in to stop at the depot or starting out from the depot. The number of extra trains varies considerably throughout the year, with the heaviest usage of the track occurring during the harvest season.

Witness Jolley, speaking for the Union Pacific Railroad Company, claimed that this crossing should be closed in the interests of the public safety, and that both local and through traffic should be routed to use the existing overpass east of the depot. On cross-examination, however, Witness Jolley did admit that this crossing, with the installation of proper signal devices, could be made reasonably safe under the circumstances. The witness admitted that the closing of this grade crossing would cause a slight inconvenience to local patrons of the grain elevators and stockyards at Kit Carson, but felt that in the interests of the public safety, the crossing should be closed. The railroad company had received a proposal from the State Highway Department, asking that the railroad company agree to bear ten percent of the cost of installation of flashing light signals and gate arms, in the event the application of the State Highway Department to establish and protect this crossing should be granted by the Commission. That proposed agreement has not been signed by the railroad company, however, as it prefers to have the crossing closed to further vehicular traffic.

Ernest L. King, Assistant to the Planning Engineer of the State Highway Department, testified that the Highway Department proposes by its application, if granted, to provide for a standard timber grade crossing, and the installation of flashing light signals, supplemented by automatic short-arm gates and reflectorized advance warning signs. If the crossing is authorized, the automatic signal protection devices and their installation will be in conformance with the specifications adopted by the Commission.



Mr. King further testified that no estimate as to the cost of the installation is available, since the major portion of the work on the installation and furnishing of the safety signal devices is ordinarily performed by the railroad, and no estimates have been made, in view of the fact that the railroad has refused to sign the proposed agreement.

A traffic count was made on State Highway No. 59 (which is the designation of U. S. Highway No. 287 from Kit Carson south to the Colorado-Oklahoma State Line). It revealed an average annual count of 1050 vehicles per day over this highway in both directions, with predominance of travel to the west. If the traffic refuses to use the overpass east of Kit Carson, the Highway Department estimates that the traffic count over the proposed grade crossing on the truck route would be approximately the same as shown by the actual count above referred to.

A survey of the sight distances at the proposed crossing was made by the State Highway Department, and it was determined that from a point three hundred feet south of the intersection of the highway and the railroad, it is possible to see a distance of six hundred feet along the track in the southeast quadrant, and a distance of four hundred feet in the southwest quadrant. From a point measured from the same highway-railroad intersection, but three hundred feet north of the proposed crossing, it is possible to see fifteen hundred feet along the tracks in the northeast quadrant, and thirteen hundred feet in the northwest quadrant. All the above-mentioned sight distances are measured from the intersection of the highway with the railroad.

At the hearing, testimony was offered in support of the request in the answer and protest, to Application No. 11122, filed by L. E. Price, John Cullin, and Ted Kunzie, that Application No. 11122 be dismissed and that the Commission fix a crossing at the underpass heretofore vacated or create a grade crossing at Station 30. The Commission is now reluctant to give much weight to such testimony insofar as it applies to a request to reopen the underpass or establish a crossing at Station 30. By Decision No. 35916, the Commission ordered said underpass closed and at the same time denied the oral

application of the Highway Department to construct a grade crossing at Station 30. E. E. Price participated in that proceeding and his testimony was given full consideration. Application for rehearing was made by the Highway Department, but as it was apparent to the Commission that no new evidence was available, the application for rehearing was denied.

Moreover, there is no application before the Commission in this proceeding by a proper municipality, county, or state authority requesting a public crossing at Station 30 or requesting the reopening of the underpass. The Commission, however, has considered such testimony of these protestants as it bears on the feasibility of the establishment of an adequate safe crossing at the truck route crossing as sought in Application No. 11122 now before this Commission.

By the present applications, the Commission is confined to a determination as to whether or not a grade crossing should be constructed at the point designated in Application No. 11122, and, if authorized, to the type of crossing protection to be provided and the proration of costs between the interested parties.

There is always a certain element of danger in any railroad crossing, and experience has shown that, where feasible, the best manner in which to cross a railroad is by means of a grade separation. However, it is not always possible to prescribe a grade separation, and so it then becomes necessary to determine the next best type of grade crossing. In the testimony presented by the State Highway Department it was stated that the department had no plans for a grade separation at this particular location in the foreseeable future because it has assumed that the highway traffic would probably not be of sufficient importance to warrant it. We believe that there is a need for a crossing at this particular location. If this crossing were to be closed, as the railroad proposes, there is no doubt in our minds but that another application would be made by either the Highway Department or the County Commissioners to open a crossing at another location. It is not denied that if the crossing were located at some other point, this grade crossing would still be used by local people to get to the grain elevator,

and the railroad in its testimony stated it would like to provide a means of access to patrons using the elevator. If this were to happen, the present situation will not have bettered itself since we again would have a crossing without adequate protection, with all the dangers incident thereto. By providing a grade crossing at this particular location with the best possible means of safety protection, not only have the needs of the local people been taken care of, but through traffic is protected.

Upon full consideration of the evidence before us, it appears that there are three possible methods of crossing the railroad in the vicinity of Kit Carson. The first is by means of the overpass east of the depot; the second is by means of a grade crossing at "Station 30," west of the town, and the third is by means of the proposed grade crossing on the truck route, leading from the south directly into the town. The State Highway Department has frowned upon the use of the overpass by through traffic, for the reason that it would require a round-about route of a mile or more from a point south of Kit Carson to the town itself. As between the two grade crossings, the Commission deems most feasible the one on the route generally used by local traffic to the grain elevators and stockyards (and which will continue to be used, irrespective of our decision). This crossing can be reasonably protected for vehicular traffic by installing a standard timber grade crossing and grade crossing protection devices, consisting of automatic short-arm gates and flasher lights with standard reflectorized advance warning signs, in accordance with the specifications as prescribed by this Commission in Case No. 4903.

The State Highway Department, after a careful study over a period of several months, has decided on this crossing as the most feasible, has filed its Application No. 11122 for the approval by the Commission of its installation and protection, and has supported the same by ample engineering testimony. It is also supported by the Mayor and Town Council of the Town of Kit Carson. The Commission feels that with the proposed crossing properly protected, the present hazardous crossing at the same point will be eliminated, and the convenience of the traveling public will be properly served.



The Commission feels that it should support the proposal of the State Highway Department by permitting and authorizing the construction and protection of this crossing, and that in view of the benefits in the way of increased safety and speedy movement of traffic, the construction of said railroad-highway crossing would be in the public interest.

### FINDINGS

#### THE COMMISSION FINDS:

That the above Statement be made a part hereof by reference.

That the application of Union Pacific Railroad Company should be denied, and that the application of the Colorado State Highway Department should be granted.

### ORDER

#### THE COMMISSION ORDERS:

That the application of Union Pacific Railroad Company to close the road crossing at grade over its tracks just east of the Town of Kit Carson, Colorado, be, and it is hereby, denied.

That the request of L. E. Price, John Cullen, and Ted Kunzie that the Commission fix a crossing at the underpass heretofore vacated or create a grade crossing at Station 30 be, and it is hereby, denied.

That the application of the Colorado State Highway Department for authority to construct highway-railroad grade crossing and highway-railroad grade crossing protection devices located in the Town of Kit Carson, Colorado, on State Highway No. 59 in Cheyenne County, Colorado, in the NE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 9, Township 15-South, Range 48-West, over the tracks and right of way of the Union Pacific Railroad Company, approximately 0.55 miles east of Mile Post 486, be granted, subject to the following provisions:

1. That the Colorado State Highway Department prepare and submit to the Union Pacific Railroad Company for its signature, an agreement pertaining to the construction and installation of a standard timber grade crossing and grade crossing protection devices, consisting of automatic short-arm gates and flasher lights and reflectorized advance warning signs to be installed in conformance with the specifications as prescribed by this Commission in Case No. 4903.

2. That the allocation of total costs shall be 90% to the Colorado State Highway Department and 10% to the Union Pacific Railroad Company, and that after the installation of said crossing and crossing devices, the Union Pacific Railroad Company shall maintain same.

3. That an executed copy of the above agreement shall be filed with this Commission within thirty (30) days from the date hereof.

4. That the Colorado State Highway Department shall provide and install standard reflectorized advance warning signs on both sides of the crossing.


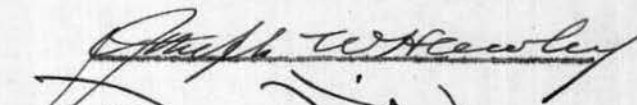
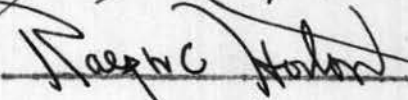
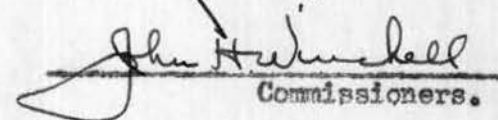
5. That Union Pacific Railroad Company shall so install the automatic signals mentioned above in such a manner as to provide complete protection against any and all train movements which may occur on either the main line or the passing track, and that if it becomes necessary to cut a waiting train on either track, the signals shall be so connected as to provide complete protection for motorists against any train movements in either direction on the remaining track.

6. That said agreement between Union Pacific Railroad Company and the Colorado State Highway Department be entered into with reasonable dispatch in order that the work on this crossing may be started as soon as possible.

That the Commission retains jurisdiction over these proceedings to the end that it may make such further order, or orders, in the premises as to it may seem to be proper and desirable.

This order shall become effective twenty-one days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 1st day of June, 1951.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BURTON J. THOMPSON, DOING )  
BUSINESS AS "GLASCO TRUCKING )  
CO.," GLASCO, KANSAS. ) PERMIT NO. C-27248  
)  
)  
)  
-----

-----  
June 11, 1951  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
.....Burton J. Thompson, dba "Glasco Trucking Co."  
.....  
requesting that Permit No. C-27248.....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-27248....., heretofore issued to.....  
.....Burton J. Thompson, dba "Glasco Trucking Co.".....be,  
and the same is hereby, declared cancelled effective May 31, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
\_\_\_\_\_  
*Harold W. C. Horton*  
\_\_\_\_\_  
*John H. Winchell*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 11th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

PROSPECTIVE CUSTOMERS OF FRONTIER  
POWER COMPANY, TRINIDAD, COLORADO,  
RESIDENTS OF THE LUDLOW-GULNARE-  
SOUTHERN HUERFANO COUNTY AREA,

Complainants,

vs.

FRONTIER POWER COMPANY, TRINIDAD,  
COLORADO,

Defendant.

CASE NO. 5024  
SUPPLEMENTAL ORDER

-----  
May 31, 1951  
-----

Appearances: Lee, Bryans, Kelly and Stans-  
field, Esqs., Denver, Colo-  
rado, by  
William Bryans, III, and  
Paul M. Brown, President, Frontier  
Power Company, Trinidad, Colo-  
rado, for Frontier Power Com-  
pany;  
John Masch, Gulnare, Colorado,  
for Complainants;  
Leo Altman, Esq., Pueblo, Colo-  
rado, for San Isabel Electric  
Association, Inc.;  
Ralph Sargent, Jr., Esq.,  
Denver, Colorado, for the  
Commission.

STATEMENT

By the Commission:

On May 23, 1951, the Commission entered Decision No. 36755 in  
the above-styled case.

"Application for Extension of Time within which to Petition  
for Rehearing" has been filed with the Commission by Defendant herein,  
by Lee, Bryans, Kelly and Stansfield, Esqs.

In said petition, it is stated that extension of time for  
filing petition for rehearing in said case is requested for the reason

that counsel for defendant will be absent from the State until on or about June 15, 1951, and defendant requests that time for filing such petition for rehearing be extended to July 1, 1951.

FINDINGS

THE COMMISSION FINDS:

That said request should be granted.


ORDER

THE COMMISSION ORDERS:

That time within which to file petitions for rehearing in the above-styled matter should be, and the same is hereby, extended until July 1, 1951.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



*Joseph T. Newberry*  
*Harold C. Johnston*  
*John H. Winkler*  
Commissioners

Dated at Denver, Colorado,  
this 31st day of May, 1951.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF  
UNION PACIFIC RAILROAD COMPANY FOR  
RETIREMENT AND REMOVAL OF A PASSENGER  
SHELTER ON THE FORT COLLINS  
BRANCH OF SAID UNION PACIFIC RAILROAD  
COMPANY, IN LARIMER COUNTY,  
COLORADO.

APPLICATION NO. 11152

June 1, 1951

STATEMENT

By the Commission:

On May 3, 1951, Union Pacific Railroad Company, by its attorney, E. G. Knowles, filed its petition, requesting authority to retire and remove a passenger shelter at Harmony, Larimer County, Colorado, effective June 1, 1951.

Harmony, Colorado, is a flag stop located approximately six miles southeast of Fort Collins, on the Fort Collins Branch of the Union Pacific Railroad Company that serves from Denver to LaSalle to Fort Collins, Colorado. Service is by means of a mixed passenger train that is scheduled to pass Harmony daily at 10:27 A. M., northbound, and at 3:40 P. M., southbound.

According to the instant application, a passenger shelter house measuring eight feet by sixteen feet is maintained by the Union Pacific Railroad Company at Harmony, Colorado. However, since it is no longer used, request is made by the company to retire and remove this shelter.

The Commission has caused this request to be investigated by a member of its staff, and it is found that the other facilities at Harmony consist of a passing track with an industry spur that serves a grain elevator, stockyard and beet dump that are all subject to only seasonal

use. There is also a section house installation adjacent to the beet dump area. The territory served by the railroad is a grazing and highly cultivated farm region, with a net-work of surfaced and well-graded roads that provide easy access to this locality.

Under the Rules and Regulations of the Commission Pertaining to Railroads, proper notice to the public of the retirement and removal of this shelter was posted thereon at Harmony, Colorado, on April 25, 1951. No replies have been received by the Commission from anyone protesting the proposed action. The files of the Commission do not indicate anyone who would desire to be heard in opposition to the granting of the authority sought; therefore, 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 authority sought in the instant application should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That the above Statement and Findings be made a part hereof.


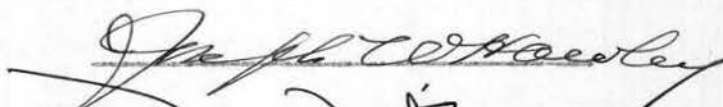
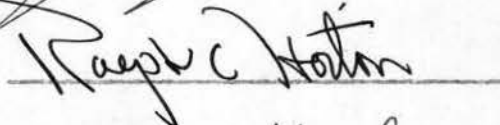
That on or after June 1, 1951, Union Pacific Railroad Company be, and it hereby is, authorized to retire and remove its wooden passenger shelter at Harmony, Larimer County, Colorado, since public convenience and necessity no longer require the maintenance of this facility.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Dated at Denver, Colorado,  
this 1st day of June, 1951.

EW

  
  
  
Commissioners



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF  
THE ATCHISON, TOPEKA AND SANTA FE  
RAILWAY COMPANY TO INSTALL AUTOMATIC  
SIGNAL CROSSING PROTECTION AT COUNTY  
ROAD CROSSING AT GANN, DOUGLAS  
COUNTY, COLORADO.

APPLICATION NO. 11160

June 4, 1951.

STATEMENT

By the Commission:

On May 15, 1951, The Atchison, Topeka and Santa Fe Railway Company, by its attorneys, Grant, Shafroth and Toll, filed an application with the Commission seeking authority for the construction of improved automatic signal crossing protection at the crossing of applicant's tracks and the County road at Gann, Douglas County, Colorado.

Attached to the instant application is a map, marked Exhibit "A", to show the situation at the crossing. The County road involved herein, runs generally east and west, between U. S. Highway 85-87 on the east and the Louviers explosives plant of the DuPont Company on the west. The tracks of The Atchison, Topeka and Santa Fe Railway Company run generally north and south and parallel with U. S. Highway 85-87, the center line of tracks being 81 feet west of the highway center line. The County road grade crossing is made at Railway Mile Post 716 plus 1778 feet over the railway tracks and right of way at the settlement known as Gann, Colorado. Also shown on this exhibit is the location of the present signal with an indication of the location of the proposed signals.

The installation of the proposed flashing light signals, with one on each side of the tracks, will replace a single old type wig-wag and bell signal now situated on the west side of the tracks as shown on Exhibit

"A." In addition to a bell, the new crossing signals will be complete with reflectorized crossing signs and illuminated "STOP" signs. The proposed installation is to conform with Commission specifications and with the standards of the Association of American Railroads' Joint Committee on Grade Crossing Protection.

As stated in the application, an average of 16 passenger trains and 17 freight trains pass over this crossing each 24-hour day. The daily average vehicular traffic consists of 141 automobiles, 58 trucks and 4 school buses. Investigation has revealed that 60 miles per hour is the maximum speed limit for trains over this crossing. It was also found that in the vehicular count of 58 trucks per day over the crossing, an average of 3 per day are trucks of 5 ton or more capacity that haul explosives from the DuPont plant. Many smaller loads of explosives are also taken from the plant over this crossing each day. The other automobile traffic is made up largely of workers going to and from the plant which is operated on a two-shift basis from 8:00 A. M. to midnight every day.

Estimated cost of this improvement is \$2,885.00, all of which will be paid for by the applicant. Applicant will also maintain the new signals after they have been installed.

The Board of County Commissioners of Douglas County, Colorado, has given its approval to the proposed installation in the form of a resolution adopted May 1, 1951, a copy of which appears as Exhibit "B" and attached to the instant application.

It appearing that no public utilities or adjacent property owners will be adversely affected by the proposed improvement, and as all other matters required by the Commission's rules have been complied with, 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 public safety, convenience and necessity require the im-

provement of existing grade crossing protection through the installation, operation and maintenance of automatic flashing light signals at the County Road crossing at Cann, Douglas County, Colorado, described in the application.

O R D E R


THE COMMISSION ORDERS:

That the installation of improved automatic flashing light signal protection at the grade crossing where the County Road crosses over the tracks and right of way of The Atchison, Topeka and Santa Fe Railway Company at Mile Post 716 plus 1778 feet located at the settlement of Cann, Douglas County, Colorado, is hereby authorized.

That the work to be done, installation and maintenance of the proposed automatic flashing light signals shall be as indicated in the preceding Statement, said Statement, and Exhibits "A" and "B" as attached to the instant application, all, by reference, being made a part hereof.

That this order shall become effective twenty-one days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



*Joseph C. Wrenn*  
*Ralph C. Holm*  
*John H. Kinsell*  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of June, 1951.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
GREELEY GAS COMPANY, GREELEY, COLO-  
RADO, FOR A CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY TO EXER-  
CISE FRANCHISE RIGHTS IN THE TOWN  
OF AULT, COUNTY OF WELD, STATE OF  
COLORADO, AND THE ENVIRONS AND  
FRINGE AREA OF SAID TOWN, FOR THE  
PURCHASE, MANUFACTURE, GENERATION,  
TRANSMISSION, DISTRIBUTION AND SALE  
OF ARTIFICIAL AND NATURAL GAS, OR  
EITHER THEREOF.

APPLICATION NO. 8393--Amended.

June 4, 1951

Appearances: B. E. Jack, Vice-President,  
Greeley Gas Company,  
for applicant;  
J. M. McNulty, Denver, Colo-  
rado, for the Commission.

S T A T E M E N T

By the Commission:

On April 28, 1947, Greeley Gas Company filed an application with this Commission for a preliminary order to serve inhabitants of the Town of Ault with gas service pending the granting of a franchise by said town to the Company to perform said service.

The matter was set for hearing, and heard, by the Commission on May 7, 1947, at the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, after due notice to all interested parties, and at the conclusion of the hearing, the matter was taken under advisement.

The preliminary order was never issued and the matter has been dormant from that time until April 9, 1951, when Greeley Gas Company filed an Amended Application to serve the Town of Ault under a franchise which the Company had obtained in the meantime from the town.

The Amended Application was set for hearing, and heard, on May 17, 1951, at the Commission's Hearing Room, 330 State Office Building,

Denver, Colorado, after due notice to all interested parties, and then taken under advisement.

The testimony at the hearing disclosed that the original preliminary order of the Commission had been withheld -- apparently with the consent of all parties -- until such time as the company procured a franchise from the town.

On July 6, 1948, Greeley Gas Company obtained a franchise from the Town of Ault, authorizing said company, its successors and assigns, to construct, maintain and operate a plant or plants, and works, for the purchase, manufacture, generation, transmission, distribution and sale of artificial and natural gas, or either thereof, within the corporate limits of the Town of Ault, said franchise being Ordinance No. 107, a copy of which is attached to the instant application as Exhibit No. "C" and by reference, made a part hereof. The franchise is for a period of twenty-five years from and after its passage. Proof of publication, and written acceptance by the company of the terms of the franchise were also filed as a part of the application herein. Applicant, in addition to exercising the franchise rights obtained by Ordinance No. 107, also proposes to serve the inhabitants in the environs and fringe area of said Town of Ault.

Greeley Gas Company is a corporation duly organized and existing under the laws of the State of Colorado, with authority to do business in said state, and its Articles of Incorporation, together with all Amendments thereto, have heretofore been filed with this Commission.

Applicant is a public utility and has been serving gas to divers towns situated, for the most part, in Weld County, Colorado. Applicant is financially able to perform the service requested in the instant application, and applicant's annual report for the Year 1950, and for several years previous, are now on file with the Commission.

Further testimony at the hearing revealed that the company proposes to spend \$16,000.00 initially in the construction of the gas

distribution system in Ault, and to spend approximately \$1,000.00 a year for the next two years, and approximately \$500.00 a year for each year thereafter. Based on the above figures, the fee for issuance of the certificate sought herein will be based on the amount of \$24,000.00, which figure will not be binding upon the Commission in any subsequent investigation where valuation may be an issue.

Applicant proposes to odorize all gas in its distribution system prior to delivery to its customers. There is no other utility engaged in the business of distributing and selling gas in the Town of Ault or its vicinity, and no one appeared at the hearing in opposition to the granting of the authority sought.

### FINDINGS

#### THE COMMISSION FINDS:

That the above Statement, by reference, should be made a part of these Findings, and that public convenience and necessity require the granting of the authority sought.

### ORDER

#### THE COMMISSION ORDERS:

That future public convenience and necessity require, and will require, the furnishing of gas, either natural, artificial or mixed, for domestic, commercial or industrial uses, and the sale thereof for heating, cooking, or for other purposes for which gas is ordinarily used, to and among present and future inhabitants of the Town of Ault, Weld County, Colorado, and to residents in the environs and fringe area of said town by applicant, Greeley Gas Company, a Colorado corporation, and the exercise by it of the franchise rights granted by the Board of Trustees of the Town of Ault, in and by Ordinance No. 107 attached to the application herein as Exhibit No. "C" 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.


That the figure \$24,000.00, estimated by applicant to be spent in the construction of the gas distribution system proposed herein shall be used as the basis for the charge for the issuance of the certificate sought herein, but said figure shall not be binding upon the Commission in any subsequent investigation where valuation may be an issue.

That applicant shall odorize all gas in its distribution mains prior to delivery to its customers.

That applicant shall install, operate and maintain its gas distribution system and supply service in the area heretofore designated in accordance with rate schedules, rules and regulations, and service connection and main extension policy as are now or hereafter in effect and on file with the Commission; its books and accounts shall be maintained in agreement with the Uniform Classification of Accounts; its practices as to testing, consumers' deposits and operations, records of meters and complaints, shall be in compliance with the Commission's requirements.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



*Joseph C. Heston*  
*Ralph C. Heston*  
*John H. Winchell*  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of June, 1951.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
THE STATE HIGHWAY DEPARTMENT OF COLO-  
RADO FOR AUTHORITY TO RELOCATE RAIL-  
ROAD GRADE CROSSING LOCATED 3.97 MILES  
SOUTH OF BRAGDON, COLORADO, ON COUNTY  
ROAD ENTERING STATE HIGHWAY NO. 1, IN  
PUEBLO COUNTY, COLORADO, IN THE SW $\frac{1}{4}$   
SECTION 36, T. 29 S., R. 65 W., AND  
THE NW $\frac{1}{4}$  SECTION 1, T. 29 S., R. 65 W.,  
DENVER AND RIO GRANDE WESTERN RAILROAD  
COMPANY, AT MILE POST 112.49.

APPLICATION NO. 11116

June 4, 1951

Appearances: E. L. Higbee, Esq., Assistant Attorney  
General, Denver, Colorado, and  
Ernest L. King, Assistant to the Survey  
and Plans Engineer, Colorado State  
Highway Department, Denver, Colorado,  
for applicant;  
J. M. McNulty, Denver, Colorado, for  
the Commission.

S T A T E M E N T

By the Commission:

On April 10, 1951, The State Highway Department of Colorado, by its Engineer, Mark U. Watrous, filed an application with this Commission, seeking authority to relocate a highway-railroad grade crossing over the tracks and right of way of the Denver and Rio Grande Western Railroad Company at its Mile Post 112.49, being approximately 3.97 miles south of Bragdon, in Pueblo County, Colorado.

The files of the Commission indicate that copies of the above-mentioned application were forwarded to the Pueblo County Board of Commissioners and the adjacent property owners. In response thereto, the Board of Commissioners have indicated that they "have no objection to the change being made at that point." The property owners also replied to the effect

that there was "no objection to the crossing as proposed in the Application, and hereby waive the right to receive notice of hearing relative to this crossing."

The matter was set for hearing, ex parte, on Thursday, May 17, 1951, at 10:00 A. M., in the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, and after appropriate notice to the State Highway Department, was there heard by the Commission and taken under advisement.

Testimony at the hearing disclosed that the State Highway Department is engaged in an improvement project on Colorado State Highway No. 1 in Pueblo County, consisting of grading, construction of new drainage structures and certain access and frontage roads known as Colorado Project F I 002-2 (13) Bragdon-Pueblo. In connection with this project and indicated on Exhibit "B" of the instant application, is the relocation of a county road along the common east-west section line between Sec. 36, T. 19-S, R. 65-W, and Sec. 1, T. 20-S, R. 65-W., where a properly granted right-of-way and a better alignment is available for the county road. The present county road, as it now enters State Highway No. 1, is located on private land in the NW $\frac{1}{4}$  of Sec. 1, T. 20-S, R. 65-W., and crosses the tracks of the Denver and Rio Grande Railroad Company approximately 175 feet east of the highway.

As proposed in the instant application, the new road will be located about 103 feet north of its present location, thereby resulting in the abandonment of the present road and grade crossing and the construction of a new railroad grade crossing. Concurrence of the railroad company in the construction of the new crossing is indicated in Exhibit "C". Also, the estimated cost is \$787.00, which is to be paid solely by the Highway Department.

Further testimony indicated that vehicular traffic over the proposed crossing will be at a minimum since only local residents are served. Speeds will be moderate because of nearness of the turn from the State highway and necessity to stop in order to enter the highway. Rail traffic consists of 9 scheduled trains per day, and maximum operating speed of 70 miles

per hour is permitted in this territory. Separation of the highway and railroad grades at this crossing is not practicable due to the small number of vehicular movements and the high cost of such separation.

The proposed construction will be in accordance with the Commission's specification and will consist of a standard timber grade crossing with two standard reflectorized cross-bucks and reflectorized advance warning signs.

Testimony further indicated that visibility for a motorist will not be impaired by the new construction, and in view of the limited usage, the proposed protection will be adequate. The railroad company will maintain the crossing and cross-bucks at its expense in accordance with existing agreements.

### FINDINGS

#### THE COMMISSION FINDS:

That the public safety, convenience and necessity require the construction of a new highway grade crossing, together with the necessary abandonments, all as set forth in the preceding Statement, said Statement, by reference, being made a part hereof.

### ORDER

#### THE COMMISSION ORDERS:

That the Colorado State Highway Department be, and it is hereby, authorized to construct a highway-railroad grade crossing on County Road entering State Highway No. 1 in Pueblo County, Colorado, in the SW $\frac{1}{4}$  Sec. 36, T. 19-S, R. 65-W, and the NW $\frac{1}{4}$  Sec. 1, T. 20-S, R. 65-W., being at Mile Post 112.49 of the Denver and Rio Grande Western Railroad.

That signal protection at the crossing shall consist of two reflectorized type standard cross-bucks with appropriate reflectorized advance warning signs, all of which shall be installed in conformance with the Bulletin of the Association of American Railroad Joint Committee on Railroad Protection.

That the files of the Commission in this application, the above Statement, Exhibits "A", "B" and "C", all by reference, be made a part hereof.

This order shall become effective twenty-one days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



Joseph C. McCoolley  
Ralph G. Johns  
John H. H. H. H.  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of June, 1951.  
mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
THE STATE HIGHWAY DEPARTMENT OF  
COLORADO FOR AUTHORITY TO CONSTRUCT  
VIADUCTS FOR GRADE SEPARATION ON  
THE DENVER-BOULDER TURNPIKE IN JEFF-  
ERSON COUNTY, COLORADO, IN THE  
NE $\frac{1}{4}$  SE $\frac{1}{4}$  OF SECTION 11, T. 2-S,  
R. 69-W., OVER THE TRACKS AND RIGHT  
OF WAY OF THE COLORADO AND SOUTHERN  
RAILWAY COMPANY, AT MILE POST 12.42.

APPLICATION NO. 11127

June 5, 1951

Appearances: E. L. Higbee, Esq.,  
Assistant Attorney  
General, Denver,  
Colorado, and  
Ernest L. King, Assistant  
to the Surveys and Plans  
Engineer, Colorado State  
Highway Department, Denver,  
Colorado, for applicant;  
J. C. Strest, Esq., Denver,  
Colorado, for Colorado and  
Southern Railway Company;  
George G. Priest, Esq., Golden,  
Colorado, Conservator for the  
Estate of Anna Agrinsek;  
J. M. McNulty, Denver, Colorado,  
for the Commission.

STATEMENT

By the Commission:

On April 23, 1951, the Colorado State Highway Department,  
by Mark U. Watrous, State Highway Engineer, filed an application with  
this Commission, seeking authority to construct highway grade separation  
structures over the tracks and right of way of the Colorado and Southern  
Railway Company Railroad at Mile Post 12.42.

The matter was set for hearing on May 17, 1951, at 10:00 A. M.,  
in the Commission's Hearing Room, 330 State Office Building, Denver, Colo-  
rado, after appropriate notice to all interested parties, including the  
owners of adjacent property, and was there heard by the Commission and  
taken under advisement.

Testimony at the hearing disclosed that the State Highway Department is engaged in the construction of a new toll highway between Boulder and Denver, in Jefferson, Boulder and Adams Counties, known as Colorado Project T 170-1 (5) Denver-Boulder Turnpike. The turnpike construction is for the creation of a limited access, through-travel high-speed road, and the crossing of a main line railroad trackage by such a turnpike demands a grade separation structure. Construction at various points of the turnpike is already under way, and completion of the project by fall of this year is expected.

Presented at the hearing by the Railroad Company, and accepted as Exhibit No. 1, was a copy of an Agreement made on March 30, 1951, between the State of Colorado by the State Highway Department and the Colorado and Southern Railway Company, pertaining to the construction of two highway viaducts over a main track and across the property of the Railway Company at M. P. 12.42, being approximately 1½ miles southeast of Broomfield in Jefferson County, Colorado.

The proposed construction will consist of two viaducts, each to be 234 feet between the end abutments and 34 feet wide overall, including handrails. Concrete piers placed over wood piling will support steel columns; steel girders and concrete paving will provide a 30-foot wide roadway on each structure. The two structures will be 10 feet apart, thereby providing 4 lanes for the directional separation of traffic. Appropriate guard rail protection is to be provided at the ends of each structure, according to plans on file with the Highway Department. At the hearing, it was shown that the best design methods, standards and policies of such agencies as the American Association of State Highway Officials and the United States Bureau of Public Roads Administration have been incorporated in this project.

Since this is a new road, no vehicular count is available; however, it is estimated that a total of 7,500 vehicles per day in both directions will use the road. It is further estimated that vehicular traffic can and probably will travel in excess of 60 miles per hour in this locality.

Rail traffic will average 16 trains per day at approximately 60 miles per hour maximum speed.

It was shown that since a grade separation allows no exposure of vehicular traffic to rail traffic, there can be no contact and that maximum protection is thus provided. Estimated cost of the viaduct structures is \$118,622.00, all of which will be paid by the State Highway Department.

At the hearing, it was verified that a minimum vertical clearance would be provided of 24'7 $\frac{1}{2}$ " from the lowest rail to the blast plate protecting the viaduct girders. Adequate side clearances for rail traffic have been provided. Other design details have been studied and accepted by the Railroad Company, as evidenced by its approval of the above mentioned Exhibit No. 1.

No adjacent property owners appeared at the hearing, and the files of the Commission do not show any objections to the proposed construction.

### FINDINGS

#### THE COMMISSION FINDS:

That the public safety, convenience and necessity require the construction, installation and maintenance of adequate highway overcrossing structures over the tracks and right of way of the Colorado and Southern Railway Company at its Mile Post 12.42 in Jefferson County, Colorado.

### ORDER

#### THE COMMISSION ORDERS:


That the Colorado State Highway Department be, and it hereby is, authorized to construct two highway overpass viaduct-type structures over the tracks and right of way of the Colorado and Southern Railway Company, said structures to be located at Railroad Mile Post 12.42 in the NE $\frac{1}{4}$ , SE $\frac{1}{4}$  of Section 11, T. 2-S, R. 69-W, Jefferson County, Colorado.

That the work to be done, method of payment and maintenance shall be in accordance with the Agreement between the State of Colorado and the Colorado and Southern Railway Company, marked Exhibit No. 1 at the hearing.

That said Exhibit No. 1, and accompanying Exhibits "A" and  
"B" and the preceding Statement, all by reference, are made a part hereof.

That this Order shall become effective as of this day and date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
*Ralph C. Hahn*  
*John H. Winchell*  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of June, 1951.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
OLIVER WALKER AND CHARLES SHEHORN,  
DOING BUSINESS AS "WALKER-SHEHORN  
TRUCK LINES," 726 WEST KANSAS AVENUE,  
TRINIDAD, COLORADO, TO EXTEND CER-  
TIFICATE OF PUBLIC CONVENIENCE AND  
NECESSITY NOS. 641 and 641-I.

APPLICATION NO. 11078-Extension

SUPPLEMENTAL ORDER

June 5, 1951

Appearances: Barry and Hupp, Esqs., Denver,  
Colorado, for applicants;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer and  
Storage Company;  
R. M. Jackson, Rocky Ford, Colorado,  
for Jackson Transfer and Storage  
Company;  
George Wright, Rocky Ford, Colorado,  
for Law Motor Lines;  
Grant, Shafroth and Toll, Esqs.,  
Denver, Colorado, for The Atchison,  
Topeka and Santa Fe Railway Company  
and The Santa Fe Trail Transportation  
Company.

S T A T E M E N T

By the Commission:

On May 25, 1951, the Commission, by Decision No. 36774, extended the authority under Certificate of Public Convenience and Necessity No. 641 and 641-I.

The Commission has just been informed by Mr. A. J. Fregeau, of Weicker Transfer and Storage Company, that a restriction in the line-haul service consented to by applicant was not incorporated in the order, and a re-examination of the record discloses that this is true. Mr. Fregeau asks that our order in Decision No. 36774 be modified to contain said restriction. Said restriction not included was the elimination of service between Trinidad

and Rocky Ford and Swink, Colorado.

It would seem that no useful purpose would be served by setting said matter for formal hearing, and that the request should be granted.

### FINDINGS

#### THE COMMISSION FINDS:

That following the word "La Junta" and before the words "in competition" in the eighth line of the first paragraph of the Order, the following words should be added: "Trinidad and Rocky Ford and Swink."

### ORDER

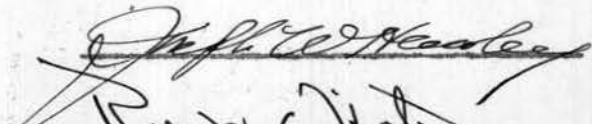
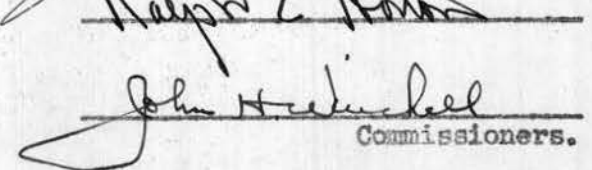
#### THE COMMISSION ORDERS:

That our Order in Decision No. 36774, dated May 25, 1951, be, and the same is hereby amended nunc pro tunc by inserting the words "Trinidad and Rocky Ford and Swink" following the word "La Junta" and before the words "in competition" in the eighth line of the Order, so that the authority granted for extended service will read as follows:

That public convenience and necessity require the proposed extended service of Oliver Walker and Charles Shehorn, doing business as "Walker-Shehorn Truck Lines," of 726 West Kansas Avenue, Trinidad, Colorado, operating under Certificate of Public Convenience and Necessity No. 641, to include the transportation in line-haul service of freight and express from Trinidad, Colorado, to Rocky Ford, Colorado, via La Junta, and return via State Highway No. 71 as an alternate route, excluding service between Rocky Ford and La Junta, Trinidad and Rocky Ford and Swink, in competition with Weicker Transfer and Storage Company; livestock and farm products from all points within a 50-mile radius of Thatcher, Colorado, to all points in the State of Colorado, and from all points in the State of Colorado, to all points within said 50-mile radius of Thatcher, Colorado, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That said Decision No. 36774, in all other respects, shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
EMPIRE DELIVERY SERVICE, INC., P. O.  
BOX 755, DENVER 1, COLORADO, FOR AN  
EXTENSION OF CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY NO. 2129.

APPLICATION NO. 11142-Extension

June 5, 1951

Appearances: Robert J. Flynn, Esq.,  
Denver, Colorado, for  
applicant;  
A. J. Fregeau, Denver,  
Colorado, for Weicker  
Transfer and Storage  
Company;  
T. A. White, Esq., Denver,  
Colorado, and  
R. E. Turano, Denver, Colo-  
rado, for Rio Grande Motor  
Way, Inc.;  
John H. Lewis, Esq., Denver,  
Colorado, for Denver-Colorado  
Springs-Pueblo Motor Way, and  
Gallagher Transfer Company.

S T A T E M E N T

By the Commission:

On March 12, 1951, the applicant herein filed application for an extension of Certificate of Public Convenience and Necessity No. 2129, for the transportation of newspapers only between Denver, Colorado Springs, Pueblo, Walsenburg and Trinidad, Colorado, and between Trinidad, Colorado, and the Colorado-New Mexico State Line, on U. S. Highway No. 85, south of Trinidad, as a common carrier by motor vehicle for hire.

The matter was regularly set for hearing, and heard, at 330 State Office Building, Denver, Colorado, on May 18, 1951, and at the conclusion of the hearing, the matter was taken under advisement.

William Clary, the manager of Empire Delivery Service, Inc., the applicant herein, stated his company desires to deliver the Denver Post and Rocky Mountain News to all points asked for in the application; that his company is presently delivering the papers on the above-described route



under the certificate of Globe Transfer and Storage Company; that he finds the leasing of said certificate is not profitable and desires to operate under his own certificate of public convenience and necessity. He states that applicant is a Colorado corporation and a copy of its Articles of Incorporation is presently on file with this Commission; that his company has the necessary equipment and motor vehicles to operate and maintain the proposed extended authority, so that his company may give service required by public convenience and necessity. He states that at the present time there is no common carrier serving said points transporting newspapers exclusively; that the only other common carriers are bus companies for the transportation of passengers who do not specialize in the transportation of newspapers. The witness further contends that it will only take one piece of equipment on scheduled service to maintain his schedule and to take care of the transportation of the newspapers offered; that his company has been requested by the Denver Post to institute this service.

Leslie E. Griffith, who is in the Circulation Department of the Post Publishing Company, states that he requested the service of applicant for this business; that his company needs a common carrier service between Denver and the New Mexico State Line via U. S. Highway No. 85, said service to include all intermediate points; that the Post Publishing Company has used all means of transportation, including railroads, buses and private carriers, but has not found their service adequate to take care of their needs; that his company has used the services of Empire Delivery Service, Inc., in the transportation of newspapers to the Western Slope and has found its service satisfactory; that they have made schedules to fit their particular needs and the witness is here asking that the application of Empire Delivery Service, Inc., be granted.

Emmett Rackley, Assistant General Manager of Gallagher Transfer Company, protested the granting of the instant application, stating his company was giving a similar service under a private carrier permit, viz.



A-464, and if the Commission grants this certificate, it would interfere with and injure the service they are now rendering; that they are presently delivering papers for the Rocky Mountain News and have some deliveries on the Denver Post.

Ralph Berndt, General Manager of the Denver-Colorado Springs-Pueblo Motor Way, who operates a bus line over U. S. No. 85, also protested the granting of the application now before the Commission. The witness states they are presently running three schedules between Denver and Trinidad, and he feels they are able to handle newspaper deliveries to that territory. On cross-examination, however, the witness admitted that they published a tariff for the hauling of newspapers, but primarily were not interested in that type of business.

In considering the instant application, the only common carrier service with which applicant would compete would be the service of the Denver-Colorado Springs-Pueblo Motor Way, who are not primarily interested in the transportation of newspapers. We do not understand from the evidence before us that the service offered by the bus company is adequate to take care of the needs of the daily newspapers of Denver. In fact, as it was stated in the evidence, a newspaper that is not delivered promptly is of no value. It takes an immediate delivery or the value of the paper to its subscribers becomes of little or no value. Applicant's proposed service is a service to take care of the transportation of newspapers only and is designed and scheduled to give subscribers prompt and efficient service. True, Gallagher Transfer Company does maintain a similar service to points south of Denver, but they are operating under a private carrier permit and under our law do not have the right to protest to protect their operation. It therefore appears that the Commission has no other alternative under the evidence and the record as made at the hearing, but to grant the instant application.

### FINDINGS

#### THE COMMISSION FINDS:

That public convenience and necessity require the granting of

the instant application for an extension of Certificate of Public Convenience and Necessity No. 2129.

ORDER

THE COMMISSION ORDERS:

That public convenience and necessity require the extended motor vehicle common carrier service of Empire Delivery Service, Inc., P. O. Box 755, Denver 1, Colorado, for the transportation, on schedule, of newspapers only between Denver, Colorado Springs, Pueblo, Walsenburg and Trinidad, Colorado, and between Trinidad, Colorado, and the Colorado-New Mexico State Line on U. S. Highway No. 85, south of Trinidad, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.


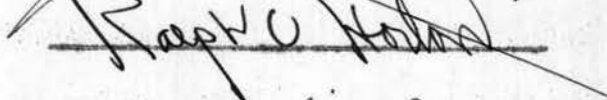
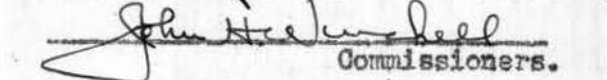
That applicant shall file tariffs of rates, rules and regulations and time and distance schedules as required by the rules and regulations of this Commission within twenty days from date.

That applicant shall operate its 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.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of June, 1951.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MAYHEW MACHINERY AND SUPPLY )  
COMPANY, 2713 CANTON, DALLAS, )  
TEXAS. )  
----- )

CASE NO. 56172-R  
(Permit No. C-26473)

-----  
June 5, 1951  
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S T A T E M E N T

By the Commission:

On April 13, 1951, in the above-styled case, the Commission entered an order revoking Permit No. C-26473 for failure to file road tax reports for the period from November 1, 1950 to February 28, 1951.

Said delinquent road tax reports have now been filed with the Commission and order of revocation should be set aside.

F I N D I N G S

THE COMMISSION FINDS:

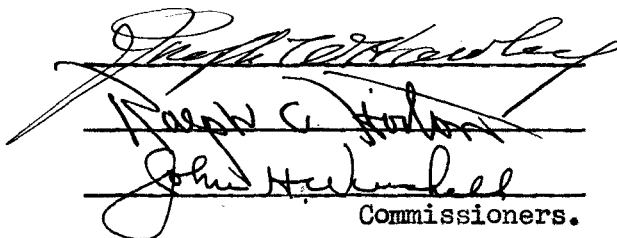
That said order of revocation should be set aside, vacated, and held for naught.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-26473 be, and the same hereby is, reinstated, as of April 13, 1951, revocation order entered in the above-captioned case under date of April 13, 1951, being hereby set aside, cancelled and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GEORGE A. FEOLA, 1325 WEST 4th )  
AVENUE "A", DENVER 11, COLORADO. )  
-----

PERMIT NO. B-4034

-----  
June 14, 1951  
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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-4034 be suspended for six months from June 1, 1951.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

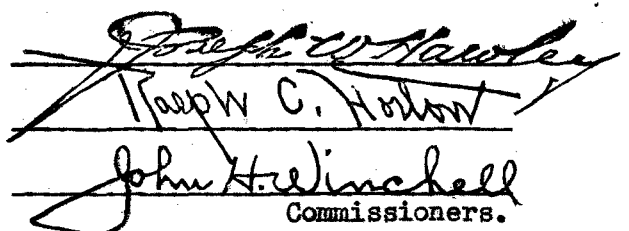
O R D E R

THE COMMISSION ORDERS:

That George A. Feola be, and he is hereby, authorized to suspend his operations under Permit No. B-4034 until December 1, 1951.

That unless said George A. Feola 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

  
Commissioners.

Dated at Denver, Colorado,  
this 14th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CARL ALVIS, ROUTE 2, 7700 EAST ILIFF )  
STREET, DENVER, COLORADO, FOR A CLASS )  
"B" PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 11179-PP

-----  
June 5, 1951  
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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 road surfacing materials from pits and supply points in the State of Colorado to road and building construction jobs within a radius of 50 miles of said pits and supply points, excluding service in Clear Creek, Gilpin and Boulder Counties with the exception of hauling in Boulder County on the Boulder Toll Road Project; coal from mines in the northern Colorado coal fields to Denver, Colorado.

Said application was regularly set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, June 1, 1951, at ten 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 files were made a part of the record, and the matter was taken under advisement.

No one appeared in opposition to the granting of the authority sought, and it did not appear that the granting of said permit, and operations by applicant thereunder, will tend to impair the efficiency of any common carrier service with which he will compete.

## F I N D I N G S

### THE COMMISSION FINDS:

That the instant application should be granted.

## O R D E R

### THE COMMISSION ORDERS:

That Carl Alvis, Route 2, 7700 East Iliff Street, Denver, Colorado, should 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 road surfacing materials from pits and supply points in the State of Colorado to road and building construction jobs within a radius of 50 miles of said pits and supply points, excluding service in Clear Creek, Gilpin and Boulder Counties with the exception of hauling in Boulder County on the Boulder Toll Road Project; coal from mines in the northern Colorado coal fields to Denver, Colorado.

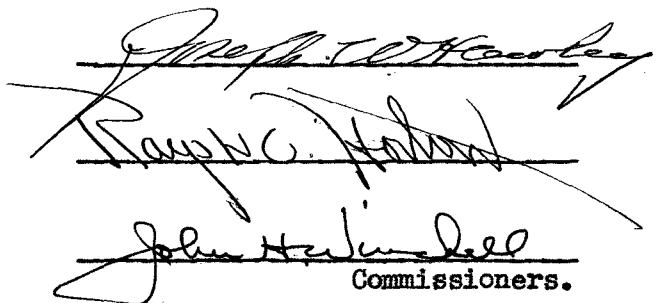
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 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-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
GEORGE A. SUMNER, DOING BUSINESS AS  
"NELSON TRUCK LINE," 6100 ASU POST  
COMP., CAMP ROBERTS, CALIFORNIA,  
FOR AUTHORITY TO TRANSFER PUC NO.  
1758 TO KENNETH TRENBERTH, DOING  
BUSINESS AS "CLEAR CREEK TRANSPOR-  
TATION CO.," IDAHO SPRINGS, COLORADO.

APPLICATION NO. 11215-Transfer

June 5, 1951

S T A T E M E N T

By the Commission:

Pursuant to authority contained in Decision No. 31359, of date October 5, 1948, George A. Sumner, doing business as "Nelson Truck Line," Idaho Springs, Colorado, acquired from George A. Sumner and Frank Brown, co-partners, doing business as "Nelson Truck Line," Idaho Springs, Colorado, certain operating rights, viz.:

transportation of commodities, generally, from point to point within a five-mile radius of Empire, Colorado, and between points and places in said area, on the one hand, and, on the other, points in the State of Colorado, subject to conditions contained in Decisions Nos. 2338 and 29161,

said operating rights being designated "PUC No. 1758."

By Decision No. 36554, of date May 4, 1951, said certificate-holder was authorized to suspend operations under said PUC No. 1758 until October 23, 1951.

By the instant application, said George A. Sumner, doing business as "Nelson Truck Line," seeks authority to transfer PUC No. 1758 to Kenneth Trenberth, doing business as "Clear Creek Transportation Co.," Idaho 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 ton-mile tax deposit is to be refunded to transferor; 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 operating rights, the Commission determined to hear, and has heard, said application, forthwith, without formal notice, upon the records and files herein.

### FINDINGS

#### THE COMMISSION FINDS:

That PUC No. 1758 should be reinstated.

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 PUC No. 1758 should be, and the same hereby is, reinstated, as of this date.

That George A. Sumner, doing business as "Nelson Truck Line," should be, and he is hereby, authorized to transfer all his right, title, and interest in and to PUC No. 1758 -- being the operating rights acquired by him pursuant to authority contained in Decision No. 31359 -- to Kenneth Trenberth, doing business as "Clear Creek Transportation Co.," Idaho Springs, Colorado, subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

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.




The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate up to the time of the transfer of said certificate, and the payment by him or transferee of all unpaid ton-mile tax.

That ton-mile tax deposit of transferor shall be refunded to him.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



Joseph W. MacFarland  
Ralph C. Horton  
John H. Winchell  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of June, 1951.

es

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GORDON MARTIN, 645 SOUTH QUIT- )  
MAN STREET, DENVER, COLORADO. )  
-----) )

PERMIT NO. B-1776

-----  
June 4, 1951  
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S T A T E M E N T

By the Commission:

By Decision No. 35800, of date December 26, 1950, Gordon Martin, Denver, Colorado, was authorized to suspend operations under Permit No. B-1776 until June 5, 1951.

The Commission is now in receipt of a communication from said permit-holder, as follows:

"Please continue suspension of B-1776 to July 1, 1951, instead of June 5, 1951."

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

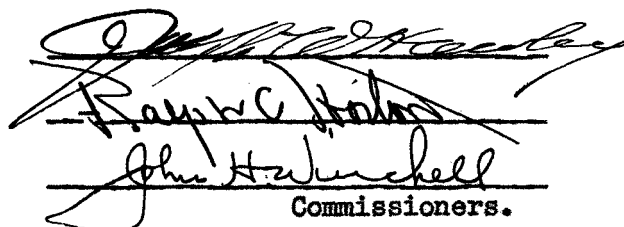
O R D E R

THE COMMISSION ORDERS:

That Gordon Martin, Denver, Colorado, should be, and he is hereby, authorized to further suspend operations under Permit No. B-1776 until July 1, 1951.

That unless said Gordon Martin 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 stand revoked, without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of June, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
THE DENVER AND RIO GRANDE WESTERN )	
RAILROAD COMPANY TO CLOSE ITS STATION )	
AT CLIFTON, COLORADO, FROM NOVEMBER )	APPLICATION NO. 11143
FIRST TO JUNE 30TH OF EACH YEAR IN- )	
STEAD OF FROM DECEMBER FIRST TO )	
JUNE 30TH OF EACH YEAR AS AT PRESENT. )	
----- )	

-----  
June 5, 1951  
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S T A T E M E N T

By the Commission:

On April 30, 1951, The Denver and Rio Grande Western Railroad Company, by its attorneys, filed an application with this Commission, seeking authority to make certain changes in the annual operating schedule of its station at Clifton, Mesa County, Colorado. Said schedule has been approved from year to year by letter of the Commission.

Clifton is located 5½ miles west of Palisade and 7 miles east of Grant Junction, Colorado, on the main line of the Rio Grande Railroad. Practically all of the business at this station consists of car-lot fruit shipments and is handled during the perishable shipping season between July 1st and October 31st of each year. For many years past, it has been the experience of the Railroad Company that very little business is handled during the remainder of the year. During the month of November, 1950, when an agent was maintained at the station, there were no carload shipments forwarded from Clifton and only one carload was received. During this same month, the less-than-carload shipments were handled directly to the consignees in Clifton by Rio Grande Motor Way, Inc., for a revenue of \$19.35. Request is therefore being made to advance the closing date as a non-agency station from December 1st to November 1st each year.

The files of the Commission indicate that over the past years, dating back to 1942, there has been developed between the Railroad Company and its customers in Clifton, a mutual understanding as to the operation of this station from the standpoint of economy and convenience during the slack season. The service of the above-mentioned licensed motor carrier over good roads is available for local needs when this station is closed, and since the larger shippers have offices in Grand Junction, they prefer to do their business from that point during the period from November 1st to June 30th.

In this application, it is the intent of the Railroad Company to maintain the services of an agent at Clifton during the shipping season or from July 1st through October 31st of each year. Request is made for authority to maintain the facility as a non-agency station from November 1st through June 30th, being the period known as the "slack season" each year.

Under the Commission's Rules and Regulations Pertaining to Railroads, proper notice of the requested change was posted May 1, 1951, on the Bulletin Board at the Clifton Station. Pursuant to the Commission's Rules, there was provided in said notice a statement to the effect that any person desiring to protest the proposed change should file a written protest with the Commission at least ten days prior to June 1, 1951. For further public information, the Commission forwarded a copy of the instant application to the General Chairman of the Order of Railroad Telegraphers. The files of the Commission show that no written protests were received regarding this matter; so the Commission determined to hear, and has heard, said matter, forthwith, without further notice, upon the records and files herein.

### FINDINGS

#### THE COMMISSION FINDS:

That the authority sought in the instant application should be granted, and the above Statement is made a part hereof by reference.

O R D E R

THE COMMISSION ORDERS:


That The Denver and Rio Grande Western Railroad Company be, and it hereby is, authorized to maintain its station at Clifton, Mesa County, Colorado, as a non-agency station from November 1st to June 30th of each year.

That the establishment of this change of service shall be made effective on notice to this Commission and the general public by not less than one (1) day's filing and posting of new schedules in the manner prescribed in Section 16 of the Public Utilities Act of the State of Colorado.

That reference shall be made to this decision in the tariff schedules applicable to this service as authority for such action.

This order shall become effective on the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



*Joseph W. McCool*  
*Harold C. Hobson*  
*John H. Williams*  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of June, 1951.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
SOUTHWESTERN TRANSPORTATION COMPANY, )  
115 NORTH FOURTH STREET, CANON CITY, )  
COLORADO, FOR AUTHORITY TO TRANSFER )  
A PORTION OF OPERATING RIGHTS UNDER )  
PUC NO. 268 TO RIO GRANDE MOTOR WAY, )  
INC., 1531 STOUT STREET, DENVER, )  
COLORADO. )

APPLICATION NO. 11158-Transfer

IN THE MATTER OF THE APPLICATION OF )  
SOUTHWESTERN TRANSPORTATION COMPANY, )  
115 NORTH FOURTH STREET, CANON CITY, )  
COLORADO, FOR AUTHORITY TO TRANSFER )  
PERMIT NO. A-716 TO RIO GRANDE MOTOR )  
WAY, INC., 1531 STOUT STREET, DEN- )  
VER, COLORADO. )

APPLICATION NO. 11159-PP-Transfer

June 6, 1951

Appearances: Stanley Blunt, Canon City,  
Colorado, for Transferor;  
T. A. White, Esq., Denver,  
Colorado, for Transferee;  
A. J. Fregeau, Denver, Colo-  
rado, for Weicker Transfer  
and Storage Company.

STATEMENT

By the Commission:

Southwestern Transportation Company is a Colorado corporation,  
authorized to and engaging in the transportation of property, by motor  
vehicle, pursuant to certificates of public convenience and necessity  
issued by this Commission under PUC No. 268, and under Private Carrier  
Permit No. A-716.

By Application No. 11158, filed May 8, 1951, said certificate-  
holder seeks authority to transfer to Rio Grande Motor Way, Inc., a  
Colorado corporation, all of its present authority under said PUC No.  
268, except that part of its authority granted under Application No. 1892.

By Application No. 11159-PP, filed May 9, 1951, said permit-holder seeks authority to transfer Private Carrier Permit No. A-716 to the same transferee.

Said applications, pursuant to prior setting, after appropriate notice to all parties in interest, were heard on a consolidated record, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, May 25, 1951, and at the conclusion of the evidence, were taken under advisement.

T. M. Davis, President and General Manager of transferee corporation, identified Agreement of Sale, entered into between said parties on January 18, 1951 (Exhibit A). By its terms, the purchase price of the certificate is \$25,000.00, and of the permit, \$3,000.00, all being payable upon approval of transfers by this Commission. The consummation of the transaction will give transferee additional authority which can economically be integrated with its present authority under PUC No. 149. Balance Sheet of transferee (Exhibit B), shows earned surplus of \$354,382.06.

Stanley Blunt, President and principal stockholder of Southwestern Transportation Company, testified that the contract referred to has been approved by the Board of Directors and the stockholders of his corporation. One reason for the transfer is the fact that the company must vacate its Denver terminal on June 9, 1951, as its location is to be used as a part of the Valley Highway. Because of the small size of his company, it cannot handle Denver traffic efficiently, and would anticipate trouble over labor contracts, and it is more interested in the call and demand service to be retained -- especially in the transportation of household goods and heavy equipment -- and can give better service to its customers at Canon City, which has always been the base of his operations. Southwestern Transportation Company will act as agent for Rio Grande Motor Way in its pickup and delivery service at Canon City. There is no outstanding indebtedness against the operations being transferred, except such as will be paid promptly during the usual course of business.

## FINDINGS

### THE COMMISSION FINDS:

That the proposed transfers are compatible with the public interest, and should be authorized, subject to payment of outstanding indebtedness.

## ORDER

### THE COMMISSION ORDERS:

That Southwestern Transportation Company, Canon City, Colorado, should be, and it hereby is, authorized to transfer all its right, title, and interest in and to PUC No. 268 -- with the exception of operating rights granted under Application No. 1892 -- to Rio Grande Motor Way, Inc., Denver, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said operating rights so transferred shall be consolidated with, become a part of, and be operated under, PUC No. 149, the number "PUC 268" to be retained by transferor herein.

That ton-mile tax deposit of transferor shall be retained by him, under PUC No. 268.

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.

The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate, and payment by it or transferee of all unpaid ton-mile tax.

That Southwestern Transportation Company, Canon City, Colorado, should be, and it hereby is, authorized to transfer all its right, title, and interest in and to Permit No. A-716 to Rio Grande Motor Way, Inc., Denver, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That ton-mile tax deposit of transferor under said Permit No. A-716 shall be transferred and credited to his account under PUC No. 268.

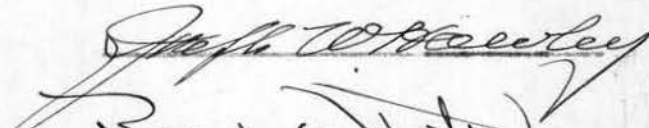
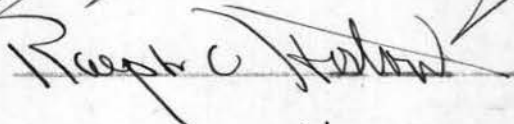
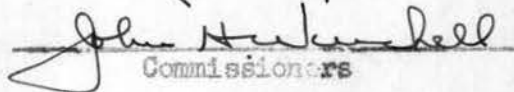


The right of transferee to operate under this order shall depend upon compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering operations under said permit up to the time of transfer of said permit, and payment by it or transferee of all unpaid ton-mile tax.

This order is made a part of the permit authorized to be transferred.

This order shall become effective June 9, 1951.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 6th day of June, 1951.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF  
MARSHAL JUNIEL, 2527 TREMONT PLACE,  
DENVER, COLORADO, FOR AUTHORITY TO  
TRANSFER PERMIT NO. B-4164 TO  
ORVILLE SPRINGS, 2444 HIGH STREET,  
DENVER, COLORADO.

APPLICATION NO. 11216-PP-Transfer

June 6, 1951

STATEMENT

By the Commission:

By Decision No. 34615, of date April 18, 1950, Marshal Juniel, Denver, Colorado, was 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; coal from mines in the northern Colorado coal fields to Denver, Colorado,

said operating rights being known as "Permit No. B-4164."

By the instant application, said permit-holder seeks authority to transfer Permit No. B-4164 to Orville Springs, 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 application 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 Marshal Juniell, Denver, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-4164 — being the operating rights granted him by Decision No. 34615 — to Orville Springs, Denver, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

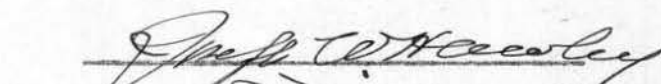

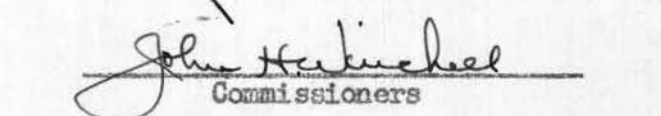
The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering operations under said permit up to time of transfer of said permit, and payment by him or transferee of all unpaid ton-mile tax.

This order is made a part of the permit authorized to be transferred.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 6th day of June, 1951.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ROBERT FERNANDEZ, 364 SOUTH QUAIL )  
STREET, DENVER, COLORADO, FOR RE- )  
MOVAL OF THE RESTRICTION ON NUMBER )  
OF VEHICLES TO BE USED UNDER PERMIT )  
NO. B-3577. )  
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APPLICATION NO. 11180-PP-Extension

-----  
June 7, 1951  
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Appearances: Robert Fernandez, Denver,  
Colorado, pro se;  
L. W. Linville, Esq.,  
Denver, Colorado, for  
Boulder Truck Service.

S T A T E M E N T

By the Commission:

By Decision No. 32998, as amended by Decision No. 33120, Lilburn M. (L. M.) Holley, Denver, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

sand, gravel, cement, plaster, brick, tile, cinder blocks, metal, and rock lath, for the Three-wit-Cooper Cement Company, of Denver, only, from Denver, Colorado, to points within a radius of 55 miles north of Denver, 30 miles east of Denver, 10 miles west of Denver, and 35 miles south of Denver, excluding service to Waterton, Colorado, said operation to be limited to one truck, with no backhaul from the point of delivery of the products of said company, to Denver,

said operating rights being known as "Permit No. B-3577."

Pursuant to authority contained in Decision No. 34759, of date May 2, 1950, Lilburn M. (L. M.) Holley transferred said operating rights to Robert Fernandez, Denver, Colorado.

By this application, Robert Fernandez seeks removal of the limitation upon the number of trucks to be used in said operation.

Said application, pursuant to prior setting, after proper notice to all interested parties, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, June 1, 1951, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that he had one customer, the Threewit-Cooper Cement Company, of Denver, Colorado, and that it had requested his services, requiring the use of more than one truck.

Richard H. Cooper, co-owner of the Threewit-Cooper Cement Company, testified in behalf of applicant that one truck in operation by applicant was not sufficient to render the service which his company needed from applicant.

Burl James, Office Manager of Boulder Truck Service, appeared as a protestant, and stated that they had authority for hauling material of the same nature as that authorized by applicant into Boulder County, and that their equipment was not now being used up to capacity. However, he testified his company had never done any hauling for the Threewit-Cooper Cement Company, and would suffer no loss of revenue if the instant application is granted.

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

It does not appear that removal of the restriction on applicant's authority will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve, and that applicant presently is not taking care of the needs of his customer, due to the limitation on his equipment.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the limitation on the number of trucks used in the operation of applicant under Permit No. B-3577 should be removed.

#### O R D E R

##### THE COMMISSION ORDERS:

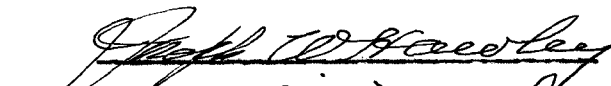
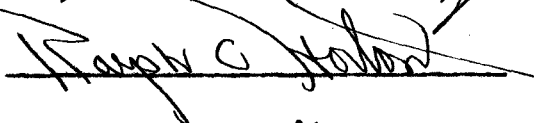
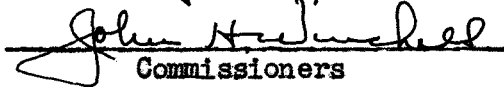
That Robert Fernandez, Denver, Colorado, should be, and he hereby

is, authorized to operate as a Class "B" private carrier by motor vehicle for hire under Permit No. B-3577, for the transportation of:

sand, gravel, cement, plaster, brick, tile, cinder blocks, metal and rock lath, for the Threewit-Cooper Cement Company, of Denver, only, from Denver, Colorado, to points within a radius of 50 miles north of Denver, 30 miles east of Denver, 10 miles west of Denver, and 35 miles south of Denver, excluding service to Waterton, Colorado, with no back haul from the point of delivery of the products of said Company, to Denver, his said operation to be limited to three trucks.

This order shall become effective twenty-one (21) days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 7th day of June, 1951.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
REUBEN GOMEZ, 1245 PECOS STREET, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )

APPLICATION NO. 11181-PP

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June 7, 1951  
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Appearances: Reuben Gomez, Denver, Colo-  
rado, 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 sand, gravel, and other road surfacing materials, from pits and supply points in the State of Colorado, to road and building construction jobs located within a fifty-mile radius of said pits and supply points, excluding service in Clear Creek, Gilpin, and Boulder Counties, except hauling may be done in Boulder County for the Boulder Toll Road, only; coal from the northern Colorado coal fields to Denver, Colorado, to Valmont Plant of Public Service Company, located near Boulder; also to the Great Western Sugar Company Plants, and to Kurer Empson Company Plants, located within a fifty-mile radius of Denver, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, June 1, 1951, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that he desired the authority applied for for the purpose of hauling construction materials



to contractors on the job; that he presently had one prospective customer, the Western Paving Company.

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

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier operating in the territory which applicant seeks to serve.

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

### F I N D I N G S

#### THE COMMISSION FINDS:

That authority sought should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That Reuben Gomez, Denver, Colorado, should 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 located within a radius of fifty miles of said pits and supply points, excluding service in Clear Creek, Gilpin, and Boulder Counties, except that hauling may be done in Boulder County for the Boulder Toll Road, only; coal from mines in the northern Colorado coal fields to Denver, Colorado; to Valmont Plant of Public Service Company, located near Boulder; also to Great Western Sugar Company Plants, and to Kumer Empson Company Plants, located within a radius of fifty miles of Denver, Colorado.

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

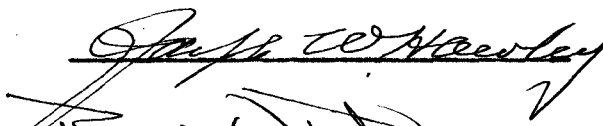
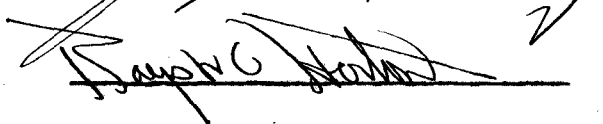
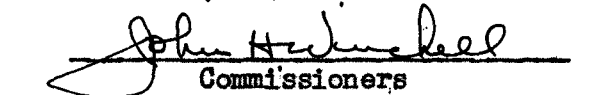
This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his cus-

tomers, 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-one (21) days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 7th day of June, 1951.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ALVIN HERBEL, 2388 SO. HUMBOLDT ST., )  
DENVER, COLORADO, FOR AN EXTENSION OF ) APPLICATION NO. 11182-PP-Extension  
PERMIT NO. B-3915. )  
-----)

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June 7, 1951  
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Appearances: Alvin Herbel, Denver,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

By Decision No. 31313, Alvin Herbel, 2388 South Humboldt Street, Denver, Colorado, was 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 Denver, and to points within a radius of five miles of Denver, Colorado.

The present application of Alvin Herbel asks that his authority be extended to include the following:

transportation of sand, gravel, and other road surfacing materials from pits and supply points within a 50 mile radius of Denver to road and building construction jobs located within said 50 mile radius, excluding service in Clear Creek, Gilpin, and Boulder Counties, except hauling may be done in Boulder County for the Boulder Toll Road only; transportation of coal from northern Colorado coal fields to Denver, Colorado, and to points within a radius of ten miles of Denver, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, June 1, 1951, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

Applicant testified that he desired to haul only for customers of the Rio Grande Fuel Company.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF)  
TONY GAVITO, 5755 NO. WASHINGTON )  
STREET, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A ) APPLICATION NO. 11184-PP  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----)

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June 7, 1951  
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Appearances: Tony Gavito, Denver,  
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:

sand, gravel, dirt, and other road surfacing  
materials from pits and supply points in the  
State of Colorado, to road and building con-  
struction jobs within a 50 mile radius of  
said pits and supply points, excluding service  
in Boulder, Clear Creek and Gilpin Counties  
with the exception of the Boulder Toll Road job;  
and coal from mines in the northern Colorado  
coal fields to Denver, Colorado.

Said application, pursuant to prior setting, after approp-  
riate notice to all parties in interest, was heard at the Hearing Room  
of the Commission, 330 State Office Building, Denver, Colorado, June 1,  
1951, at ten o'clock A. M., and at the conclusion of the evidence, the  
matter was taken under advisement.

At the hearing, applicant testified that he desired authority  
herein applied for for the purpose of hauling road surfacing materials to  
construction jobs for the Northwestern Engineering Company and the Western  
Paving Company.

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

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

**THE COMMISSION FINDS:**

O R D E R

That Tony Gavito, 5755 No. Washington Street, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

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

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.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

- 2 -

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
C. C. WEST, ROUTE 4, BOX 219, AUR- )  
ORA, COLORADO, FOR A REISSUANCE OF )  
PERMIT NUMBER B-3377. )  
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APPLICATION NO. 11183-PP

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June 7, 1951  
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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 road surfacing materials from pits and supply points in the State of Colorado to road and building construction jobs within a radius of 50 miles of said pits and supply points, excluding service in Clear Creek, Gilpin, and Boulder Counties, with the exception of hauling in Boulder County for the Boulder Toll Road; coal from mines in the northern Colorado coal fields to Denver, Colorado.

Said application was regularly set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, June 1, 1951, at ten 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 files were made a part of the record, and the matter was taken under advisement.

No one appeared in opposition to the granting of the authority sought, and it did not appear that the granting of said permit, and operations by applicant thereunder, will tend to impair the efficiency of any common carrier service with which he will compete.



## F I N D I N G S

### THE COMMISSION FINDS:

That the instant application should be granted.

That the permit shall bear the number B-3377, being the number of the permit formerly held by applicant.

## O R D E R

### THE COMMISSION ORDERS:

That C. C. West, Route 4, Box 219, Aurora, Colorado, should 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 road surfacing materials from pits and supply points in the State of Colorado to road and building construction jobs within a radius of 50 miles of said pits and supply points, excluding service in Clear Creek, Gilpin, and Boulder Counties, with the exception of hauling in Boulder County for the Boulder Toll Road; coal from mines in the northern Colorado coal fields to Denver, Colorado, said permit to bear the Number B-3377.

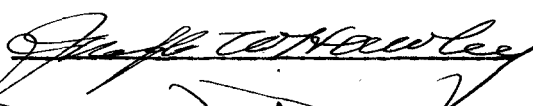
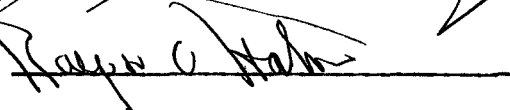
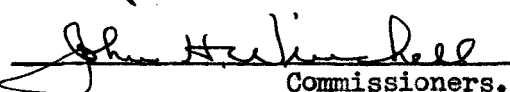
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE OPERATIONS OF MASSEY AND RANSOM )  
FLYING SERVICE, INC., FORT COLLINS, )  
COLORADO, BY AIRPLANE, UNDER CER- )  
TIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY GRANTED BY DECISION NO. )  
22234. )  
-----)

CASE NO. 5031

-----  
June 7, 1951  
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Appearances: W. F. Bridgeman, Denver,  
Colorado, for the  
Commission.

S T A T E M E N T

By the Commission:

On May 22, 1951, the Commission issued its Order to Show Cause, directed to Massey and Ransom Flying Service, Inc., who, by Decision No. 22234, dated April 21, 1944, was authorized to operate as a common carrier by airplane, in intrastate commerce, for the transportation of:

Passengers and property, not on schedule,  
but on call and demand, in irregular service,  
between all points in the State of Colorado,

to show cause, on or before the 6th day of June, 1951, why said certificate should not be cancelled and revoked on account of failure of said Massey and Ransom Flying Service, Inc., to maintain the service authorized by said certificate, said matter being set for hearing, and heard, in the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, on June 6, 1951, at 10:00 o'clock A. M.

Said respondent failed to show cause, by answer or appearance in person or by counsel, at the time and place set for hearing.

At the hearing, it appeared from the testimony of W. F. Bridgeman, the Commission's Supervisor of Air Carriers, that said

Massey and Ransom Flying Service, Inc., has not conducted any for-hire air service for a period in excess of six (6) months, and has discontinued said operations, as aforesaid, without intending to renew the same; that it has abandoned the certificate.

### F I N D I N G S

#### THE COMMISSION FINDS:

That said respondent has abandoned its certificate, and that same should be cancelled.

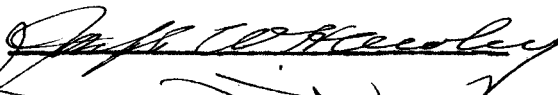
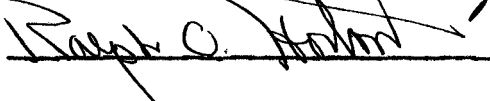

### O R D E R

#### THE COMMISSION ORDERS:

That said certificate of public convenience and necessity granted Massey and Ransom Flying Service, Inc., by Decision No. 22234, be, and the same hereby is, cancelled and revoked.

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of June, 1951.

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original

(Decision No. 36343)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
PUBLIC SERVICE COMPANY OF COLORADO, )  
A CORPORATION ORGANIZED AND EXISTING )  
UNDER THE LAWS OF THE STATE OF COLO- )  
RADO, FOR AN ORDER AUTHORIZING THE )  
ISSUANCE OF 274,027 SHARES OF ITS )  
COMMON STOCK. )  
----- )

APPLICATION NO. 11178-Securities

-----  
June 7, 1951  
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Appearances: Lee, Bryans, Kelly and Stansfield, Esqs.,  
Denver, Colorado, for Public Service  
Company of Colorado;  
Ralph Sargent, Jr., Esq., Denver, Colo-  
rado, for the Commission.

S T A T E M E N T

By the Commission:

Pursuant to Subsection (c) of Section 3, Chapter 137, 1935 Colo-  
rado Statutes Annotated, as amended, Public Service Company of Colorado, a  
Colorado corporation, hereinafter called "Applicant", filed with this Com-  
mission on May 22, 1951 its application, as amended by its filing, on May  
29, 1951, of its Amendment No. 1 thereto, for an order of this Commission  
authorizing it to issue and sell:

1. 249,116 shares of Common Stock to be offered for subscription  
to the holders of the presently outstanding Common Stock of Applicant, on  
the basis of one new share of Common Stock for each ten shares owned by  
such holders, the subscription price to be approximately 10% less than the  
quoted market price on the New York Stock Exchange on the latest date  
practicable preceding the issuance of the subscription warrants for the new  
shares of such Common Stock. The unsubscribed portion of such shares of  
Common Stock is to be sold to underwriters at the same price at which it is  
offered to stockholders.

2. 24,911 shares of Common Stock to be offered for subscription to employees of Applicant and its subsidiaries in accordance with a "Memorandum of Terms of Offer to Employees of 24,911 Shares of Common Stock of Public Service Company of Colorado" filed with this Commission. The price at which such shares will be offered to such employees will be the same price as the shares of Common Stock are offered to the holders of Common Stock as hereinabove set forth. Applicant does not intend to issue any of such 24,911 shares which are not subscribed for by employees.

By Decision No. 36776, dated May 23, 1951, this Commission ordered a public hearing upon the aforesaid application to be held June 4, 1951, at ten o'clock A.M., at 330 State Office Building, Denver, Colorado. Interested parties, municipalities, and representatives of interested consumers or security holders of the Company, or other persons were invited to intervene in the proceedings. Petitions of intervention were to be filed with this Commission on or before May 31, 1951.

The hearing on the aforesaid application was held on June 4, 1951, after due notice to all interested parties, and the matter was heard and taken under advisement.

No petitions of intervention were filed with the Commission prior to the hearing.

Applicant is a corporation organized and existing under the laws of the State of Colorado and is a public utility operating company engaged principally in the generation, purchase, transmission, distribution and sale of electricity, and in the purchase, distribution and sale of natural gas. Applicant's operations are wholly within the State of Colorado, the principal center of distribution and sale of electricity and gas being in the City and County of Denver, Colorado, and its environs. It is also engaged, but to a minor extent only, in rendering steam heating service, bus transportation service, and manufactured gas service.

Applicant is the owner of all the outstanding capital stock of Colorado-Wyoming Gas Company, a Delaware corporation, and the Green and

Clear Lakes Company, a New York corporation. It is also the owner of all the outstanding capital stock (other than directors' qualifying shares) of the Cheyenne Light, Fuel and Power Company, a Wyoming corporation, and of The Pueblo Gas and Fuel Company, a Colorado corporation. The Applicant also holds a controlling interest in three other relatively small companies.

For the calendar year ended December 31, 1950, Applicant reported consolidated operating revenues of \$42,695,595 and consolidated net income, that is, the amount available for dividends and surpluses, of \$6,951,255. During the year 1950 the amount of \$961,917 was appropriated for preferred stock dividends, and the amount of \$3,487,635 for common stock dividends. Earnings in prior years have been satisfactory.

As of December 31, 1950, Applicant reported its assets and liabilities on a consolidated basis, as follows:-

#### ASSETS

Property, Plant, Equipment, Investments, etc.	\$143,040,559
Current Assets	16,021,600
Deferred Charges	3,738,215
	<u>162,800,374</u>

#### LIABILITIES

Capital Stock	\$ 52,411,680
Funded Debt	53,070,000
Current Liabilities	15,553,136
Other Liabilities	1,712,234
Reserves	26,196,505
Premium on Capital Stock	6,047,120
Earned Surplus	7,809,699
	<u>\$162,800,374</u>

The Certificate of Incorporation of Applicant, as amended, provides for an authorized capital stock of \$75,000,000 divided into 375,000 shares of Cumulative Preferred Stock of a par value of \$100 each and 3,750,000 shares of Common Stock of a par value of \$10 each. Applicant's Cumulative Preferred Stock pursuant to the powers contained in its Certificate of Incorporation, as amended, is issuable in one or more series.

The Company had issued and outstanding as of April 30, 1951:

(a) \$40,000,000 principal amount of First Mortgage Bonds, 2 7/8% Series due 1977, issued under and secured by Applicant's Indenture of Mortgage to Guaranty Trust Company of New York, as Trustee, dated as of December 1, 1939, and indentures supplemental thereto, including the Supplemental Indenture with respect to such bonds dated as of June 1, 1947;

(b) \$10,000,000 principal amount of First Mortgage Bonds, 3 1/8% Series due 1978, issued under and secured by Applicant's Indenture of Mortgage to Guaranty Trust Company of New York, as Trustee, dated as of December 1, 1939, and indentures supplemental thereto, including the Supplemental Indenture with respect to such bonds dated as of October 1, 1948;

(c) 175,000 shares of Cumulative Preferred Stock designated as the initial series and known as "4 1/8% Cumulative preferred stock" of the par value of \$100 each;

(d) 100,000 shares of Cumulative Preferred Stock known as "4.20% Cumulative Preferred Stock" of the par value of \$100 each; and

(e) 2,491,168 shares of Common Stock of the par value of \$10 each.

By the proposed issue and sale of 249,116 shares of Common Stock to stockholders and underwriters, Applicant proposes to raise approximately \$5,970,000; and by the proposed issue and sale of 24,911 shares to employees, Applicant proposes to raise, if all such shares are subscribed for by employees, approximately \$590,000. The funds so raised will be used toward plant additions, extensions and improvements to assist in its construction program, substantially as set forth in its Exhibit "H" attached to the aforesaid application, as amended.

The estimated aggregate amount to be spent by Applicant in its construction program during the three years 1951-1953, as set forth in said



Exhibit "H" is \$64,000,000. According to the testimony of J. E. Loiseau, President of Applicant, given at the hearing, \$22,130,000 is estimated to be spent during 1951. Approximately \$4,100,000 had been spent during the first quarter of 1951, and on March 31, 1951, Applicant had approximately \$2,200,000 available for construction purposes. Applicant anticipates that the proposed financing will take care of its construction requirements until the latter part of this year, and that then it will be necessary for Applicant to raise additional funds to carry on its construction program.

After giving effect to the proposed issuance and sale of the new securities for which authorization is herein sought, the pro forma capital structure of the Company as of April 30, 1951 will be as follows, with the percentages of each item to total capitalization being shown in the right-hand column:-

First Mortgage Bonds	\$ 50,000,000	40.59%
Preferred Stock Inc. premium	27,507,500	22.33%
Common Stock *	27,651,950)	
Premium on Common Stock *	9,875,998)	37.08%
Earned Surplus	8,139,121)	
Total Capitalization	\$123,174,569	100.00%

\*Based on an estimated sales price of \$24 per share and subscription by employees covering all the 24,911 shares offered them for subscription.

It is represented that Applicant intends to offer 249,116 shares for subscription to the holders of the presently outstanding Common Stock of Applicant (there being 2,491,168 shares of Common Stock presently outstanding) on the basis of one share of Common Stock for each ten shares owned by such holders. Subscription rights to the new shares of Common Stock will be evidenced by warrants to be issued to the holders of the outstanding Common Stock of Applicant, the subscription price to be approximately 10% less than the quoted market price on the New York Stock Exchange at the latest date practicable preceding the issue of such warrants. Applicant proposes to enter into an underwriting agreement with a group of investment banking houses to be selected by Applicant covering that portion of the

new shares of Common Stock not subscribed for by the holders of the outstanding shares of Common Stock. It is further represented by Applicant that 24,911 shares will be offered for subscription to employees of Applicant and its subsidiaries at the same price at which the shares of Common Stock are offered for subscription to the holders of Common Stock and that Applicant does not intend to issue any of the 24,911 shares offered to employees which are not subscribed for by such employees.

As to the underwriting agreement covering the portion of the new shares of Common Stock not subscribed for by the holders of subscription warrants, Mr. Loiseau testified that under the proposed underwriting agreement the underwriters would purchase at the subscription price per share any unsubscribed shares of Common Stock offered to stockholders, and that as compensation the Company would pay to the several underwriters a fee of approximately one percent of the then market price per share for each share of Common Stock offered to the stockholders. Mr. Loiseau testified that in his opinion the proposed negotiated agreement, in view of the unsettled condition of the market, would be more advantageous to the Company, and cost the Company less, than if said stock were sold by competitive bidding.

The Commission has frequently said that, although recognizing the desirability of competitive bidding for securities, it does not believe that public interest demands that this rule be adhered to in all instances, and each case should be considered on the facts. Re Grealey Gas Co., 74 PUR (NS) 500; Re Southern Colorado Power Co. Application No. 8691, Decision No. 29146, Oct. 1, 1947; Re Colorado Central Power Co. Application No. 9625, Decision No. 31620, Nov. 30, 1948, Re Kansas-Colorado Utilities Application No. 9664, Decision No. 31879, Jan. 8, 1949.

The Commission is doubtful that any material advantage would be gained by throwing the proposed issue open to competitive bids, while on the other hand there is evidence that the proposed negotiated sale of stock not subscribed for by the present stockholders will cost the Company con-

siderably less than if the transaction were to be handled on a competitive basis.

## F I N D I N G S

### THE COMMISSION FINDS:

That the Applicant, Public Service Company of Colorado, a Colorado corporation, is a public utility, as defined by Section 3, Chapter 137, 1935 Colorado Statutes Annotated, as amended.

That this Commission has jurisdiction of said Applicant, and the subject matter of the application herein.

That this Commission is fully advised in the premises.

That the proposed issuance and sale by Applicant of 249,116 shares of Common Stock through the offer for subscription to the holders of its presently outstanding Common Stock, with the unsubscribed balance being underwritten, and of 24,911 shares of Common Stock through the offer for subscription to employees of the Applicant and its subsidiaries, as hereinabove set forth, is reasonably required and necessary for its proper corporate financing.

That the proposed securities transaction is not inconsistent with the public interest, that the purpose or purposes thereof are permitted by, and are consistent with, the provisions of Chapter 137, 1935 Colorado Statutes Annotated, as amended by the Session Laws of 1947, and that the order sought should issue and should be made effective forthwith.

## O R D E R

### THE COMMISSION ORDERS:

That Public Service Company of Colorado be, and it hereby is, authorized and empowered to issue and sell 249,116 shares of its Common Stock to be offered for subscription to the holders of its presently outstanding Common Stock of Applicant, the subscription price to be approximately 10% less than the quoted market price on the New York Stock Exchange on the latest date practicable preceding the issue of warrants evidencing

subscription rights, and to issue and sell, at the same price, to a group of underwriters to be selected by Applicant that portion of the new shares of Common Stock not subscribed for pursuant to the rights evidenced by such warrants; and it is further

ORDERED, That Public Service Company of Colorado be, and it hereby is, authorized and empowered to issue and sell 24,911 shares of its Common Stock to be offered for subscription to employees of the Applicant and its subsidiaries at the same price at which the shares will be offered for subscription to the holders of its Common Stock; and it is further

ORDERED, That Public Service Company of Colorado shall, within ten (10) days after the subscription price of the new shares of Common Stock to be offered to its Common Stockholders has been determined, make a verified report to this Commission of such subscription price, and it is further

ORDERED, That Public Service Company of Colorado be, and it hereby is, authorized to use the proceeds derived from the issuance and sale of the proposed shares of Common Stock for plant additions, extensions and improvements to assist in its construction program substantially as set forth in Exhibit "H" filed with Applicant's application herein, as amended; and it is further

ORDERED, That the securities authorized to be sold hereunder shall bear on the face thereof a serial number for proper and easy identification; that within sixty (60) days from the issuance and delivery of said securities, Applicant shall make a verified report to this Commission of such serial numbers placed on such securities as are initially issued; and it is further

ORDERED, That Public Service Company of Colorado be, and it is hereby authorized, in reflecting in its accounts the consummation of the financing outlined above, to make and record the various accounting entries in accordance with the Uniform System of Accounts for Electric and Gas Utilities prescribed by the National Association of Railroad and Utilities Commissioners, and adopted by this Commission on October 19, 1938; and it is



further

ORDERED, That nothing herein shall be construed to imply any recommendation or guaranty of, or any obligation with respect to, said shares of Common Stock to be issued by Applicant hereunder, or the dividends thereon, on the part of the State of Colorado; and it is further


ORDERED, That within ninety (90) days from the date of the sale of the new securities authorized to be sold hereunder, Applicant shall make, pursuant to the terms and conditions of this order, a verified report to this Commission of the issue and disposition of said new securities, the consideration for which such securities were sold, the fees, commissions and expenses incident to such sale, accompanying such report with a new balance sheet reflecting the issuance and sale of said securities and supporting journal entries which shall reflect the exercise of the authority herein granted, together with copies of the accompanying entries recorded on Applicant's books as a result of the consummation of such financing; and it is further

ORDERED, That the right shall be reserved to Applicant to reopen the proceedings herein upon good cause shown after hearing upon notice to all interested parties; and it is further

ORDERED, That the Commission retains jurisdiction of these proceedings to the end that it may make such further orders in the premises as to it may seem to be proper and desirable; and it is further

ORDERED, That the authority herein granted shall be exercised from and after this date, this order being made effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Joseph C. Haseley  
Ray C. Hobart  
John H. Hinchel  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of June, 1951.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE DISCONTINUANCE BY THE DENVER  
AND RIO GRANDE WESTERN RAILROAD  
COMPANY OF ITS TRAINS NUMBERS 21  
AND 22 BETWEEN PUEBLO AND SALIDA,  
COLORADO.

CASE NO. 5030

June 7, 1951

Appearances: T. A. White, Esq.,  
Denver, Colorado, for  
The Denver & Rio Grande  
Western Railroad Company;  
Frank E. Evans, Esq., Pueblo,  
Colorado, for The Pueblo  
Chamber of Commerce;  
W. E. Skinner, Pueblo, Colo-  
rado, and  
R. E. Carroll, Pueblo, Colo-  
rado, for the Railroad  
Brotherhoods;  
Ralph Sargent, Jr., Esq.,  
Denver, Colorado, for the  
Commission.

STATEMENT

By the Commission:

This is a proceeding involving the discontinuance by  
The Denver and Rio Grande Western Railroad Company of its Trains Nos.  
21 and 22 operating between Pueblo and Salida, Colorado. Hearing in  
said matter was held at the Court House in Pueblo, Colorado, on April 30,  
1951, where evidence was taken.

A brief review of the history of Trains Nos. 21 and 22, and  
their predecessors, as disclosed by the evidence and the files of the  
Commission, is, in the judgment of the Commission, of some value in  
determining the above matter.

By application filed August 6, 1941, The Denver and Rio Grande  
Western Railroad Company asked leave of the Colorado Commission to dis-  
continue passenger Trains Nos. 15 and 16, which, for many years and up to

about 1936, operated from Denver to Pueblo, where the train was divided, one section going to Grand Junction and the other section to Alamosa, Colorado. Because of economical reasons arising from the operation of the above-named trains, and because of the construction of a shorter route between Denver and the Western Slope, which resulted in taking passengers from the trains operating over the longer route, in 1936 the trains were discontinued between Grand Junction and Glenwood Springs, Colorado. Later, when the Glenwood Canon was available for bus and automobile traffic, the trains were terminated at Minturn, Colorado. About 1939, due to the continuing decrease in the earnings of Trains Nos. 15 and 16, they were terminated at Salida, Colorado.

The Railroad Company, by its application dated August 1, 1941, asked to abandon service on Trains Nos. 15 and 16 between Salida and Pueblo. The Commission, by Decision No. 18004, dated December 8, 1941, permitted the discontinuance of passenger service operation of Trains Nos. 15 and 16 between Pueblo and Salida, Colorado, effective at 12:01 A. M., January 1, 1942, subject to the following conditions:

- "(a) A steel mail car and steel baggage car shall be installed on freight train No. 35 westbound from Pueblo to Salida, as well as on freight train known as the "fruit special" eastbound from Salida to Pueblo, said trains to carry the mail, baggage and express heretofore carried on said Trains Nos. 15 and 16.
- "(b) Said freight trains between Pueblo and Salida, both east and west bound, shall be operated in strict conformity with the schedules submitted by applicants at the hearing in Pueblo in the instant case, and must be reasonably maintained on schedule so as to effect prompt and expeditious connections with connecting carriers at both Pueblo and Salida.
- "(c) That said schedules and mail service shall be at all times satisfactory to the Post Office Department of the United States."

Jurisdiction of the above matter was retained for one year, with the provision that the Commission might reopen said matter for hearing to determine whether or not said Trains Nos. 15 and 16 should be ordered reinstated.



As a result of said Decision No. 18004, and in accordance with the terms thereof, The Denver and Rio Grande Western Railroad Company established its Trains Nos. 21 and 22. In the instant proceeding, the General Attorney of the Railroad Company, under date of March 26, 1951, informed the Commission by letter, as follows:

"I wish to inform the Commission that as a result of the excessive cost of operation of trains 21 and 22 between Pueblo and Salida on account of operating same on schedule for the benefit of the mail cars attached to the trains, the Railroad Company has decided to discontinue the operation of the mail cars on these trains . . . . .

"We are today advising Mr. Klein that Trains 21 and 22 will be discontinued effective May 1, 1951, in order that he may have time to put the highway star route service into effect when the rail service is discontinued."

Apparently, this action on the part of the Railroad Company was given general publicity, because the Commission, on March 28, 1951, received inquiries from the Pueblo Chamber of Commerce concerning the discontinuance of Trains Nos. 21 and 22. Other inquiries and protests were made by the Salida Chamber of Commerce, the Leadville Chamber of Commerce and the Canon City Chamber of Commerce.

The Commission, by its Chairman, acknowledged receipt of the Railroad Company's letter of March 26, 1951, under date of April 6, 1951, in which he said:

"Referring to your letter of March 26, 1951, advising this Commission that The Denver and Rio Grande Western Railroad Company proposes to discontinue the operation of Trains Nos. 21 and 22 between Pueblo and Salida, effective May 1, 1951, this is to inform you that we have received several complaints protesting the proposal to discontinue the service of these trains and requesting that the Commission set the matter for hearing. The tenor of the complaints filed to date has been that the complainants have no quarrel with the Railroad Company's discontinuing the trains, provided that the area is not left without adequate mail service.

"We would appreciate an expression of your attitude to these complaints. May we hear from you at your earliest convenience?"



In answer to the above letter, the Commission received a letter under date of April 17, 1951, in which the Railroad Company states its position as follows:

"I have advised our management that in my opinion the Public Utilities Commission has no jurisdiction with respect to the operation of mail and express service by our railroad, and I am fortified in this view by various court decisions and by the decisions of the Colorado Commission based on those court holdings. The fact that the above schedules have been published by the Post Office Department and Rio Grande Motor Way prior to the effective date of the change demonstrates that the Railroad Company is not taking arbitrary action in the matter. However, as stated, it is the position of the Railroad Company that the Commission has no jurisdiction with respect to the operation of mail and express service by railroad.

"If, upon consideration, the Commission feels a hearing is desirable with respect to this matter, the Railroad Company will be glad to cooperate by deferring discontinuance of the service pending an early hearing and decision by the Commission."

The Commission, following this letter, entered its Decision No. 36537, wherein it determined that hearing should be held at Pueblo, Colorado, on April 30, 1951.

When the above matter was called for hearing, the attorney for the Pueblo Chamber of Commerce interposed a motion asking for postponement of the hearing. The Commission, after listening to arguments of counsel, withheld ruling on the motion and ordered the hearing to proceed.

At the hearing in Pueblo, Colorado, Decision No. 18004, heretofore referred to, was made a part of the record in the instant matter at the request of the attorney for the Commission. The Railroad Company, in its case, submitted several witnesses, and we would like to review, generally, their testimony.

John H. Tanner, manager of mail, baggage and express for The Denver and Rio Grande Western Railroad Company, testified that he had been employed by the above company for fifteen years, and that his present duty was supervision over mail, express and baggage, and that he negotiated

contracts with the United States Post Office Department for the transportation of the mail; that the Railroad Company was presently hauling mail, baggage and express on Trains Nos. 21 and 22, on schedule, between Pueblo and Salida in mail and express cars. He also testified that the Post Office Department maintained a railway post office where mail was "worked" enroute; that his company had determined to discontinue Trains Nos. 21 and 22 and had notified the Post Office Department and Railway Express Agency, Inc., of its plans. He then discussed the advantages as he viewed the situation of a substituted service, viz., that the mail be handled by Star Route and the express and baggage by Rio Grande Motor Way, a subsidiary of the Railroad.

T. M. Davis, General Manager of Rio Grande Motor Way, Inc., testified that his company was authorized to operate by the Colorado Commission as a motor freight transportation company via highway between Pueblo and Salida; that in the event the trains are discontinued, his company is in a position to haul baggage and express on its scheduled service and that they maintain the following schedules:

Salida to Pueblo:

Leave Salida 8:00 P. M.

Arrive Pueblo 10:00 P. M.

Pueblo to Salida:

Leave Pueblo 12:30 A. M.

Arrive Salida 4:30 A. M.

In summarizing, the witness contended that their six-day-a-week service will be practically the same for the transportation of baggage and express as now rendered by the Railroad Company.

G. P. Adelotte, Superintendent of the Pueblo Division of the Railroad Company, stated that the operation of the present scheduled trains was not justified as they were limited to a train of 40 cars, due to passenger-type equipment used in the train; that it was the policy of his company to operate larger freight trains, and from an operating standpoint it was indicated that they should operate a 100-car train. He contended that the present operation was not economically feasible, but gave no operating figures to substantiate his statement.

At the conclusion of the testimony by the Railroad Company, and after they had rested, the attorney for the Pueblo Chamber of Commerce renewed their motion for postponement of the hearing, contending they had not sufficient time, and prior to the hearing had no knowledge of the possible defenses of the Railroad Company which they would be called upon to meet at this hearing.

The question of jurisdiction of the Colorado Commission of the trains involved was again injected into the case, and after considerable argument by counsel appearing herein, the Commission asked for briefs on the question of jurisdiction. The matter of the motion was held in abeyance awaiting the determination of the matter of jurisdiction. In our consideration of the above matter, we have attempted to briefly relate the facts as disclosed by the record and the files of the Commission.

The Commission has received the briefs of the Railroad Company and the Pueblo Chamber of Commerce, has carefully considered the same, and has weighed them as they apply to the facts as we view them in the instant matter. We have gone over the record and after consideration thereof, find ourselves facing the question: has the Commission taken jurisdiction over Trains Nos. 21 and 22?

It has been the policy of the Commission in the past, and one from which we do not wish to depart, that the Commission refrain from taking jurisdiction over the operation of exclusive freight service. We have not in the past, nor do we now feel that this regulation would be in the public interest, and we strongly feel that this is properly within the discretion of management.

After a review of the record, it appears to us that Trains Nos. 21 and 22 are not an exclusive freight operation. In fact, this Commission in Decision No. 18004, specifically ordered the installation of this train as a substitute or alternate service, in lieu of Passenger Trains Nos. 15 and 16. The reason for this substituted service,



we feel, is best illustrated by remarks of counsel for the Railroad Company at the hearing for the discontinuance of Trains Nos. 15 and 16 in Application No. 5701, wherein he said:

"In our application we have stated two principal reasons for the discontinuance of these trains, the first being that in view of the losses sustained in the operation of the trains, and the further fact they are very little patronized, the public convenience and necessity will permit of the abandonment of the service, having in mind a proposal contained in the application to substitute in lieu of the passenger train service what amounts to a combination service except for the transportation of passengers, that is to say, it is proposed that upon taking Nos. 15 and 16 off, if the Commission so decides, between Pueblo and Salida, there will be attached to a freight train, which it will be our duty to operate on a fixed schedule, the mail and express car now attached to Nos. 15 and 16. We, of course, have in mind the position the Commission has taken that it does not exercise jurisdiction over the handling of United States Mail, but regardless of that we feel that it is our duty as a carrier to see that the mail is handled, and we have therefore proposed that alternate service in lieu of the 15 and 16 passenger service. In addition to that we propose to run a bus schedule on the present schedule of Nos. 15 and 16 approximately between Pueblo and Salida; this bus schedule will haul passengers; it will also haul the local mail to the intermediate points, making a connection with the train at Canon City, so that under our proposal we feel that the needs of the public will be taken care of about as they are now taken care of, but without the operation of Nos. 15 and 16."

The Railroad Company in the past considered Trains Nos. 21 and 22 as a substituted passenger service, as per their letter bearing date of January 6, 1950, under Service Order No. 845, as clearly set forth in our Decision No. 34194, in Case No. 5010, and at that time, in our judgment, acknowledged jurisdiction of the Commission over these trains. The Railroad Company, cannot justify their contention now, that the Commission has not taken jurisdiction over these trains in the light of our Decision No. 18004, and their action in Case No. 5010. In other words, they should not be permitted to blow both hot and cold to suit their individual convenience. In the instant matter, as clearly indicated by their brief, they contend that the Railroad Company does not act as a

common carrier in hauling mail. In this contention we are in accord. That question has clearly been determined by the courts. However, in our judgment, the question is not whether we have jurisdiction over the carrier of mail, but rather the question is: has the Commission taken jurisdiction over Trains Nos. 21 and 22? That question, in our judgment, is answered by our Decision No. 18004, and the interpretation placed on that order by the Railroad Company. In fact, the train was ordered installed by this Commission and has operated by virtue of that order ever since.

Now that we have considered the question of jurisdiction, the question naturally follows: what remains to be disposed of in the instant matter? The Commission has determined it has jurisdiction over Trains Nos. 21 and 22. Under the record before us, would we be justified in authorizing the discontinuance of the trains, considering the evidence of the Railroad Company only? We cannot see sufficient justification in the record. This Commission determined that the operation of this train was in the public interest. There is no change in conditions, as disclosed by the evidence and the record at this time. They are still operating the trains with the mail and baggage car. We do not know whether their revenue has increased or decreased; whether the train is operating at a loss, or making a profit. The only evidence we have before us is that the Railroad Company planned on discontinuing the trains and that a service could be rendered by other modes of conveyance. That record, in itself, is not sufficient, in our judgment, to warrant a discontinuance of service.

The Commission can see no good reason, in view of the conclusions heretofore reached, for granting the motion for a continued hearing interposed by the Chamber of Commerce of Pueblo, as additional evidence would only burden the record.

### FINDINGS

#### THE COMMISSION FINDS:

1. That the Commission has jurisdiction over Trains Nos. 21 and 22, as discussed in our preceding Statement, which, by reference,

is made a part of these Findings.

2. That there is not sufficient evidence before the Commission to justify the discontinuance of Trains Nos. 21 and 22, and that said trains should continue, as ordered under our Decision No. 18004.


3. That the motion for a continued hearing by the Pueblo Chamber of Commerce be denied, for the reasons heretofore given.

O R D E R

THE COMMISSION ORDERS:

That The Denver and Rio Grande Western Railroad Company continue its operations of Trains Nos. 21 and 22, as ordered in our Decision No. 18004, until otherwise ordered by this Commission.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Joseph W. McCool  
Ray C. Hobbs  
John H. Hinchel  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of June, 1951.

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