

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE PETITION OF)
THE GREAT WESTERN RAILWAY COMPANY)
TO REMOVE AND ABANDON ITS STATION)
AT MEAD, COLORADO, AND TO WITHDRAW)
AND ABANDON THE AGENCY AT SUCH)
STATION.)
-----)

APPLICATION NO. 12410

July 9, 1953

S T A T E M E N T

By the Commission:

Pursuant to Rule No. 6 of this Commission's "Rules and Regulations Pertaining to Railroads and Express Companies Operating in the State of Colorado," The Great Western Railway Company, by P. H. McMaster, Vice-President and General Manager, on June 9, 1953, filed its Petition requesting authority to remove and abandon its station at Mead, Colorado, and to withdraw and abandon the agency at said station, said abandonment to become effective July 10, 1953.

Mead is located about one mile westward from Colorado Highway No. 185, being approximately eight miles northeast of Longmont, Colorado, and about ten miles southwest of Johnstown, Colorado. The railway maintains a station and an agent in each of these towns.

Applicant states that practically all of the business handled at Mead concerns carload shipments. For several years the Town of Mead has been served by a certificated motor carrier which handles practically all less-than-carload shipments, thereby providing store-door pickup and delivery service. Regular passenger train service on this railway was discontinued July 15, 1926, and mail service was cancelled March 1, 1927. Express service is presently offered through the agency at Mead, but the volume of express being handled is inconsequential and Railway Express Agency, Incorporated, has no objection to the discontinuance of the station.

Telegraph service is not furnished at Mead or at any other station on this railway. Relative to the handling of carload shipments, it is proposed that these details may be conveniently handled by telephone with the Agency station at Longmont or Johnstown, Colorado.

It is further shown that revenues from the agency station at Mead are declining and the expenses of maintaining such agency station does not justify its continued maintenance in view of its close location to the above-mentioned stations. Request is therefore made to discontinue the agency at Mead as a means toward more economical and efficient railway operation.

Upon investigation by the Commission, it was determined that residents in the Mead area are largely within the limits of the Longmont telephone exchange for the transaction of carload ordering and billing. A statement of the total number of cars handled at Mead, Colorado, indicates a decline from 305 cars in 1950 to 180 cars handled in 1952. Annual agent's salary rose from \$2,868.84 in 1950 to \$3,361.62 in 1952.

It appears that the railway company has made a complete study to determine the economic and civic effects of the proposed station removal. It was found that customers responsible for the receipt or forwarding of 161 cars out of 180 total cars handled in 1952, had no objection to the proposed change. James E. Newton, as Mayor of the Town of Mead, had no objection. Regarding the agent, this man is eligible for retirement and has indicated that he will take his pension when the station is closed.

For carload shipments, it is common railroad practice to handle routine billing operations at a station other than the point of origin, or destination. In this instance, other agency stations are relatively close to Mead so that matters concerning car movements can be adequately handled by telephone.

As a matter of public information, a notice of the proposed change of service was posted at the depot in Mead, Colorado, on June 9, 1953, wherein it was indicated that any protests to the proposed change should be forwarded to the Commission.

No protests having been received by the Commission from anyone regarding the discontinuance of this station, 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 safe and economical railroad operation does not require the maintenance of the Head station.

That public convenience and necessity in this area can be adequately served by other agency stations.

That the authority sought in the instant application should be granted.

ORDER

THE COMMISSION ORDERS:

That the above Statement and Findings be made a part hereof.

That The Great Western Railway Company be, and it hereby is, authorized to abandon and remove its station and to discontinue its agency at Head, Weld County, Colorado, on notice to this Commission and the general public by not less than one 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 showing the closing of said station as authority for such action.

That this Order shall become effective July 10, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell

Joseph C. Haddock

Joseph C. Haddock
Commissioners.

Dated at Denver, Colorado,
this 9th day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE PETITION OF)
RAILWAY EXPRESS AGENCY, INCORPOR-)
ATED, TO ABANDON EXPRESS SERVICE) APPLICATION NO. 12412
AT MEAD, COLORADO.)
-----)

July 9, 1953

S T A T E M E N T

By the Commission:

Pursuant to Rule 6 of this Commission's "Rules and Regulations Pertaining to Railroads and Express Companies Operating in the State of Colorado," Railway Express Agency, Inc., by C. C. Case, Superintendent, did, on June 9, 1953, file its Petition requesting authority to abandon its express service at Mead, Colorado, said abandonment to be effective July 10, 1953.

Mead, Colorado is on the line of The Great Western Railway Company serving from Longmont through Johnstown to Loveland, Windsor and Eaton, Colorado, and is located eight miles northeast of Longmont and about ten miles southwest of Johnstown, Colorado.

Express service at Mead, Colorado, has been rendered at the station and through the agency of The Great Western Railway Company on a ten percent commission basis to the railroad agent.

It appears that in Application No. 12410, The Great Western Railway Company has petitioned this Commission for authority to remove its station and discontinue its agent because of declining station necessity. In the instant application, it is pointed out that Railway Express Agency has no objection to the Railroad Company closing its station. However, other data is presented that indicates there is only a small amount of express business at the Mead station.

Investigation by the Commission indicates the following:

Average Monthly Volume of Express Business

<u>Year</u>	<u>Shipments</u>	<u>Revenue</u>	<u>Commission</u>
1951	4	\$10.84	1.03
1952	4	13.94	1.39
1953 (4 mos)	3	7.99	.80

Population of Mead, Colorado, was 186 people in the 1950 census.

There is an active development of truck farming, sugar beet raising and cattle feeding in the immediate area. The meager volume of express business as indicated above indicates that the needs of this area are evidently being met in another manner, possibly by U. S. Parcel Post or store-door truck service.

As a matter of public information, a notice of the proposed change of service was posted at the depot, in Mead, Colorado, on June 9, 1953, wherein it was indicated that any protests to the proposed change should be forwarded to the Commission.

No protests having been received by the Commission from anyone regarding the discontinuance of this station, the Commission determined to hear, and has heard, said matter forthwith, without further notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the 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 Railway Express Agency, Inc., be, and it hereby is, granted a certificate of public convenience and necessity, authorizing it to discontinue its agency service on intrastate traffic at Mead, Weld County, Colorado.

That the discontinuance of this Agency 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 discontinuing said agency as authority for such action.

This Order shall become effective July 10, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Hinchell
Joseph C. Healey
Ralph G. Gordon
Commissioners.

Dated at Denver, Colorado,
this 9th day of July, 1953.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASES IN BUS FARES BETWEEN)
ENGLEWOOD, COLORADO AND FORT LOGAN,)
COLORADO. ALSO BETWEEN POINTS AND)
PLACES WITHIN ENGLEWOOD, COLORADO)
(INCLUDING AREA OUTSIDE OF BUT)
IMMEDIATELY ADJACENT TO ENGLEWOOD),)
LAKEWOOD, COLORADO AND WESTWOOD,)
COLORADO.)

Investigation and Suspension
Docket No. 348

July 8, 1953

Appearances: Julius Bussard, pro se;
T. S. Wood, for the Commission.

S T A T E M E N T

By the Commission:

By schedules filed to become effective March 8, 1953, Julius Bussard, proposed to increase the fares in Englewood, including the area immediately adjacent to Englewood, Lakewood, Westwood, and between Englewood and Fort Logan, as follows:

From 12 cents per adult, or 4 tokens for 45 cents to 15 cents per adult.

From 8 cents per child, six years of age and under 12 years of age, also school children 12 years of age and under 19 years of age on school days, between the hours of 7:00 A.M. and 5:00 P.M., or 6 tokens for 45 cents, to 10 cents per child, including school children.

By its order (Decision No. 40145) dated March 3, 1953, the Commission suspended the proposed schedule until July 6, 1953, unless otherwise ordered.

By its order (Decision No. 40829) dated July 3, 1953, the Commission further suspended the proposed schedules until January 6, 1954, unless otherwise ordered, and assigned the proceeding for public hearing July 8, 1953, in the hearing room of the Commission, 330 State Office Building, Denver, Colorado.

The hearing was held as assigned on July 3, 1953.

At the hearing witness Julius Bussard made a motion to amend his proposed schedules to 13 cents or 2 tokens for 25 cents for adults, and continue the child's fare to 8 cents or 6 tokens for 45 cents, for a test period of 60 days.

Witness Bussard introduced in evidence two exhibits identified as No. 1 and No. 2.

Exhibit No. 1 is a letter from the city of Englewood, Colorado, signed by M. O. Shivers, Jr., its duly authorized city attorney, wherein it consents to an adult fare of 13 cents per adult passenger or two tokens for 25 cents, for a temporary period of 60 days.

Exhibit No. 2 is a statement of income and expense covering the period January 1, 1953 to May 31, 1953, and January 1, 1953 to June 30, 1953.

For the first five months of 1953, the revenue is shown as \$43,199.34 and the operating expense as \$46,833.81, with an operating loss of \$3,639.47.

For the six months period the revenue was \$51,291.97 and the operating expense was \$56,043.78, and a loss of \$4,751.81.

The witness testified that the figures contained in exhibit No. 2 were prepared under his instructions and were true and correct to the best of his belief and knowledge.

No one appeared in opposition to the modified temporary increase of 13 cents per adult passenger or two tokens for 25 cents with no change in the present fare for children.

FINDINGS

THE COMMISSION FINDS:

That, for a temporary period until September 10, 1953, Julius Bussard should be authorized to establish a fare of 13 cents per adult passenger or two tokens for 25 cents, with no change in the present fares for children in the territory involved in this proceeding.

O R D E R

THE COMMISSION ORDERS:

That, Julius Bussard, be and he is hereby authorized to establish a fare of 13 cents per adult passenger, or two (2) tokens for 25 cents for the period July 9, 1953, to and including September 10, 1953, or thereafter until a further order of the Commission, between Englewood, Colorado and Fort Logan, Colorado. Between points and places within the city of Englewood, Colorado (including the area outside of but immediately adjacent to Englewood). Between points and places in Lakewood and Westwood, on his bus line operations. That in all other respects, the order contained in Decision No. 40829 shall remain in full force and effect. That jurisdiction is retained to make such further order as the Commission deems just and reasonable. That this order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell

Joseph C. Conroy

Ralph C. Harkness
Commissioners

Dated at Denver, Colorado
this 8th day of July, 1953.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE VANCIL, DOING BUSINESS AS)
"VANCIL TRUCK LINE," DEERTRAIL,)
COLORADO, FOR AN EXTENSION OF CER-)
TIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY NO. PUC-2371.)

APPLICATION NO. 12342-Extension

July 9, 1953

Appearances: Stockton & Lewis, Esqs.,
Denver, Colorado, and
Barry & Hupp, Esqs., Denver,
Colorado, for applicant;
Frank A. Safranek, Esq.,
Limon, Colorado, for Dee
Wann, J. H. McCorkle, Genoa
Transportation Company, L.
C. LaBorde, Wm. F. Ackley,
Barnhill Truck Line, Ralph
Kincaid;
Ed Tuxhorn, Byers, Colorado,
pro se;
Alice Blakley, Denver, Colo-
rado, for Blakley Livestock
Trucking Co.

S T A T E M E N T

By the Commission:

George Vancil, doing business as "Vancil Truck Line," of Deer-
trail, Colorado, is presently the owner of Certificate of Public Conveni-
ence and Necessity No. PUC-2371, which authorizes the transportation of:

Livestock, between points within that portion of a
20-mile radius of Deertrail, Colorado, where the
circumference of said radius intersects with U. S.
Highway No. 36 north and east of Deertrail, thence
clockwise around said circle to that point where
said radius intersects the Arapahoe-Lincoln County
Line, thence westward on the South Arapahoe County
Line to the west range line of Range 60-West, thence
north on the west range line of Range 60-West to the
southwest corner of Township 4-South, Range 60-West,
thence east on the south line of Township 4, two
miles to the southeast corner of Section 32, Township
4-South, Range 60-West, thence north to U. S. Highway
No. 36, thence eastward on U. S. Highway No. 36 to
point of beginning, and between points in the above-
described area on the one hand, and, on the other,
sales rings, stockyards, and loading pens in Denver,
Greeley, Brush, and Limon, Colorado.

On March 20, 1953, applicant herein filed his application to extend his authority, as follows:

The transportation of livestock between all points and places within a 35-mile radius of Deertrail, Colorado, and transportation of livestock between points and places within a 35-mile radius of Deertrail, Colorado, on the one hand, and all points and places in Colorado on the other.

The above application was regularly set for hearing, and heard, Friday, May 29, 1953, at 330 State Office Building, Denver, Colorado, and, at the conclusion of the hearing, the matter was taken under advisement.

At the hearing held on the above date, applicant, testifying in support of his extension, stated that he has had numerous requests to transport livestock between other points and places in the State of Colorado, but has been unable to do so by reason of the lack of authority under his present certificate of public convenience and necessity.

Applicant further testified that he has two trailers and two tractors which he presently uses in his operation; that if occasion demands it, he is financially able to acquire more equipment, but is unable to keep his present equipment busy under his limited authority.

Several witnesses appeared in support of the application for extension, among whom were the following:

D. E. Weaver, Limon, Colorado, the operator of a livestock sales barn, states there is not sufficient transportation available to handle the livestock business out of his sales barn for the entire year; that he knows applicant and considers him an excellent carrier with good equipment, but his authority is so restricted that applicant cannot give efficient, and a much needed service; that, in his judgment, public convenience and necessity require the extension of applicant's authority.

R. J. Horn, of Evans, Colorado, a rancher and cattle buyer, stated he used and needed applicant's proposed extended service. He states he especially needs applicant's service within a 25-mile radius of Deertrail, Colorado, and for in and out service, and also especially needs applicant's service to and from the sales barn at Limon, Colorado.

David Jolly, a livestock raiser living within applicant's presently certificated territory, who controls some 25,000 acres of land and runs approximately 1,000 head of cattle, stated he had used applicant's service in hauling livestock, has found him an excellent operator, and the only complaint he has against applicant's service is that his authority is not broad enough to take care of his transportation needs. He further states that applicant is familiar with the terrain of the country, and, as the witness put it, "he knows the ropes."

Henry Deeter, a livestock raiser from the Deertrail area, stated he used applicant's service in hauling livestock when within applicant's authority, and for the service performed, has found same satisfactory. He stated he needed applicant's extended service in transporting his cattle to best fields where he pastures in the fall and winter months. The witness emphasized the fact that his community and his neighbors felt they needed a local carrier and one who knew their pastures, and was available to them at all times.

James Price, of Byers, Colorado, a rancher and livestock grower who raises approximately 300 head of cattle, states he is familiar with applicant's present operation and feels that he needs applicant's proposed extended authority so that he can better take care of his needs. He also feels that the Deertrail area needs a strong and aggressive common carrier.

Phil Deeter, of Deertrail, stated he had been in the livestock business, raising cattle, for the past 50 years, and presently owns approximately 500 head. He feels his neighborhood is entitled to a locally domiciled carrier who is qualified, and who can take care of their hauling needs. He stated that applicant needs an extension to his certificate to keep him in business as he feels that if applicant is not granted additional authority, he will be forced to quit, which would be a calamity to the community.

Richard Price, of Deertrail, a rancher, runs approximately 400 head of cattle. He states he knows applicant and uses his service and especially needs applicant's proposed extended service to transfer his cattle

to and from pastures.

James Jolly, of Elbert County, also stated he needed applicant's extended authority. He felt applicant should be given extended authority due to his complete knowledge of the area, especially as it pertains to pastures and water holes.

We have attempted to very briefly summarize the high points of the testimony of the witnesses who appeared in support of the extended service under the instant application. Several protestants also testified as to the adequacy of the present service and carriers available to take care of the needs of the livestock shippers.

L. C. LaBorde, of Hugo, Colorado, who holds a certificate of public convenience and necessity, testified as to equipment he owns and also the equipment of William F. Ackley, of Brush, and that operated by the Kincaid certificate. He states that the presently certificated carriers are presently taking care of the situation and feels that the trouble with the transportation in eastern Colorado is that they already have too many authorities outstanding.

J. H. McCorkle, of Karval, Colorado, the owner of a certificate of public convenience and necessity that overlaps the territory covered in the instant application, also vigorously protested the granting of any additional authority, and corroborated, generally, the testimony of L. C. LaBorde.

Harold Drier, owner and manager of the Genoa Transportation Company, stated the extension would cover approximately one-half of his certificated area. He feels he is taking care of all customers in his area satisfactorily, and the granting of additional authority would not benefit his operation.

Ralph Kincaid, who owns Certificate of Public Convenience and Necessity No. PUC-1368, also vigorously protested the granting of any additional authority. It would also appear from his testimony that he was of the opinion that there were too many carriers now certificated in the area surrounding Limon, Colorado.

Mr. Barnhill, Lloyd W. Helmick, Dee Wann, and others, all testified as to the excellent service given by the carriers in eastern Colorado, and generally, substantiated the testimony of the other protestant witnesses.

This is a brief review of the testimony, generally, of protestants who appeared before the Commission protesting the granting of extension. The above recital of the evidence in support of the application, and the evidence of protestants is not new to this Commission. On the one hand, we have substantial livestock shippers who want and, in their judgment, need improved transportation for hauling their livestock. On the other hand, we have carriers who want more business and who feel they are presently giving excellent service, and the giving of any advantage to any certificated carrier is not good for their business, and, in their opinion, not good for the public.

The situation is different than in many cases we have had before us in the past. In the instant case, applicant is a common carrier duly certificated by the Commission, whose contention is that he is so limited in his authority that he is not able to give the residents and customers in his area the complete service they need. In this he is supported by a number of shipper-witnesses, whose testimony we have heretofore reviewed.

In considering the above application, we must bear in mind that we are not putting a new carrier in the field. Rather, we are called upon to authorize a certificated carrier to enlarge or improve his service. The Commission has, in the past, endeavored to give to each trade territory a service that will adequately take care of the needs of that area, and have, generally, favored resident carriers. This is especially true in isolated and undeveloped sections of the state. Here we find communication facilities are not too good, so it therefore appears to the Commission that the residents of the Deertrail community are entitled to a carrier authorized to better take care of their shipping needs.

FINDINGS

THE COMMISSION FINDS:

That public convenience and necessity require the extended common

carrier motor vehicle service of applicant for the transportation, on call and demand, over irregular routes, of livestock between all points and places within a 25-mile radius of Deertrail, Colorado, and the transportation of livestock between points and places within a 25-mile radius of Deertrail, Colorado, on the one hand, and all points and places in Colorado on the other hand, and that a certificate of public convenience and necessity should issue therefor.

That the Commission has carefully reviewed the evidence and the record made at the instant hearing, and it further appears to the Commission that in all other respects the application should be denied, as it appears to the Commission that adequate service beyond a 25-mile radius of Deertrail is now available to the public.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the extended common carrier motor vehicle service of applicant for the transportation, on call and demand, over irregular routes of livestock between all points and places within a 25-mile radius of Deertrail, Colorado, and between points and places in the above-described area on the one hand, and, on the other, all points and places within the State of Colorado, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Kinchell
Frank W. Hoadley
Joseph C. Horton
Commissioners.

Dated at Denver, Colorado,
this 9th day of July, 1953.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
FRONTIER AIRLINES, INC., DENVER,)	
COLORADO, FOR AN ORDER AUTHORIZING)	
SUPPLEMENTAL EMERGENCY GROUND TRANS-)	<u>APPLICATION NO. 12289</u>
PORTATION INCIDENT TO APPLICANT'S)	
AIR TRANSPORTATION OPERATIONS.)	
-----)	

July 10, 1953

Appearances: S. Arthur Henry, Esq.,
Denver, Colorado, for
applicant;
Joseph G. Hodges, Esq.,
Denver, Colorado, for
Continental Bus System,
Inc., and Denver-Colorado
Springs-Pueblo Motor
Way, Inc.;

W. F. Bridgeman, Denver,
Colorado, for the Commission.

S T A T E M E N T

By the Commission:

By Decision No. 27660, of date February 26, 1947, Monarch Air Lines, Inc., Denver, Colorado, was granted a certificate of public convenience and necessity to operate as a scheduled common carrier by airplane, in intrastate and interstate commerce, for the transportation of:

passengers, mail and express, on schedule, in intrastate and interstate commerce within Colorado, singly or in combination with its operations over "Route No. 73," as follows:

(a) Between the terminal point Salt Lake City, Utah, the intermediate points Provo and Price, Utah, and the terminal point Grand Junction, Colorado;

(b) Between the terminal point Grand Junction, Colorado, the intermediate points Cortez, Colorado, Farmington and Gallup, New Mexico, and the terminal point Albuquerque, New Mexico;

(c) Between the terminal point Denver, Colorado, the intermediate points Boulder, Grand Lake, Craig, and Glenwood Springs-Rifle, Colorado, and the terminal point Grand Junction, Colorado;

(d) Between the terminal point Denver, Colorado, the intermediate points Leadville, Salida, Gunnison, and Montrose-Delta, Colorado, and the terminal point Grand Junction, Colorado; and

(e) Between the terminal point Denver, Colorado, the intermediate points Colorado Springs, Pueblo, Canon City, Alamosa-Monte Vista, and Durango, and the terminal point Cortez, Colorado.

By Decision No. 35844, of date January 2, 1951, said certificate was transferred to Frontier Airlines, Denver, Colorado.

By the instant application, the Frontier Airlines, Inc., Denver, Colorado, seeks an extension of its certificate of public convenience and necessity for air transportation to authorize occasional supplementary emergency ground transportation in connection with, and as an incident to, its certificated function of air transport of passengers, cargo, and mail.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, April 28, 1953, and, at the conclusion of the evidence, the matter was taken under advisement.

Counsel for applicant made an opening statement declaring that the ground transportation authority which was being sought would be supplemental to their air transportation, and that no revenue would be collected from the passengers and, therefore, no ground tariff would be filed. He testified that passengers, mail, baggage, and express would be transported, not on schedule, but in emergencies between Monte Vista and Alamosa, Colorado, a hyphenated stop, and between Durango, Colorado, and Farmington, New Mexico.

The Commission ruled that transportation of passengers, mail, baggage, and express between Durango, Colorado, and Farmington, New Mexico, would be an interstate movement and not under the jurisdiction of this Commission and, therefore, no further evidence would be taken relative to that portion of the application.

William R. Crismon, Assistant to the President of the Frontier Airlines, Inc., testified that emergencies arose during inclement weather which necessitated transportation of the Frontier's passengers, cargo and

air mail between Alamosa and Monte Vista, Colorado, by ground transportation by motor vehicle to render better service to the public; that no charge would be made to the passengers for the service, it being considered a portion of the transportation service for which they paid when they purchased tickets for air transportation by the Frontier. Exhibit No. 1 was identified and introduced in evidence showing the number of scheduled flights during the past year which were forced to bypass Alamosa or Monte Vista on account of weather or field conditions. He further testified that the service which they were trying to render would be restricted to the use of station wagons or 7-passenger automobiles; that the time schedules of the Continental Bus System, Inc., were not convenient for passengers enplaning or deplaning and their use would cause considerable inconvenience and delay on the part of the traveling public; that the air travel time between Monte Vista and Alamosa was 16 minutes. They estimated the trip could be made in passenger cars in 30 minutes. If passengers were carried past Monte Vista, the Company desired to furnish them motor transportation from Alamosa back to Monte Vista. If passengers were boarding a plane at Monte Vista and the plane was forced to bypass Monte Vista, it was their desire to furnish motor transportation from Monte Vista to Alamosa. He stated that, if a satisfactory rate could be obtained for a service available at the proper times, they would be glad to use public transportation; that they had no intention of transporting passengers from the airport to town; that the Company owned no equipment suitable for rendering this service, but intended to contract with local people for drivers and cars and utilize station agents on the payroll of the Company as drivers; that presently, the business could be handled by one car; that there were usually only one, two or three people per flight to be transported; that on one occasion there had been five passengers to be transported; that the rate for taxi service from Alamosa to Monte Vista was \$4.50 per passenger, but that cabs were not always available, and that at times it necessitated a wait of two or three hours;

that Frontier flights were not always on time and the motor service must, therefore, of necessity be flexible.

Erwin T. Cook of the Traffic Department of Frontier Airlines, Inc., testified that a station wagon or 7-passenger car would take care of the service in all but rare cases; that this supplemental or emergency service would be of great convenience to the passengers and help the Company, who was always looking for business; that Frontier would continue to use certificated carriers where adequate service was available.

Donald B. Edwards, Administrative Assistant to the Vice-President in charge of operations, testified that, due to the high altitude of Monte Vista, the C. A. B. have placed temperature restrictions upon the take-off load permitted by the Frontier when departing from Monte Vista. For each 5 degree increase in temperature, there is a reduction in the gross take-off weight permitted by the C. A. B. rules. The altitude at Alamosa is 7,535 feet above sea level and the altitude at Monte Vista is 7,770 feet above sea level. He stated that increases in temperature have the effect of shortening the runways and on extremely warm days it is equivalent to attempting a take-off at 11,000 feet in altitude. He identified and introduced into evidence Exhibit No. 2, the current time table of the Frontier Airlines, Inc.

Roger L. Williams, Assistant to the General Manager of the Continental Bus System, Inc., testified in opposition to the application. He identified and introduced into evidence Exhibit No. 3, being the schedule of the Continental Bus System, Inc., and testified that, in addition to the scheduled service, the Continental Bus System, Inc., also had available at Alamosa chartered bus service; that they always had one extra piece of equipment available at Alamosa, usually a 37-passenger Diesel powered bus; that it was not economically feasible to charter a bus for 4 or less passengers; that a 29-passenger bus was the smallest equipment ever available; that no passenger cars or station wagons were

available; that Mr. Ralph Berndt, the General Manager, would be willing to talk about a contract to have equipment available, but that it was not feasible with the present volume of traffic; that there was only one piece of extra equipment available and that a driver was not on duty at all times.

It appears from the testimony that the Frontier Airlines, Inc., has no desire to engage in the type of common carrier motor vehicle transportation of passengers for hire which would require them to make their service available to the public generally, but that they desire to furnish, at the airline's expense, a ground transportation service as a substitute for air transportation when it is found to be impracticable and not as a complement to regular air service. This would be clearly subordinate to the regular air service and incidental to transportation by aircraft.

There remains for consideration the question of whether the proposed operation is required by the public convenience and necessity. As seen by the supporting testimony, the air traveling public of Monte Vista require a specialized expeditious and flexible service by motor transportation to enable them to take full advantage of the facilities offered by Frontier for air transportation in and out of the valley. Although several common carriers by motor vehicle now operate between Alamosa and Monte Vista, the evidence is convincing that the special needs of the air passengers cannot be met by these carriers. It is also clear that existing carriers would not be adversely affected by any material extent through the service which the applicant seeks to offer.

The Commission has no desire to increase the competition by granting an additional certificate for the transportation of passengers by motor vehicle for hire between points in the San Luis Valley, but wishes to cooperate to afford the citizens of Monte Vista every possible convenience to facilitate their use of air transportation.

Applicant is fit and able to conduct this operation. There are no good reasons why the proposal should not be found to be consistent with the public interest. The service is actually needed for the proper and efficient conduct of the Frontier business. Frontier possibly contends that it could not obtain the quality of service needed from outside passenger carriers. The close connection between the air carriers and the substituted service would make this service equal in flexibility and convenient to a service performed by Frontier in its own planes.

With the restriction to be imposed, the proposed operation could not be much of a threat to any public carrier.

F I N D I N G S

THE COMMISSION FINDS:

That, in accordance with the facts disclosed in the above Statement, which, by reference, is made a part of these Findings, that the application for extension of the certificate of Frontier Airlines, Inc., should be granted as limited by the following Order.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the extension of the certificate of the Frontier Airlines, Inc., to authorize as an incident to its duly certificated transport of passengers, mail and cargo by air, the transportation by motor vehicle between the airport at Alamosa, Colorado, and the airport at Monte Vista, Colorado, of air passengers, air mail and air cargo, with the privilege of making pick ups and delivery at the intermediate point of Monte Vista, Colorado, the transportation of passengers to be limited to people holding Frontier Airline tickets who have been previously airborne by the Frontier, or who are commencing a trip on the Frontier, no extra fare to be charged the passengers, the transportation to be at the expense of the Frontier as a part of the fare already paid by the passenger.

That the service is to be limited to the use of station wagons or passenger cars not to exceed 7-passenger capacity. Station wagons or passenger automobiles used in the operation of this emergency service shall be plainly marked on both sides "Frontier Airlines, Inc.," and all safety rules of the Commission shall be strictly complied with and regular monthly passenger-mile reports made to the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell

Joseph W. Kealey

Joseph C. Hobson

Commissioners.

Dated at Denver, Colorado,
this 10th day of July, 1953.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILLIAM J. GRUNINGER AND A.E. SNIDER,)
DOING BUSINESS AS "NEWS & FILM SER-)
VICE," 1151 GALAPAGO STREET, DENVER,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PERMIT NOS. A-4500 AND A-4500-I TO)
ALSTON E. SNIDER, 1820 WEST GUNNISON)
PLACE, DENVER, COLORADO.)

APPLICATION NO. 12448-PP-Transfer

July 10, 1953

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, Colorado,

said operating rights being designated "Permit No. A-4116."

Harry Russell, Pueblo, Colorado, 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 was, by the same decision, authorized to extend operations hereunder 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.

Pursuant to authority contained in Decision No. 36668, of date May 4, 1951, J. E. Bailey transferred said Permit No. A-4116 to J. E. Bailey and Harold E. Taylor, co-partners, doing business as "Bailey Truck Line," Denver, Colorado.

By Decision No. 38316, of date March 27, 1952, J. E. Bailey and Harold E. Taylor, co-partners, doing business as "Bailey Truck Line," Denver, Colorado, were authorized to transfer said Permit No. A-4116 to J. E. Bailey and A. E. Snider, co-partners, doing business as "Bailey Truck Line," Denver, Colorado.

By Decision No. 38199, of date February 21, 1952, amending Decision No. 38182, nunc pro tunc as of February 8, 1952, J. E. Bailey and A. E. Snider, co-partners, doing business as "Bailey Truck Line," Denver, Colorado, were authorized to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of:

newspapers from Denver to the Kansas State Line via U. S. Highway No. 40 to Limon, and Highway No. 24 to the State Line, and return via U. S. Highway No. 36 from the State Line to Denver, Colorado, in both interstate and intrastate commerce, serving all points on said highways for the transportation of newspapers, only; also, that the interstate operating rights authorized herein are subject to the Federal Motor Carrier Act of 1935,

which authority was assigned "Permit Nos. A-4500 and A-4500-I."

By Decision No. 38890, of date June 26, 1952, J. E. Bailey and A. E. Snider, doing business as "Bailey Truck Line," Denver, Colorado, were authorized to transfer their operating rights under Permits Nos. A-4116, A-4500 and A-4500-I, as set forth above, to W. J. Gruninger and

A. E. Snider, doing business as "News & Film Service," 1151 Galapago Street, Denver, Colorado, and thereafter the operating rights to transferred were to be consolidated and designated as "Permits Nos. A-4500 and A-4500-I."

By Decision No. 38891, of date June 26, 1952, the permit-holders were authorized to extend their operations under Permit Nos. A-4500 and A-4500-I to include the transportation of:

film and newspapers from Lamar, Colorado, to the Colorado State Line on U. S. Highway No. 50 and intermediate points, and the transportation of film from Limon, Colorado, to the Colorado state line on U. S. Highway No. 24 and all intermediate points.

By the instant application, the permit-holders seek authority to transfer Permit Nos. A-4500 and A-4500-I to Alston E. Snider, doing business as "News & Film Service," 1820 West Gunnison Place, Denver, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permits are 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 permits; 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 the transfer of said operating rights, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That William J. Gruninger and A. E. Snider, doing business as "News & Film Service," Denver, Colorado, should be, and they are hereby, authorized to transfer all their right, title and interest in and to Permit Nos. A-4500 and A-4500-I -- being the operating rights granted by Decisions Nos. 27073, 35089, 38199, and 38891 -- to Alston E. Snider, doing business as "News & Film Service," 1820 West Gunnison Place, Denver, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

The transfer of interstate operating rights authorized herein is subject to the Federal Motor Carrier Act of 1935.

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

That said transfer shall become effective only if and when, but not before, said transferors and transferee, in writing, have advised the Commission that said permits have been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

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 permits up to the time of transfer of said permits, and the payment by them or transferee of all unpaid ton-mile tax.

This order is made a part of the permits authorized to be

transferred, and shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Joseph W. Keenan
Ralph C. Hoban
Commissioners.

Dated at Denver, Colorado,
this 10th day of July, 1953.

ea

original

(Decision No. 40846)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
DOMINICK FRANCH, DOING BUSINESS AS
"FRANCH TRUCK LINE," SILVERTON, COLO-
RADO, FOR AUTHORITY TO TRANSFER PER-
MIT NO. A-841 TO ROBERT W. BANTA,
DOING BUSINESS AS "RED MOUNTAIN
MOTORWAY," BOX 565, SILVERTON, COLO-
RADO.

} APPLICATION NO. 12449-PP-Transfer.

July 10, 1953

S T A T E M E N T

By the Commission:

On October 3, 1934, Harry E. Paxton was authorized to operate
As a Class "A" private carrier by motor vehicle for hire for the trans-
portation of:

freight from Grand Junction to the Colorado-
New Mexico State Line and intermediate points,
via U. S. Highways Nos. 550 and 50; Durango
to Denver via U. S. Highways Nos. 160 and 85.

Pursuant to authority contained in Decision No. 3849, of date
November 10, 1936, Harry E. Paxton transferred said operating rights
(Permit No. A-841) to Clarence A. Wheeler, who, pursuant to authority
contained in Decision No. 12141, of date July 16, 1938, transferred
Permit No. A-841 to Frank Barker and Clarence A. Wheeler, doing business
as "Barker-Wheeler Truck Line."

By Decision No. 12408, said Permit No. A-841 was transferred
by Frank Barker and Clarence A. Wheeler, doing business as "Barker-Wheeler
Truck Line," to Ben Siegel and Barney Siegel, doing business as "Denver-
Durango Truck Line," who, pursuant to authority contained in Decision No.
15648, of date July 8, 1940, transferred said Permit No. A-841 to Dominick
Franch and Albert Franch, co-partners, doing business as "Franch Brothers."

By Decision No. 28105, of date April 19, 1947, Dominick Franch and Albert Franch, co-partners, doing business as "Franch Brothers," Silverton, Colorado, were authorized to transfer said Permit No. A-841 to Dominick Franch, doing business as "Franch Truck Line," Silverton, Colorado.

By Decision No. 36672, of date May 7, 1951, the authority under Permit No. A-841 was clarified 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."

By the instant application, Dominick Franch, doing business as "Franch Truck Line," Silverton, Colorado, seeks authority to transfer Permit No. A-841 to Robert W. Banta, doing business as "Red Mountain Motorway," Box 565, Silverton, 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.

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.

ORDER

THE COMMISSION ORDERS:

That Dominick Franch, doing business as "Franch Truck Line," Silverton, Colorado, should be, and he is hereby, authorized to transfer all his right, title and interest in and to Permit No. A-841 -- being the operating rights clarified by Decision No. 36672, of date May 7, 1951 -- to Robert W. Banta, doing business as "Red Mountain Motorway," Box 565, Silverton, Colorado, subject to payment of outstanding indebtedness against said operations, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted, and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

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

John H. Hinchell
Joseph W. Hines
Harold C. Johnson
Commissioners.

Dated at Denver, Colorado,
this 10th day of July, 1953.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
A. L. ATWOOD, 615 MEEKER, FORT)
MORGAN, COLORADO, FOR AN EXTENSION)
OF PERMIT NUMBER B-2977.)

APPLICATION NO. 12381-PP-Extension

IN THE MATTER OF THE APPLICATION OF)
L. F. FORBES, 3383 SOUTH LAFAYETTE,)
ENGLEWOOD, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 12382-PP

July 10, 1953

Appearances: Marion F. Jones, Esq., Denver,
Colorado, for applicants;
Paul Hickman, Yuma, Colorado,
for Yuma County Transporta-
tion Company.

S T A T E M E N T

By the Commission:

By Application No. 12381-PP, A. L. Atwood, Fort Morgan, Colorado, seeks an extension of his private Permit No. B-2977 to include the transportation of water in tank vehicles; and baled hay and straw between points in Colorado.

By Application No. 12382-PP, L. F. Forbes, Englewood, Colorado, seeks authority to operate as a private carrier by motor vehicle for hire for the transportation of baled hay and straw between all points in the State of Colorado.

The two Applications were set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, June 10, 1953, at ten o'clock A. M., due notice of time and place of hearing being forwarded to all interested parties, and were there heard on a consolidated record, and taken under advisement.

Applicant A. L. Atwood testified that he is the owner of private Permit No. B-2977 authorizing the transportation of hay from point to point

within a radius of 150 miles of Fort Morgan, Colorado, which permit has been extended to include the transportation of diamond core barrels and the accessory bits and hand tools between points in the State of Colorado. He now wishes an extension to include the transportation of water in tank vehicles in connection with his service to the oil industries under his present extension, as there is a demand for such proposed water deliveries. He will use one tank truck with capacity of 2,300 gallons and has current requests for the service from one Joe Alberta, an oil field contractor, and three other contractors or drilling companies. At present, he has authority to transport baled hay and straw between points within a radius of 150 miles of Fort Morgan, but cannot properly serve his customers without at times going beyond this radius to other points in the State. Because of the current drought, movements of hay and straw are necessary to the customers within his present radius from North Park, Saguache, and other points outside said radius, and he has been requested to obtain the extension by the customers, and there is need for his proposed service state-wide. He owns three K-11 International trucks and three 34 foot trailers, which he uses in his present service. A satisfactory financial statement of applicant is on file with the Commission.

Applicant L. F. Forbes testified that he has been in the trucking business all his life, operating under a commercial permit. His equipment consists of an International tractor with 34 foot trailer, and his financial statement on file with the Commission shows his net worth as \$15,650.00. He has had requests for his proposed service from Carl H. Fritz, operating the Fritz Hay Company at Fort Morgan, one E. H. McCloud, and one W. T. Anderson, and wishes to serve all customers with whom he can make the proper contracts. He agreed to a limitation of any authority granted authorizing service in Yuma County, Colorado, to hay dealers only.

Carl H. Fritz, one of the partners operating the Fritz Hay Company at Fort Morgan, Colorado, testified in support of both applications. His firm buys and sells baled hay and straw state-wide. It has used Atwood's service within the 150 mile radius of Fort Morgan, but that radius

is not sufficient to meet the needs of the witness. At present, particularly, the current drought requires his Company to reach out further and bring in baled hay and straw from distant points and he is of the opinion that the authority granted on baled hay and straw to both applicants should be state-wide. His firm has used its own commercial permits, three trucks hauling these commodities over the road and two trucks being used locally, but is in need of as many as four additional trucks to be used in the proposed service. His firm needs the service of both applicants and will use such service.

Clyde Thompson, a hay and straw dealer at Fort Collins, Colorado, contracts to bale hay stacked in the field or to transport the same. The hay must be removed promptly from the field and must be weighed up promptly because of possible loss. He has no equipment of his own and has many calls for service such as is proposed by the two applicants. Any authority issued to these applicants would assist witness in his business and he could and would use the service of both applicants.

No one testified in protest to the granting of either of the applications.

F I N D I N G S

THE COMMISSION FINDS:

That Applications No. 12381-PP and 12382-PP should be granted for the reasons set forth in the above and foregoing Statement, which, by reference, is made a part hereof.

O R D E R

THE COMMISSION ORDERS:

That A. L. Atwood, 615 Meeker, Fort Morgan, Colorado, be, and he hereby is, authorized to extend his authority under private carrier Permit No. B-2977 to include the transportation of water in tank vehicles and baled hay and straw between all points in the State of Colorado.

This Order is made a part of the permit granted to applicant and shall become effective twenty-one days from date.

That L. F. Forbes, 3383 Lafayette, Englewood, Colorado, be, and

he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of baled hay and straw between all points in the State of Colorado, his service in Yuma County to be limited to hay dealers 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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Hinchell

Joseph W. Hensley

Ralph C. Bohm
Commissioners.

Dated at Denver, Colorado,
this 10th day of July, 1953.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ED RUTT, 119 SOUTH 11TH STREET,)
BRIGHTON, COLORADO, FOR AUTHORITY)
TO TRANSFER PERMIT NO. A-539 TO ED)
RUTT AND EVELYN D. RUTT, AS JOINT)
TENANTS, 119 SOUTH 11TH STREET,)
BRIGHTON, COLORADO.)

APPLICATION NO. 12447-PP-Transfer

July 10, 1953

S T A T E M E N T

By the Commission:

On June 23, 1934, Oscar Herbel was authorized to operate as a private carrier by motor vehicle for hire, and Private Carrier Permit No. A-746 issued to him.

By Decision No. 6412, of date April 6, 1935, said Oscar Herbel was authorized to transfer said permit to Howard Swank, with the proviso:

"Said transferee shall not engage in regular freight service between Greeley and Pueblo or points intermediate thereto, but shall limit his freight service between said points to occasional hauling for his customers residing in the territory described in the original permit near Brighton, Colorado,"

said territory being described as:

"to eight miles west of Brighton from three miles north to twelve miles south of Brighton, to Brighton."

On June 3, 1937, by Decision No. 10104, said authority, as defined in said transfer order, was amended to read:

"milk route in territory extending eight miles west of Brighton, three miles north, twelve miles south of Brighton, to Brighton, and occasional trips for customers residing in the Brighton milk area between Greeley and Castle Rock and intermediate points on U. S. Highway No. 85,"

the said Swank having represented to this Commission that he was desirous of cancelling that part of his authority which authorized occasional trans-

portation service for his customers along U. S. Highway No. 85 between Castle Rock and Pueblo, in order to reduce insurance costs.

On October 10, 1933, B. S. Burkhardt was authorized to operate as a private carrier (Permit No. A-539) by motor vehicle for hire, for the transportation of:

milk over milk route northwest of Brighton to Fort Lupton, Brighton and Denver, and return,

and, on January 10, 1936, Decision No. 7018, said Burkhardt was authorized to transfer said permit to Howard Swank, it being provided in the order that the territory to be served by transferee under said authority should include the area:

"commencing at Brighton on the east; thence four miles north, six miles west, and south to the Adams County Line, and from and to said area, to and from Fort Lupton, Brighton, and Denver."

By Decision No. 13684, of date June 24, 1939, said Howard Swank was authorized to transfer his operating rights under said Private Carrier Permits Nos. A-746 and A-539 to Ed Rutt and Mary Deer, co-partners, doing business as "Ed Rutt," said authorities to be consolidated and said operation to be thereafter conducted under Private Carrier Permit No. A-539.

By Decision No. 19322, of date July 23, 1942, Mary Deer was authorized to transfer all her right, title, and interest in and to said permit to Ed Rutt.

It appears from the record that Ed Rutt, Brighton, Colorado, is the present owner of said Private Carrier Permit No. A-539, which authorizes:

Route 1 - A milk route in territory extending eight miles west of Brighton, three miles north, twelve miles south of Brighton, to Brighton, and occasional trips for customers residing in the Brighton milk area, between Greeley and Castle Rock and intermediate points on U. S. Highway No. 85.

Route 2 - A milk route in territory commencing at Brighton on the east; thence four miles north, six miles west, and south to the Adams County line, and from and to said area, to and from Fort Lupton, Brighton, and Denver, Colorado.

By Decision No. 36494, of date April 17, 1951, Ed Rutt, Brighton, Colorado, was authorized to extend his operations under Private Carrier Permit No. A-539 to include the transportation of:

milk and cream from all points in the area described as "Route 1" in the above and foregoing Statement, to Denver, Colorado, including points within a radius of five miles of Denver, Colorado; that such service shall be limited to those customers in said area whose names appear on his Customer List, as of January 1, 1951, on file with the Commission, and no customers shall be added to said list without prior authorization by this Commission.

By the instant application, said permit-holder seeks authority to transfer Permit No. A-539 to Ed Rutt and Evelyn D. Rutt, as joint tenants, Brighton, 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 Ed Rutt, Brighton, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to Permit

No. A-539, which authorizes the following:

Route 1 - A milk route in territory extending eight miles west of Brighton, three miles north, twelve miles south of Brighton, to Brighton, and occasional trips for customers residing in the Brighton milk area, between Greeley and Castle Rock and intermediate points on U. S. Highway No. 85.

Route 2 - A milk route in territory commencing at Brighton on the east; thence four miles north, six miles west, and south to the Adams County line, and from and to said area, to and from Fort Lupton, Brighton, and Denver, Colorado.

The transportation of:

milk and cream from all points in the area described as "Route 1" in the above and foregoing Statement, to Denver, Colorado, including points within a radius of five miles of Denver, Colorado; that such service shall be limited to those customers in said area whose names appear on his Customer List, as of January 1, 1951, on file with the Commission, and no customers shall be added to said list without prior authorization by this Commission,

to Ed Rutt and Evelyn D. Rutt, as joint tenants, Brighton, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

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.

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 transferees herein.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Hinchell

Joseph C. Hinchell

Ralph C. Hinchell
Commissioners.

Dated at Denver, Colorado,
this 10th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF
PAUL HICKMAN, DOING BUSINESS AS
"YUMA COUNTY TRANSPORTATION COMPANY,"
YUMA, COLORADO, TO TRANSFER A PORTION
OF CERTIFICATES NOS. PUC-1066 AND
1066-I TO YUMA COUNTY TRANSPORTATION
CO., A CORPORATION, YUMA, COLORADO.

APPLICATION NO. 12383-Transfer

July 13, 1953

Appearances: Marion F. Jones, Esq.,
Denver, Colorado,
for applicant.

S T A T E M E N T

By the Commission:

On July 1, 1938, Decision No. 12068, Certificate of Public
Convenience and Necessity No. 1066, which authorizes:

Transportation only of:

(a) Livestock between points in the area bounded
by the Colorado-Nebraska-Kansas State Lines on the
east, the East Washington County Line on the west,
and extending 20 miles south and 25 miles north of
Wray, Colorado;

(b) The transportation of livestock from and to
points in said area to and from points in the
State of Colorado;

(c) Farm products (except livestock) from point to
point in said area and from farms in said area to
market points in the State of Colorado;

(d) Used farm machinery and equipment (including
used household goods and used furniture when moved
in connection with farmers' effects) from farm to
farm in said area and from and to farms in said
area to and from other points in the State;

(e) Stock feeds, salt, fence posts, wire, building
material and general farm supplies from Yuma to
farms in said area;

(f) Cement from Boettcher and plaster from La Porte
to points in said area,

was transferred to Paul Hickman, doing business as "Yuma County Transportation
Company."

By Decision No. 17434, of date July 29, 1941, the certificate-owner was granted authority to extend his operations under said certificate on the west a distance of 6 miles from his then-established western boundary line, and also to extend his operations for the movement of household goods, including store and office fixtures and furniture, between points within the area then authorized to be served, including the 6-mile extension, and points east of U. S. Highway No. 85; provided, however, there shall be no service for said commodities on U. S. Highway No. 85 nor west thereof, nor between towns on U. S. Highway No. 34 and Denver and intermediate points.

Under the certificate as above extended, the certificate-owner was authorized to perform call and demand service only.

By Decision No. 21607, of date November 16, 1943, by transfer, said Paul Hickman, doing business as "Yuma County Transportation Company," became the owner of certain operating rights insofar as they authorize line-haul operations only, described in the following decisions:

Decision No. 1951, Application No. 1011, of date October 11, 1928, authorizing the transportation of:

freight between Akron and Sterling and intermediate points; agricultural products, including livestock, only from a territory extending 30 miles south, 10 miles east, 15 miles north, and 10 miles west from the Town of Akron into the Town of Akron, and from said territory directly into Sterling.

Decision No. 2772, Application No. 1436, March 7, 1930, authorizing the transportation of:

freight between Sterling, Otis, Yuma, Eckley, Wray, and intermediate points.

Decision No. 2446, Application No. 844, August 23, 1929, authorizing the transportation of:

freight from Akron to Denver, and from Denver to Akron, but not between any intermediate points; furniture and agricultural products, including livestock, from and to a certain territory described from Akron as follows: south 30 miles, east 10 miles, north 15 miles, west 10 miles, and from said territory directly into Denver and return.

Decision No. 3699, Application No. 1836, October 16, 1931,
authorizing the transportation of:

freight between Denver, Colorado, and Wray, Colorado.

Authority granted on June 20, 1932, Application No. 2030-I
for the transportation of:

freight between Denver, Sterling, Akron and Wray, Colorado, and the Colorado-Nebraska State Line where State Highway No. 54, east of Wray, crosses same, and between intermediate points and said line, in interstate commerce.

Decision No. 14418, Application No. 1436-AB, December 2, 1939,
authorizing the transportation of:

freight in intrastate commerce between the City of Denver, Colorado, and the towns of Otis, Yuma and Eckley, and between Brush, Colorado, and all points east thereof on U. S. Highway No. 34 (which is through Akron and Wray).

Said Decision No. 21607, of date November 16, 1943, supra, authorized the transfer to Hickman of the line-haul operations only of Oliver L. Buckingham, Glen O. Buckingham, Harold D. Buckingham, and Earl F. Buckingham, doing business as "Buckingham Transportation Company," under their PUC-546, and said decision specifically denied the application for the transfer of the call and demand operations of transferors. There is no provision in the order for the incorporation of the line-haul operations transferred with PUC-1066 of Hickman.

By the instant application, said certificate-owner seeks authority to transfer to Yuma County Transportation Co., a Colorado corporation, that portion of his operating rights authorizing the transportation of:

freight, on schedule, between Akron and Sterling and intermediate points; between Sterling, Otis, Yuma, Eckley, Wray, and intermediate points; from Akron to Denver and from Denver to Akron, but not between any intermediate points; between Denver and Otis, Yuma and Eckley, and between Brush, Colorado, and all points east thereof on U. S. Highway No. 34.

The matter was regularly set for hearing, after due notice to all interested parties, and heard on June 10, 1953, at 330 State Office Building, Denver, Colorado, and there taken under advisement.

Paul Hickman, applicant herein, testified that he has caused to be incorporated under Colorado law "Yuma County Transportation Co." (copy of Articles of Incorporation on file with the Commission). The equipment list and a satisfactory financial statement of the corporation is on file with the Commission showing a net worth of \$13,200. The incorporators are Paul V. Hickman, Dorothy A. Hickman and Roscoe A. McKinster. The interstate authority of applicant for scheduled service has already been transferred to the corporation by authority of the Interstate Commerce Commission, and he now requests that his intrastate scheduled service be similarly transferred. The corporation has been operating this scheduled service since January 1, 1953. Hickman will continue to operate his call and demand service as an individual. His interstate scheduled service has been leased by the corporation to Highway Motor Freight of Omaha, Nebraska, and if this proposed transfer is approved, the corporation will also lease the intrastate scheduled service to Highway, which will then operate both the interstate and the intrastate scheduled service. Highway has authority between Omaha and McCook, Nebraska, and after the proposed lease is executed can operate between Omaha and Denver. The proposed transfer of the scheduled rights will not interfere with applicant's call and demand service, and will enable him to operate the same as an individual more adequately and economically than at present.

The records do not show that any order has ever been entered authorizing the consolidation of the scheduled service transferred to applicant from PUC-546 of Buckingham Transportation Company under Decision No. 21607, nor that any new number was ever assigned to the operating rights so transferred. However, applicant has reported his operations under that portion of PUC-546 and under PUC-1066 under the latter number. The instant application therefore does not involve the splitting of PUC-1066, and Rule 5 (b) of our Rules and Regulations Governing Common Carriers by Motor Vehicle, effective January 1, 1951, does not apply.

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 Paul Hickman, doing business as "Yuma County Transportation Company," be, and is hereby, authorized to transfer to Yuma County Transportation Co., a corporation, Yuma, Colorado, all of the operating rights heretofore transferred to him under Decision No. 21607, of date November 16, 1943, by Buckingham Transportation Company, subject, however, to outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

The tariff of rates, rules and regulations of transferor shall, upon proper adoption notice, 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.

The transfer of interstate operating rights authorized herein is subject to the Federal Motor Carrier Act of 1935.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell

Joseph W. Hawley

Ralph C. Horton

Commissioners.

Dated at Denver, Colorado,
this 13th day of July, 1953.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
CARL THOMPSON, DOING BUSINESS AS)	
"CARL THOMPSON TRUCK LINE," KEENES-)	
BURG, COLORADO, FOR AUTHORITY TO)	<u>APPLICATION NO. 12453-Transfer</u>
TRANSFER PUC NO. 410 TO HUGH M.)	
SLOAN, DOING BUSINESS AS "ROAD)	
RUNNER TRUCK LINE," BOX 63, KEENES-)	
BURG, COLORADO.)	
-----)	

July 13, 1953

S T A T E M E N T

By the Commission:

The records of the Commission show that Carl Thompson, doing business as "Carl Thompson Truck Line," Keenesburg, Colorado, is the owner of PUC No. 410, with authority as follows:

Transportation of general freight, without respect to weight thereof, from Denver to Hudson, and the transportation from Hudson to Denver of agricultural products, including livestock, in less than car load lots (formerly PUC 250), subject to the release granted to F. J. Strasbaugh and transferred to Yockey Truck Company (PUC 451), whereby the non-scheduled carrier shall not be required to charge as much as twenty per cent higher than the scheduled carrier in the transportation of farm products, except milk and cream.

Transportation of freight in scheduled service between the following territory: Commencing at a point on the east section line of Section 26, T. 2 N., R. 64 W., immediately east of Keenesburg; thence north four miles; thence east ten miles; thence south nineteen miles; thence west ten miles; thence north fifteen miles to the place of beginning; and Denver and Brighton, and from point to point within said territory and between those points in said territory and other points in the State of Colorado, (PUC 410), subject to the release granted to F. J. Strasbaugh and transferred to Yockey Truck Company, (PUC 451), whereby the non-scheduled carrier shall not be required to charge as much as twenty per cent higher than the scheduled carrier in the transportation of farm products, except milk and cream.

Transportation of milk and cream from the above-described territory east of Keenesburg to Fort Lupton, Colorado, with back-haul of empty cans. (Formerly Permit A-116, as cancelled.)

By the instant application, said certificate-holder seeks authority to transfer PUC No. 410 to Hugh M. Sloan, doing business as "Road Runner Truck Line," Keenesburg, 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.

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 Carl Thompson, doing business as "Carl Thompson Truck Line," Keenesburg, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to PUC No. 410, with authority described in the above and foregoing Statement, which, by reference, is made a part hereof, to Hugh M. Sloan, doing business as "Road Runner Truck Line," Keenesburg, Colorado, subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the

Commission that said certificate has been formally assigned and that said parties have accepted, and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

The tariff of rates, rules and regulations of transferor shall upon proper adoption notice, 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

Handwritten signature of John H. ...

Handwritten signature of Joseph T. ...

Handwritten signature of Raymond C. ...
Commissioners.

Dated at Denver, Colorado,
this 13th day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) CARL HIZEL, 2623 COLUMBINE STREET,) DENVER, COLORADO, FOR AN EXTENSION) OF PUC NO. 2495.)	<u>APPLICATION NO. 12322-Extension</u>
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July 13, 1953

Appearances: Robert L. McDeugal, Esq.,
Denver, Colorado, for
Applicant.

S T A T E M E N T

By the Commission:

By Application No. 12188-Transfer, Decision No. 40104, February 25, 1953, Carl Hizel secured a portion of PUC-1966 from D. G. Bodle and Richard Bebbler, co-partners, doing business as "Eaglewood Pickup Service."

The above transfer to Mr. Hizel authorized:

Transportation of ashes and trash in the territory known as 72nd and Mead, Adams County, Colorado, and a radius of four miles, excluding Denver, Colorado,

and certificate No. PUC-2495 was issued to him.

By the instant application, applicant seeks an extension of that authority.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room, 330 State Office Building, Denver, Colorado, May 20, 1953, 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 acquainted himself with the immediate territory adjacent to his authority and had found that certain neighborhoods and areas are now without ash and trash service; that there is a rather extensive residential project now under construction adjoining his territory for which no one has authority for service; that

his equipment consists of one 1950 Chevrolet auto and one 1950 Plymouth auto, and one 1952 Chevrolet truck; that his net worth, as shown by a financial statement accompanying the application, is approximately \$25,000; that public convenience and necessity require that adequate trash and ash disposal be made available to the people in the proposed extended area.

No one appeared in opposition to the granting of the proposed extension, and the financial responsibility and operating experience of applicant were established to the satisfaction of the Commission.

An examination by the Commission's staff of the proposed area to be included in Mr. Hisel's authority shows that it overlaps to some extent other certificated authorities and it is the opinion of the Commission that no extension should be allowed to overlap other authority, except in the case of PUC-2078, William F. Maleak, who had notice of the hearing in this matter.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require the extension of PUC-2495, as limited by the following order, and that the service of no other common carrier of ashes and trash will be impaired by the granting of such extension.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require that the authority of Carl Hisel, Denver, Colorado, should be, and hereby is, extended so that the total authority will be as follows:

Transportation of ashes and trash in the territory known as 72nd and Mead, Adams County, Colorado, and a radius of four miles, excluding Denver, Colorado, with the following extension commencing on Kipling Street at the point where the above four mile radius from 72nd and Mead intersects Kipling Street; thence north on Kipling Street to the Jefferson County line, which line is the north township line of Township 2

South; thence east on the north line of Township 2 South and along that part of State Highway No. 128 to the west side of the South Platte River; thence southwesterly along the west side of the South Platte River to the south side of Section 1, T. 3, S., R. 68 W.; thence west about one-half mile to an intersection with the original four mile radius from 72nd and Mead,

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

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Hunsbell
Joseph D. Kealey
Ralph C. Hutton
Commissioners.

Dated at Denver, Colorado,
this 13th day of July, 1953.
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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES G. RAY, 3023 GILPIN STREET,)
DENVER, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 12423-PP

July 13, 1953

Appearances: Charles G. Ray, 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, and other road surfacing materials used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek and Gilpin Counties.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at 312 State Office Building, Denver, Colorado, July 3, 1953, 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 has had five years experience in the trucking business and at the present is hauling asphalt for the Western Paving Company. He owns a 1949 Chevrolet 2-ton truck with dump body and his net worth is \$1,000.00. He wishes to serve all contractors who request his service, and has a present request for service by the Winglow Construction 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 service 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 Charles G. Ray, 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 road surfacing materials used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek, and Gilpin Counties.

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

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

John H. ...

Joseph ...

Ralph C. ...
Commissioners.

Dated at Denver, Colorado,
this 13th day of July, 1953.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE FAILURE OF VARIOUS)
CORPORATIONS AND PERSONS TO COMPLETE)
APPLICATIONS FOR PERMITS TO OPERATE AS)
COMMERCIAL CARRIERS OVER THE HIGHWAYS)
OF THE STATE OF COLORADO)

JULY 13, 1953

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to the Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highways compensation taxes due from said corporations and persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer or other vehicle used by said corporations and persons.

(d) Failure to obtain, and keep in force at all times, public liability and property Damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by;

- | | |
|---------------------------|-------------------------------|
| A N Food Products | 2827 Franklin Ave St Louis Mo |
| Le Roy Adams | Atoka Oklahoma |
| Robert W Adams | St Louis Missouri |
| Aermotor Company | 2500 Roosevelt Chicago Ill |
| B E Akins | Glayton New Mexico |
| Alexander Dist Co | Gen Del Hamilton Ala |
| All States Tel Co | Little Rock Arkansas |
| Allen Auto Sales | Albuquerque New Mexico |
| Burl M Allen | Wichita Kansas |
| Milton Allen | Rocky Ford Colorado |
| Amarillo Texas | Amarillo Texas |
| Amburn & Womback Motor Co | Lubbock Texas |

Amer Cotton Co
 T A Andrews
 John P Applehans
 John R Archer
 Arkner Trucking Co
 Kenneth C Austin
 Walt Austin & C E Sheild
 Auto Mart
 A P Bains
 Q L & Jack Bales
 Elmer Barker
 R S B Bates
 Bean Motor Sales
 L M Beddo
 Beebe & Hart
 G H Benefield
 E C Bertling
 W H Birdwell
 Bishop Roofing Co
 A M Bounds
 Bowman Auto Co
 J H Bradley
 Geo Braumston
 Viri W Brock
 Weir T Brooks
 Brown Wholesale Electric
 Browns Produce
 B W Bruckner
 Rheil Bryan
 Burlison & Son
 William Burton
 C & D Produce
 James Callaway
 M M Campion
 Thomas E Cannon
 C S Capps
 Cardwell Prod
 L M Carney
 Roman Carrasco
 Ed L Coughlan
 Dean Chapman
 E Chapman
 H F Chapman
 H Frank Chastain
 Dwight Cheek
 Dwight Cheek
 Chicago Bridge & Tran
 Alex Cirone
 City Motel & Salvage
 Chester Clark
 Clark & Johnson Motor Co
 Clear Lumber Sales Co
 Coast to Coast Stores
 Claud Coats
 Jack R Cobb
 L C Coffey
 Ben Cole Prod Co
 Collins Equipment Co
 Noland Collins
 Colo Soft Water Service

Brownsville Texas
 Rt 1 Taylor Texas
 3527 West First Ave Denver 19 Colo
 Austin Texas
 Symrna Delaware
 Newburg Oregon
 Eugene Oregon
 Grand Island Nebr
 Lakeland Florida
 Tampa Florida
 Little Rock Arkansas
 Seminole Florida
 127 Ave C Kennswick Colo
 222 No W 56th St Albuquerque N Mex
 13119 Gridley Rd Norwalk Calif
 Cullman Alabama
 Hebronville Texas
 San Angelo Texas
 Albuquerque New Mexico
 Houston Texas
 North Platte Nebr
 Tuskegee Alabama
 Monrovia Calif
 Rt 4 Montrose Colo
 Gen Del Louisville Kentucky
 Cos-A-Neelas Calif
 Greensville Mississippi
 Amarillo Texas
 Amarillo Texas
 Lubbock Texas
 Roswell New Mexico
 Florence Alabama
 Electra Texas
 Muskegon Michigan
 2423--13th Ave No Birmingham Ala
 Lampasas Texas
 Johnson Kansas
 San Angelo Texas
 San Antonio Texas
 Roseburg Oregon
 Mt Chapman Texas
 Akron Ohio
 Tampa Florida
 Pampa Texas
 811 Osage Amarillo Texas
 Loxley Alabama
 Chicago Illinois
 Box 2 Jansen Colo
 Oklahoma City Okla
 Cottula Texas
 Lubbock Texas
 Star Rt 2 Lebanon Oregon
 8420 West Colfax Denver 15 Colo
 Tulsa Oklahoma
 Ft Worth Texas
 Dallas Texas
 Atlanta Georgia
 1318 So Lamar Ft Worth Texas
 1647 N Madison Wichita Kans
 234 Commonwealth Bldg Denver 2 Colo

J P Cooley
 C C Crawford
 Wayne H Cruise
 R H Daugherty & John D Pollock
 M Daum
 L H Davenport
 Davis & Chilcothe
 C H Decker
 Devris & Reilly
 L E Dick
 James A Dickson
 S F Douglas
 L O Downs
 H Duckworth
 L L Duncan & Sons
 J R & R S Dunn
 Elliot Co
 E J & E H Elrod
 C E Ensminger
 Bill Eston
 Albion Evans
 Carl M Evans
 Edgar Farr
 Arthur R Ferrell
 John Fleming
 R B Foster
 R B Foster
 Leonard Fleshman
 Four Way Freight Line
 Franks Mfg Corp
 C W Fredrick
 Jimmie Gabreal
 Fritz Garber
 H M Genett
 F F Gergenson
 O O Gilbert
 W J Gilbert

Moberly Missouri
 Mobile Alabama
 Baileyville Kansas
 114 West 5th Palisade Colo
 Los Angeles Calif
 Billings Montana
 1522 E Industrial Los Angeles Calif
 Minneapolis Minnesota
 Shelton Iowa
 Hammon Texas
 Tippe Mississippi
 St Paul Minn
 Box Orin St Dallas Texas
 San Angelo Texas
 Duncan Okla
 4674 Benjestown Rd Locke Tenn
 117 No 2nd Harrisburg Pa
 Oklahoma City Okla
 Ft Worth Texas
 Gen Del Rocky Ford Colo
 Kaufman Texas
 Palo Pinto Texas
 Atlanta Georgia
 Dallas Texas
 Tulsa Oklahoma
 Coleman Texas
 Mobile Alabama
 1315 Curtis Denver 4 Colo
 Oakland Calif
 Tulsa Oklahoma
 Sheridan Missouri
 1864 Clinton Mobile Ala
 6900 West Colfax Lakewood Colo
 Houston Texas
 Eads Colorado
 San Antonio Texas
 500 E Kearney Springfield Mo

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by Motor Vehicle be, and the same hereby are, dismissed.

That this order shall become effective July 23, 1953.

S E A L

THE PUBLIC UTILITIES COMMISSION
 OF THE STATE OF COLORADO

ATTEST: A TRUE COPY

 SECRETARY

Dated at Denver, Colorado
 this 13th day of July, 1953.

John H. Deell
Raymond C. Johnson

 COMMISSIONERS.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE FAILURE OF VARIOUS
CORPORATIONS AND PERSONS TO COMPLETE
APPLICATIONS FOR PERMITS TO OPERATE AS
COMMERCIAL CARRIERS OVER THE HIGHWAYS
OF THE STATE OF COLORADO

JULY 13, 1953

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to the Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highways compensation taxes due from said corporations and persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer or other vehicle used by said corporations and persons.

(d) Failure to obtain, and keep in force at all times, public liability and property Damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by;

Glass Sales Co
Goldhill Foods Co
W G Gore
Willie Goree
Raymond R Grace
A V Granger
B B Gray
Griffin & Harton
L C Grindle
Bill Gulley
Wilbur Gustin
Eddie Hamilton

80½ Brd St Atlanta Ga
Huntsville Alabama
Mobile Alabama
Roswell New Mexico
Rt 1 Longmont Colo
1008 No Roosevelt Amarillo Texas
Ft Worth Texas
Dallas Texas
Loxley Alabama
Bayminnett Alabama
Hooker Oklahoma
Amarillo Texas

Ben Hamrick	Ft Worth Texas
Dago Harmon	Dallas Texas
Macy Harrell	Sanford Texas
H Harrington	Phoenix Arizona
George D Harrison	Poudre Canon Rte Bellvue Colo
Fred W Harvy	Box 443 Craig Colo
Hass & Wyss	2130 No Marengo Pasadena Calif
Charles F Hastings	Rt 1 Golden Colo
Clyde Haswell	Hastings Nebraska
■ Jos W Hawke	Colorado Springs Colo
William E & F L Heath	Houston Texas
Rehard Hegson	Robertsdale Alabama
Paul Heide	Wichita Kans
Gordon Hendricks	Lakeland Florida
B W Henthorn	Oklahoma City Okla
Manuel Hernandez.	Mather Tennessee
Mitchell Hood	Tuscumbia Alabama
Lee Hopkins	2127 Cadiz Dallas Texas
O T Horn & Son	Tonkawa Oklahoma
Ottis F Horn	Blanca Colorado
Edgar Horstman	509 S Broadway St Louis Mo
G E Huffman	Gotulla Texas
Dale Hughes	Nacogdoches Texas
Lester Hughes	Dallas Texas
B H Hutson	Blackville So Dak
J A Hyer	Mt Pleasant Texas
International Harvester Co	Memphis Tennessee
Owen Isaacks	Loxley Alabama
Jack Jackson	Ft Worth Texas
Otis Jackson	Dallas Texas
R L Jenkins	Las Cruces N Mex
Carroll G Jennings	Coleman Texas
R L Jett	Kansas City Mo
C H Johnson	Madison Virginia
Chester Johnson	St Paul Minn
Fred E Johnson	Emmitt Louisiana
O L Johnson	Dallas Texas
Bobby Jones	Mountain View Okla
Clarence Jones	San Angelo Texas
Don Jones	Columbus Ohio
H L Jones	2419 W 4 Plainview Texas
Lawrence Jones	Grand Bay Alabama
Melvin Lester Jones	1200 So Jefferson North Platte Nebr
Jas V Kelly	Mobile Alabama
Mason Kelly	Kansas City Mo
Bob Kimmell	Gen Del Winslow Ariz
King & Kendrick	Gen Del Victoria Texas
King Television Co	4235 W Colfax Ave Denver 4 Colo
Leo Kirsch	3227 Lafayette Omaha Nebr
Ed J Klimasaka	Chicago Illinois
Lamping & Coleman	11614 Oxnard No Hollywood Calif
R C Lansdown	1700 W 11th St Plainview Texas
Charles G Lanson	1902 Lane St San Angelo Texas
Leal Brothers	841 Rivas St San Antonio Texas
Floyd Lee	Harlingen Texas
R E Lee	Modesta Calif
Cass A Lientz	Orlando Florida
Vernon W Little	Rt 1 Platteville Colo
Lonergan Co	704 No Clark Albion Mich

L A Longfellow
 James E Louis
 Mack Motor Co
 J A Macomb
 B V Maples
 Marden Mfg Co
 Mark Motor Co
 Market Street Auto Sales
 O M Marshall
 Clifford Martin
 Frank Martin
 Robt L Martin
 Alex Martinez
 Juan Martinez
 Archie Mathews
 O H Mayzo
 A E McCroxy
 J W McLean Trucking Co
 Claude A McNeil
 L E McPherson
 Terry Melby
 Burtrum Malton
 A Menke
 Midwest Truck & Car Sales
 Bill Miller
 Geo Miller & Earl Schooley
 Milwaukee Auto Sales
 Wilburn Mize
 W O Mock
 Robert Monahan
 Lynn A Moore
 Mart's Auction
 O H Myze
 Naas Corp of Ind
 C L Napier
 Nation Wide Produce Co
 A L Newton
 Wm F Nixon
 Northern Lumber Co
 David Nuckolls

Snyder Texas
 920 8th Ave Nashville Tenn
 701-9th Seattle Wash
 San Antonio Texas
 Amarillo Texas
 Orvendale Florida
 2462 E Colo Pasadena Calif
 410 E Market San Antonio Texas
 Louisville Kentucky
 Oklahoma City Okla
 Box 24 Red Feather Lakes Colo
 827 Noble Anniston Ala
 Houston Texas
 San Antonio Texas
 Little Rock Ark
 Houston Texas
 Phoenix Arizona
 P O Box 2896 Odessa Texas
 1021 E Campbell Pampa Texas
 7 So Dewey Oklahoma City Okla
 Los Angeles Calif
 Amarillo Texas
 Phoenix Arizona
 800 E Amon Kansas City Mo
 Los Angeles Calif
 Boise Idaho
 8212 Sandee Portland Ore
 1800 Scott Little Rock Ark
 Ft Worth Texas
 Springfield Missouri
 Loxley Alabama
 12040 W 14th Golden Colo
 Tennyson Hotel Houston Texas
 Portland Indiana
 Wichita Kansas
 York Alabama
 Lockney Texas
 Devine Texas
 Salt Lake City Utah
 Paris Texas

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by Motor Vehicle be, and the same hereby are, dismissed.

That this order shall become effective July 23, 1953.

S E A L

THE PUBLIC UTILITIES COMMISSION
 OF THE STATE OF COLORADO

ATTEST: A TRUE COPY

 SECRETARY

Dated at Denver, Colorado
 this 13th day of July, 1953.

John H. Winchell
Joseph W. Hester
Ralph C. Gordon

 COMMISSIONERS.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE FAILURE OF VARIOUS)
CORPORATIONS AND PERSONS TO COMPLETE)
APPLICATIONS FOR PERMITS TO OPERATE AS)
COMMERCIAL CARRIERS OVER THE HIGHWAYS)
OF THE STATE OF COLORADO)

JULY 13, 1953

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to the Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highways compensation taxes due from said corporations and persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer or other vehicle used by said corporations and persons.

(d) Failure to obtain, and keep in force at all times, public liability and property Damage insurance or a surety bond providing similiar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

W A Cates
Philip Orth
Osage Rentals Inc
A L Ottaway
Harold Paramore
C J Parish
J B Patterson
Francis Pearson
Marko Perovich
Eugene S Phillips
W D Phillips
W M Pierce

Steele Missouri
Elmonte California
1914 N Harwood Dallas Texas
Enid Oklahoma
Vernon Texas
Greenville Texas
Amarillo Texas
Chicago Illinois
Gen Del Saguache Colo
Charleston So Carolina
Brownsfield Texas
Birmingham Alabama

Bill Pinkerton	Little Rock Arkansas
Ponder Prod	Birmingham Alabama
Lewis Powers	920 8th Ave Nashville Tenn
Ray Puckett Trlr Sales	1310 Shephard A F B Road Wichita Falls Texas
W H Querner	San Antonio Texas
Radon Auto Sales	910 So Main Salt Lake City Utah
Tommy Rainer	Plainview Texas
O B Rainey	Chickasha Oklahoma
B R Rains	Paris Texas
C V Rhoades	Mobile Alabama
H Rhodes	Little Rock Arkansas
D G Riner	Dallas Texas
Rite Way Carriers	St Paul Minnesota
C W Roach	Denver Colorado
F W Roberts	Eufaula Alabama
J C Rotherum	Dallas Texas
Lazaro Ruiz	Asherton Kansas
Richard H Russell	Graham Texas
Jack H Ryan	San Angelo Texas
W C Ryan & C D Jones	San Angelo Texas
Ray Sanders	Houston Texas
R Scheumbaker	Farwell Texas
Fred Schmitt	Akron Ohio
Carl Arlif Schneider	Gen Del Bayard Nebr
Charles Scholer Imp Co	Gen Del Petersburg Texas
Charlie Schuler Implement	Petersburg Texas
Oren Scofield	Rt 2 Rocky Ford Colo
W A Scott	Lubbock Texas
Walter Scott	Box 674 Frisco Calif
Sellard's Service Station	Box 253 Dove Creek Colo
Shari Candy Company	St Peter Minnesota
Sharp Truck Co	Phoenix Arizona
John E Shephard	Richmond Texas
John E Shepherd	Rosenberg Texas
Silver Seal Motor Sales	2231 So Broadway Denver 10 Colo
Melvin Simon	Wichita Kansas
Ray Sims	Delhart Texas
Dell P Sisk	3600 N Cascade Colorado Springs Colo
Blaine Smith & F W Carter	Wichita Kansas
E L Smith	Mineola Texas
E L Smith	San Angelo Texas
Fred W Smith	Moore Oklahoma
Lester Smith	Box 19 Junction Texas
Long Smith	Dumas Texas
W O Smith	Ft Worth Texas
Southern Prod Co	Mobile Alabama
Robert C Spencer	Springdale Arkansas
H L Spradlen	San Angelo Texas
Spradlin Fruit Co	610 W Coml Springfield Nebr
Spraw & Zimmerman	Washington D C
Standard Products Co	Philadelphia Pennsylvania
Earl Stauter	Fonda Iowa
Robert Stelly	St Landry Louisiana
H L Stevens	Gen Del Salina Kans
L C Stokes	Albuquerque New Mexico
M C Stokes	Rocky Ford Colo
J B Stone	Oklahoma City Okla
A E Stroud	Texarkana Arkansas
Jack W Sutton	Box 145 Villagrove Colo
H Tanner	Gen Del Jackson Miss

C J Terry
 Tite Bomb Co
 Gordon Titus
 Titus Motor Co
 Trader's Produce
 Tuggle Inc
 Universal Finance Co
 H Dale Unkerfer
 H C Valentine
 Valley Prod
 Van's Auto Sales
 Van Leather Craft
 C Varner Fish & Oyster Co
 Elmer P Visage
 H O Walker
 Forest E Wall
 Roy A Walls
 Walrath & Sons
 M W Walters
 M W Walters
 T E Warne
 Euwell Watkins
 Ralph Watson
 Leo Weatherly
 J L Webb
 Paul E & Mabel Weedon
 Western Growers
 Western Television Inc
 Jack E Weston
 Jack Whitlock
 Lonnie Wilcox
 Wilkie Die Products
 Howard Williams
 Walter Williams
 Wilson Feed & Supply
 William D Windham
 John L Winter
 Thos F Wix
 Ralph R Wood
 H H Woodring
 Yancey Trucking Company

Hutchinson Kansas
 Tulsa Oklahoma
 Hot Springs South Dakota
 624 Broadway Tacoma Wash
 Jackson Mississippi
 Gen Del Chadron Nebr
 Wichita Kansas
 Kansas City Missouri
 2508 W Bott Colorado Springs Colo
 Columbus Georgia
 222 No Colo Ave Midland Texas
 Oklahoma City Okla
 408 S West Blvd Mobile Ala
 2001 1/2 E 2nd Durango Colo
 Weatherford Texas
 Bowie Texas
 Amarillo Texas
 Worland Wyoming
 Sanford Florida
 Seminole Florida
 501 Harrison Amarillo Texas
 Tulsa Oklahoma
 Whittier California
 Ft Worth Texas
 Greenville Texas
 Oklahoma City Okla
 Greeley Colo
 8110 W Colfax Lakewood Colo
 410 So Industrial Dallas Texas
 Mobile Alabama
 El Monte California
 Detroit Michigan
 Alabama City Alabama
 Joplin Missouri
 810 So Nevada Colorado Springs Colo
 Springfield Missouri
 Hereford Texas
 Liberty Texas
 San Antonio Texas
 Amarillo Texas
 Miami Florida

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by Motor Vehicle be, and the same hereby are, dismissed.

That this order shall become effective July 23, 1953.

S E A L

THE PUBLIC UTILITIES COMMISSION
 OF THE STATE OF COLORADO

ATTEST: A TRUE COPY

 SECRETARY

Dated at Denver, Colorado
 this 13th day of July, 1953.

John H. H. H.
Joseph C. Johnson

 COMMISSIONERS.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE FAILURE OF VARIOUS)
CORPORATIONS AND PERSONS TO COMPLETE)
APPLICATIONS FOR PERMITS TO OPERATE AS)
COMMERCIAL CARRIERS OVER THE HIGHWAYS)
OF THE STATE OF COLORADO)

JULY 13, 1953

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to the Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highways compensation taxes due from said corporations and persons, as required by law and Rule 7 of said Rules and Regulation

(c) Failure to file with this Commission a statement giving the description of each truck, trailer or other vehicle used by said corporations and persons.

(d) Failure to obtain, and keep in force at all times, public liability and property Damage insurance or a surety bond providing similiar coverage, ot to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

O R D E R

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Virgil Aaron
Abersold Food Distributors
J L Adams
Max Adams
Wayne R Ady
All State Piano Co
Bernard E Allen
Allen Brothers
Chester L Allen
Allen Oil Co

827 Riley Lane Wichita Falls Texas
905 Landry Opelousas La
328 West 7th Leadville Colo
302 West Overland Scottsbluff Nebr
10835 - 74th Ave Edmonton Alberta Canada
6657 S Halsted St Chicago Ill
Otis Colorado
El Dorado Arkansas
1186 - 22nd St Ogden Utah
Box 220 Green River Wyo

Alliance Tractor Imp Co
 Amarillo Auto Auction
 Joseph F Ancell
 R S Anderson
 William Andrew
 Antlers Motor Sales
 Keith Armstrong
 Travis Arnett
 Asbestos Siding Co
 Henry L Ashton
 Floyd D Atherton
 Atlanta Paper Co
 B & B Used Cars
 B & C Equipment Co
 B K Auto Sales
 Baca Lumber Co
 B Bagwell
 Baird & Abe Air-Ag Service
 Baker Billard D Supply
 E F Ballard & John Hanna
 G H Ballard
 Chancey M & R E Ballenger
 Banana Supply Co
 Barjhy Co
 Harold D Barnett
 Barnett & Powers
 Barton & Lee Mine
 A O Baskin
 Tom Bath Jr Trucking Co
 Chester Baylor
 J B Beard Inc
 B O Beatty
 D R Beaver
 C N Bedgood
 Paul Bedgood
 Tom Bell
 L A Benefield
 Beneke Corp
 R C Bennett
 Bennett-Ray Canning Co

Alliance Nebraska
 Amarillo Texas
 Gen Del Alamosa Colo
 Clinton Missouri
 Morrill Nebraska
 20 W Pikes Peak Ave Colorado Springs Colo
 Brownfield Texas
 Blooming Grove Texas
 Kansas City Mo
 1243 Lorraine Dr Salt Lake City Utah
 Wheeler Texas
 Atlanta Georgia
 415 No First Grand Junction Colo
 Spearman Texas
 3615 Morrison Rd Denver 19 Colo
 Gen Del Costilla New Mex
 Tulsa Oklahoma
 Box 1295 Sterling Colo
 Corning Arkansas
 Cullman Alabama
 Coleman Texas
 Box 342 Lometa Texas
 218 Produce Row San Antonio Texas
 1200 Warder Springfield Ohio
 Rt 3 Box 95 Snyder Texas
 Marlin Texas
 605 N Allen Farmington N Mex
 68 West Springdale Ark
 1800 Hubbard Great Bend Kans
 Milan Indiana
 Shreveport Louisiana
 Joplin Missouri
 4609 S E 19th St Oklahoma City Okla
 Gen Del Elba Alabama
 Elba Alabama
 Leakey Texas
 Cullman Alabama
 Columbus Mississippi
 Kingsville Texas
 Pharr Texas

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by Motor Vehicle be, and the same hereby are, dismissed.

That this order shall become effective July 23, 1953

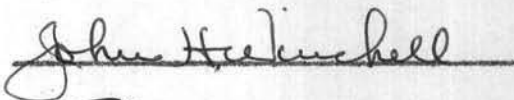
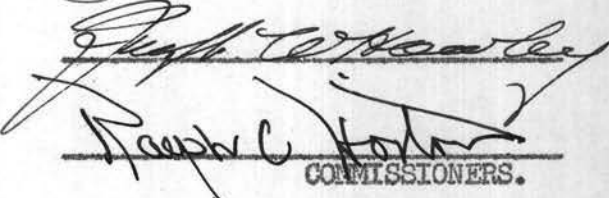
S E A L

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ATTEST: A TRUE COPY

SECRETARY

Dated at Denver, Colorado
this 13th day of July, 1953

 COMMISSIONERS.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE FAILURE OF VARIOUS)
CORPORATIONS AND PERSONS TO COMPLETE)
APPLICATIONS FOR PERMITS TO OPERATE AS)
COMMERCIAL CARRIERS OVER THE HIGHWAYS)
OF THE STATE OF COLORADO)

JULY 13, 1953

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It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highways compensation taxes due from said corporations and persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer or other vehicle used by said corporations and persons.

(d) Failure to obtain, and keep in force at all times, public liability and property Damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Bennett Rent A Car Co
Bennon Beanery Inc
Carl Benson
Benson Winch Co
Elmer C Berg
Stephen A Bernard
Berl Berry Inc
Bert & Wetta Sales Supply
Gordon H Bess
Randolph Bevell

825 So Western Ave Los Angeles Calif
Gen Del Mineola Texas
Clancy Montana
West 1 & Drive Knoxville Tenn
2949 No Speer Denver 11 Colo
57015 May Chicago Ill
3700 Wilshire Blvd Los Angeles Calif
Box 37 Maize Kans
Overton Texas
717 Oak Clovis N Mex

W L Bidwell
 Richard S Bigby
 G H Biley
 Reed M Birchell
 J C Birdsong
 George A Bittenbender
 Bitter-Patterson Motor Co
 B J Black
 C L Black
 C C Blackman Lumber Co
 Blacks Farm Supply
 Blair-Fry Motor Co
 Ted Blake Imp Co
 G H Blewett
 Bloom Auto Sales Co
 Ross Blott
 Blue Bonnet Buick Co
 Blue River Trucking Ser
 E J Boeseke Jr
 Bolinger Prod
 Bomgardner Furn Co
 Bonelli Motor Co
 Henry Bonnes
 Walter Boss
 Bostich Distributors Inc
 Bovey Lumber Co
 Geo Bowman
 Bradford Produce Co
 A E Brambel & Son Inc
 Geo L Brandt
 Harry Brase
 Breece Auto Service
 Ray F Brent
 J W Brisbin
 L J Bristow
 Gus Brocato
 B A Brooks
 Clark Brown
 Elwayne Brown
 F L Brow

Box 271 Artesia Calif
 1046 Kirkwood Ave Pasadena Calif
 Little Rock Arkansas
 5th West 60 South Vernal Utah
 539 So Moore Sulphur Springs Texas
 2818 S W 64th Ave Miami Fla
 304 Grant Ave York Nebr
 Amherst Texas
 Rt 6 Box 186 Tyler Texas
 807 E Bowie Marshall Texas
 Las Cruces N Mex
 Pocatello Idaho
 Bassett Nebr
 Fricona Texas
 2047-49 Farnum Omaha Nebr
 Wokwongo Wisc
 Gen Del Brownwood Texas
 Shelby Indiana
 Lander Wyoming
 Bell City Missouri
 Topeka Kansas
 33 Middle St Grayville Ill
 Austin Minnesota
 Chanute Kansas
 Gen Del Lake Alfred Fla
 Navasota Texas
 3146 Arlandale Dallas Texas
 Bradford Tennessee
 2nd & Pine Macon Ga
 Kimball Nebraska
 710 S 2nd St Lamar Colo
 Box 509 Loveland Colo
 418 West 62nd Chicago Ill
 255 Bartlett Bartlett Texas
 Box 383 Franklin Texas
 136 No College Tulsa Okla
 Gothenburg Nebraska
 Crowell Texas
 Alma Arkansas
 Bronte Texas

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by Motor Vehicle be, and the same hereby are, dismissed.

That this order shall become effective July 23, 1953

S E A L

THE PUBLIC UTILITIES COMMISSION
 OF THE STATE OF COLORADO

ATTEST: A TRUE COPY

 SECRETARY

Dated at Denver, Colorado
 this 13th day of July, 1953

John H. Huchell

Ralph C. Hoban

Ralph C. Hoban
 COMMISSIONERS.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

IN THE MATTER OF THE FAILURE OF VARIOUS)
CORPORATIONS AND PERSONS TO COMPLETE)
APPLICATIONS FOR PERMITS TO OPERATE AS)
COMMERCIAL CARRIERS OVER THE HIGHWAYS)
OF THE STATE OF COLORADO)

JULY 13, 1953

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It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

- (a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission governing Commercial Carriers by Motor Vehicle.
- (b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highways compensation taxes due from said corporations and persons, as required by law and Rule 7 of said Rules and Regulation
- (c) Failure to file with this Commission a statement giving the description of each truck, trailer or other vehicle used by said corporations and persons.
- (d) Failure to obtain, and keep in force at all times, public liability and property Damage insurance or a surety bond providing similiar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

L D Brown Jr	1624 So Alameda Los Angeles Calif
M E Brown Inc	Bowling Green Florida
Paul W Brown	Hideaway Park Colorado
Raymond W Brown	123 E Adamson St College Park Ga
W E Brown Produce	Rt 3 Dotham Alabama
Brunker Bros	Thrall Texas
Joe L Budd	Box 331 Center Colo
Buffington Motors	108 So Vine Glenwood Iowa
Bunger Bros	Pampa Texas
Harold B Burch	Montebello Calif

Burdsall & Oldham
 J D Burke
 H L Burks Used Cars
 R D Burnett
 A A Burnside
 Junior Burton
 Jack W Bush
 Roland J Bush
 Kenneth E Busick
 Butler Sawmill
 Karl Butt
 Tom M Bybee
 C & H Produce
 A J Caddell
 Edward Cahill
 Caiuplet Bag Co
 Virgal Calcicutt
 E S Calhoun
 A G Cameron
 Gay Campbell
 Carlson Electric Co
 Howard Carlton
 S J Carmichael
 Harold Carnes
 E P Carpenter
 Mike Casias
 Center Chev Co
 Central Prod
 Chad Chevrolet Co
 Robert Chaney
 Roy D Chaney
 Anthony Chanice
 Elizabeth C Chapman
 Alfonso R Chavez
 Cheek Seed Co
 Cheerington Distr Co
 Christensen Prod
 V C Chitwood
 Chrysler Plymouth
 Chugwater Farm & Equipment

208 E Myrtle Lane Midwest City Okla
 1427 - 9th St Greeley Colo
 1511 So Nevada Colorado Springs Colo
 Levelland Texas
 McKinney Texas
 Marble Falls Texas
 P O Box 11 Howard Colo
 Sapinero Colorado
 1335 Belaire Amarillo Texas
 Gen Del LaSalle Utah
 Cortez Colorado
 Box 303 Leakey Texas
 800 W Grand Oklahoma City Okla
 New Braunfels Texas
 Buffalo Texas
 19 West 4th La Junta Colo
 Rt 7 Tyler Texas
 Rt 3 Box 334 Tampa Fla
 266 E 4th No Orem Utah
 Julesburg Colorado
 1918 So Franklin Denver 10 Colo
 618 No 1st Seminole Okla
 Brady Texas
 Perryton Texas
 5053 Mansfield Ft Worth Texas
 Sta A Pueblo Colo
 Kilgore Texas
 Hattiesburg Miss
 801 Ave F Hawarden Iowa
 Broken Bow Nebr
 Rt 1 Harvard Nebr
 854 Liberty Ave Brooklyn N Y
 Box 206 Ouray Colo
 Rt 1 Box 12 Walsenburg Colo
 1501 Oak Abilene Texas
 Box 505 Mobile Ala
 Weslaco Texas
 Redcliff Colorado
 Gillette Wyoming
 Chugwater Wyoming

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle be, and the same hereby are, dismissed.

That this order shall become effective July 23, 1953.

S E A L

THE PUBLIC UTILITIES COMMISSION
 OF THE STATE OF COLORADO

ATTEST: A TRUE COPY

 SECRETARY

Dated at Denver, Colorado
 this 13th day of July, 1953.

John H. Winchell
Joseph C. Johnson

 COMMISSIONERS.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE FAILURE OF VARIOUS)
CORPORATIONS AND PERSONS TO COMPLETE)
APPLICATIONS FOR PERMITS TO OPERATE AS)
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JULY 13, 1953

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The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Cisneros & Espinosa
City Motor Sales Inc
Claiborne Sales Co
R D Clark
Clary's
Clearwater Motor Co
James H Cless
B L Clifton
George Coates
H Glenn & B Glenn Cochran

2731 East 9th Pueblo Colo
Rosenburg Texas
3368 Dixie Dr Houston Texas
Lometa Texas
613 Beech St Plainview Texas
Clearwater Nebraska
Deer Creek Okla
Rt 1 Davidson Okla
4121 Emerial Chicago Ill
822 Marion St Denver 18 Colo

Cochron Keir Inc
 Clyde Goffman
 Bud Cofoid Motor Sales Inc
 Opie Lee Cogburn
 Cohn Bros Used Cars
 F O Cole
 Cole Motor Co
 Edward Colligan
 Colonel Trl Service
 G L Colvin
 W T Colvin
 Comet Television Co
 Community Ice & Cold Stg Co
 J E Conrad & Sons
 Conservative Builders Co
 Consolidated Nurseries Co
 Container Corp of Amer
 Contios Motor Co
 Cook & Co
 Jas T Cook
 L L Cook
 Orie Cook
 W B Cooley
 O A Cooper Co
 Chester Cope & Willis Collins
 Luther Cope
 Cope Motor Co
 Copper's Inc
 Corkrum Motors Inc
 D W & C J Cornelius
 Calvin G Couch
 Alvin L Covey
 James Augustus Covey
 M G & B G Cowser
 Cox Bros
 S Rex Coxman
 Cramer & Marvel
 J H Crawford
 Earl Creech Co
 Crescent Products Co

Hastings Nebraska
 Cheraw Colorado
 6121 Northwest Hwy Chicago Ill
 421 Cheyenne Ave Eaton Colo
 Taos New Mexico
 252 E Sunset Raymondville Texas
 2712 Texas Ave Lubbock Texas
 2327 Grand Ave Granite City Ill
 2750 Sheffield Hammond Ind
 Rt 1 Big Cabin Okla
 Sanford Florida
 2320 E 46th Denver 16 Colo
 Lyndon Kansas
 Stigler Oklahoma
 Box 426 Ignacio Colo
 P O Box 311 Tyler Texas
 Ft Worth Texas
 Neligh Nebraska
 Gen Del Jackson Miss
 Electra Texas
 105 E 5th Kansas City Mo
 Box 245 Grant Nebr
 Moberly Missouri
 Holmesville Nebr
 316 No Monterey Farmington N Mex
 Eola Texas
 Neosho Missouri
 Nappanee Indiana
 Roseburg Oregon
 Utopia Texas
 Nashville Arkansas
 102 Loraine St San Antonio Texas
 964 - 5th San Diego Calif
 Estaboga Alabama
 Sandete Utah
 Broken Bow Nebr
 Osceola Nebraska
 Leakey Texas
 Joplin Missouri
 315 No 24th St Terre Haute Ind

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle be, and the same hereby are, dismissed.

That this order shall become effective July 23, 1953.

S E A L

THE PUBLIC UTILITIES COMMISSION
 OF THE STATE OF COLORADO

ATTEST: A TRUE COPY

 SECRETARY

Dated at Denver, Colorado
 this 13th day of July, 1953

John H. Hinchell
Ralph C. Hoken
 COMMISSIONERS.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE FAILURE OF VARIOUS)
CORPORATIONS AND PERSONS TO COMPLETE)
APPLICATIONS FOR PERMITS TO OPERATE AS)
COMMERCIAL CARRIERS OVER THE HIGHWAYS)
OF THE STATE OF COLORADO)

JULY 13, 1953

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to the Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highways compensation taxes due from said corporations and persons, as required by law and Rule 7 of said Rules and Regulation.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer or other vehicle used by said corporations and persons.

(d) Failure to obtain, and keep in force at all times, public liability and property Damage insurance or a surety bond providing similiar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

O R D E R

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

C A Crisp	6309 Buford St Houston Texas
LaVerne E Criswell	Rt 3 La Junta Colo
Jack E Crockett	Las Vegas N Mex
Ray & Donald Crosby	Pleasant Hill Ill
Gillin Equipment Co	1318 So Lamar Dallas Texas
Cullman Banana Supply	218 - 3rd Ave East Cullman Ala
Cumming Landscape & Floral	2040 Roanoke Colorado Springs Colo
Cunningham Auto Sales	802 W Park Albuquerque N Mex
Glenn Curtis Chev Co	Monte Vista Colo
Custom Motor Car Co	701 Bannock Boise Idaho

Daley Office Equip Co
 C R Dannheim
 Dart Truck Co
 Alton H Davis
 Delmas D Davis
 John Davis
 W L Davis
 Dawson & Grubb
 Nelson Day
 Dean Bros
 M E Deatherage
 Abraham Debes
 Wayne Deering
 Sam Deese
 Delta Dairy
 Delta Milling Co
 Bob Dempsey
 Richard R Densberger
 D C Depue
 Des Moines Bag Co
 H F Dickey
 Didie Bros
 Lloyd Diets
 C W & W C Biffey
 Direct Mattress Co
 Brad Dolan Motors
 Floyd Dollar
 Roy E Dalton
 Don & Vi's Trailer Court
 Doty Motor Co
 Charles C Douglas Produce Co
 Cecil Doyal
 Louis C Doyal
 Loy E Drake
 Harry Drosefy
 Duffin Farm Equipment
 Dufur Construction Co
 Gilbert W Dunbar
 Jack Duncan
 R L Duncan

517 - 3rd Longmont Colo
 Lometa Texas
 Kansas City Missouri
 Box 972 Brownfield Texas
 2720 Bates Lubbock Texas
 Boyd Oklahoma
 908 West 75th Los Angeles Calif
 Butler Oklahoma
 Pampa Texas
 Alma Arkansas
 3201 Ave H Lubbock Texas
 1440 Harrison Beaumont Texas
 Artesia New Mexico
 Box 21 Oneco Fla
 Box 544 Delta Colo
 315 West 5th Delta Colo
 505 So 56 Tulsa Okla
 2026 "E" St Lincoln Nebr
 1315 Kentuck Joplin Mo
 Des Moines Iowa
 Ft Scott Kansas
 Osakis Minn
 Burlington Colo
 850 So Main Nacogdoches Texas
 1420 N Zengs Dallas Texas
 701 E 3rd St McCook Nebr
 Box 225 Levy Sta No Little Rock Ark
 Rt 1 Evergreen Colo
 3600 N Cascade Ave Colorado Springs Colo
 Tupelo Mississippi
 327 Big Foot San Antonio Texas
 800 So 6th Artesia N Mex
 Roswell New Mexico
 Republican City Nebr
 1012 Franklin Louisville Ky
 Box 165 Carlsbad N Mex
 Box 311 Eads Colo
 360 W Washington Pasadena Calif
 Gen Del Ada Okla
 2822 Prosperity Dallas Tex

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle be, and the same hereby are, dismissed.

That this order shall become effective July 23, 1953.

S E A L

THE PUBLIC UTILITIES COMMISSION
 OF THE STATE OF COLORADO

ATTEST: A TRUE COPY

 SECRETARY

Dated at Denver, Colorado
 this 13th day of July, 1953

John H. Winchell
Ralph W. Hawley
Ralph C. Johnson
 COMMISSIONERS.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE FAILURE OF VARIOUS)
CORPORATIONS AND PERSONS TO COMPLETE)
APPLICATIONS FOR PERMITS TO OPERATE AS)
COMMERCIAL CARRIERS OVER THE HIGHWAYS)
OF THE STATE OF COLORADO)

JULY 13, 1953

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(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highways compensation taxes due from said corporations and persons, as required by law and Rule 7 of said Rules and Regulations

(c) Failure to file with this Commission a statement giving the description of each truck, trailer or other vehicle used by said corporations and persons.

(d) Failure to obtain, and keep in force at all times, public liability and property Damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

O R D E R

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Walter T Dunlap
E C Dunn Trailer Sales
Edward Duran
E L Durham
R A Durrett
E Tex Co
Eads Ready Mix Concrete
D A Earnhardt
Eastern Seed Co
Roy Eberle

240 E Third Lexington Nebr
7905 Watson Rd St Louis Mo
1111 N 12th St Albuquerque N Mex
Artesia New Mexico
Weatherford Texas
Mt Pleasant Texas
Eads Colorado
Sumter So Carolina
Box 215 Taft Texas
Broken Bow Nebr

Edwards Auto Sales
 Larkin Edwards
 W H Ellison
 L E Erwin
 Elias Escobedo
 Leonard Esterling
 Earl M Estes
 B T Eubanks
 J E Evans
 Barr Ewing
 Glenn Ewton
 F & K Water Service
 Marcus Faircloth
 W W Farless
 Farmers Market Trucking Co
 Farmers Market Trucking Co Inc
 Farmers Produce Co
 Henry Farris
 Ferrel Chevrolet Co
 R E Ferrell
 Rudy Fick Inc
 Howard K Finch
 First Prize Inc
 Jack Fisher
 Stanely & Kate Fisher
 Fleet Leasing Corp
 Lawrence Fleming & Eldon Becker
 Floyd Fletcher
 Earle O Ford
 Ford Heating & Sheet Metal
 Foredyce Wood Products
 R B Foster
 Billy Joe Fox
 Charley W Fox
 R W Fox
 Robt K Fox
 Fran-Wol Crystal Co
 Jess Franco
 Johnnie Franklin
 Fruehauf Trailer Co

1527 Caldwell Goodland Kans
 Rt 4 Frederick Okla
 Rt 1 Clarksville Ga
 Greenville Texas
 1211 San Luis San Antonio Texas
 372 No Indiana Ave Kankakee Ill
 5501 Tejon Denver 11 Colo
 802 S W 13th Ave Mineral Wells Tex
 Gen Del Mineral Wells Texas
 Weslaco Texas
 307 N 3rd St Gallup N Mex
 Box 409 Ft Morgan Colo
 Glennville Georgia
 Rt 2 Adair Okla
 707 1/2 E Overland El Paso Texas
 Box 112 Las Cruces N Mex
 Cherokee Iowa
 Joplin Missouri
 Gen Del Platte City Mo
 Stapleton Alabama
 2401 McGee Kansas City Mo
 600 Reno St Oklahoma City Okla
 Houston Texas
 Lubbock Texas
 104 N Lincoln Lexington Nebr
 341 Wanda Ave Ferndale Mich
 831 - 6th St Greeley Colo
 111 E 43rd Place Tulsa Okla
 912 Beach Canon City Colo
 600 Santa Fe Denver 4 Colo
 Gen Del Foredyce Ark
 1437 Jefferson Ft Worth Texas
 Burnet Texas
 423 W 32nd Kearney Nebr
 Taloga Oklahoma
 Holdrege Nebraska
 206 Denver Theater Bldg Denver 2 Colo
 304 Maple Lamar Colo
 Rt 2 Lookaba Okla
 5137 So Boyle Ave Los Angeles Calif

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle be, and the same hereby are, dismissed.

That this order shall become effective July 23, 1953.

S E A L

THE PUBLIC UTILITIES COMMISSION
 OF THE STATE OF COLORADO

ATTEST: A TRUE COPY

 SECRETARY

Dated at Denver, Colorado
 this 13th day of July, 1953.

John W. H. H. H.
Joseph C. H. H. H.
Joseph C. H. H. H.

 COMMISSIONERS.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE FAILURE OF VARIOUS)
CORPORATIONS AND PERSONS TO COMPLETE)
APPLICATIONS FOR PERMITS TO OPERATE AS)
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OF THE STATE OF COLORADO)

JULY 13, 1953

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The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Fruitland Packing Co
Robert Fryar
Fucht Prod Co
Austin Fuller Insulating
Ernie Fyke
G & K Aircraft Service
Morris D Gabriel
Galeton Bulk Plant
Chas R Gallagher
Elias Gallegos

Shelby Michigan
Gen Del Ignacio Colo
Live Oak Florida
Houston Texas
509 So Broadway St Louis Mo
BSR Box 1 Pueblo Colo
638 Roosevelt Ave Loveland Colo
Rt 1 Box 60 Galeton Colo
2215 Madison Minneapolis Minn
Box 3019 Mera Station Pueblo Colo

Gamblin & Knowles	619 Road Grand Junction Colo
Dale Gandy	2706 - 1st Lubbock Texas
Geo Gann	2221 Sherwood San Angelo Texas
Silviano Garcia Jr	Gen Del Center Colo
Mike Garcotta	1136 Pacific St Kansas City Mo
H Garner	Joplin Missouri
L Garrett	Joplin Missouri
Bill Garrison	Stratford Texas
Garza Comm Co	305 Terminal Mct San Antonio Texas
Z G Garza	Morton Texas
Donald D Gee Prod	York Nebraska
Lester & John Geijsbeck	Box 497 Corning Calif
General Auto Rental Co	6610 N Broad St Philadelphia Pa
Jay Gentry	Gen Del Ash Down Ark
Getz Motor Co	2123--25 E 4th Sioux City Iowa
Gillmore Produce	Brownsville Texas
Roy Gist	Mt Pleasant Texas
Glendenning & Moore	Celina Texas
J L Glosson	Box 264 Lometa Texas
Irvin L Godard	Gen Del Italy Texas
Jack B Golden	West Broadway Sweetwater Texas
Golden Tire Shop	1313 Jackson Golden Colo
Tony Gonzales	3908 Blake St Denver Colo
John Goodnight & Jack Drilling	Haynes City Florida
Graham-Edwards Furniture	412 E 14th St No Platte Nebr
Howard R Graham	Ainsworth Nebraska
E P Gray	1107 - 41st St Lubbock Texas
Gerald C Gray	Rt 1 Box 242 Montrose Colo
W B Gray Jr	Box 1106 Haines City Fla
Nelson Grayson	Towner Colorado
Green Bros Truck Sales Inc	5715 So Halsted St Chicago Ill
Everett E Greene	Box 145 Spearman Texas
J M Griffin	Box 112 Matthews N C
Griffin Manufacturing Co	Box 622 Pittsburg Texas
C F Grimes	101 1/2 Maple No Little Rock Ark
Griswold & Wright	9th & L St Modesto Calif
Frank Groseclose	2210 Jacksboro Hiway Ft Worth Texas
Jacob C Gross	Arnett Oklahoma
Growers Marketing Association Inc	Leesburg Florida
W H Grubbs Inc	Eagle Lake Florida

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle be, and the same hereby are, dismissed.

That this order shall become effective July 23, 1953.

S E A L

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ATTEST: A TRUE COPY

SECRETARY

Dated at Denver, Colorado
this 13th day of July, 1953.

John H. Mitchell

Ralph C. Johnson

COMMISSIONERS.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE FAILURE OF VARIOUS)
CORPORATIONS AND PERSONS TO COMPLETE)
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The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

William Guidry
Bill Gulley
Guys Auto Sales
H & L Supply
Haag & Rocks
H A Hagg
Hagg Produce Co
J J Haggard
Hairston Produce
D W Hale

Arnaudville Louisiana
Brownsville Texas
Myrtle Point Oregon
Loup City Nebraska
620 Jefferson Rd Cheyenne Wyo
Box 605 Sioux Falls So Dak
Dell Rapids So Dak
3008 Second St Lubbock Texas
1110 So Preston Dallas Texas
2206 Washington Commerce Texas

Holt Hale
 James E Hall
 Hammond Ldry & Cling & Mach Co
 Jack Harbaugh
 Frank Hardgraves
 Hargis Canneries Inc
 Harvey M Harper Co
 R R Harrington
 Harris Motor
 Harris Poultry Feed & Store
 Harvey Motor Sales
 Fred Hasenack
 Warren Hastings Mtr Co
 J A Haulman Plumbing Co
 Hawks Car Mkt
 Clint Haws
 Hayles Produce
 H W Hays Trucking Co
 J R Hays
 H R Hayworth
 John E Hazzard
 Charles M Hedden
 F E Heffley
 Heizer Repair Shop
 J E Henrichson
 Henry & Phillips Produce
 Ada Henson
 Burney Henson
 D D Henson
 Higgins Mill & Cabinet Shop
 Earl Hill
 Jim Hill
 Roy H Hill
 Roy Hilliard
 Hitchcock & Towers
 Hiway Motor Co
 Hobbs Sales Co
 Garland Lee Hogg & Otto Thorton
 L V Holdeman & Co
 Holiday Food Co Inc

Rt 1 Box 3 Kilgore Texas
 Cheraw Colorado
 Waco Texas
 Hiway 85 Brighton Colo
 Kremmling Colorado
 Box 51 Fayetteville Ark
 Gen Del Eureka Calif
 Montague Texas
 Elko Nevada
 DeRidder La
 N Dumas Ave Dumas Texas
 Gen Del San Acacio Colo
 Mounds Illinois
 6901 Ralston Arvada Colo
 Gen Del Buffalo Wyo
 Medford Oklahoma
 1050 Murphy Ave Atlanta Ga
 Nat'l Exch Bldg Oklahoma City Okla
 Enid Oklahoma
 10000 San Antonio Ave Southgate Calif
 4353 Winona Ct Denver 12 Colo
 2930 Cissina Kansas City Kans
 1213 Lipan Denver Colo
 3161 Main Durango Colo
 Dilley Texas
 1132 First Ave Birmingham Ala
 San Angelo Texas
 San Angelo Texas
 Vernon Texas
 Box 855 Lubbock Texas
 1532 E Admiral Pl Tulsa Okla
 1516 E Adm Pl Tulsa Okla
 Bartlett Texas
 St Augustine Texas
 Brady Texas
 Quinter Kansas
 402 King Ave Portageville Mo
 512B N E 9th Amarillo Texas
 25922 N W 27th St Miami Fla
 912 Baltimore Kansas City Mo

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle be, and the same hereby are, dismissed.

That this order shall become effective July 23, 1953.

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THE PUBLIC UTILITIES COMMISSION
 OF THE STATE OF COLORADO

ATTEST: A TRUE COPY

 SECRETARY

Dated at Denver, Colorado
 this 13th day of July, 1953

John H. Kinchell
Ralph C. Horton
Ralph C. Horton
 COMMISSIONERS.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE FAILURE OF VARIOUS)
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APPLICATIONS FOR PERMITS TO OPERATE AS)
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The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Holly Bell Furniture Mfg	9023 Artesia Blvd Bellflower Calif
W M Holman	Frederick Oklahoma
Carl Holmes	2406 S Range Line Joplin Mo
Holyoke Motor Co	Holyoke Colorado
Hood Butane Co	Box 806 Kirtland N Mex
Joe Wooker	Springer New Mexico
Hooper's Used Car Sales	1410 Main Boise Idaho
Hope Truck Line	Uvalde Texas
Hopkins Lumber Co	Rt 1 Van Buren Ark
Wesley Horine	2007 Platt Wichita Kans

Wilson W Horne
 Jewell Houp
 Howards Udes Cars
 Buell Hoyt
 Robert D Huffman
 Geo Hughes Wood Mfg
 Hull & Dorrs
 Henry Hull
 Vernon Hull
 Morris Humphrey
 E E Hunter
 Hurst Motor Co
 Ralph Hurst & Co
 E W Hutchins
 Hutchinson Motor Co
 Henry R Hutson
 Hybels Produce Co
 Ryer Motor Co
 Tom Imada
 Imperial Bilt Trailer Sales
 Industrial Nucleonics
 Charles G Inks
 W H Immon
 Inter-State Trailer Sales
 E E Irby
 Irby & Hill Prod
 J & M Dist
 Joe Jackson
 Gregg James
 Calvin Jarmin
 Jessie F Jay
 Jekyl Island Packing Co
 F F Jergenson
 J D Jewell Inc
 A P Jewett
 Jimmy's Poultry Co
 Johnson Bros
 Johnson Brothers
 Carl Johnson
 Clifford Johnson

Box 779 Sanford Florida
 2601 Sacramento St Joseph Mo
 5300 E Colfax Denver 20 Colo
 Chillicothe Missouri
 1403 Poplar Canon City Colo
 Idalou Highway Lubbock Texas
 4315 So King Hiwy St Louis Mo
 731 Cedar St Broger Texas
 Gaymon Oklahoma
 Valley Head Alabama
 Salt Lake City Utah
 114 E 4th St Newton Kans
 407 Grand Ave Kansas City Mo
 1007 Cloverdale St Mobile Ala
 Flagstaff Arizona
 1265 E 2nd St Loveland Colo
 257 So Pitcher St Kalamazoo Mich
 Olathe Kansas
 Rt 1 Box 160 Denver Colo
 117 Poyntz Manhattan Kans
 1205 Chesapeake Columbus Ohio
 South Gate California
 Kerens Texas
 Moorhead Minnesota
 911 So Pearl Dallas Texas
 2005 Taylor Dallas Texas
 2809 Ave H Lubbock Texas
 Pampa Texas
 Tahlequah Oklahoma
 Box 14 Gandy Nebr
 Gen Del Lincoln Ark
 Brunswick Georgia
 Darrrouzett Texas
 Gainesville Georgia
 Locust Grove Okla
 1450 Meade Denver 4 Colo
 Breckenridge Minnesota
 Imperial Nebraska
 Mt Pleasant Texas
 Rt 3 Box 302 Pueblo Colo

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle be, and the same hereby are, dismissed.

That this order shall become effective July 23, 1953.

S E A L

THE PUBLIC UTILITIES COMMISSION
 OF THE STATE OF COLORADO

ATTEST: A TRUE COPY

 SECRETARY

Dated at Denver, Colorado ~~23~~
 this 13th day of July, 1953.

John H. Wheeler

Ralph W. ...

Royce C. ...

 COMMISSIONERS.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE FAILURE OF VARIOUS)
CORPORATIONS AND PERSONS TO COMPLETE)
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The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

O R D E R

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Den Johnson
Ed C Johnson
Johnson & Hargrove
Johnson Impl Co
L H Johnson
Marvin Johnson
Johnson Motor Co
N Johnson
Milton Johnston
Claude A Jolls

Cross Plains Texas
Box 333 Petrolia Texas
Box 304 Dove Creek Colo
Kingman Kansas
Gen Del Idabell Okla
Forgan Oklahoma
6th & Maple Garroll Iowa
40 No Trenton Tulsa Okla
Weatherford Texas
Rt 1 Box 4 Flint Texas

Jones Produce & Poultry
 Judkins Banana Co
 K & K Produce Co
 John L Karl
 Charles M Kastendieck
 Edmund F Kaus
 Fred Keck
 Paul Keefauver
 Keeley Implement Co
 Paul R Keeney
 J C Kelley
 Norman Kelley
 A B Kelly
 George Kelso & W K DeRenzy
 Kennedy Equip
 George Kennedy
 Keppel Motor Co
 Kerr-Cochran Inc
 Kimball Livestock Auction
 B M King
 J L King
 L J King
 Kinney Brick Co
 W C Kirk
 Kirks Tire Shop
 Klaas Machine Co
 Klein Motor Sales
 C G Klentz
 Roy O Kline
 Frank H & Lucille Kloiber
 Knudson Bros Inc
 Virgil H Koehm
 Koeller-Farrar Co
 Kollman-Warner Seed Co
 James S Koonie
 Dan Kramer
 Julius Kuhlman
 M L Lambert
 Ed Lampe Imp Co
 LaVoy Supply Co

Branford Florida
 Gen Del New Orleans La
 433 Kalamath St Denver 4 Colo
 835 No Kans Hastings Nebr
 Sherman & Linden Canon City Colo
 Eastlake Colorado
 Kittredge Colorado
 Livermore Colorado
 Valentine Nebraska
 Sedan Kansas
 Box 476 Edinburg Texas
 Box 124 Arriba Colo
 7324 El Paso Houston Texas
 170 So Bdwy Denver 9 Colo
 Ainsworth Nebraska
 1315 E 7th Los Angeles Calif
 Brewster Kansas
 2nd & Colorado Hastings Nebr
 Box 211 Kimball Nebr
 104 S E 5th Plainview Texas
 Breckenridge Texas
 Benwheeler Texas
 Box 86 Albuquerque N Mex
 Canton Oklahoma
 Toppemish Washington
 4314 E 49th Cleveland Ohio
 1503 N Central Ave Phoenix Ariz
 1412 Aldrich Houston Texas
 Pawnee Oklahoma
 308 West Ave Levelland Texas
 P O Box 248 Goodland Kans
 Greensburg Kansas
 Arkansas City Kansas
 625 - 8th St Gering Nebr
 207 So Second Lamesa Texas
 Ogallala Nebraska
 Smith Center Kansas
 Kerrville Texas
 St Francis Kansas
 4th & Arthur Caldwell Idaho

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That this order shall become effective July 23, 1953.

S E A L

THE PUBLIC UTILITIES COMMISSION
 OF THE STATE OF COLORADO

ATTEST: A TRUE COPY

 SECRETARY

Dated at Denver, Colorado
 this 13th day of July, 1953.

John H. Winchell

Ralph C. Tolson

 COMMISSIONERS.

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JULY 13, 1953

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It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highways compensation taxes due from said corporations and persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer or other vehicle used by said corporations and persons.

(d) Failure to obtain, and keep in force at all times, public liability and property Damage insurance or a surety bond providing similiar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by;

J H Lawson
Harry A Lawton
P I Leap
William Leckner
Lewis P Ledlow
Sidney Lee
Lees Cake Shop
Legg Construction
William D Lemkowitz
Leonard Lenore

2173 N W 12th Ave Miami Fla
4th & Price Sts Trainer-Chester Pa
Gen Del Onawa Iowa
Kimball Nebraska
2222 Henrietta Shreveport La
724 W Third Hobart Okla
2608 Court St Pueblo Colo
Imperial Nebraska
Box 1646 Brownsville Texas
Farmersville Texas

Leo's Flowers	105 So Pine North Platte Nebr
James Franklin Lepich	211 W 7th Walsenburg Colo
Theodore W Levin	Kensington Kansas
Harry Kenneth Lewis	1014 West 7th St Ada Okla
B Lewis & Son	Main Platte City Mo
T J Like	501 S E 3rd St Mineral Wells Texas
Enos Limbaugh	Irondale Alabama
Elmer J Lingol	Rico Colorado
Lloyds Trailer Mart	Las Vegas Nevada
Lock Joint Pipe Co	13th & Gentry No Kansas City Mo
R L Loftice	Melissa Texas
E C Lollar	Anson Texas
Jack W London Jr	3092 Broadway Boulder Colo
Herman G Lopez	Box 656 R R 1 Las Vegas N Mex
Lorenz's Truck	Kensley Kansas
Sam Lovato	460 Kalamath Denver & Colo
B C Lovejoy	Roural Route Sedgwick Colo
Lovelace Sales Co	113 - 7th Ave So East Pipestone Minn
Everett Lowrance	New Orleans Louisiana
Lubbock Auto & Co Inc	Lubbock Texas
Lubbock Cotton Oil Co	Lubbock Texas
Tito Lucero	Manzanola Colorado
Dan & Levada Ludu	3720 Ave E Kearney Nebr
Lufkin Foundry & Mach Co	Gen Del Lufkin Texas
Luna Coal Co	1201 Jackson Ave Las Vegas N Mex
M & M Motor Co	Clearwater Nebraska
Mabry Brothers	Box 189 Rogers Arkansas
A R Macias	1721 So Amherst Perryton Texas
Earl W Madsen	Mankato Minnesota
William E Madsen & Sons	P O Box 126 Mt Pleasant Utah
Magnie's Grocery	230 Denver Ave Ft Lupton Colo
Glen R Magors	721 S W 47th Oklahoma City Okla
Maloney Co	2408 Terminal Tower Cleveland Ohio
Louis Malouff	Monte Vista Colorado
Mann Motor Co	105 Maple Phillipsburg Kans
James R Manning	1115 Main St Louisville Colo
Manning Motor Co	W Hiwy Jefferson City Mo
T L Manning	Box 65 Cooper Texas
J B Maples	Junction City Texas
Maravene Auto Sales	2021 W Alameda Denver Colo

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle be, and the same hereby are, dismissed.

That this order shall become effective July 23, 1952.

S E A L

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ATTEST: A TRUE COPY

SECRETARY

Dated at Denver, Colorado
this 13th day of July, 1953.

John H. Schuchel

Ralph C. Hinton

COMMISSIONERS.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE FAILURE OF VARIOUS)
 CORPORATIONS AND PERSONS TO COMPLETE)
 APPLICATIONS FOR PERMITS TO OPERATE AS)
 COMMERCIAL CARRIERS OVER THE HIGHWAYS)
 OF THE STATE OF COLORADO)

JULY 13, 1953

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to the Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highways compensation taxes due from said corporations and persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer or other vehicle used by said corporations and persons.

(d) Failure to obtain, and keep in force at all times, public liability and property Damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Mariposa Super Market Inc
 Jas E Markle
 Marlin Oil Co
 Marquarts Ref Service
 Lloyd W Mart
 Mart's Produce
 Boyce Martin Jr
 G I Martin Construction
 L M Martin
 Elias Martinez

Taos New Mexico
 Box 815 Spearman Texas
 Gen Del Marlin Texas
 Jackson Minnesota
 4202 Beaver Ave York Nebr
 Dell Rapids So Dak
 Pleasant Plains Arkansas
 520 S Tulane Albuquerque N Mex
 Greenville Texas
 1407 E 5th St Trinidad Colo

A E Masey
 V B Mason
 E A Massier
 William C Matthews
 Quinton Mauld
 H D May
 F L Mayo Mtr Co
 Carl McAdams
 McBee Pontiac Co
 H W McBroom
 James Caldwell McCanless
 Duane McClure
 Kenneth McCollom
 H B McConkey
 G L McCormack
 W A McCune
 E D McCutchen
 Warren McDougall
 O B McEntyre
 McGlothlin & Gore Bros
 Robert McGreen & Sons Inc
 McKinley Implement Co
 Ray McMahon
 Lee H McMurty
 Mellen Motor Co
 Memphis Equipment Co
 R D & B W Merck
 F C Midcap
 Midwest Auto Sales
 Mid West Contracting Co
 John Miliotes
 Miles Tire Service
 Fred Millard
 Alton H Miller
 Elwood W Miller
 J L Miller
 Jay E Miller
 Leonard Miller
 W A Miller
 Walter F Miller

Mineral Wells Texas
 2413 S W 25th St Oklahoma City Okla
 Wakeeney Kansas
 1306 So Pearl Denver 10 Colo
 La Mesa Texas
 West Plains Mo
 Carlsbad N Mex
 White Deer Texas
 Cortez Colorado
 Electra Texas
 Rt 1 Nolenville Tenn
 Ark City Kansas
 Ennis Texas
 Lake City Iowa
 3418 Big Dalton St Baldwin Park Calif
 Harvard Nebraska
 15 So Xantus Tulsa Okla
 Gen Del Harper Texas
 820 Beach St Plainview Texas
 Evant Texas
 Philadelphia Pa
 Texhoma Oklahoma
 Lometa Texas
 Box 206 Texline Texas
 Pratt Kansas
 Memphis Tenn
 Beagraves Texas
 Wiggins Colo
 Winner So Dak
 So Haskel St Dallas Texas
 Rt 3 Center Colo
 3rd & Lincoln Steamboat Springs Colo
 Grymon Oklahoma
 Rt 1 Goshen Indiana
 308 Pine St Wamego Kans
 Lometa Texas
 408 East So Ave Ponca City Okla
 Rt 3 Vernon Texas
 Crosbyton Texas
 Rt 2 Box 119 Eaton Colo

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle be, and the same hereby are, dismissed.

That this order shall become effective July 23, 1953.

S E A L

THE PUBLIC UTILITIES COMMISSION
 OF THE STATE OF COLORADO

ATTEST: A TRUE COPY

 SECRETARY

Dated at Denver, Colorado
 this 13th day of July, 1953.

John H. Schuchell

Ralph C. Hobart

 COMMISSIONERS.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE FAILURE OF VARIOUS)
CORPORATIONS AND PERSONS TO COMPLETE)
APPLICATIONS FOR PERMITS TO OPERATE AS)
COMMERCIAL CARRIERS OVER THE HIGHWAYS)
OF THE STATE OF COLORADO)

JULY 13, 1953

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to the Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highways compensation taxes due from said corporations and persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer or other vehicle used by said corporations and persons.

(d) Failure to obtain, and keep in force at all times, public liability and property Damage insurance or a surety bond providing similiar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Harry E Milton
Mimick & Ryan Trucking Co
Hope A Mitchell
Wilburn Mize
Modern Interiors
E H Montgomery
F L Montgomery
Lonnie Montgomery
John Joseph Moore
Jack Moreland⁵

Friend Nebraska
2313 - 11th St Columbus Nebr
6316 No 16th Ave Phoenix Ariz
Reform Alabama
1236 No Main Longmont Colo
4009 Ashby Rd St Louis Mo
1134 Holcomb Rd Dallas Texas
Seminole Texas
Rt 1 Grand Junction Colo
San Angelo Texas

E P Morgan
 J W Morgan
 Morris Motor Co
 Aaron Mosko
 Fred L Muldrow
 Millen Bros Equipment Co
 Nancy Bros Inc
 Bill Murdock
 Chris Murray Construction Co
 George Myers
 Wayne Myers
 N L D Lumber Co
 Nance Equipment Co
 National Homes Corp
 Norman N Neamand
 Nebraska Motor Sales
 Nels H Nelson
 J L Nevill
 F E Newberry
 L E Newman
 Jimmy Newton
 Edwin Nichols Auto Sales
 Vernon Nichols
 Hans Nielsen & R L Tomsic
 Nissen Motor Co
 Noble Motor Co
 Norris Dairy Products
 Royce Norris
 Jack Norwood
 J H Nowlin
 Noyer's Auto Co
 R M Nunn
 Nurrie Companies Inc
 Ned Nusrala
 O K Transfer & Storage Co
 P A Oberle
 Ogden Ford Sales
 Oklahoma Bag Co
 Okla Fixture Co
 Denton Oliver

Garden City Texas
 Mills Wyoming
 Gen Del Picche Nevada
 3200 So Broadway Englewood Colo
 Rt 3 Box 176 Walby Colo
 Valentine Nebraska
 50 - 2nd Ave Dodge City Kans
 Tulsa Oklahoma
 7161 Utica Westminster Colo
 Rt 1 Alamosa Colo
 Gen Del Limon Colo
 516 Cowan Ft Collins Colo
 Dalhart Texas
 U S 52 Bypass Lafayette Ind
 Hall Hotel Denver 4 Colo
 Grand Island Nebr
 130 - 10th St Golden Colo
 Levelland Texas
 236 A St Kerrville Texas
 Independence Missouri
 Van Buren Arkansas
 Meridian Texas
 c/o F J Nightengale Scott City Kans
 Robidoux Hotel St Joseph Mo
 121 Lyon Albany Ore
 Weeping Water Nebr
 807 Park Ave Dallas Texas
 Texoma Oklahoma
 1655 York Denver 6 Colo
 Odonnell Texas
 Creighton Nebraska
 1112 So 5th Chickasha Okla
 Bloomington Indiana
 1044 So 25th Omaha Nebr
 Chickasha Oklahoma
 6209 Blackstone Chicago Ill
 Ogden Utah
 1201 So May Oklahoma City Okla
 1010 So Hudson Tulsa Okla
 805 - 4th Muskogee Okla

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle be, and the same hereby are, dismissed.

That this order shall become effective July 23, 1953.

S E A L

THE PUBLIC UTILITIES COMMISSION
 OF THE STATE OF COLORADO

ATTEST: A TRUE COPY

 SECRETARY

Dated at Denver, Colorado
 this 13th day of July, 1953.

John H. Ketchell

Ray W. C. Johnson

 COMMISSIONERS.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE FAILURE OF VARIOUS)
CORPORATIONS AND PERSONS TO COMPLETE)
APPLICATIONS FOR PERMITS TO OPERATE AS)
COMMERCIAL CARRIERS OVER THE HIGHWAYS)
OF THE STATE OF COLORADO)

JULY 13, 1953

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(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission governing Commercial Carriers by Motor Vehicle,

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highways compensation taxes due from said corporations and persons, as required by law and Rule 7 of said Rules and Regulations

(c) Failure to file with this Commission a statement giving the description of each truck, trailer or other vehicle used by said corporations and persons.

(d) Failure to obtain, and keep in force at all times, public liability and property Damage insurance or a surety bond providing similiar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

O R D E R

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Olsen Motor Co	4542 So E 82 Portland Ore
C M Owen	1329 Grant Dallas Texas
Jack Owens	Clareland Texas
Ozark Hatchery	Hy 50 West of Delaware Jefferson City Mo
A L Pally	5151 Harrison Blvd Ogden Utah
Panhandle Steel Co	Box 1564 Lubbock Texas
Panhandle Steel Erectors	Amarillo Texas
George L Pardee	11 New St Dover Delaware
Park Lane Furniture Mfg Co	2115 Colo Ave Santa Monica Calif
D D Parks	DeLeon Texas

Farmer County Impl Co	Friona Texas
Roy Patrick	114 E 3rd Corsicana Texas
Alvin Pauly	Martin So Dakota
Bruce Payne	Ada Oklahoma
W C Payne	Rising Fawn Georgia
Irven Penny	Marble Falls Texas
Lazarus Pennywell	Gen Del Horance Kans
Penrod Motor Co	2213 1st Ave Kearney Nebr
V L Perkins	1017 Brdview Blvd So Dayton Ohio
J H Permenter	Jacksonville Florida
Perper Produce	913 W Randolph Chicago Ill
Eldon A Peterson	Grant Nebraska
Petroleum Distr Co	Odessa Texas
John Pfeifer	Walsh Colorado
N E Pharr	Arlington Texas
Phillips Granite Co	Rion So Carolina
J C Phillips	Leakey Texas
M L Phillips	Rogers Arkansas
W P Phillips	204 Live Oak Dr Charleston So Carolina
Bill Pidgeon	312 W 3rd Julesburg Colo
Pierce, L W	Lindale Texas
B J Pillans	Corsicana Texas
Plains Motor & Imp Co	1510 Willow Dr Cheyenne Wyo
Pongrantz Bros	Auburndale Wisconsin
Harry Poppenga	9501 Harold Dr St Louis Mo
Portage Lumber & Supply Co	Chesterton Indiana
Boyd Poulson	1313 No First Albuquerque N Mex
H C Powell	Lamesa Texas
Power Bros	Pueblo Colo
D L Preece	Gen Del Belton Texas
Friebe & Son	110 N Franklin Chicago Ill
Friebe & Sons	Kansas City Kansas
Proctor Sales & Service	108 So 4th St St Louis Mo
Orville Pulliam	Ponca City Oklahoma
Puritan Labs	208 So West 8th Des Moines Ia
Andrew J Quebedeaux	542 So Liberty Opelousas La
E J Rackwal	1219 W Wells Milwaukee Wisc
W H Rackford	1050 Grant St Gary Ind
Orlan Rago	720 Don Gasper Santa Fe N Mex
Fred Ragsdale	Clifton Texas

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle be, and the same hereby are, dismissed.

That this order shall become effective July 23, 1953.

S E A L

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ATTEST: A TRUE COPY

SECRETARY

Dated at Denver, Colorado
this 13th day of July, 1953.

John H. Hinchell
Ralph C. Hoban

COMMISSIONERS.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE FAILURE OF VARIOUS)
CORPORATIONS AND PERSONS TO COMPLETE)
APPLICATIONS FOR PERMITS TO OPERATE AS)
COMMERCIAL CARRIERS OVER THE HIGHWAYS)
OF THE STATE OF COLORADO)

JULY 13, 1953

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The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Rain Chief Irrig Co
D H Ramzinsky
G C Randles
Ranger Chemical Co
Ray's Trailer Sales
Rays Sales & Service
Don Reed & Troy Lee Glover
Reed Produce Co
Reefer Trsf
Clyde Reeves

Grand Island Nebraska
Gonzales Texas
Parsons Kansas
Houston Texas
109 Sonoma Blvd Vallejo Calif
Tyler Minnesota
905 S W 25th St Mineral Wells Texas
Lamesa Texas
3201 North Bdway Wichita Kans
Omega Georgia

Reilly Tar & Chemical Co
 G E Reiners
 Garland V Renegar
 Rhoten Brothers Produce Co
 A Rich
 J B Riggs
 Claude V Riley
 Edward W Ritterbush
 Robbins Floor Products Co
 Cecil Roberts
 George S Roberts
 R S Robertson
 Charles E Robinson
 F L Robinson
 Ralph V Rodriguez
 Harrison Roe
 Rogers Produce Co
 Ted Rose
 Chas Route & L R Merritt
 Rowe Oliver & Rowe
 Ruby Chev Inc
 Glynn Russon
 H G Beck
 E H Harbertson
 S & B Prod Co
 Sabine Machine & Supply Co
 Jose Victoriano Salazar
 San Juan Prod
 Pedro Sanchez
 William Sanchez
 G C Sanders Wholesale Lumber
 Sanders & Harris Co
 Leslie M Sanders
 John Sattler
 D M Sawyer
 Schlientz Imp Co
 Frank Schmale
 Walter Schroeder
 Clarence F Schwartz
 R E Sculling

Lone Star Texas
 Custer City Oklahoma
 408 - 66th Gallup N Mex
 1205 N 1st St Albuquerque N Mex
 2695 W Alameda Denver 19 Colo
 1201 Kenley Wichita Falls Texas
 Box 207 Muleshoe Texas
 Kilgore Nebraska
 Tuscumbia Alabama
 Kerrville Texas
 Rt 3 Box 481 Ft Collins Colo
 Lay Colorado
 533 14th Ave Greeley Colo
 1005 E 7th Newton Kans
 917 Busna Vista San Antonio Texas
 Waverly Ohio
 East Elm St Rogers Arkansas
 423 Main St Seminole Okla
 Paris Texas
 Rt 2 Monte Vista Colo
 1147 W Jackson Blvd Chicago Ill
 Haines City Florida
 Miami Florida
 D-22 Victory Rd Wash Ter Ogden Utah
 Box 372 Newman Ga
 Box 815 Kilgore Texas
 Box 263 Taos N Mex
 Gainesville Texas
 Menard Texas
 1101 East Beech Pueblo Colo
 404 W 8th Terrell Texas
 Ponca City Oklahoma
 632 N 7th St Canon City Colo
 Covington Oklahoma
 Ida Lou Texas
 Ng Platte Nebr
 Council Bluffs Iowa
 Box 747 Everly Iowa
 Dover Delaware
 McKinney Texas

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle be, and the same hereby are, dismissed.

That this order shall become effective July 23, 1953.


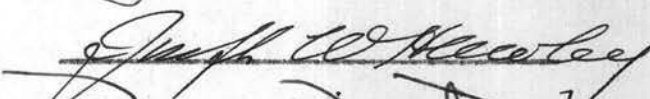
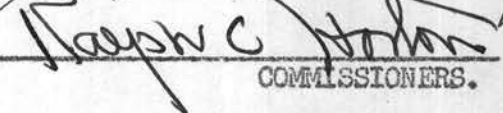
S E A L

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ATTEST: A TRUE COPY

SECRETARY

Dated at Denver, Colorado
this 13th day of July, 1953.




 COMMISSIONERS.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE FAILURE OF VARIOUS)
CORPORATIONS AND PERSONS TO COMPLETE)
APPLICATIONS FOR PERMITS TO OPERATE AS)
COMMERCIAL CARRIERS OVER THE HIGHWAYS)
OF THE STATE OF COLORADO)

JULY 13, 1953

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(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highways compensation taxes due from said corporations and persons, as required by law and Rule 7 of said Rules and Regulations.

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It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

O R D E R

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Seaford Dist Corp
Searles Produce Co
R Segura & Sons
O L Shannon
Katherine Shelton & Lou Knock
Shipley Motor Co
S G Shirley
Walter A Shore
G T Shows
Sickler Chevrolet Co

Brownsville Texas
Box 125 St Johns Mich
132 E El Paso Marfa Texas
Coyulla Texas
Iola Colorado
Brownfield Texas
Buffalo Oklahoma
Clifton Colorado
Portales New Mexico
601 Benton Ave Corning Iowa

H D Sieck
 J C Sieck
 Charles Simco
 Ronald Simms
 Ed Simons
 V L Simons
 Rose Simotes
 Fred Simpson
 George Sims
 Sine Lumber Co Inc
 Rex Singer
 Skains & Collier
 Millard D Slaten
 Slater Bros Produce
 Francis H Slater
 Joe E Slentz
 Smartt Construction Co
 Smith Auto Co
 Bill D Smith
 Smith-Ford Sales Co
 Gordon Smith
 Jack Smith
 James E Smith
 K E Smith
 Kenneth D Smith
 Marion Smith
 Norris R Smith
 Pearl B Smith & Gilford H Smith
 W D Smith Motor Co
 Elie Souply Jr
 Southwest Porcelain Steel Corp
 Sparkman & McKinley
 Deen Spencer
 Arthur Spittler
 Springfield Body & Trailer Co
 Ray B Spurgin
 Arthur M Squires
 Standard Motor & Finance Co
 Arvil Stapp
 Vader E Stapp

817 Northwest 95th Oklahoma City Okla
 Sulphur Springs Texas
 Mountainburg Arkansas
 Rt 3 Box 610 Golden Colo
 1708 Canterbury Austin Texas
 1708 Canterbury Austin Texas
 Coleman Alabama
 909 Kentucky Amarillo Texas
 15290 W Colfax Golden Colo
 Box 1063 Albuquerque N Mex
 Tulsa Oklahoma
 104 No 1st St Brownfield Texas
 Rt 3 La Junta Colo
 1317 Ave E Lubbock Texas
 814 Prairie Rd Colorado Springs Colo
 15341 - 26 N E Seattle Wash
 1102 E Columbia Colorado Springs Colo
 Spanish Fork Utah
 3010 S Cherokee St Englewood Colo
 233 - 11th Ave So Nampa Idaho
 Chadron Nebraska
 3872 Huron Culver City Calif
 401 N Jefferson San Angelo Texas
 Box 191 Kittredge Colo
 Box 216 Cortez Colo
 Gen Del Matheson Colo
 Box 277 Madrid Nebr
 Box 24 Rocky Ford Colo
 Lubbock Texas
 3295 Otis Wheatridge Colo
 Gen Del Sand Springs Okla
 432 No Beard Shawnee Okla
 Waynoka Oklahoma
 Hamburg Iowa
 1631 College St Springfield Mo
 417 - 1st Ave Dallas Texas
 Rocky Comfort Mo
 246 Elk St Rock Springs Wyo
 Junction Texas
 Satanta Kansas

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle be, and the same hereby are, dismissed.

That this order shall become effective July 23, 1953.

S E A L

THE PUBLIC UTILITIES COMMISSION
 OF THE STATE OF COLORADO

ATTEST: A TRUE COPY

 SECRETARY

Dated at Denver, Colorado
 this 13th day of July, 1953.

John H. Churchill
Joseph W. Haeberle
Ralph C. Johnson

 COMMISSIONERS.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE FAILURE OF VARIOUS)
CORPORATIONS AND PERSONS TO COMPLETE)
APPLICATIONS FOR PERMITS TO OPERATE AS)
COMMERCIAL CARRIERS OVER THE HIGHWAYS)
OF THE STATE OF COLORADO)

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(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highways compensation taxes due from said corporations and persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer or other vehicle used by said corporations and persons.

(d) Failure to obtain, and keep in force at all times, public liability and property Damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

O R D E R

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Walter J Stark
J A Steadman
Charles R Steele
Stein Implement Co
Stillwell Canning & Frozen Foods
Burnham Stokes
Walter Story
T O Stotts
Sundermeyer & Kiecksee
Supreme Television Service

Rt 1 Loomis Nebraska
Vanbay Alabama
Box 22 Sheridan Lake Colo
Denver St Holyoke Colo
Stillwell Oklahoma
Lake Alfred Florida
Cullman Alabama
824 Minter Ave Glenwood Springs Colo
Pipestone Minnesota
6241 Federal (Rear) Denver 11 Colo

H D Swain
 H D Swain
 Jimmie Swift
 Worth Tapley
 Taylor Fruit Co
 Everett Terpaning
 Tex Fruit Growers
 Charles E Thomas
 R L Thomason
 R L Thomason
 James L Thompson
 Thorley Motor Co
 I P Thyfault
 Lloyd O Todd
 Tolleson Nurseries
 R L Tomsic
 Trader In
 Claude H Treat
 Earl H Trenary
 Ruby Lucille Trettenero
 Tri Foods Co
 Tri State Produce Co
 Tri State Sales & Service
 Francis E Trobee
 Troutdale Hotel & Realty Co
 Doris Tritsen
 Jay L Tryon
 Roy Tucker
 Arthur Turley
 J C Turner
 C H Tyler
 Charles R Uebelhart
 Mark & Arthur Ukele
 Union Star Truck & Tractor Co
 Union Supply Co
 Tony Valdez
 Valley Motor Car Co
 Valley Plumbing Heating & Supply Co
 Van Buren County Fruit Exchange
 Vanderheim Service

Galena Park Texas
 Winfield Alabama
 2605 Joplin St Joplin Mo
 620 S E Ave E Idabel Okla
 416 W 17th St Ada Okla
 Box 766 Salida Colo
 Weatherford Texas
 Rye Colorado
 Box 1485 Jacksonville Texas
 Box 46 Theodore Ala
 Kensington Ohio
 185 No Main Cedar City Utah
 Box 91 Pritchett Colo
 Coolidge Texas
 44th & Wadsworth Wheatridge Colo
 1203 Francis St St Joseph Mo
 7033 W Colfax Denver 15 Colo
 Seymour Texas
 Box 6 Peckham Okla
 Scottsbluff Nebraska
 Concordia Missouri
 505 So Howard Sioux City Iowa
 460 Kalamath St Denver 4 Colo
 Box 461 Arnold Nebr
 Evergreen Colorado
 Flattsmouth Nebraska
 Box 38 Durango Colo
 Purdy Missouri
 46 W Wash Nanticoke Penn
 Box 567 Corsicana Texas
 5515 W Davis Dallas Texas
 1101 Rowan St Louisville Ky
 P O Box 54 Silt Colo
 Union Star Missouri
 208 No Market Casper Wyo
 813 Cherry Clayton N Mex
 Main & Edison Alamosa Colo
 Alamosa Colorado
 Ft Lauderdale Florida
 Stillwell Oklahoma

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle be, and the same hereby are, dismissed.

That this order shall become effective July 23, 1953.

S E A L

THE PUBLIC UTILITIES COMMISSION
 OF THE STATE OF COLORADO

ATTEST: A TRUE COPY

 SECRETARY

Dated at Denver, Colorado
 this 13th day of July, 1953.

John H. Wheeler
Joseph C. H. H. H.
Joseph C. H. H. H.

 COMMISSIONERS.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE FAILURE OF VARIOUS)
CORPORATIONS AND PERSONS TO COMPLETE)
APPLICATIONS FOR PERMITS TO OPERATE AS)
COMMERCIAL CARRIERS OVER THE HIGHWAYS)
OF THE STATE OF COLORADO)

JULY 13, 1953

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to the Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highways compensation taxes due from said corporations and persons, as required by law and Rule 7 of said Rules and Regulation

(c) Failure to file with this Commission a statement giving the description of each truck, trailer or other vehicle used by said corporations and persons.

(d) Failure to obtain, and keep in force at all times, public liability and property Damage insurance or a surety bond providing similiar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Vandeventer Auto Sales	717 So Vandeventer St Louis Mo
Virgil Vines	2652 Wilbarger Dallas Texas
George Wagner	Hardesty Oklahoma
Chester Walker	Belton Texas
Jack Walker	Rt 44 Box 141 Hereford Texas
C L Wall	1132 No Tryon Charlotte N C
Berry Wallace	Springdale Arkansas
Wamsley Supply Co	Idaho Springs Colorado
Leo Warner	Longdale Oklahoma
Douglas Weeakes	Vlanco Texas

Carl Weeks
 Richard Wells
 Welsh Motor Co
 J A Welty
 Leo Wendel
 Wendells Auto & Parts
 Wallace Wendler
 M C Wesson
 West End Freight Lines
 Richard H West
 Western Broom Mfg Co
 Western Construction Co
 Western Howe & Motor Co Inc
 H B Whismore
 George A White
 Preston White
 Olin C Whitfield
 L E Whitfill
 Whittenburg & Graham
 Whhita Willys Co
 A S Wicker
 Paul Widener
 Wiggins Mtr Co
 Melvin Wiley
 W E Wiley
 Walter Wilfang
 Sydney S Wilkenson
 M L Wilkerson
 Clinton Williams
 J F Williams
 Rayburn Williams
 Robert M Williams
 S W Williams
 H L Wilson
 Wilson Motor Co
 Otto Wilson
 Frank Winchell Truckers
 Don Winkleman
 Ches L Winterowd
 Gerald Womack

Rt 6 Lincoln Nebr
 Orem Utah
 243 Adams St Monte Vista Colo
 Del Rio Texas
 Phillipsburg Kansas
 20th & Spruce Boulder Colo
 Gen Del Holland Texas
 730 Wilbarger Ave Vernon Texas
 Montrose Colo
 Box 654 Lafayette Colo
 Portales New Mexico
 2500 So 8th Ave Greeley Colo
 Gen Del Tribune Kans
 Jerome Idaho
 221 So 5th Grand Junction Colo
 2106 So Mirrir Amarillo Texas
 1301 Golconda Lakeland Fla
 Ennis Texas
 203 Main Ft Morgan Colo
 916 - 9th Wichita Falls Texas
 113 Harvard Salt Lake City Utah
 Rt 1 Valley Head Ala
 Advance Missouri
 Weatherford Texas
 Verden Oklahoma
 3929 Winfield Ft Worth Texas
 Campo Colorado
 Martel Tennessee
 Madill Oklahoma
 Belton Missouri
 Desota Missouri
 200 Wise Term Bldg 7th & Central L A Calif
 805 Beach Plainview Texas
 Box 112 Ft Garland Colo
 5403 Leary Ave Seattle Wash
 Huntington Texas
 307 Hogan St Jacksonville Fla
 Pratt Kansas
 Ennis Texas
 Elk City Oklahoma

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle be, and the same hereby are, dismissed.

That this order shall become effective July 23, 1953.

S E A L

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ATTEST: A TRUE COPY

SECRETARY

Dated at Denver, Colorado
this 13th day of July, 1953.

John H. Winchell

Joseph W. Hootley

Ralph C. Horton

COMMISSIONERS.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE FAILURE OF VARIOUS)
CORPORATIONS AND PERSONS TO COMPLETE)
APPLICATIONS FOR PERMITS TO OPERATE AS)
COMMERCIAL CARRIERS OVER THE HIGHWAYS)
OF THE STATE OF COLORADO)

JULY 13, 1953

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to the Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highways compensation taxes due from said corporations and persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer or other vehicle used by said corporations and persons.

(d) Failure to obtain, and keep in force at all times, public liability and property Damage insurance or a surety bond providing similiar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

O R D E R

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Grover C Wood
K K Woods
W B Woofter
John Woosley
World Steel Prod Co
Wray Implement Co
R C Wright
Raymond Wright
Calvin Wynn
W J Yarbrough

Gen Del Dupont Colo
8141 Broson Downey Calif
Hoxie Kansas
1146 So 7th St St Louis Mo
448 Tiffany New York City N Y
Wray Colorado
1711 Taft Rd Golden Colo
Amhurst Texas
Hartville Missouri
Rt 2 Austell Ga

Harvey Yates
 Yellowstone Potato Co
 H F York Jr
 Neal Young
 Zenon Zamora
 Zenith Coal Co
 Hilario Zepeda & Son
 Victor Zink
 Melvin W Zoerb
 Delbert Zufelt
 Dolores Grain & Feed Store
 Ralph Acuff
 M H Alexander
 Arkmo Trucking Co
 Atlanta Bros Paper Co
 Walter C Austin
 B & N Lumber Co
 H W Bailey Mtr Co
 E W Beeson
 Carl Benson
 Berlite Industries
 Ross Bowers
 Roy Braudrick
 Addison A Burnside
 Fernell Burton
 Cabiniss & Roberts
 H D Cannon
 Collins Equip Co
 C C Crawford
 Wayne H Cruise
 T M Crumpler
 Richard J Daniel
 R E Daniels
 Davis-Child Inc
 Jim Dempster
 L B Doss
 Bill Edwards
 R J Edwards
 Excel Metal
 Thear Fraley

Box 61 Red Feather Lakes Colo
 Box 950 Torrington Wyo
 Dothan Alabama
 Box 729 Hereford Texas
 1151 Flanders Ave San Antonio Texas
 Hayden Colorado
 Junction Texas
 Crock Colorado
 1115 Ave C Cozad Nebr
 Box 265 Naturita Colo
 Box 253 Dolores Colo
 Birmingham Alabama
 Fairfax Alabama
 Kansas City Mo
 Atlanta Georgia
 Eugene Oregon
 Rt 1 Grand Junction Colo
 Odessa Texas
 San Antonio Texas
 Helena Montana
 Phoenix Arizona
 Oklahoma City Oklahoma
 Lordsburg New Mexico
 Grand Bay Alabama
 Reform Alabama
 Gen Del Belton Texas
 Dallas Texas
 Seattle Washington
 McKinney Texas
 Columbus Missouri
 Houston Texas
 Adams City Colorado
 Karnes City Texas
 12th & Williams Great Bend Kans
 Tulsa Oklahoma
 Oklahoma City Oklahoma
 Salt Lake City Utah
 Salt Lake City Utah
 San Mateo California
 White Wright Texas

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle be, and the same hereby are, dismissed.

That this order shall become effective July 23, 1953.

S E A L

THE PUBLIC UTILITIES COMMISSION
 OF THE STATE OF COLORADO

ATTEST: A TRUE COPY

 SECRETARY

Dated at Denver, Colorado
 this 13th day of July, 1953.

John H. Kinchel
Joseph W. Newberry
Ralph C. Johnson

 COMMISSIONERS.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE FAILURE OF VARIOUS)
CORPORATIONS AND PERSONS TO COMPLETE)
APPLICATIONS FOR PERMITS TO OPERATE AS)
COMMERCIAL CARRIERS OVER THE HIGHWAYS)
OF THE STATE OF COLORADO)

JULY 13, 1953

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to the Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highways compensation taxes due from said corporations and persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer or other vehicle used by said corporations and persons.

(d) Failure to obtain, and keep in force at all times, public liability and property Damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

O R D E R

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Alfred Gales
J L Garrigan
Grand Junction Auto Auction
Harland Imp Co
Jack Hearn
William C Henley
C T Herbertson
A E Hill
Holomon Lumber Co
Jack Holt
G C Horn Sales & Service
John's Truck Line
T V Kelley
J W Kemp
L C Kyle
Lagarita Mines

Wichita Falls Texas
Richman California
2805 No Ave Grand Junction Colo
Tucson Arizona
Box 5174 Abilene Texas
Los Angeles California
Denver Colorado
Dallas Texas
1664 Lamar Ave Mobile Ala
Lamesa Texas
St Louis Mo
Seattle Washington
Rt 1 Ellia Alabama
Denison Texas
Amarillo Texas
Salida Colorado

Jack E Lake
Lee Lane Motor
Voris C Langdon
Jimmy Maddox
Earl Marrs
E H Matney
Mauro Motor Co
Daum Maynard
P E McCormick
Menson Reefer Express
Mid Town Auto
C A Moody
Ernest W Moore
Joe Nelson
Pauls Trucking Service
Pearlite Insulating
W H Price
Frank Pride
Rental Transportation Co
Geo A Ricker
Chas E Roberts
Rulette Broa
Samuels Used Cars
F Shelton
Lee Shook
Showalter Cattle Co
Herman Simms
Donald Sims
Cecil Sims
E M Slaughter
Al Smith
Southern Sash Sales & Service
Stanway Motor Co
Huey Stephens
Sterling Metal Co
Albin A Stewart
John Sumner
Tate Bros
R L Thomas
H B Thomason
Tilley & Son
W J Trudeau
W A C Prod Co
J C Ward
J E Wayne
Wholesale Motor Mart
Wilkerson Mtr
R M Williams
J M Wood
S O Workman

Los Angeles California
Salt Lake City Utah
204 So 3rd Lamar Colo
Jackson Mississippi
Amarillo Texas
Compton California
Cozad Nebraska
Los Angeles California
Baldwin Park California
Los Angeles California
Alberta Canada
Houston Texas
Lubbock Texas
Jacksonville Florida
971 Driver St Memphis Tenn
Phoenix Arizona
Lamesa Texas
Eagle Texas
Chicago Illinois
Hillsboro Florida
Brownwood Texas
Chicago Illinois
Pueblo Colo
Mobile Alabama
Enid Oklahoma
Gen Del Hutchinson Kans
Oklahoma City Oklahoma
Hutchinson Kansas
Texarkana Texas
Bremond Texas
414 W 2nd Amarillo Texas
Sheffield Texas
Kansas City Missouri
Ozark Alabama
Houston Texas
San Antonio Texas
Lebanon Kansas
Lubbock Texas
Jacksonville Texas
Morgan Texas
Springdale Arkansas
Commerce Oklahoma
Dallas Texas
Munday Texas
Amarillo Texas
Denver Colorado
705 So 4th Tulsa Okla
Los Angeles Calif
Miami Florida
Box 521 Bailey Texas

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle be, and the same hereby are, dismissed.

S E A L That this order shall become effective July 23, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

ATTEST: A TRUE COPY

SECRETARY

Dated at Denver, Colorado
this 13th day of July, 1953.

John H. Wheeler
Joseph W. Bradley
Ralph C. Johnson
COMMISSIONERS.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ROBERT E. ELMORE AND WILLIAM R.)	
STIRN, 3801 SOUTH SANTA FE, ENGLE-)	<u>APPLICATION NO. 12424-PP</u>
WOOD, COLORADO, FOR A CLASS "B")	
PERMIT TO OPERATE AS A PRIVATE GAR-)	
RIER BY MOTOR VEHICLE FOR HIRE.)	

July 14, 1953

Appearances: William R. Stirn, Englewood,
Colorado, for applicants.

S T A T E M E N T

By the Commission:

Applicants herein seek 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 used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek, and Gilpin Counties.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at 312 State Office Building, Denver, Colorado, July 3, 1953, at ten o'clock A. M., and, at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, William R. Stirn, one of the partner applicants, testified that he has been driving a truck for the Northwestern Engineering Company for the past two years. He owns a 1950 Chevrolet 2-ton dump truck and his net worth is \$1,500.00. He has a current request for the service he proposes from one P. G. Lull, a contractor in Englewood, Colorado, and wishes to serve all contractors generally.

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

It did not appear that the proposed service of applicants will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

The operating experience and financial responsibility of applicants 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 Robert E. Elmore and William R. Stirn, 3891 South Santa Fe, Englewood, 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 used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek, and Gilpin Counties.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Kinschell

Joseph T. Crowley

Ralph C. Horton
Commissioners.

Dated at Denver, Colorado,
this 14th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LADEN STRANGE, 2084 EMERSON STREET,)
DENVER, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 12425-PP

July 14, 1953

S T A T E M E N T

By the Commission:

On June 8, 1953, applicant herein filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire.

The Commission is now in receipt of a statement from said applicant stating that he is desirous of cancelling said application.

F I N D I N G S

THE COMMISSION FINDS:

That said application should be dismissed at the request of applicant.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application should be, and the same is hereby, dismissed, at request of applicant, and cash deposit refunded.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. ...
...
...
Commissioners.

Dated at Denver, Colorado,
this 14th day of July, 1953.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
VERNON D. WINTER, 10601 EAST MONT-)	
VIEW, AURORA, COLORADO, FOR A CLASS)	<u>APPLICATION NO. 12426-PP</u>
"B" PERMIT TO OPERATE AS A PRIVATE)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	
-----)	

July 14, 1953

Appearances: Vernon D. Winter, Aurora,
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 and other road-surfacing materials used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek, and Gilpin Counties; and coal from mines in the northern Colorado coal fields to Denver; Valmont Plant of the Public Service Company, located near Boulder; Rocky Mountain Arsenal northeast of Denver and the Great Western Sugar Company and Kuner-Empson Company Plants located within a 50-mile radius of Denver, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at 312 State Office Building, Denver, Colorado, 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 has had five years experience in the trucking business and owns a 1951 International 2-ton dump truck and his net worth is \$1,500.00. He wishes to perform the service under any authority granted for any customer with whom he may make a contract.

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 service 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 Vernon D. Winter, 10601 East Montview, 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 used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek and Gilpin Counties; and coal from mines in the northern Colorado coal fields to Denver; Valmont Plant of Public Service Company located near Boulder; Rocky Mountain Arsenal northeast of Denver, and the Great Western Sugar Company and Kuner-Empson Plants located within a 50-mile radius of Denver, Colorado.

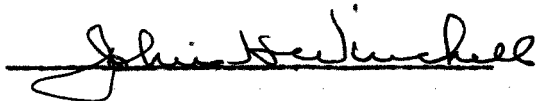
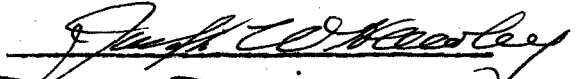
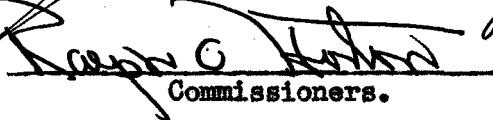
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 14th day of July, 1953.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
NORMAN KRUSE, B. F. HUCKABAY,)
BERT VAN ZANTE, DOING BUSINESS)
AS "BILL & BERT PRODUCE COMPANY,")
300 NORTH 11TH AVENUE, GREELEY,)
COLORADO.)
-----)

CASE NO. 65667-INS.
(Permit No. C-22916)

July 14, 1953

S T A T E M E N T

BY the Commission:

On June 30, 1953, in Case No. 65667-Ins., the Commission entered an order revoking Permit No. C-22916 for failure to keep on file the required certificate of insurance.

Insurance is now being filed and within the five-day period of grace allowed in the order. Since there is no lapse of coverage or other delinquencies, the 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~~ revocation order entered in Case No. 65667-Ins., should be cancelled and set aside, and said Permit No. C-22916 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That revocation order entered on June 30, 1953, in Case No. 65667-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-22916 restored to its former status as of June 30, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. ...
Paul ...
Ransom C. ...
Commissioners.

Dated at Denver, Colorado,
this 14th day of July, 1953.
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
M., ALDO, DANTE, AND GEORGE VAIO,)	
DOING BUSINESS AS "M. VAIO & SONS,")	<u>CASE NO. 65664-INS.</u>
323 NORTH 1ST STREET, ALBUQUERQUE,)	(Permit No. C-20721)
NEW MEXICO.)	
-----)	

July 14, 1953

S T A T E M E N T

By the Commission:

On June 30, 1953, in Case No. 65664-Ins., the Commission entered an order revoking Permit No. C-20721 for failure to keep on file effective insurance. However, proper insurance filings have been made within the five-day period of grace allowed in the order, and under the circumstances our revocation order 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 revocation order entered in Case No. 65664-Ins., should be cancelled and set aside, and said Permit No. C-20721 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That revocation order entered on June 30, 1953, in Case No. 65664-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-20721 restored to its former status as of June 30, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Linsch

Joseph C. Nelson

Joseph C. Nelson
Commissioners.

Dated at Denver, Colorado,
this 14th day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
LLOYD GENTRY, 4190 EAST IOWA AVENUE,)	
DENVER, COLORADO, FOR A CLASS "B")	<u>APPLICATION NO. 12437-PP</u>
PERMIT TO OPERATE AS A PRIVATE CAR-)	
RIER BY MOTOR VEHICLE FOR HIRE.)	
-----)	

July 14, 1953

Appearances: T. A. White, Esq., Denver,
Colorado, for applicant.

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 railroad materials and supplies for the Denver and Rio Grande Western Railroad Company only, within an area of five miles of the corporate limits of the City and County 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, July 8, 1953, at 11:00 o'clock A. M., and, at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that he has had 14 years of experience hauling railroad supplies for the Denver and Rio Grande Western Railroad Company, only, within the city limits of the City and County of Denver, but that many of the suppliers of materials which the railroad uses have moved outside of the city limits of Denver; that he hauls only the railroad's own materials and supplies; that the Denver and Rio Grande Western Railroad Company requested that he apply for this authority and that they will continue to use his service in the five-mile zone, if the application is granted; that he is the owner of a 1940 Chevrolet

1½-ton stake body truck; that his net worth is in excess of \$7,000; that he is paid on a monthly rate by the Denver and Rio Grande Western Railroad Company and desires to serve them only; that he has had previous PUC authority, having at one time owned the Denver Deertrail Truck Line.

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 service 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 Lloyd Gentry, 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 railroad materials and supplies for the Denver and Rio Grande Western Railroad Company, only, within an area of five miles of the corporate limits of the City and County 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

John H. Lueders

Paul W. Kwoley

Ralph C. Johnson
Commissioners.

Dated at Denver, Colorado,
this 14th day of July, 1953.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
C. V. CALDWELL, 4755 SOUTH)
BROADWAY, ENGLEWOOD, COLORADO.)

PERMIT NO. B-4521

July 17, 1953

S T A T E M E N T

By the Commission:

On April 30, 1953, the Commission authorized C. V. Caldwell, Englewood, Colorado, to suspend operations under his Permit No. B-4521 until October 23, 1953.

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-4521 should be, and the same hereby is, reinstated as of July 7, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell

Joseph W. Hawley

Ralph C. [unclear]
Commissioners.

Dated at Denver, Colorado,
this 17th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ACME DELIVERY SERVICE, INC.,)
2030 MARKET STREET, DENVER,)
COLORADO.)

PERMIT NO. B-4006

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a request from the above-named permittee, requesting that his Permit No. B-4006 be suspended for six months from July 1, 1953.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Acme Delivery Service, Inc., Denver, Colorado, be, and it is hereby, authorized to suspend its operations under Permit B-4006 until January 1, 1954.

That unless said Acme Delivery Service, Inc., Denver, Colorado, 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

John H. Marshall
Joseph W. Hawley
Reep C. Hordorn

Commissioners.

Dated at Denver, Colorado,
this 17th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
B. I. BARFIELD & SONS, INC., 3309)
FILLMORE, AMARILLO, TEXAS.)

PERMIT NO. C-23561

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

B. I. Barfield & Sons, Inc.

requesting that Permit No. C-23561 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-23561, heretofore issued to _____

B. I. Barfield & Sons, Inc. be,

and the same is hereby, declared cancelled effective July 9, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. ...
...
...
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 1953.
nlb

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
M. L. FRAKER, DOING BUSINESS AS)
"SPECIALTY SALES CO.," 116 WEST)
SECOND ST., PUEBLO, COLORADO.)
-----)

PERMIT NO. C-23940

July 17th, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

M. L. Fraker, dba "Specialty Sales Co."

requesting that Permit No. C-23940 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-23940, heretofore issued to _____

M. L. Fraker dba "Specialty Sales Co." be,

and the same is hereby, declared cancelled effective July 7, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln
Ralph C. Horton
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
J. E. WREN & HAROLD M. RAHN, DOING)
BUSINESS AS "WESTERN WHOLESALE CO.,")
DENVER 6, COLORADO.)

PERMIT NO. C-25701

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

J. E. Wren & Harold M. Rahn, dba "Western Wholesale Co."

requesting that Permit No. C-25701 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-25701, heretofore issued to _____

J. E. Wren & Harold M. Rahn, dba "Western Wholesale Co." be,

and the same is hereby, declared cancelled effective July 7, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Vinshell
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SIMONSEN MILL RENDERING PLANT,)
QUIMBY, IOWA.)

) PERMIT NO. C-24701
)
)
)

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Simonsen Mill Rendering Plant

requesting that Permit No. C-24701 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-24701, heretofore issued to _____

Simonsen Mill Rendering Plant be,

and the same is hereby, declared cancelled effective July 7, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Simonsen
Joseph W. Hawley
Ralph C. Gordon
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 195

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LAWRENCE B. IVERSON, 8000 WEST 44TH,)
WHEATRIDGE, COLORADO.)
)
)
)
-----)

PERMIT NO. G-22937

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Lawrence B. Iverson

requesting that Permit No. G-22937 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. G-22937, heretofore issued to _____

Lawrence B. Iverson be,

and the same is hereby, declared cancelled effective June 29, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Johnson

Joseph C. Johnson

Joseph C. Johnson
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 1953.

als

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM R. STODDARD, BOX 151,)
ILIFF, COLORADO.)
_____)

PERMIT NO. G-22334

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

William R. Stoddard

requesting that Permit No. G-22334 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. G-22334, heretofore issued to _____

William R. Stoddard be,

and the same is hereby, declared cancelled effective June 4, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Finckel
Ralph C. Gordon
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
NESBITT BOTTLING CO., 923 WEST NINTH)
AVENUE, DENVER, COLORADO.)

PERMIT NO. G-20031

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Nesbitt Bottling Co.

requesting that Permit No. G-20031 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. G-20031, heretofore issued to _____

Nesbitt Bottling Co. be,

and the same is hereby, declared cancelled effective June 21, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 17th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PERRY DUNKLE, 1389 STUART, DENVER 4,)
COLORADO.)

PERMIT NO. C-7882

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Perry Dunkle

requesting that Permit No. C-7882 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-7882, heretofore issued to _____

Perry Dunkle

be,

and the same is hereby, declared cancelled effective July 1, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John Heald
Joseph W. Hawley
Joseph C. Gordon
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 195 3.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROY PETTINGILL, RICO, COLORADO.)

) PERMIT NO. G-30037
)
)
)
)

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Roy Pettingill

requesting that Permit No. G-30037 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. G-30037, heretofore issued to _____

Roy Pettingill

be,

and the same is hereby, declared cancelled effective June 8, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winshell
Joseph W. Hawley
Robert C. Gordon
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MARION W. SCHAEFFER, ROUTE 6,)
TOPEKA, KANSAS)
-----)

PERMIT NO. C-22422

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Mrs. Marion W. Schaeffer,
requesting that Permit No. C-22422 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-22422, heretofore issued to _____
Marion W. Schaeffer, be,
and the same is hereby, declared cancelled effective June 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winshell
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 17th day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
BACILIO GARCIA, COKEDALE, COLORADO)
)
)
)
-----)

PERMIT NO. C-22755

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Bacilio Garcia,

requesting that Permit No. C-22755 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-22755, heretofore issued to _____
Bacilio Garcia, _____ be,
and the same is hereby, declared cancelled effective June 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

~~John H. ...~~
~~Joseph W. ...~~
~~Ralph C. ...~~

Commissioners

Dated at Denver, Colorado,
this 17th day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CARROLL C. SMITH, 1342 MORRELL AVE.,)
DALLAS, TEXAS)
-----)

PERMIT NO. C-26217

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Carroll C. Smith, _____

requesting that Permit No. C-26217 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-26217, heretofore issued to _____

Carroll C. Smith, _____ be,

and the same is hereby, declared cancelled effective June 1, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Jirassakuldech
Joseph W. Havel
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 17th day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RUSSELL STOVER CANDIES OF KANSAS CITY,
1206 MAIN STREET, KANSAS CITY, MO.)

) PERMIT NO. C-27157
)
)
)
-----)

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Russell Stover Candies of Kansas City,

requesting that Permit No. C-27157 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-27157, heretofore issued to _____

Russell Stover Candies of Kansas City,

be,

and the same is hereby, declared cancelled effective December 31, 1952.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln

Joseph W. Hamaker

Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GLEN I. LINES, KITTREDGE, COLORADO)
)
)
)
)
-----)

PERMIT NO. C-27425

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Glen I. Lines,

requesting that Permit No. C-27425 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-27425, heretofore issued to _____
Glen I. Lines, _____ be,
and the same is hereby, declared cancelled effective June 8, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. ...

Joseph W. ...

Ralph C. ...
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
E. R. ANDERSON, E. R. ANDERSON)
PLUMBING & HEATING COMPANY, 801)
COOPER AVENUE, GLENWOOD SPRINGS,)
COLORADO.)
-----)

PERMIT NO. C-27552

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
E. R. Anderson, E. R. Anderson Plumbing & Heating Co.,
requesting that Permit No. C-27552 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-27552, heretofore issued to _____
E. R. Anderson, E. R. Anderson Plumbing & Heating Co., _____ be,
and the same is hereby, declared cancelled effective May 30, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Linchell

Joseph W. Hawley

Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES J. PHILLIPS, BOX 62,)
KREMMLING, COLORADO)
_____))
_____)

PERMIT NO. C-27610

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Charles J. Phillips,

requesting that Permit No. C-27610 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-27610, heretofore issued to _____

Charles J. Phillips, _____ be,

and the same is hereby, declared cancelled effective May 16, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Finchell
Joseph W. Hawley
Frank C. Gordon
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LOREN J. GOSNELL, FRUITA, COLORADO)
)
)
)
-----)

PERMIT NO. C-27705

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Loren J. Gosnell,

requesting that Permit No. C-27705 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-27705, heretofore issued to _____

Loren J. Gosnell, _____ be,

and the same is hereby, declared cancelled effective May 12, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 17th day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOE MIX USED CARS, 1642 COLORADO)
BOULEVARD, DENVER, COLORADO.)
)
)
)
-----)

PERMIT NO. C-29010

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Joe Mix Used Cars

requesting that Permit No. C-29010 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29010, heretofore issued to _____

Joe Mix Used Cars

be,

and the same is hereby, declared cancelled effective May 26, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Joseph C. Hecox
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ASSOCIATED DEALERS SUPPLY CO., 64 W.)
FAYETTE AVENUE, SALT LAKE CITY,)
UTAH.)
-----)

PERMIT NO. C-28995

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Associated Dealers Supply Co.

requesting that Permit No. C-28995 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-28995, heretofore issued to _____

Associated Dealers Supply Co. be,

and the same is hereby, declared cancelled effective **July 8, 1952.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Finchell

Joseph C. Horton

Commissioners

Dated at Denver, Colorado,

this 17th day of July, 1953.

nlb

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
E. MILFORD NELSON & LLOYD NELSON,)
% J. E. LARSEN, HENDERSON, COLORADO.)

PERMIT NO. C-28830

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

E. Milford Nelson & Lloyd Nelson

requesting that Permit No. C-28830 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-28830, heretofore issued to _____

E. Milford Nelson & Lloyd Nelson

be,

and the same is hereby, declared cancelled effective May 19, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 17th day of July, 1953.

als

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LESLIE TERRELL & RUFUS CHISM, DOING)
BUSINESS AS "RIO GRANDE STEEL BUILD-)
ING CO.," 112 JEFFERSON, MONTE VISTA,)
COLORADO.)
-----)

PERMIT NO. C-28831

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Leslie Terrell & Rufus Chism, dba "Rio Grande Steel Building Co."

requesting that Permit No. C-28831 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-28831, heretofore issued to _____

Leslie Terrell & Rufus Chism, dba "Rio Grande Steel Building Co." be,

and the same is hereby, declared cancelled effective June 11, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Finchell

Joseph C. Hurd

Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 1953.

als

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WILLIS FAY CROWELL, ROUTE 2,)
STERLING, COLORADO.)
)
)
)
-----)

PERMIT NO. C-29027

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Willis Fay Crowell

requesting that Permit No. C-29027 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29027, heretofore issued to _____

Willis Fay Crowell

be,

and the same is hereby, declared cancelled effective May 16, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell

Ralph C. Houston

Ralph C. Houston
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LINE CONSTRUCTORS, 544 BENSON BUILD-)
ING, SIOUX CITY, IOWA.)

) PERMIT NO. C-28711
)
)
)
)

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Line Constructors

requesting that Permit No. C-28711 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-28711, heretofore issued to _____

Line Constructors

be,

and the same is hereby, declared cancelled effective May 21, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Joseph W. Hargrave
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JETT-MINER EQUIPMENT CO., (SPRINGFIELD)
COLORADO.

) PERMIT NO. C-28040
)
)
)
-----)

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Jett-Miner Equipment Co.

requesting that Permit No. C-28040 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-28040, heretofore issued to _____

Jett-Miner Equipment Co.

be,

and the same is hereby, declared cancelled effective June 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln

Joseph W. Hawley

Joseph C. Horton
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES D. HORDE, 214 W. JACKSON,)
IOLA, KANSAS.)

PERMIT NO. C-28489

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Charles D. Horde

requesting that Permit No. C-28489 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-28489, heretofore issued to _____

Charles D. Horde

be,

and the same is hereby, declared cancelled effective June 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Mitchell
Joseph W. Newberry
Raymond S. Johnston
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CLARA SCHILLING, BOX 1028, STERLING,)
COLORADO.)

PERMIT NO. C-28583

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Clara Schilling

requesting that Permit No. C-28583 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-28583, heretofore issued to _____

Clara Schilling

be,

and the same is hereby, declared cancelled effective May 29, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John MacLennan

Joseph W. Hawley

Ralph C. Gordon
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 1953.

als

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CYRIL RAY, BOX 318, CANON CITY,)
COLORADO.)

PERMIT NO. C-8186

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Cyril Ray

requesting that Permit No. C-8186 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-8186, heretofore issued to _____

Cyril Ray

be,

and the same is hereby, declared cancelled effective **June 6, 1953.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Mitchell
Joseph C. Hurd
Raymond C. Hurd
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 195 3.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRULLO MOTOR CO., 518 ELK STREET,)
ROCK SPRINGS, WYOMING.)
_____))
_____)

PERMIT NO. C-29054

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Frullo Motor Co.

requesting that Permit No. C-29054 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29054, heretofore issued to _____

Frullo Motor Co. be,
and the same is hereby, declared cancelled effective May 12, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Dinahell
Joseph W. Hawley
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
G. L. McREYNOLDS, BOX 561, SILVER)
GROVE, KENTUCKY.)

) PERMIT NO. C-29359
)
)
)
)

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

G. L. McReynolds

requesting that Permit No. C-29359 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29359, heretofore issued to _____

G. L. McReynolds be,

and the same is hereby, declared cancelled effective **June 20, 1953.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John MacIntosh
Joseph W. Hecox
Ralph C. Gordon
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RUSSELL AUSMUS, BOX 66, TWO BUTTES,)
COLORADO.)

PERMIT NO. C-29467

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Russell Ausmus

requesting that Permit No. C-29467 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29467, heretofore issued to _____
Russell Ausmus be,

and the same is hereby, declared cancelled effective **June 12, 1953.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln
Ralph W. Hanson
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
YOUNG'S ELECTRIC SERVICE, 6600 CHERRY)
GREEK DRIVE, DENVER, COLORADO.)

) PERMIT NO. G-29725
)
)
)

July 17, 1953
STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Young's Electric Service

requesting that Permit No. G-29725 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. G-29725, heretofore issued to _____

Young's Electric Service be,

and the same is hereby, declared cancelled effective **June 3, 1953.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 17th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DON MATHERS, 1905 N. 2ND STREET,)
ST. JOSEPH, MISSOURI.)

) PERMIT NO. C-29747
)
)
)
)

July 17, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Don Mathers

requesting that Permit No. C-29747 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29747, heretofore issued to _____

Don Mathers

be,

and the same is hereby, declared cancelled effective **May 15, 1953.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John S. Lincoln
Joseph W. Hawley
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 17th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ELBERT TRANSFER COMPANY, A CORPORA-)
TION, ELBERT, COLORADO, FOR AN EX-) APPLICATION NO. 12384--Extension
TENSION OF CERTIFICATE NO. PUC-322.)
-----)

July 15, 1953

Appearances: Marion F. Jones, Esq.,
Denver, Colorado, for
applicant;
Harold D. Torgan, Esq.,
Denver, Colorado, for
Colorado Transfer and
Warehousemen's Association;
G. O. Anderson, Castle Rock,
Colorado, for Castle Rock
Transfer;
Alice Frances Blakley, Denver,
Colorado, for Blakley Live-
stock Trucking Company;
G. Barnhill, Remah, Colorado,
for Barnhill Truck Line;
James Schermerhorn, Castle
Rock, Colorado, for Otis
and Bess Albion;
Ralph Kinkade, Simla, Colo-
rado, pro se;
Ed Tuxhorn, Byers, Colorado,
for Byers-Denver Truck Line.

S T A T E M E N T

By the Commission:

By Decision No. 2096, of date March 12, 1929, authority was granted to one H. M. Jessup to operate as a common carrier by motor vehicle for hire for the transportation of:

freight within, and within a radius of ten miles to and from, the Town of Elbert, Colorado, and for the transportation of agricultural products, including livestock, between Elbert, Colorado, and the Table Rock territory and Colorado Springs, Colorado,

and "PUC No. 322" was assigned to the operation.

By Decision No. 2594, of date October 21, 1929, said PUC No. 322 was extended to include the transportation of:

Livestock, only, from the Town of Elbert, Colorado, and within a radius of ten miles therefrom, to Denver, Colorado.

By Decision No. 4438, of date July 11, 1932, said PUC

No. 322 was again extended to include:

the transportation of all freight from the Town of Elbert, Colorado, and within a radius of ten miles thereof, to Denver, Colorado, and from Denver to said territory, with the distinct understanding, however, that applicant will not be permitted to transport freight between Kiowa and Elizabeth or intermediate points in competition with any present certificate-holder authorized to serve said points.

By Decision No. 7524, of date April 22, 1936, said PUC

No. 322 was again extended to include:

transportation, upon call and demand, of farm products, farm supplies, livestock and farm equipment from point to point within a radius extending 18 miles north, 18 miles east and 18 miles south, and 15 miles west of Elbert, and between points in said area and points outside thereof, only for customers residing within the above-described Elbert area.

By Decision No. 15126, of date March 27, 1940, said PUC

No. 322 was amended by eliminating therefrom the authority to transport:

dairy products from the Kiowa-Elizabeth territory then covered by PUC No. 378, of Clay Snyder.

On May 25, 1949 (Decision No. 32735), Wesley Weide, Colorado Springs, Colorado, acquired PUC No. 421, which authorizes him to operate as a common carrier by motor vehicle for hire for the conduct of:

a transfer, moving and general cartage business in the County of El Paso, and between points in the County of El Paso and other points in the State of Colorado, subject to the following terms and conditions: for the transportation of commodities other than household goods between points served singly or in combination by scheduled carriers, the applicant shall charge rates which shall be as much as twenty per cent higher in all cases than those charged by scheduled carriers. The applicant shall not operate on schedule between any points. Applicant shall not be permitted, without further authority 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. 36292, of date March 22, 1951, said Wesley Weide was authorized to transfer all his right, title and interest in and to PUC No. 421 to H. M. Jessup, doing business as "Elbert Transfer Company," Elbert,

Colorado, and operating rights under said certificate were consolidated with and became a part of, and were to be operated under said PUC No. 322.

By Decision No. 37424, of date October 1, 1951, said Homer M. Jessup, doing business as "Elbert Transfer Company," was authorized to transfer said PUC No. 322 and 322-I to Elbert Transfer Company, a corporation, Elbert, Colorado.

By Decision No. 38208, of date February 26, 1952, said Elbert Transfer Company was authorized to transfer to Kathryn L. Stewart, doing business as "Stewart Truck Line," all right, title and interest in and to that portion of PUC No. 322 granted by Decision No. 4438, of date July 11, 1932, supra, specifically excluding the right to transport livestock and farm produce, which said authority was retained by transferor.

By the instant application, as amended at the hearing, said certificate owner seeks an extension of his authority under PUC No. 322 to include the transportation of general commodities, excepting petroleum products in bulk, in tank trucks, and excepting household goods except in connection with a complete farm movement between points within an area bounded as follows:

Beginning at a point on the north El Paso County line one mile east of U. S. Highway No. 85; thence northerly paralleling U. S. Highway No. 85 one mile east thereof to the intersection of Colorado Highway No. 214; thence along Colorado 214 and Colorado 83 to the South Arapahoe County line; thence east along the south Arapahoe County line to Comanche Creek; thence due east to the intersection of Colorado Highway 81; thence along Colorado Highway 81 to the intersection of Colorado Highway 86; thence west along Colorado Highway 86 to the intersection of the road running south to Ramah; thence west along the north El Paso County line to the point of beginning.

After appropriate notice to all interested parties, the matter was set for hearing, and heard, on June 11, 1953, at 330 State Office Building, Denver, Colorado, at ten o'clock A. M., and at the conclusion of the hearing, was taken under advisement.

Homer M. Jessup, President and principal stockholder of applicant corporation, testified that he has operated under PUC No. 322 since 1927, and under PUC No. 421 since he acquired the latter certificate by authority under Decision No. 36292, of date March 22, 1951, the two certificates being consolidated under the provisions of said decision.

Under PUC No. 421, applicant is authorized to transport general commodities between points in El Paso County and to and from points in the State. Under PUC No. 322, applicant is authorized to transport some commodities within a 10-mile radius of Elbert, and some commodities within an area 18 miles north, south, and east, and 15 miles west of Elbert, and to and from points in the State. As a result, applicant may transport general commodities for one customer and for another customer nearby but across an imaginary line can transport only certain commodities. This situation has created confusion, dissatisfaction and inability to properly serve applicant's customers, some of whom reside both inside and outside his presently certificated area and he has many requests for service beyond his present authority. If the application is granted, he can furnish a complete service to customers whom he has partially served for many years. The extension will permit him to definitely describe the boundary lines of his certificated area, which lines have been in doubt. He has been furnishing the service now applied for under temporary authority from this Commission as there is no other carrier known to him authorized to furnish such service in the additional area he now applies for, as amended.

Applicant is the only motor carrier based at Elbert, from which point operations have been conducted for the past twenty years, and wishes to conduct his operations from that point in the future.

PUC No. 421 contains a restriction against maintaining an office at any point other than Colorado Springs. Applicant has never had an office at that place and does not expect to have such an office in the future, and wishes the restriction in said PUC No. 421 removed and the record clarified to show the authority to maintain an office at Elbert.

There is no railroad through Elbert, and all commodities in his territory are handled by motor vehicle. The operations consist mainly of the transportation of livestock. At the time his application was originally filed, there were three other similar applications, and the applicant in each was granted general commodities unlimited, and he presumed that his was unlimited and contained no restrictions. He has hauled cement and livestock under emergency letters of other carriers since he learned he did not have the proper authority.

Applicant owns 5 trucks, 4 livestock trailers, 1 grain trailer, and a satisfactory list of equipment and financial statement are on file.

William Larson, who is in the lumber and hardware business in Elbert, testified in support of the application. He has used applicant's service since 1938 in the transportation of cement from Portland and lumber from Denver. He needs applicant's service and knows of no other available carrier.

Henry Smith, of Ramah, who owns 2 ranches 12 miles apart near Kiowa, and another ranch at Dillon, wishes the services of a carrier with authority to move livestock between the 2 ranches, and from the 2 ranches to Dillon, and back; also, feed from Dillon to the 2 home ranches. Witness states applicant's equipment is good and he needs his services.

Kent Kucera, a rancher at Peyton, also has ranches at Limon and Deertrail, the latter point being within the additional area applied for. He needs applicant's service for the movement of feed between the ranches at Peyton and Deertrail, and also for the movement of livestock from and to winter headquarters at Peyton and summer headquarters at Deertrail, and from his Deertrail ranch to Denver. Applicant has satisfactory equipment and witness has encountered difficulty in using other carriers.

Charles Kimsey, County Commissioner of Kiowa County, and a rancher, states that said county needs the service of applicant for the movement of heavy equipment and anything related to construction work and repairs. Its

main concern is for service between points in Kiowa County and a carrier is needed who is available in case of washouts or events requiring immediate repairs. Applicant has suitable equipment for the service which is needed, both on planned and emergency movements. The County has shops at Kiowa and needs the carrier for movements to and from said shop. There is no other carrier available except Woodard Truck Line of Kiowa, and its equipment is not always available. Woodard has only two tractors available, and the County needs additional available equipment.

For protestants, James Schermerhorn, an accountant for Otis and Bess Albion, who recently purchased Certificate No. PUC-37, for the service of an area within a 15-mile radius of Parker, testified that the certificate owners started operations in March 1953, and their radial authority overlaps the area now applied for by applicant east and south of Parker. The overlap consists of a triangular strip, but witness did not know the number of ranches or prospective customers in this strip and seemed to know very little about the operations of the Albions, if they are operating. He did state that the Albions own two 40-foot trailers and 2 livestock beds and one grain bed and 2 tractors. However, he could not explain how, if at all, the allowance of the instant application could adversely affect the Albion operation.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require the extended authority requested under said PUC No. 322 and the granting of the application will not impair the service of any certificated carriers now adequately serving the additional area applied for.

That the restriction as to the location of an office in Colorado Springs under PUC No. 421 should be removed and the record corrected to provide for an office only at Elbert, Colorado.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the extension of authority of Elbert Transfer Company to include the transportation of general commodities excepting petroleum products in bulk, in tank vehicles, and excluding household goods except in connection with a complete farm movement between points within an area bounded as follows:

Beginning at a point on the north El Paso County line one mile east of U. S. Highway 85; thence northerly paralleling U. S. Highway 85 one mile east thereof to the intersection of Colorado Highway 214; thence along Colorado Highway 214 and Colorado Highway 83 to the South Arapahoe County line; thence east along the south Arapahoe County line to Comanche Creek; thence due east to the intersection of Colorado Highway 81; thence along Colorado Highway 81 to the intersection of Colorado Highway 86; thence west along Colorado Highway 86 to the intersection of the road running south to Ramah; thence west along the north El Paso County line to the point of beginning,

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

That the restriction in Decision No. 32735, of date May 25, 1949, granting PUC No. 421 to Wesley Weide, and providing that he shall not be permitted, without further authority from the Commission, to establish a branch office or to have an agent employed in any other town than Colorado Springs for the purpose of developing business, be, and the same is hereby, eliminated from the present authority to applicant under PUC No. 322, and said applicant shall not be permitted, without further authority from the Commission, to establish a branch office or to have an agent employed in any other town or city than Elbert, Colorado, for the purpose of developing business.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. H. Hall

Joseph W. Hawley

Ralph C. Hoban
Commissioners.

Dated at Denver, Colorado,
this 15th day of July, 1953.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN F. WHARTON AND JOHN F. WHARTON,)
JR., DOING BUSINESS AS "WHARTON)
TRUCK LINE," COLORADO SPRINGS, COLO-)
RADO, FOR AUTHORITY TO LEASE, WITH)
OPTION TO PURCHASE, PERMIT NO. A-12)
TO COLORADO HIWAY TRANSPORT, INC.,)
A COLORADO CORPORATION, AURORA, COLO-)
RADO.)

APPLICATION NO. 12464-PP-LEASE

IN THE MATTER OF THE APPLICATION OF)
JOHN F. WHARTON AND JOHN F. WHARTON,)
JR., DOING BUSINESS AS "WHARTON)
TRUCK LINE," COLORADO SPRINGS, COLO-)
RADO, FOR AUTHORITY TO LEASE, WITH)
OPTION TO PURCHASE, PUC NO. 319, TO)
COLORADO HIWAY TRANSPORT, INC., A)
COLORADO CORPORATION, AURORA, COLO-)
RADO.)

APPLICATION NO. 12466-LEASE

IN THE MATTER OF THE APPLICATION OF)
JOHN F. WHARTON AND JOHN F. WHARTON,)
JR., DOING BUSINESS AS "WHARTON)
TRUCK LINE," COLORADO SPRINGS, COLO-)
RADO, FOR AUTHORITY TO LEASE, WITH)
OPTION TO PURCHASE, INTERSTATE OP-)
ERATING RIGHTS TO COLORADO HIWAY)
TRANSPORT, INC., A COLORADO CORPORA-)
TION, AURORA, COLORADO.)

PUC NO. 1414-I-LEASE

July 15, 1953

Appearances: Stockton, Linville and Lewis,
Esqs., Denver, Colorado,
for applicants.

S T A T E M E N T

By the Commission:

John F. Wharton and John F. Wharton, Jr., doing business as
"Wharton Truck Line," Colorado Springs, Colorado, are the owners of
private carrier Permit No. A-12, authorizing the transportation of:

freight between Denver, Colorado Springs,
Manitou and Pueblo, Colorado,

and PUC-319, authorizing the transportation of

freight between Colorado Springs and Matheson,
and intermediate points; and freight, except
lumber, coal, and grain between Matheson and
Burlington, and intermediate points.

The same parties are the owners of PUC-1414-I, authorizing the transportation of:

freight in interstate commerce only between Denver and Pueblo, Colorado, and intermediate points over U. S. Highway No. 85.

By the instant application, the owners of the above operating rights seek authority to lease the same, with option to purchase, to Colorado Hiway Transport, Inc., a Colorado corporation. It appears from the application herein that, under date of June 15, 1953, the interested parties entered into a lease with option to purchase, a copy thereof being attached to the application, as Exhibit A., and also entered into a contract to purchase equipment, a copy of which is attached to the application, as Exhibit B; that the financial worth of the lessee is in excess of \$9,000.00; that an application for lease with option to purchase the interstate authority has been filed with the Interstate Commerce Commission; that the transferee proposes to use the vehicles described in Exhibit B in the operation of the permit and certificates and that the applicant transferor has no outstanding obligations, except current liabilities and no unpaid road tax, and that the road tax deposit of transferors is to be transferred to the account of transferee.

Exhibit A, attached to the application, being a copy of the executed contract of lease, provides that the lessors will lease to the lessee the three authorities above mentioned for the sum of \$2,000.00 payable as follows: \$50.00 down at the time of the signing of the contract, \$500.00 every 90 days thereafter, except that the last payment is to be \$450.00. The term of the lease is one year from the date of the approval thereof by this Commission and the approval of the lease with option to purchase of the interstate authority by the Interstate Commerce Commission. Upon giving written notice to the lessors at least ten days prior to the expiration of the contract, lessee shall have the option to purchase the three authorities and, in the event such option is exercised, the amount paid upon the lease shall apply on the purchase price, and the

total purchase price for such authorities will be \$13,500.00, payable in four equal semi-annual payments, commencing from the date of the approval of the transfers by this Commission and the Interstate Commerce Commission, said payments to bear interest at the rate of 5% per annum on the unpaid balance. In the event said option is exercised, lessee will sign a note for \$13,500.00, less the amount that shall have then been paid under the terms of the lease.

Exhibit B, attached to the application, describes the equipment sold by transferors to transferee, the agreed purchase price thereof being \$7,500.00, payable as follows: \$50.00 down at the time of the signing of the contract and \$7,000.00 upon approval of the lease and option to purchase by this Commission and the Interstate Commerce Commission.

Inasmuch as the files of the Commission and the application herein show that said operating rights are in good standing; that road tax has been paid; that ton-mile tax deposit of transferors is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said operating rights; 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 contract to lease with option to purchase of said private Permit A-12, PUC-319 and PUC-1414-I should be approved.

O R D E R

THE COMMISSION ORDERS:

That the contract of lease, with option to purchase, of date June 15, 1953, between John F. Wharton and John F. Wharton, Jr., doing business as "Wharton Truck Line," Colorado Springs, Colorado, and Colorado Hiway Transport, Inc., a Colorado Corporation, be, and is hereby, approved.

That, in the event lessee shall exercise to purchase said operating authorities within the time limited by said contract and shall file with the Commission proof of full payment of the agreed purchase price for said operating rights, and upon request of said transferee, the formal order shall be entered authorizing the transfer of said operating rights by lessors to lessee.

That the right of lessee to operate Permit No. A-12 under this order shall depend upon its compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by lessors of delinquent reports, if any, covering their operations under said permit up to the time of lease of said permit, and the payment by them or lessee of all unpaid ton-mile tax.

That said transfer of PUC-319 shall become effective only if and when, but not before, said lessors and lessee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

That the tariff of rates, rules and regulations of lessors covering operations under PUC-319 shall upon proper adoption notice become and remain those of lessee until changed according to law and the rules and regulations of this Commission.

That the right of lessee to operate under PUC-319 shall depend upon the prior filing by lessors 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 lessee of all unpaid ton-mile tax.

That the right of transfer of FUC-1414-I herein granted is subject to the provisions of the Federal Motor Carrier Act of 1935.

That this order is made a part of the operating rights authorized to be leased, and shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Frank W. Hawley
Ralph C. Hobson
Commissioners

Dated at Denver, Colorado,
this 15th day of July, 1953

bf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN RE MOTOR VEHICLE OPERATIONS OF)
FORREST M. WOODS, DOING BUSINESS)
AS "DOLLAR CAB COMPANY," OPERATING)
ZONE CABS, CERTIFICATE NO. 1221.)

CASE NO. 4847

IN RE MOTOR VEHICLE OPERATIONS OF)
W. MARLAR, DOING BUSINESS AS)
"BILL'S CAB COMPANY," CERTIFICATE)
NO. 1220.)

CASE NO. 4850

IN RE MOTOR VEHICLE OPERATIONS OF)
PUBLIX CAB COMPANY, A CORPORATION)
CERTIFICATE NO. 1223.)

CASE NO. 4851

July 15, 1953

S T A T E M E N T

By the Commission:

The above entitled proceedings involve Show Cause Orders served upon the three Respondents referred to in the caption hereof requiring said Respondents to show to the Commission whether they own the cabs which are being operated under the certificates issued to them and whether the relationship of employer and employee existed between the Cab Companies and the persons operating taxicabs under those certificates. If the answer to either of those questions was in the negative, the Respondents were directed to show cause why the certificates of public convenience and necessity theretofore issued to them by the Commission should not be cancelled, revoked or suspended.

Response was filed by each of the Respondents and hearings had on the issues involved, but the records of the Commission show that no Decision has ever been entered and no action taken by the Commission since the year 1941.

FINDINGS

THE COMMISSION FINDS:

That the issues involved in the three cases above referred to have now become moot and said cases should be dismissed.

ORDER

THE COMMISSION ORDERS:

That Case No. 4847, Case No. 4850, and Case No. 4851 be, and the same are hereby, dismissed.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Huchell
Joseph C. Hawley
Ralph C. Harkin
Commissioners.

Dated at Denver, Colorado,
this 15th day of July, 1953.

mls

Original

(Decision No. 40919)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE RATES ON MILK AND CREAM)
FOR ACCOUNT OF THE RIO GRANDE)
MOTOR WAY, INC.)

CASE NO. 1585

July 14, 1953

S T A T E M E N T

By the Commission:

The Commission is in receipt of an application dated July 8, 1953, designated as No. 25, from The Rio Grande Motor Way, Inc., by R. E. Turano, its Traffic Manager, requesting authority to publish on less than statutory notice the following rates in cents per can on milk and cream in five (5) and ten (10) gallon cans. Such rates to include the return of empty cans.

TO DENVER

From:

<u>COLORADO</u>	<u>5 Gal Can</u>	<u>10 Gal Can</u>
Bayfield	128	168
Pagosa Springs	128	168
Dyke	128	168
Ignacio	128	168
Durango	128	168
Creede	128	168
Center	107	136
Saguache	107	136
La Jara	107	136
Romeo	107	136
Antonito	107	136
Del Norte	107	136
Monte Vista	107	136
Mosca	107	136
Hooper	107	136
Moffat	107	136
Sanford	107	136
Manassa	107	136
Villa Grove	107	136
Alamosa	107	136
Ft. Garland	107	136
Blanca	107	136
La Veta	104	128

The petition sets forth the following reasons in support of the request:

"Due to the abandonment of passenger operations by the Denver and Rio Grande Railroad between Alamosa and Pueblo, we have been deluged with requests from shippers and receivers of cream which formerly moved on baggage car rates to place into effect rates which would be lower than the applicable motor carrier which in this instance would be the third class rate."

F I N D I N G S

THE COMMISSION FINDS:

That, the request should be authorized and prescribed.

O R D E R

THE COMMISSION ORDERS, That:

- 1 - The statement and findings be, and they are hereby made a part hereof.
- 2 - This order shall become effective forthwith.
- 3 - The Rio Grande Motor Way, Inc., and all motor vehicle common carriers operating in competition with said Rio Grande Motor Way, Inc., shall publish or cause to be published in their behalf the rates on milk and cream in five (5) and ten (10) gallon cans set forth in the statement.
- 4 - All private carriers by motor vehicle operating in competition with The Rio Grande Motor Way, Inc., shall not henceforth publish, charge or collect rates and charges less than those herein prescribed for The Rio Grande Motor Way, Inc., and shall publish new tariffs where necessary to comply with this order.
- 5 - The rates herein prescribed shall become effective on July 20, 1953, on notice to this Commission and the general public by not less than one (1) day's filing and posting in the manner prescribed by law and the rules and regulations of this Commission.
- 6 - On and after July 20, 1953, the applicant herein and all other motor vehicle common carriers operating in competition with said applicant, shall cease and desist from demanding, charging and collecting rates and charges that shall be greater or less than those herein prescribed.


7 - On and after July 20, 1953, all private carriers by motor vehicle operating in competition with the applicant, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed.

8 - This order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier, or to subject any such private carrier by motor vehicle to the laws or liabilities applicable to a motor vehicle common carrier.

9 - The order entered in Case No. 1585, on February 5, 1936, as since amended, shall continue in force and effect until the further order of the Commission.

10 - Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


John H. Hinchell
Joseph W. Kearley
Ralph C. Holm
Commissioners

Dated at Denver, Colorado
this 14th day of July, 1953.

hs

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
L. A. SNOOK & I. R. SCOTT, DOING)
BUSINESS AS "S. & S. WHOLESALE CO.")
LARAMIE, WYOMING)
-----)

PERMIT NO. C-17470

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
L. A. Snook & I. R. Scott, d/b/a S & S Wholesale Co.,
requesting that Permit No. C-17470 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-17470, heretofore issued to _____
L. A. Snook & I. R. Scott, d/b/a S & S Wholesale Co., _____ be,
and the same is hereby, declared cancelled effective June 26, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Marshall
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 21st day of July, 195 3.
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DELMAR HOLLAND, BOX 4, RED FEATHER)
LAKES, COLORADO)
)
)
)
-----)

PERMIT NO. C-29127

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Delmar Holland,
_____ requesting that Permit No. C-29127 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29127, heretofore issued to _____
Delmar Holland, _____ be,
and the same is hereby, declared cancelled effective June 10, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln
Joseph W. Havelin
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 21st day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WINTER PARK LUMBER COMPANY, WINTER)
PARK, COLORADO)
_____))
_____)

PERMIT NO. C-4414

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Winter Park Lumber Company,
requesting that Permit No. C-4414 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-4414, heretofore issued to _____
Winter Park Lumber Company, be,
and the same is hereby, declared cancelled effective July 11, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John McInerney
Ralph W. Hawley
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 21st day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
F. E. TAYLOR, 147 MATHEWSON ST.,)
WICHITA, KANSAS)
)
)
)
-----)

PERMIT NO. C-29789

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

F. E. Taylor, _____

requesting that Permit No. C-29789 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29789, heretofore issued to _____

F. E. Taylor, _____ be,

and the same is hereby, declared cancelled effective June 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln

Ralph W. Haveland

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 21st day of July, _____, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
COLORADO STEEL BLDGS. CO., 1253 N.)
MEADE AVENUE, COLORADO SPRINGS,)
COLORADO.)
-----)

PERMIT NO. C-29797

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Colorado Steel Bldgs. Co.

requesting that Permit No. C-29797 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29797, heretofore issued to _____
Colorado Steel Bldgs. Co. _____ be,

and the same is hereby, declared cancelled effective June 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Wainwright
Joseph W. Hawley
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 21st day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
J. E. "BUD" SWAN, SEDALIA, COLORADO.)
)
)
)
-----)

PERMIT NO. C-29955

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

J. E. "Bud" Swan, _____

requesting that Permit No. C-29955 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29955, heretofore issued to _____

J. E. "Bud" Swan, _____ be,

and the same is hereby, declared cancelled effective June 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 21st day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

E. J. GILBERT, GENERAL DELIVERY,)
DERBY, COLORADO)
-----)

PERMIT NO. G-30039

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

E. J. Gilbert,

requesting that Permit No. G-30039 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. G-30039, heretofore issued to _____

E. J. Gilbert,

be,

and the same is hereby, declared cancelled effective June 9, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Raymond C. Horton

Commissioners

Dated at Denver, Colorado,

this 21st day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

W. O. MC CURDY, 495 SO. YORK ST.,)
DENVER 9, COLORADO)

PERMIT NO. C-30056

-----)

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

W. O. McCurdy,

requesting that Permit No. C-30056 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30056, heretofore issued to _____

W. O. McCurdy, _____ be,

and the same is hereby, declared cancelled effective ~~June~~ July 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Joseph W. Howland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 21st day of July, 195 3.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ISMAEL R. SENA, 2724 CURTIS ST.,)
DENVER 5, COLORADO)
-----)

PERMIT NO. C-30206

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Ismael R. Sena,

requesting that Permit No. C-30206 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30206, heretofore issued to _____
Ismael R. Sena, _____ be,
and the same is hereby, declared cancelled effective June 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John McLaughlin

Ralph W. Hawley

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 21st day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
A. E. CUMMINS, WOODLAND PARK, COLO.)

PERMIT NO. C-22304

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

A. E. Cummins,

requesting that Permit No. C-22304 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-22304, heretofore issued to _____

A. E. Cummins, _____ be,

and the same is hereby, declared cancelled effective May 4, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Joseph W. Hawley
Ralph C. Hordorn

Commissioners

Dated at Denver, Colorado,

this 21st day of July, 1953.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
C. RAY MAYFIELD, 108 SOUTH IOLA)
STREET, PUEBLO, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

APPLICATION NO. 12272-PP
SUPPLEMENTAL ORDER

July 15, 1953

Appearances: S. Philip Cabibi, Esq.,
Pueblo, Colorado, for
applicant;
Barry & Hupp, Esqs., Denver,
Colorado, for Gottula
Trucking and Transporta-
tion, Inc., and Robert
Boyce;
Jenkins & Stewart, Esqs.,
Pueblo, Colorado, for
Kenneth A. Sanders;
Ernest U. Sandoval, Esq.,
Walsenburg, Colorado,
for Levys Transfer and
Storage.

S T A T E M E N T

By the Commission:

The attention of the Commission has been called to the fact that the order portion of our Decision No. 40822, of date July 3, 1953, is indefinite so far as service to and from Huerfano County, Colorado, is concerned, and that said Order should be amended to specifically declare the intention of the Commission in that respect.

F I N D I N G S

THE COMMISSION FINDS:

That said Order should be corrected in accordance with the original intention of the Commission.

O R D E R

THE COMMISSION ORDERS:

That paragraph Two of the Order in Decision No. 40822, of date

July 3, 1953, be, and is hereby amended nunc pro tunc as of July 3, 1953,
to read as follows:

"That C. Ray Mayfield, 108 South Iola Street,
Pueblo, Colorado, be, and he is hereby, auth-
orized to operate as a Class "B" private carrier
by motor vehicle for hire, for the transportation
of houses, dwellings, and other structures to and
from Pueblo County and Las Animas County, State
of Colorado, with no service authorized to or from
Huerfano County, Colorado."

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Churchill
Joseph C. Newley
Raymond G. Johnson
Commissioners.

Dated at Denver, Colorado,
this 16th day of July, 1953.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF INCREASED)	
RAILWAY FREIGHT RATES AND)	Application Nos. 5819 - 8087 - 8746
CHARGES WITHIN THE STATE OF)	and 9736
COLORADO.)	<u>Ex Parte No. 162 - 166 and 168</u>

July 15, 1953

Appearances:

- H. M. Boyle, Esq., 1531 Stout St., Denver, Colo.
- T. K. Earley, " " " " "
- A. F. Bridwell, Colo. and N.M. Coal Operators Assn.,
Boston Bldg., Denver, Colo.
- A. L. Vogl, Esq., Kittredge Bldg., Denver, Colo.
- Wm. Anderson, 1435 Ogden St., Denver, Colo.
- T. C. Taylor, Ideal Cement Co., Denver Nat'l Bldg.,
Denver, Colo.
- Waldo A. Gillette and J. T. Enright, Esqs.,
Monolith Portland Midwest Co., 3326 San Fernando
Road, Los Angeles, California,
- S. W. Russell, Monolith Portland Midwest Co.,
Tramway Bldg., Denver, Colo.
- Frank J. Rebhan, P.O. Box 419, Denver, Colo.
- Lowe P. Siddons, Box 1052, Colo. Springs, Colo.
- I. W. Stimits, Golden Cycle Bldg., Colo. Springs, Colo.
- J. M. Brown, Great Western Sugar Co., Sugar Bldg.,
Denver, Colo.
- P. H. McMaster, Great Western Sugar Co., Sugar Bldg.,
Denver, Colo.
- Wm. De Boer, Colo. Fuel & Iron Co., Cont'l Oil Bldg.,
Denver, Colo.
- D. I. McCarl, Colo. Potato Growers Exchange, Cooper
Bldg., Denver, Colo.
- Mark Pulver, Eaton Metal Products, 4800 York St.,
Denver, Colo.
- R. R. Detweiler, Daniels & Fisher Stores Co.,
1601 Arapahoe St., Denver, Colo.
- F. R. Russell, Denver Dry Goods Co., Denver, Colo.
- Wm. T. Secor, Esq. & T. S. Wood, Public Utilities
Commission, Denver, Colo.

S T A T E M E N T

By the Commission:

In Application 5819 - 8087 (Ex Parte 162), Decision No. 27316, dated January 13, 1947, this Commission authorized the same relative increases on Colorado intrastate traffic as was authorized by the Interstate Commerce Commission, hereinafter referred to as I.C.C., except no increase was permitted on line-haul carload rates on sugar beets.

In application No. 3746 (Ex Parte 166) Decision No. 30552, dated May 13, 1948 and Decision No. 30866, dated July 13, 1948, this Commission authorized the same relative increases on Colorado intrastate traffic as was authorized by the I.C.C., except no increase was permitted on line-haul carload rates on sugar beets and beet-sugar final molasses, and ten (10) per cent on limestone, dolomite, crude, not roasted, and ganister rock.

In application No. 9739 (Ex Parte 168) Decision No. 35132, dated July 26, 1950, this Commission authorized the same relative increases on Colorado intrastate traffic as was authorized by the I.C.C., except no increase was permitted on line-haul carload rates on cement, coal, sugar beets, beet-sugar final molasses, limestone and/or limerock, dolomite and ganister rock, also ice from Rollinsville, Colorado to Denver, Colorado.

After exhausting their efforts with this Commission to permit the application of the increases on the exempted commodities, the steam railroads, including the Denver and Intermountain Railroad Company, petitioned the I.C.C. to institute an investigation under section 13 of the Interstate Commerce Act, concerning the lawfulness of Colorado intrastate freight rates and charges.

As a result of the railroads' petition, the I.C.C. entered upon such an investigation under its Docket No. 30959.

In opposition to the increases in rates sought by the railroads, the Great Western Sugar Company, Holly Sugar Company, Ideal Cement Company, Colorado and New Mexico Coal Operators Association, Colorado Fuel & Iron Corporation, Northern Coals, Inc., and the Colorado Commission introduced evidence and testified and filed briefs.

Under date of February 2, 1953, the I.C.C. released its report, findings and conclusions in the said Case 30959, which findings and conclusions were as follows:

"We find and conclude that:

1 - The conditions incident to the intrastate transportation of sugar beets, beet-sugar final molasses, limerock and limestone, cement, coal, dolomite, and ganister rock in Colorado are not more favorable than those incident to the interstate transportation of these commodities in Colorado and the adjoining states.

2 - The present Colorado intrastate rates and charges on sugar beets, beet-sugar final molasses, lime rock and limestone, cement, coal, dolomite, and ganister rock, imposed by authority of the State, are abnormally low, and traffic thereunder fails to produce its fair share of the earnings required to yield revenue sufficient to enable the respondents, under honest, economical, and efficient management, to provide adequate and efficient railway transportation service at the lowest cost consistent with the furnishing of such service, and thereby accomplish the purposes of the Interstate Commerce Act, as set forth in the national transportation policy declared by the Congress, to develop and preserve a national transportation system adequate to meet the needs of the commerce of the United States, of the Postal Service, and of the national defense; the burden thus cast upon interstate commerce is undue in and to the extent that these intrastate rates and charges are less than they would be on the bases herein approved; and these intrastate rates and charges cause, and for the future will cause, undue, unreasonable, and unjust discrimination against interstate commerce.

3 - As to cement, there is active competition between persons engaged in interstate commerce between points in Colorado and points in other States, on the one hand, and persons engaged in intrastate commerce in Colorado, on the other hand, and this competition extends for all practical purposes throughout the entire State of Colorado.

4 - The Colorado intrastate rates on cement cause undue and unreasonable advantage and preference of intrastate shippers, and undue and unreasonable prejudice and disadvantage to interstate shippers.

5 - The undue, unreasonable, and unjust discrimination, and the undue and unreasonable advantage, preference, and prejudice herein found to exist should be removed by applying to the Colorado intrastate rates and charges on the commodities herein described the same respective increases as are, and for the future may be, maintained by the respondents on like interstate traffic between points in Colorado and adjoining States under our authorization in Ex Parte Nos. 162, 166, and 168, except that increases may not be made to levels

of rates and charges higher than the general level of interstate rates and charges for like or greater hauls or services to or from points in Colorado in the same general rate zones. (Underscoring ours)

6 - The establishment of increases in intrastate rates and charges as provided in finding 5 will not result in unreasonable rates or rates that are unreasonable in relation to interstate rates, and will increase the respondents' revenues by approximately \$700,000 annually.

7 - The increased revenues to the respondents which will result from the increased rates and charges as provided in finding 5 are required from intrastate traffic in Colorado in order to enable the respondents to furnish adequate and efficient railway transportation service.

8 - The Colorado intrastate rates on sugar beets, beet-sugar final molasses, lime rock and limestone, coal, dolomite, and ganister rock are not shown to cause undue or unreasonable advantage, preference, or prejudice."

The said report the I.C.C. provides further:

"The foregoing findings and conclusions are without prejudice to the right of the authorities of the State of Colorado, or of any other interested party, to apply for modification thereof as to any individual intrastate rate or charge affected thereby, on the ground that such rate or charge is not related to the interstate rates and charges on like traffic in such a way as to contravene the provisions of the Interstate Commerce Act.

"An order carrying into effect the foregoing findings and conclusions will be entered, unless this Commission is notified by the Colorado Commission, within 30 days from the date of the service of this report, that it will permit the increases required to remove the unlawfulness herein found to exist."

The date of service was considered February 17, 1953.

On March 4, 1953, we requested an extension of time until May 18, 1953, to advise the I.C.C. of our proposed action.

On March 11, 1953, the I.C.C. granted an extension of time to April 20, 1953.

Subsequently we filed a petition requesting reconsideration of the I.C.C. report of February. This petition was denied by the I.C.C. in its order dated June 1, 1953.

In order to retain jurisdiction over the intrastate rates in Colorado on the involved commodities, on June 30, 1953, we advised the I.C.C., by telegram, that we would issue an order authorizing the increases in rates on the commodities previously denied.

No further discussion appears necessary or desirable.

FINDINGS

THE COMMISSION FINDS:

That, an order should be issued authorizing the increases which were denied in Decision No. 27316, 30552, 30866, and 35132, pertaining to the rates on sugar beets, beet-sugar final molasses, limerock and limestone, cement, coal, dolomite and ganister rock.

ORDER

THE COMMISSION ORDERS, That:

- 1 - The statement and findings hereinbefore set forth be, and they are hereby made a part hereof.
- 2 - This order shall become effective forthwith.
- 3 - Decision No. 27316, dated January 13, 1947, Decision No. 30552, dated May 13, 1948, and Decision No. 35132, dated July 20, 1950, be, and they are hereby amended by eliminating the requirement that, the increases authorized in said decisions shall not apply to the rates on sugar beets, beet-sugar final molasses, lime rock and limestone, cement, coal, dolomite and ganister rock.
- 4 - The said increases on Colorado intrastate traffic may be made effective on or before August 20, 1953, upon notice to this Commission and to the general public, by not less than 30 days' filing and posting in the manner prescribed by law and the rules and regulations of the Commission.
- 5 - All tariffs changing rates or charges by authority of this order shall bear specific reference to this order.
- 6 - In all other respects, the orders entered under the decisions referred to in paragraph 3 of this order, shall remain in full force and effect.

7 - Jurisdiction be, and it is hereby retained by the Commission to determine, if need be, the lawfulness or reasonableness of any particular rate or group of rates resulting from this order.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John Heirichell
Frank W. Newley
Ralph C. Johnson
Commissioners

Dated at Denver, Colorado
this 15th day of July, 1953.

hs

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
B. L. GILLMAN, DOING BUSINESS AS)
"GILLMAN TRAILER SALES," BOX 971,)
BORGER, TEXAS)
-----)

PERMIT NO. C-30213

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

B. L. Gillman, d/b/a Gillman Trailer Sales,

requesting that Permit No. C-30213 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30213, heretofore issued to _____

B. L. Gillman, d/b/a Gillman Trailer Sales, _____ be,

and the same is hereby, declared cancelled effective June 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Hineshell
Joseph W. Hecox
Raymond C. Horton
Commissioners

Dated at Denver, Colorado,

this 21st day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ARTHUR E. OWENS, C/O LULA RHODES)
NORTH STAR TOUTE, DETROIT, TEXAS)
)
)
)
)
-----)

PERMIT NO. C-30681

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Arthur E. Owens,
requesting that Permit No. C-30681 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30681, heretofore issued to _____
Arthur E. Owens, _____ be,
and the same is hereby, declared cancelled effective June 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winshell
Ray C. Horton

Commissioners

Dated at Denver, Colorado,

this 21st day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DON HARTMANN, 205 PLATTE STREET,)
STERLING, COLORADO)
-----)

PERMIT NO. C-30433

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Don Hartmann,
requesting that Permit No. C-30433 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30433, heretofore issued to _____
Don Hartmann, _____ be,
and the same is hereby, declared cancelled effective June 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln
Ralph C. Hurd
Ralph C. Hurd
Commissioners

Dated at Denver, Colorado,
this 21st day of July, _____, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CARL G. NELSON, NORTH AVONDALE,)
COLORADO.)

PERMIT NO. C-23093

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Carl G. Nelson,
requesting that Permit No. C-23093 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-23093, heretofore issued to _____
Carl G. Nelson, _____ be,
and the same is hereby, declared cancelled effective May 24, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Hines
Ralph C. Heston
Ralph C. Heston
Commissioners

Dated at Denver, Colorado,
this 21st day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MAX M. BUCKRIDGE, RT 1, BOX 652,)
CHEYENNE, WYOMING)

PERMIT NO. C-22946

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Max M. Buckridge,
requesting that Permit No. C-22946 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-22946, heretofore issued to _____
Max M. Buckridge, be,
and the same is hereby, declared cancelled effective June 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Marshall
Ralph C. Havelock
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 21st day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FERGIE'S TRUCKING & SUPPLY CO.,)
RT 3, BOX 231, PUEBLO, COLORADO)
_____))
_____)

PERMIT NO. C-13726

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Fergie's Trucking & Supply Co.,
requesting that Permit No. C-13726 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-13726, heretofore issued to _____
Fergie's Trucking & Supply Co., _____ be,
and the same is hereby, declared cancelled effective May 10, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Marshall

Joseph W. Hecoban

Ralph C. Gordon
Commissioners

Dated at Denver, Colorado,
this 21st day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FLOYD & VIRGINIA SPANGLER, RT 1,)
FRUITA, COLORADO)
_____))
_____)

PERMIT NO. C-23634

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Floyd & Virginia Spangler,
_____ requesting that Permit No. C-23634 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-23634, heretofore issued to _____
Floyd & Virginia Spangler _____ be,
and the same is hereby, declared cancelled effective June 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Joseph W. Howland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 21st day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
D. W. RUHTER, GRANDFIELD, OKLAHOMA)
)
)
)
-----)

PERMIT NO. C-23776

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
D. W. Ruhter, _____
requesting that Permit No. C-23776 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-23776, heretofore issued to _____
D. W. Ruhter, _____ be,
and the same is hereby, declared cancelled effective May 12, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Marshall

Ralph W. Hussey

Ralph C. Johnston
Commissioners

Dated at Denver, Colorado,
this 21st day of July, _____, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PAUL W. BERGLUND, EVERGREEN, COLORADO)
)
)
-----)

PERMIT NO. C-24025

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Paul W. Berglund,
requesting that Permit No. C-24025 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-24025, heretofore issued to _____
Paul W. Berglund, _____ be,
and the same is hereby, declared cancelled effective June 2, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 21st day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RAYMOND MOSHER, 1024 E. 7TH ST.,)
TRINIDAD, COLORADO)
_____))
_____)

PERMIT NO. C-24185

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Raymond Mosher,

requesting that Permit No. C-24185 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-24185, heretofore issued to _____
Raymond Mosher, _____ be,

and the same is hereby, declared cancelled effective June 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln
Ralph W. Newland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 21st day of July, _____, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ORVILLE HALSEY, RT 2, LOVELAND,)
COLORADO.)

PERMIT NO. C-24507

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Orville Halsey,

requesting that Permit No. C-24507 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-24507, heretofore issued to _____

Orville Halsey, _____ be,

and the same is hereby, declared cancelled effective May 25, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John McIninchell
Joseph W. Havelka
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 21st day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CANADIAN GRAIN CO-OP, BOX 758,)
CANADIAN, TEXAS)
_____))
_____)

PERMIT NO. C-25305

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Canadian Grain Co-op,
requesting that Permit No. C-25305 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-25305, heretofore issued to _____
Canadian Grain Co-op, _____ be,
and the same is hereby, declared cancelled effective June 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Mitchell
Joseph W. Hawley
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 21st day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CARL W. CONNER, 303 WEST 10TH, PUEBLO,)
COLORADO.)

PERMIT NO. C-24931)

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Carl W. Conner, _____

requesting that Permit No. C-24931 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-24931, heretofore issued to _____

Carl W. Conner, _____ be,

and the same is hereby, declared cancelled effective June 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln
Joseph C. Haverley
Ralph C. Harrison
Commissioners

Dated at Denver, Colorado,

this 21st day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FLOYD BOLING, 914 E. 14TH AVE.,)
DENVER 3, COLORADO)
_____)

PERMIT NO. C-25582

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Floyd Boling,
requesting that Permit No. C-25582 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-25582, heretofore issued to _____
Floyd Boling, _____ be,
and the same is hereby, declared cancelled effective June 17, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln
Ralph C. Havelay
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 21st day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
KANSAS HIDE & WOOL COMPANY, 205)
OSAGE ST., MANHATTAN, KANSAS)
_____)

PERMIT NO. C-26553

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Kansas Hide & Wool Company,
requesting that Permit No. C-26553 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-26553, heretofore issued to _____
Kansas Hide & Wool Company, _____ be,
and the same is hereby, declared cancelled effective June 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln
Joseph W. Hazzard
Reph. C. Gordon
Commissioners

Dated at Denver, Colorado,

this 21st day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
EMPIRE TRUCKING CO., 2300 WEST)
HAMPDEN, ENGLEWOOD, COLORADO)
)
)
)
-----)

PERMIT NO. C-27078

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Empire Trucking Co.,

requesting that Permit No. C-27078 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-27078, heretofore issued to _____

Empire Trucking Co.,

be,

and the same is hereby, declared cancelled effective June 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln

Joseph W. Macdonald

Ralph C. Gordon
Commissioners

Dated at Denver, Colorado,

this 21st day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
J. I. HAWLEY, DOING BUSINESS AS)
"J. I. HAWLEYS FEED & FARM SUPPLY,")
7055 NORTH FEDERAL, DENVER 11,)
COLORADO)

PERMIT NO. C-25398

July 21, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
J. I. Hawley, d/b/a J. I. Hawley's Feed & Farm Supply,

requesting that Permit No. C-25398 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-25398, heretofore issued to _____

be,
and the same is hereby, declared cancelled effective June 16, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 21st day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT W. HOVER, DOING BUSINESS AS)
"HOVER MOTOR CO." 739 EAST PIKES)
PEAK AVENUE, COLORADO SPRINGS,)
COLORADO.)

PERMIT NO. C-21948

July 23, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Robert W. Hover, d/b/a Hover Motor Co.,
requesting that Permit No. C-21948 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-21948, heretofore issued to _____
Robert W. Hover, d/b/a Hover Motor Co., _____ be,
and the same is hereby, declared cancelled effective June 29, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Marshall
Joseph W. Hawley
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 23rd day of July, _____, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT L. RIZZOLO & RALPH E. GREEN,)
DOING BUSINESS AS "STERLING CEMENT)
PRODUCTS," 315 NORTH FRONT STREET,)
STERLING, COLORADO.)

PERMIT NO. C-29134

July 23, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Robert L. Rizzolo & Ralph E. Green, d/b/a Sterling Cement Products,
requesting that Permit No. C-29134 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29134, heretofore issued to _____
Robert L. Rizzolo & Ralph E. Green, d/b/a Sterling Cement Products, be,
and the same is hereby, declared cancelled effective June 26, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Wainshell
Ralph E. Green
Ralph E. Green
Commissioners

Dated at Denver, Colorado,

this 23rd day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ALLEN KESON, PALISADE, COLORADO)
)
)
)
-----)

PERMIT NO. C-26926

July 23, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Allen Keson,
requesting that Permit No. C-26926 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-26929, heretofore issued to _____
Allen Keson, be,
and the same is hereby, declared cancelled effective July 7, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln
Ralph C. Hurler
Ralph C. Hurler
Commissioners

Dated at Denver, Colorado,
this 23rd day of July, 195 3.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WAYNE L. von TROTHA, P. O. BOX 247,)
FORT MORGAN, COLORADO)
-----)

PERMIT NO. C-26929

July 23, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Wayne L. von Trotha,
requesting that Permit No. C-26929 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-26929, heretofore issued to _____
Wayne L. von Trotha, _____ be,
and the same is hereby, declared cancelled effective June 11, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln
Joseph W. Hargrave
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 23rd day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RAYMOND CUNY, DOING BUSINESS AS)
"C & K PRODUCE" 304 BRYANT AVENUE,)
GLEN ELLYN, ILLINOIS.)
-----)

PERMIT NO. C-29355

July 23, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Raymond Cuny, d/b/a C & K Produce,
requesting that Permit No. C-29355 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29355, heretofore issued to _____
Raymond Cuny, d/b/a C & K Produce, _____ be,
and the same is hereby, declared cancelled effective June 28, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Simchell
Joseph W. Hawley
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 23rd day of July, _____, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
VAN H. FLINT, 814 COFFMAN STREET,)
LONGMONT, COLORADO)
-----)

PERMIT NO. C-29057

July 23, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Van H. Flint,
requesting that Permit No. C-29057 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29057, heretofore issued to _____
Van H. Flint, _____ be,
and the same is hereby, declared cancelled effective July 7, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 23rd day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DONALD E. CARR, ROUTE 2, HOTCHKISS,)
COLORADO)

PERMIT NO. C-29291

July 23, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Donald E. Carr,

requesting that Permit No. C-29291 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29291, heretofore issued to _____

Donald E. Carr,

be,

and the same is hereby, declared cancelled effective June 3, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln
Joseph W. Hawley
Ralph C. Gordon

Commissioners

Dated at Denver, Colorado,

this 23rd day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
BILL KENDALL, HAMILTON, COLORADO)
)
)
-----)

PERMIT NO. C-28440

July 23, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Bill Kendall,
requesting that Permit No. C-28440 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-28440, heretofore issued to _____
Bill Kendall, be,
and the same is hereby, declared cancelled effective June 23, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
John H. Winchell
Joseph W. Howland
Joseph C. Howland
Commissioners

Dated at Denver, Colorado,
this 23rd day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SLOAN COVERDELL, NINAVIEW, COLORADO.)

) PERMIT NO. C-29313
)
)
)
-----)

July 23, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Sloan Coverdell

requesting that Permit No. C-29313 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29313, heretofore issued to _____

Sloan Coverdell

be,

and the same is hereby, declared cancelled effective June 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Johns H. Winchell
Ralph W. Hawley
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 23rd day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
BRUCE WILLIAMS, 516 REDWOOD DRIVE,)
LITTLETON, COLORADO.)
)
)
)
)
-----)

PERMIT NO. G-30355

July 23, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Bruce Williams

requesting that Permit No. G-30355 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. G-30355, heretofore issued to _____

Bruce Williams

be,

and the same is hereby, declared cancelled effective **July 2, 1953.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln
Joseph W. Havelock
Raymond C. Horton

Commissioners

Dated at Denver, Colorado,

this 23rd day of July, 195 3.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PAUL C. MCGREW, 1810 SILVER S. E.,)
ALBUQUERQUE, NEW MEXICO.)

PERMIT NO. C-30317

July 23, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Paul C. McGrew

requesting that Permit No. C-30317 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30317, heretofore issued to _____

Paul C. McGrew

be,

and the same is hereby, declared cancelled effective **July 7, 1953.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Ralph C. Hordorn
Ralph C. Hordorn

Commissioners

Dated at Denver, Colorado,

this 23rd day of July, 1953.

als

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ANDREA G. ARCHULETA, BOX 25,)
SAGUACHE, COLORADO.)
_____)

PERMIT NO. C-30269

July 23, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Andrea G. Archuleta

requesting that Permit No. C-30269 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30269, heretofore issued to _____

Andrea G. Archuleta

be,

and the same is hereby, declared cancelled effective **June 16, 1953.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 23rd day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WINDSOR WALDRON, DOING BUSINESS AS)
"WALDRON BROTHERS," 35 SOUTH)
HARRISON, DENVER 6, COLORADO.)
-----)

PERMIT NO. C-30658

July 23, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Windsor Waldron, dba "Waldron Brothers"

requesting that Permit No. C-30658 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30658, heretofore issued to _____

Windsor Waldron, dba "Waldron Brothers" be,

and the same is hereby, declared cancelled effective June 7, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Vinchell
Joseph C. Havelock
Ralph C. Weston
Commissioners

Dated at Denver, Colorado,

this 23rd day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MACCO-PUGET SOUND, ROUTE 2, GOLDEN,)
COLORADO.)

PERMIT NO. C-28717

July 23, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Macco-Puget Sound

requesting that Permit No. C-28717 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-28717, heretofore issued to _____

Macco-Puget Sound

be,

and the same is hereby, declared cancelled effective July 7, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln
Joseph W. Hecox
Ralph C. Hord

Commissioners

Dated at Denver, Colorado,

this 23rd day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JAMES J. SHIRRELL, GOULD, COLORADO.)

) PERMIT NO. C-26367
)
)
)
)
-----)

July 23, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

James J. Shirrell

requesting that Permit No. C-26367 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-26367, heretofore issued to _____

James J. Shirrell

be,

and the same is hereby, declared cancelled effective July 7, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 23rd day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JAMES J. SHIRRELL, GOULD, COLORADO.)
)
)
)
-----)

PERMIT NO. B-4094

July 23, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
James J. Shirrell

requesting that Permit No. B-4094 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4094, heretofore issued to _____
James J. Shirrell be,

and the same is hereby, declared cancelled effective July 7, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell

Joseph W. Hawley

Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 23rd day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
C. C. & MARGARET REIFF, DOING BUSI-)
NESS AS "REIFF CONSTRUCTION CO.,")
KREMMLING, COLORADO.)
-----)

PERMIT NO. B-4097

July 23, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
C. C. & Margaret Reiff, d/b/a Reiff Construction Co.,
requesting that Permit No. B-4097 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4097, heretofore issued to _____
C. C. & Margaret Reiff, d/b/a Reiff Construction Co., be,
and the same is hereby, declared cancelled effective July 1, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winshell
Joseph W. Hawley
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 23rd day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
DENNIS SULLIVAN, 3421 ZUNI ST.,) APPLICATION NO. 12115-PP
DENVER, COLORADO.)
-----)

July 23, 1953

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Dennis Sullivan, requesting that his Class "B" permit, granted in Application No. 12115-PP, Decision No. 39842, under date of December 12, 1952, be cancelled.

F I 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 Dennis Sullivan, in the above-numbered application, Decision No. 39842, under date of December 12, 1952, be, and the same hereby is, declared cancelled, effective July 1, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Ralph C. Houston
Ralph C. Houston

Commissioners.

Dated at Denver, Colorado,
this 23rd day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
C. RAYMOND WOODARD, DOING BUSI-) PUC NO. 2211
NESS AS "WOODARD TAXI SERVICE,")
AKRON, COLORADO.)
-----)

July 23, 1953

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from C. Raymond Woodard, doing business as "Woodard Taxi Service," requesting that Certificate of Public Convenience and Necessity No. PUC-2211 be cancelled.

F I 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-2211, heretofore issued to C. Raymond Woodard, doing business as "Woodard Taxi Service," be, and the same is hereby, declared cancelled, effective July 1, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Finchell
Ralph W. Hawley
Ralph C. Horton

Commissioners.

Dated at Denver, Colorado,
this 23rd day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
KENNETH E. CARLSON, BOX 351, SIDNEY,)
NEBRASKA)
)
)
)
-----)

PERMIT NO. C-30480

July 23, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Kenneth E. Carlson,

requesting that Permit No. C-30480 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30480, heretofore issued to _____

Kenneth E. Carlson, be,

and the same is hereby, declared cancelled effective June 18, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John McIninchell
Joseph W. Hawley
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 23rd day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
KENNETH E. CARLSON, BOX 351,) PUC NO. 2502-I
SIDNEY, NEBRASKA.)
-----)

July 23, 1953

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Kenneth E. Carlson, requesting that Certificate of Public Convenience and Necessity No. PUC-2502-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-2502-I, heretofore issued to Kenneth E. Carlson, be, and the same is hereby, declared cancelled, effective July 1, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Ralph C. Horton
Ralph C. Horton

Commissioners.

Dated at Denver, Colorado,
this 23rd day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOHN RANDALL, STRATTON, NEBRASKA)

PERMIT NO. B-848-I

July 23, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

John Randall,

requesting that Permit No. B-848-I be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-848-I, heretofore issued to _____

John Randall,

be,

and the same is hereby, declared cancelled effective July 1, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Wainwright
Ralph C. Heston
Ralph C. Heston

Commissioners

Dated at Denver, Colorado,

this 23rd day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ALVIN HERBEL, 2388 SOUTH HUMBOLDT,)
DENVER 10, COLORADO.)

PERMIT NO. B-3915

July 23, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Alvin Herbel,
requesting that Permit No. B-3915 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-3915, heretofore issued to _____
Alvin Herbel, be,
and the same is hereby, declared cancelled effective June 20, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John MacInnes
Joseph W. Hawley
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 23rd day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
G. F. MULLEN, 832 BAKER, LONGMONT,)
COLORADO.)

PERMIT NO. B-4085

July 23, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

G. F. Mullen, _____

requesting that Permit No. B-4085 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4085, heretofore issued to _____

G. F. Mullen, _____ be,

and the same is hereby, declared cancelled effective June 29, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Vinshell
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 23rd day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DONALD C. BAYLES, BLANDING, UTAH)
)
)
)
)
-----)

PERMIT NO. B-4367-I

July 23, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Donald C. Bayles,

requesting that Permit No. B-4367-I be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4367-I, heretofore issued to _____
Donald C. Bayles, _____ be,
and the same is hereby, declared cancelled effective July 1, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln
Ralph C. Hordorn
Ralph C. Hordorn

Commissioners

Dated at Denver, Colorado,
this 23rd day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

DALE E. WESTBROOK, 7285 WEST FIRST)
AVENUE, LAKEWOOD, COLORADO)

PERMIT NO. B-4427

July 23, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Dale E. Westbrook,
requesting that Permit No. B-4427 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4427, heretofore issued to _____
Dale E. Westbrook, _____ be,
and the same is hereby, declared cancelled effective July 1, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. ...
...
...

Commissioners

Dated at Denver, Colorado,

this 23rd day of July, 1953.

original

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 IMPROVED)	<u>APPLICATION NO. 12413</u>
AUTOMATIC SIGNAL CROSSING PROTECTION)	
DEVICES AT DARTMOUTH AVENUE IN ENGLE-)	
WOOD, ARAPAHOE COUNTY, COLORADO.)	
-----)	

July 17, 1953

Appearances: Douglas McHendrie, Esq.,
Denver, Colorado, for
applicant;
J. L. McNeill, Denver,
Colorado, for the
Commission.

S T A T E M E N T

By the Commission:

On June 15, 1953, The Atchison, Topeka and Santa Fe Railway Company, by its attorneys, Grant, Shafroth & Toll, filed an application with this Commission seeking authority to install improved automatic signal crossing protection at the crossing of its tracks and West Dartmouth Avenue in the City of Englewood, Arapahoe County, Colorado.

The matter was set for hearing on Monday, July 6, 1953, at ten o'clock A. M., in the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, and, after appropriate notice to interested parties, including the City Manager of Englewood, Colorado, and the Colorado Department of Highways, was there heard by the Commission and taken under advisement.

In the instant application, it is proposed to provide improved automatic signals at the above crossing. At the hearing, the following exhibits, as attached to the application, were explained by Mr. H. A. Appleby, Amarillo, Texas, who is Signal Engineer in this territory for the Atchison, Topeka & Santa Fe Railway Company.

Exhibit A: Map of crossing area showing location of proposed new signals and adjacent D&RGW RR Co. main track.

Exhibit B: Blueprint sketch of Wiring Circuit to show warning of trains from either direction.

Exhibit C: Letter of J. W. Flint, Englewood City Manager, dated May 22, 1953, giving permission to Santa Fe Railway for installation of signal light on Dartmouth Avenue in Englewood, Colorado.

Mr. Appleby explained that this trackage is owned by The Atchison, Topeka & Santa Fe Railway Company, and by joint agreements is quite heavily used in connection with the northbound rail movements of its trains and those of the Colorado & Southern Railway Company, The Denver & Rio Grande Western Railroad Company, and a local freight train which operates in a southbound direction on this line. In cases of emergency, all traffic can be handled on this line, in which event, the southbound movements would be counter to the normal direction of traffic, and would therefore be at a reduced rate of speed.

According to the application herein, normal railway traffic over the crossing consists of six passenger trains and eight freight trains per day. The maximum speed of trains will not exceed 70 miles per hour for passenger trains and 45 miles per hour for freight trains.

Relative to vehicular traffic, Mr. Appleby testified that a traffic count was made by the railroad company in April 1953, from which it is estimated that the crossing is used by some 2300 automobiles, 200 trucks and 150 pedestrians per day.

Mr. Appleby further explained that the present protection consisting of a warning bell and a crossbuck sign will be replaced by two automatic flashing light signals complete with reflectorized crossing signs and illuminated "STOP" signs with a bell on one signal. He explained also that the southbound line of The Denver & Rio Grande Western Railroad Company is 141.4 feet westerly from the Santa Fe line, and that the proposed new signals will be inter-connected with the present flashing light signals of the Rio Grande. In this manner, vehicular traffic entering the crossing

area will have ample warning of train movements on each track in either direction. Traffic already within the crossing area will be warned to stop or may proceed over the safe trackage.

The roadway involved herein is a City street of Englewood, Colorado. It was developed at the hearing that present asphalt paving is between 18 feet and 19 feet wide at the Santa Fe crossing. It is a rather high fill and some additional embankment will be required in order to widen the roadway. Mr. Appleby indicated that the proposed signals will be so placed as to allow for additional widening and that the crossing plank would be extended to coincide with a wider roadway when that work is completed. As indicated above in Exhibit "C", the City of Englewood, Colorado, approves the proposed signal installation.

Estimated cost of the proposed installation is \$5,365.00, all of which will be paid for by the applicant. Applicant will maintain the new signals when construction is completed.

It appears that no public utilities or adjacent property owners will be adversely affected by the proposed improvement. Also, the files of the Commission indicate no protests to the proposed signals. Signal equipment and materials are now available and work can be started at once.

F I N D I N G S

THE COMMISSION FINDS:

That the public safety, convenience and necessity require the improvement of existing grade crossing protection through the installation, operation and maintenance of automatic flashing light signals at West Dartmouth Avenue, in the City of Englewood, Arapahoe County, Colorado, all as described in the foregoing Statement.

O R D E R

THE COMMISSION ORDERS:

That applicant, The Atchison, Topeka & Santa Fe Railway Company, be, and it hereby is, granted a certificate of public convenience and necessity,

authorizing the removal of present signal devices and the installation, operation and maintenance of automatic flashing light signals at the grade crossing of West Dartmouth Avenue over the tracks of said railroad in the City of Englewood, Arapahoe County, Colorado.

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", "B" and "C" as attached to the instant application, all of which, by reference, are made a part hereof.

That the proposed signal devices and installation shall all be in conformance with the Bulletin of the Association of American Railroads Joint Committee on Railroad Protection.

That this Order shall become effective twenty-one days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winkler

Joseph W. Hickey

Ralph C. Gordon

Commissioners.

Dated at Denver, Colorado,
this 17th day of July, 1953.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE VARIOUS CHANGES IN RATES, RULES)
AND REGULATIONS IN THE MOTOR TRUCK)
COMMON CARRIERS' ASSOCIATION, AGENT,)
LOCAL AND JOINT FREIGHT TARIFF NO.)
12, COLO. P.U.C. NO. 6, ISSUED BY)
J. R. SMITH, CHIEF OF TARIFF BUREAU,)
DENVER, COLORADO.)

CASE NO. 1535

July 17, 1953

S T A T E M E N T

By the Commission:

Under the provisions of Rule 18, paragraph C-(1)-(A), of the "Rules of Practice and Procedure" of the Commission, there were filed with the Commission on statutory notice schedules stating new individual rates, rules, charges and regulations, advertised to become effective July 21, 1953, designated as follows:

The Motor Truck Common Carriers' Association, Agent, Local & Joint Freight
Tariff No. 12, Colo. P.U.C. No. 6

8th Revised Page Number 53 - Item Number 50 - Pertaining to
Collect-On-Delivery Shipments:

Add C. A. Baumgartner and E. M. Stage, d/b/a Denver Transfer and Cartage Company and Richard J. Wadley, d/b/a Middle Park Express to carriers in said item for which the provisions thereof will not apply. Eliminate from said item the name of Joe A. King, Jr., d/b/a King Transportation Co.

9th Revised Page Number 54 - Item Number 80, Pertaining to Minimum Charge:

Eliminate from said item the provision of a minimum charge of \$2.00 via Denver-Loveland Transportation Company.

5th Revised Page Number 55 - Item Number 90 - Auto Parts:

Add C. A. Baumgartner and E. M. Stage, d/b/a Denver Transfer and Cartage Company and Richard J. Wadley, d/b/a Middle Park Express and eliminate the name of Joe A. King, Jr., d/b/a King Transportation Company.

3d Revised Page Number 55-A - Item Number 150 - Brick and Related Articles:

Add C. A. Baumgartner and E. M. Stage, d/b/a Denver Transfer and Cartage Company and Richard J. Wadley, d/b/a Middle Park Express and also Edward G. Mason and Henry C. Maris, d/b/a Overland Motor Express Company and eliminate the name of Joe A. King, Jr., d/b/a King Transportation Company.

- 6th Revised Page Number 58 - Item Number 300 - Drugs, Medicines etc.:
 Add C. A. Baumgartner and E. M. Stage, d/b/a Denver Transfer and Cartage Company and Richard J. Wadley, d/b/a Middle Park Express and eliminate Joe A. King, Jr., d/b/a King Transportation Co.
- 7th Revised Page Number 59 - Item Number 340 - Fertilizer and Fertilizer Compounds:
 Add C. A. Baumgartner and E. M. Stage, d/b/a Denver Transfer and Cartage Company and eliminate Joe A. King, Jr., d/b/a King Transportation Company, and Richard J. Wadley, d/b/a Middle Park Express.
- 3d Revised Page Number 60 - Item Number 370 - Furniture:
 Add C. A. Baumgartner and E. M. Stage, d/b/a Denver Transfer and Cartage Company and Richard J. Wadley, d/b/a Middle Park Express and eliminate Joe A. King, Jr., d/b/a King Transportation Co.
- 3d Revised Page Number 60-A - Item Number 380 - Compressed Gases and Item Number 390 - Liquefied Petroleum Gas:
 Add C. A. Baumgartner and E. M. Stage, d/b/a Denver Transfer and Cartage Company and Richard J. Wadley, d/b/a Middle Park Express and eliminate Joe A. King, Jr., d/b/a King Transportation Co.
- 5th Revised Page Number 61 - Item Number 400 - Groceries:
 Add C. A. Baumgartner and E. M. Stage, d/b/a Denver Transfer and Cartage Company and Richard J. Wadley, d/b/a Middle Park Express and eliminate Joe A. King, Jr., d/b/a King Transportation Co.
- 4th Revised Page Number 62-A - Item Number 450 - Mattresses and Item Number 440 - Iron and Steel Articles:
 Add C. A. Baumgartner and E. M. Stage, d/b/a Denver Transfer and Cartage Company and Richard J. Wadley, d/b/a Middle Park Express and eliminate Joe A. King, Jr., d/b/a King Transportation Co.
- 4th Revised Page Number 64 - Item Number 500 - Paper and Paper Articles:
 Add C. A. Baumgartner and E. M. Stage, d/b/a Denver Transfer and Cartage Company and Richard J. Wadley, d/b/a Middle Park Express and eliminate Joe A. King, Jr., d/b/a King Transportation Co.
- 3d Revised Page Number 64-A - Item Number 530:
 Add C. A. Baumgartner and E. M. Stage, d/b/a Denver Transfer and Cartage Company and Richard J. Wadley, d/b/a Middle Park Express and eliminate Joe A. King, Jr., d/b/a King Transportation Co.
- 4th Revised Page Number 66 - Item Number 600 - Tractors:
 Add C. A. Baumgartner and E. M. Stage, d/b/a Denver Transfer and Cartage Company and Richard J. Wadley, d/b/a Middle Park Express and eliminate Joe A. King, Jr., d/b/a King Transportation Co.
- 3d Revised Page Number 66-A - Item Number 630 - Wine:
 Add C. A. Baumgartner and E. M. Stage, d/b/a Denver Transfer and Cartage Company.
- 3d Revised Page Number 70 - Item Number 745 - Application of Rates from or to Remaco, Colorado. This is a new item and provides the following:
 "Rates provided in this tariff for application from or to Denver, Colorado will also apply from or to Remaco, Colorado on traffic which has had a prior movement via the Larson Transportation Company or the Rio Grande Motorway, Inc. or which will have a subsequent movement via the Larson Transportation Company or the Rio Grande Motor Way, Inc."

3d Revised Page Number 32 - Item Number 1090 - Overcharge Payments:
The restriction in this item in connection with the Rio Grande
Motorway, Inc., Southwestern Transportation Company and Weicker
Transfer and Storage Company is hereby cancelled.

3d Revised Page Number 33 - Item Number 1125.

This is a new item and provides as follows:

"All freight charges must be prepaid on shipments transported
by Airline Express, Inc. to Anton, Lindon, and Windview, Colo."

On the same page, Item Number 1140 - Special Trips:

Add Floyd A. Henrikson, d/b/a Denver Loveland Transportation
Company to said item.

3d Revised Page Number 33-A - Item Number 1150 - Regarding Minimum
Weights of 5,000 and 10,000 pounds:

Add C. A. Baumgartner and E. M. Stage, d/b/a Denver Transfer
and Cartage Company.

16th Revised Page Number 111 - Class Rates:

Class rates between Denver, Colorado and Falcon, Colorado -

Index Number 1930 - increase all rates by 15%. Index Number 2150-
Fraser, Colorado - increase the class rates via Denver Transfer
and Cartage Company on minimum weights of 5,000 and 10,000 pounds
by making such rates 5 cents per 100 pounds lower than the less-
truck-rates, and 10 cents per 100 pounds on 10,000 pounds lower
than the less-truck-load rates.

8th Revised Page Number 111-A - Class Rates:

Index Number 2323 - Granby, Colorado - increase the class rates
subject to minimum weights of 5,000 and 10,000 pounds via Denver
Transfer and Cartage Company by making said rates 5 cents and 10
cents on 5,000 and 10,000 pounds, respectively, lower than the
less-truck-load rates.

14th Revised Page Number 112:

Index Number 2332 - Grand Lake - increase class rates subject to
5,000 and 10,000 pounds minimums via Denver Transfer and Cartage
Company to reflect 5 cents and 10 cents per 100 pounds lower than
LTL rates.

7th Revised Page Number 116-A:

Index Number 4291 - Tabernash, Colorado - increase class rates in
cents per 100 pounds subject to minimum weights of 5,000 and 10,000
pounds via Denver Transfer and Cartage Company to reflect 5 cents
and 10 cents per 100 pounds lower than the less-truck-load rates.

Index Number 4320 - Tercio, Colorado - increase less-truck-load rates
by 15%, also increase the class rates subject to minimum weights
of 5,000 and 10,000 pounds to reflect that such rates are 5 and 10
cents per 100 pounds lower than the less-truck-load rates.

10th Revised Page 118 - Class Rates:

Index Number 4680 - Weston, Colorado - increase the less-truck-load
rates by 15%; also increase the class rates subject to minimum
weights of 5,000 and 10,000 pounds to reflect that such rates will
be 5 cents and 10 cents per 100 pounds lower than less-truck-load
rates.

10th Revised Page 118 - Class Rates: (continued)

Index Number 4782 - Winter Park, Colorado - increase the class rates in cents per 100 pounds subject to minimum weights of 5,000 and 10,000 pounds to reflect that said rates are 5 cents and 10 cents per 100 pounds lower than less-truck-load rates via Denver Transfer and Cartage Company.

5th Revised Page Number 130 - Distance Class Rates - Minimum Weight 5,000 pounds:

Add the following carriers to the list of carriers named to whom the rates on this page will not apply:

Bee Freight Lines, Inc.

C. A. Baumgartner and E. M. Stage, d/b/a Denver Transfer and Cartage Company.

4th Revised Page Number 131 - Distance Class Rates - Minimum Weight 5,000 Pounds:

Add the following carriers to the list of carriers named to whom the rates on this page will not apply:

Bee Freight Lines, Inc.

C. A. Baumgartner and E. M. Stage, d/b/a Denver Transfer and Cartage Company.

1st Revised Page Number 131-C - Distance Class Rates - Minimum Weight 5,000 pounds:

Add C. A. Baumgartner and E. M. Stage, d/b/a Denver Transfer and Cartage Company to the list of carriers named on this page for whom the said rates will apply.

1st Revised Page Number 131-D - Distance Class Rates - Minimum Weight 5,000 pounds.

Add C. A. Baumgartner and E. M. Stage, d/b/a Denver Transfer and Cartage Company to the list of carriers named on this page for whom said rates will apply.

4th Revised Page Number 132 - Distance Class Rates - Minimum Weight 10,000 pounds:

Add the following carriers to the list of carriers on this page for whom the said rates will not apply:

Bee Freight Lines, Inc.,

C. A. Baumgartner and E. M. Stage, d/b/a Denver Transfer and Cartage Company.

4th Revised Page Number 133 - Distance Class Rates - Minimum Weight 10,000 pounds:

Same provision as provided in connection with 4th Revised Page 132.

1st Revised Page Number 133-C - Distance Class Rates - Minimum Weight 10,000 pounds:

Add C. A. Baumgartner and E. M. Stage, d/b/a Denver Transfer and Cartage Company to the list of carriers named on this page for whom the said rates will apply.

1st Revised Page Number 133-D - Distance Class Rates - Minimum Weight 10,000 pounds:

Same provision as provided in connection with First Revised Page 133-C.

1st Revised Page Number 173-A - Item Number 1801 - Cement, Lime, Plaster etc.

This is a new item and provides as follows: A rate of 14¢ per 100 pounds on cement, lime, plaster and their products, in bags or barrels, minimum weight 50,000 pounds from Portland, Colorado to Colorado Springs, Colorado, via Elbert Transfer Company.

2d Revised Page Number 178-A - Farm Products:

Item Number 2315 names distance rates on farm products namely alfalfa baled, and hay baled, minimum weight 10,000 pounds, subject to a minimum weight of 80 pounds per bale, between points in authorized territory of Leonard Gray, d/b/a Gray Truck Line and Bee Freight Lines, Inc. Increase said distance rates as follows:

35 miles and under	- - - - -	3¢ each block
50 " " over 35 miles	- - - - -	4¢ each block
75 " " " 50 "	- - - - -	5¢ each block
100 " " " 75 "	- - - - -	6¢ each block
120 " " " 100 "	- - - - -	7¢ each block
150 " " " 120 "	- - - - -	8¢ each block
180 " " " 150 "	- - - - -	9¢ each block
200 " " " 180 "	- - - - -	10¢ each block
250 " " " 200 "	- - - - -	11¢ each block

2d Revised Page Number 187-B - Feed:

Item Number 2318 naming distance rates on animal or poultry feed other than hay between points in authorized territory of Leonard Gray, d/b/a Gray Truck Line, as follows:

<u>Distance-Miles</u>	<u>Rates in Cents Per 100 Pounds</u>		
	<u>Minimum Weight-Pounds</u> 2,000	5,000	10,000
15	45	32	18
20	45	35	21
25	51	36	24
30	51	37	24
35	53	38	24
40	55	40	25
45	55	41	26
50	62	44	28
55	67	47	33
60	67	51	35
65	69	51	35
70	71	53	36
75	71	54	38
80	77	59	40
85	81	60	41
90	82	60	41
95	82	60	41
100	85	62	44
110	87	68	47
120	90	69	51
130	95	71	53
140	97	74	54
150	100	77	55
160	104	81	62
170	105	82	63
180	106	85	64
190	112	87	68
200	113	90	68
210	115	94	77
220	117	95	77
230	120	97	78
240	122	98	79
250	123	104	81

Where exact distance is not shown, use next greater distance.
Will not apply from Denver, Colorado.

1st Revised Page Number 191-B - Item Number 2439 - Fresh Fruit:

Cancel the application which now reads: "Between orchards and packing sheds within a 50 mile radius of Delta and Montrose, Colorado", to read as follows: "Between points within a 50 mile radius of Delta and Montrose."

5th Revised Page Number 194-A - Ice Cream Mix - Item Number 2645:

Reduce the rates on ice cream mix, sweetened condensed milk or sweet cream for use in making ice cream, in milk shipping cans from Denver, Colorado to Berthoud, Colorado, present rate 64 cents, proposed rate 56 cents; Longmont - present rate 59 cents - proposed rate 51 cents; Mead - present rate 64 cents - proposed rate 56 cents; under the same circumstances and conditions as published in said item.

2d Revised Page Number 205-B - Cream:

Item to provide a rate of 25 cents per five gallon can and 40 cents per ten gallon can, from points in authorized territory of Raymond L. Biederman, d/b/a Franktown Truck Line, on cream in shipping cans.

7th Revised Page Number 220 - Item Number 3555:

Provide rates in cents per 100 pounds on peat moss, minimum weight 20,000 pounds from points in Chaffee and Lake Counties, Colorado to points in the State of Colorado on the following basis:

<u>Distance-Miles</u>	<u>Rate</u>	<u>Distance-Miles</u>	<u>Rate</u>
50 and over 40	20	210 and over 200	49
60 and over 50	22	220 and over 210	51
70 and over 60	23	230 and over 220	53
80 and over 70	25	240 and over 230	55
90 and over 80	27	250 and over 240	57
100 and over 90	29	260 and over 250	59
110 and over 100	31	270 and over 260	60
120 and over 110	33	280 and over 270	62
130 and over 120	35	290 and over 280	64
140 and over 130	36	300 and over 290	66
150 and over 140	38	310 and over 300	68
160 and over 150	40	320 and over 310	70
170 and over 160	42	330 and over 320	72
180 and over 170	44	340 and over 330	73
190 and over 180	46	350 and over 340	75
200 and over 190	47	360 and over 350	76

1st Revised Page Number 228-A - Wool - Item Number 3855:

Increase the rates on sheep wool in the grease, minimum weight 10,000 pounds between points in the authorized territory of Leonard Gray, d/b/a Gray Truck Line:

20 miles and under	- - - - 3¢
45 miles and over 20	- - - 4¢
55 miles and over 45	- - - 5¢
75 miles and over 55	- - - 6¢
100 miles and over 75	- - - 7¢
120 miles and over 100	- - 8¢
150 miles and over 120	- - 9¢
170 miles and over 150	- -10¢
200 miles and over 170	- -11¢
210 miles and over 200	- -12¢
250 miles and over 210	- -13¢

2d Revised Page Number 243 - Heavy Commodities:

Add to Item Number 4270 - "Telephone Switchboards and Telephone Switchboard Parts".

4th Revised Page Number 252 - Livestock - Item Number 4460:

Provide an exception whereby movements of sheep and goats from to or between points in Moffat and Routt Counties, the rates will be 3 cents per 100 pounds greater than those applicable on other livestock. The present rate is 15% greater, subject to a minimum of 2 1/2 cents per 100 pounds over the livestock rates.

6th Revised Page Number 255 and 4th Revised Page Number 256 - Livestock:

Cancel the application of the distance rates subject to a minimum weight of 18,000 pounds when the minimum is from, to or between points in Moffat and Routt Counties.

5th Revised Page Number 268:

Add to said page, index number 16989, Johnstown and provide a distance of 13 miles from Loveland.

Under the provisions of Rule 18, paragraph C-(1)-(A) of the said Rules of Procedure, following the dead line protest (ten days prior to the proposed effective date) an order by the Commission is required prescribing the changes set forth in the proposed new schedules.

No protests have been received relative to the proposed changes except a request for suspension of the proposed rate of 14 cents per 100 pounds subject to minimum weight of 50,000 pounds on cement from Portland to Colorado Springs as published in item Number 1801, first revised Page 173-A, as hereinbefore set forth. In regard to the petition requesting suspension of this item, The Commission does not feel that the facts set forth in the said request warrant the suspension of the proposed rate.

In regard to the addition of the Denver Transfer and Cartage Company and the Middle Park Express, to the numerous exceptions, it is for the purpose of correcting the tariff for account of the Middle Park Express who has been operating under Joe A. King, Jr., d/b/a King Transportation Company and to place C. A. Baumgartner and E. M. Stage, d/b/a Denver Transfer and Cartage Company on a competitive basis with Richard J. Wadley, d/b/a Middle Park Express. In other words, there is a competitive situation between these two carriers and the adjustment is to put the two carriers on the same competitive basis.

In regard to the proposed rate of 14 cents on cement from Portland to Denver, we understand the movement would be over the route via Penrose, a distance of approximately 43 miles.

The revenue under the proposed rate and minimum weight would be \$70.00 per truck-load and would produce truck-mile earnings of approximately \$1.63.

The petition of the Rio Grande Motor Way, Inc., requesting suspension of the proposed rate, states that it is its position that the said proposed rate is unreasonably low and the resulting revenue yield would not be compensatory.

The distance from Portland, Colorado to Colorado Springs, Colorado, via Pueblo, (the route of the Rio Grande Motor Way), is approximately 64 highway miles. On the basis of the proposed rate and minimum weight, the truck-mile earnings, via this route, would be approximately \$1.09.

We do not feel that it can be argued with propriety that such earnings are not compensatory.

In regard to the proposed increase on hay and animal or poultry feed, other than hay, also wool in grease, the rates on these commodities have been a source of much complaint from Mr. Gray for a long time and he has on various occasions advised the Rate Department of the Commission that he would have to increase these rates if he expected to stay in the trucking business.

No complaint had been received by any shipper in territory of the Gray Truck Line.

In regard to the rates on peat moss, heretofore the rates have applied only to Colorado Springs, Pueblo and Grand Junction and it is contended that these destinations are insufficient to take care of requested movements for which there are no rates, other than class rates, and it is felt that the class rates would be prohibitive.

In regard to the proposed adjustment on livestock in Moffat and Routt Counties, this will represent a reduction generally in the rates on movements of sheep and the increase on livestock caused by the elimination of the 18,000 pound minimum appears necessary to assist the livestock haulers in these counties.

As a general proposition, the other adjustments will represent reductions.

FINDINGS

THE COMMISSION FINDS:

That the statement hereinbefore set forth should be made a part hereof, that the changes set forth in said statement should be authorized and an order be entered prescribing the said changes.

ORDER

THE COMMISSION ORDERS, That:

- 1 - The statement and findings be and are hereby made a part hereof.
- 2 - This order shall become effective forthwith.
- 3 - The rates, rules, regulations and provisions as published and set forth in the statement shall on July 21, 1953, be the prescribed rates, rules regulations and provisions of the Commission.
- 4 - All motor vehicle common carriers who are not parties to the Motor Truck Common Carrier Association, agent Freight Tariff Number 12, Colo. PUC No. 6, if they are affected by the changes involved herein, shall publish or cause to be published new tariffs reflecting the changes prescribed herein.
- 5 - All private carriers by motor vehicle to the extent they are affected by the changes involved herein, shall publish or cause to be published, rates, rules, regulations and provisions which shall not be less than those herein prescribed for motor vehicle common carriers.
- 6 - On and after July 21, 1953, all affected motor vehicle common carriers shall cease and desist from demanding, charging and collecting rates and charges that shall be greater or less than those herein prescribed, provided that call and demand motor vehicle common carriers shall be subject to the penalty rule of twenty (20) per cent where such rule is applicable.
- 7 - On and after July 21, 1953, all private carriers by motor vehicle, operating in competition with any motor vehicle common carrier affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed, provided that Class "B" private carriers shall be subject to the penalty rule of twenty (20) per cent where said rule is applicable.

8 - This order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such private carrier by motor vehicle to the laws or liabilities applicable to a motor vehicle common carrier.

9 - The order entered in Case Number 1585 on February 5, 1936, as since amended, shall continue in force and effect until a further order of the Commission.

10 - Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Hunsell

Joseph J. Hawley

Ralph C. Hahn
Commissioners

Dated at Denver, Colorado
this 17th day of July, 1953.

hs

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
LESTER C. MARTIN, ROUTE 1, BOX)	CASE NO. 65739-INS.
22, CANON CITY, COLORADO.)	(Permit No. C-3253)
-----)	

July 21, 1953

S T A T E M E N T

By the Commission:

On June 30, 1953, in Case No. 65739-Ins., the Commission entered an order revoking Permit No. C-3252 for failure to keep on file the required certificate of insurance.

Apparently, the insurance was paid for and the agent claimed proper insurance was filed, but it did not reach this office and the permit was revoked. Insurance has now been properly filed, without lapse of coverage, and the 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 revocation order entered in Case No. 65739-Ins., should be cancelled and set aside, and said Permit No. C-3253 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That revocation order entered on June 30, 1953, in Case No. 65739-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-3253 restored to its former status as of June 30, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Hines

Joseph W. Keedley

Ralph C. Johnson
Commissioners.

Dated at Denver, Colorado,
this 21st day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
GLENN C. ENDERUD, ROUTE 2,)
LA JUNTA, COLORADO.)
-----)

CASE NO. 1111-R
(Permit No. C-26740)

July 21, 1953

S T A T E M E N T

By the Commission:

On December 11, 1952, in Case No. 1111-R, the Commission entered an order revoking Permit No. C-26740 for failure to file certain monthly road tax reports.

These delinquent reports have now been filed, insurance is on file, and our revocation order 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 revocation order entered in Case No. 1111-R should be cancelled and set aside, and said Permit No. C-26740 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That revocation order entered on December 11, 1952, in Case No. 1111-R, should be, and hereby is, cancelled and set aside, and said Permit No. C-26740 restored to its former status as of December 11, 1952.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. ...

...

Ralph C. ...
Commissioners.

Dated at Denver, Colorado,
this 21st day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
FERGUSON TRUCKING COMPANY, INC.,)
ARTESIA, NEW MEXICO.)

CASE NO. 65865-INS.
(PUC-1913 & PUC-1913-I)

July 23, 1953

S T A T E M E N T

By the Commission:

On June 30, 1953, in Case No. 65865-Ins., the Commission entered an order revoking PUC-1913 & PUC-1913-I for failure to keep on file the required cargo liability insurance.

Apparently insurance was in effect, but, through neglect of the agent, filing was not made. Since effective cargo insurance has now been filed, and in order, the 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 revocation order entered in Case No. 65865-Ins., should be cancelled and set aside, and said PUC-1913 & PUC-1913-I restored to their former status.

O R D E R

THE COMMISSION ORDERS:

That revocation order entered on June 30, 1953, in Case No. 65865-Ins., should be, and it hereby is, cancelled and set aside, and said PUC-1913 & PUC-1913-I restored to their former status as of June 30, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Hinchell
Joseph C. Healey
Ralph G. Johnston
Commissioners.

Dated at Denver, Colorado,
this 23rd day of July, 1953.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
W. W. WHITTAKER, 118 NORTH)
MAIN, SMYRNA, DELAWARE.)

CASE NO. 69695-INS.
(Permit No. B-4486-I)

July 23, 1953

S T A T E M E N T

By the Commission:

On June 30, 1953, in Case No. 69695-Ins., the Commission entered an order revoking Permit No. B-4486-I for failure to keep on file the required certificate of insurance.

Apparently permit-holder had insurance in effect and an attempt was made to file with this office. However, there was a discrepancy in name of assured and it was returned for correction. Refiling was delayed, and, in the meantime, permit was revoked. Since insurance has now been filed, and in order, 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 revocation order entered in Case No. 69695-Ins., should be cancelled and set aside, and said Permit No. B-4486-I restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That revocation order entered on June 30, 1953, in Case No. 69695-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. B-4486-I restored to its former status as of June 30, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

John H. ...
...
...
Commissioners.

Dated at Denver, Colorado,
this 23rd day of July, 1953.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF INCREASED)	
RAILWAY FREIGHT RATES AND)	Applications Nos. 5819 - 8087 - 8746
CHARGES WITHIN THE STATE OF)	and 9736
COLORADO.)	<u>Ex Parte Nos. 162 - 166 and 168</u>
-----)	

July 22, 1953

Appearances: Same as shown in Decision No. 40931

S T A T E M E N T

By the Commission:

In Decision No. 40931, dated July 15, 1953, we authorized the rail carriers to increase the rates on sugar beets, beet-sugar-final molasses, lime rock and lime stone, cement, coal, dolomite and ganister rock, to the same extent as was authorized by the Interstate Commerce Commission in Ex Parte 162 - 166 and 168.

In the order in said decision, the Commission provided that the increases may be made effective on or before August 20, 1953, upon 30 days filing and posting in the manner prescribed by law and the rules and regulations of the Commission.

It now develops that the carriers cannot meet the date of August 20, 1953, in the rates on cement from Portland, Colorado on the A. T. & S. F. Ry. and Boettcher, Colorado, on the Union Pacific, as published in Western Trunk Line Freight Tariff No. 133-L, Colo. PUC No. 343 and have asked that the changes involved from the above two points, be permitted to be made effective on August 20, 1953, on 15 days notice.

Mr. T. C. Taylor, Traffic Manager, Ideal Cement Company, has advised the Rate Department of the Commission, that he has no objection to

the shortening up of the period in connection with this tariff.

F I N D I N G S

THE COMMISSION FINDS:

That, paragraph 4 of its order in Decision No. 40931, should be amended to the extent that the increases may be applied in Western Trunk Line Freight Tariff No. 133-L, C. J. Hennings, alternate agent, Colo. PUC No. 343, on August 20, 1953, upon notice to this Commission and to the general public, by not less than 15 days filing and posting in the manner prescribed by law and the rules and regulations of the Commission.

O R D E R

THE COMMISSION ORDERS:

That, paragraph 4 of the Decision No. 40931, dated July 15, 1953, be and the same is hereby amended to the extent that the increases authorized may be made effective in Western Trunk Lines Freight Tariff No. 133-L, C. J. Hennings, alternate agent, Colo. PUC 343, on August 20, 1953, upon notice to this Commission and to the general public, by not less than 15 days filing and posting, in the manner prescribed by law and the rules and regulations of the Commission and, that in all other respects, Decision No. 40931 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Paul C. Hensley
Ralph C. Holman
Commissioners

Dated at Denver, Colorado,
this 22nd day of July, 1953.
gs

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT L. AUSTIN & VIRL O.)
AUSTIN, DOING BUSINESS AS)
"AUSTIN & AUSTIN, VONA, COLORADO.)

PERMIT NO. B-3413

July 23, 1953

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-3413 be suspended for six months from July 15, 1953.

F I 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 L. Austin & Viril O. Austin, doing business as "Austin & Austin," Vona, Colorado, be, and they are hereby, authorized to suspend their operations under Permit No, B-3413 until January 15, 1954.

That unless said Robert L. Austin & Viril O. Austin, doing business as "Austin & Austin," Vona, Colorado, 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

John H. Lincoln
Joseph W. Hawley
Ralph C. Horton

Commissioners.

Dated at Denver, Colorado,
this 23rd day of July, 1953.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ELBERT TRANSFER COMPANY, A CORPORA-)
TION, ELBERT, COLORADO, FOR AN EX-)
TENSION OF CERTIFICATE NO. PUC-322.)
-----)

APPLICATION NO. 12384-Extension
SUPPLEMENTAL ORDER

July 24, 1953

Appearances: Marion F. Jones, Esq.,
Denver, Colorado,
for applicant;
Harold D. Torgan, Esq.,
Denver, Colorado, for
Colorado Transfer and
Warehousemen's Association;
G. O. Anderson, Castle Rock,
Colorado, for Castle Rock
Transfer;
Alice Frances Blakley, Denver,
Colorado, for Blakley Live-
stock Trucking Company;
G. Barnhill, Ramah, Colorado,
for Barnhill Truck Line;
James Schermerhorn, Castle
Rock, Colorado, for Otis
and Bess Albion;
Ralph Kinkade, Simla, Colo-
rado, pro se;
Ed Tuxhorn, Byers, Colorado,
for Byers-Denver Truck Line.

S T A T E M E N T

By the Commission:

By Decision No. 40916, of date July 15, 1953, the Commission granted an extension of authority under PUC No. 322 of Elbert Transfer Company to include the transportation of general commodities excepting petroleum products in bulk, in tank vehicles, and excluding household goods except in connection with a complete farm movement, between points specifically described, both in the Statement and the Order in said decision.

The area described referred to was dictated into the record at the hearing by counsel for applicant, and the Commission is in receipt of a communication from Counsel advising that a part of the description of said area was omitted, and requesting that said Decision be amended so that the area in which authority is granted is properly described.

F I N D I N G S

THE COMMISSION FINDS:

That the request of applicant should be granted.

That the description of the area authorized to be served by applicant should be amended, both in paragraph three of the Statement and in paragraph one of the Order of said Decision No. 40916, of date July 15, 1953, so that said area may be properly described as stipulated by all parties hereto at the hearing.

O R D E R

THE COMMISSION ORDERS:

That the description of all points to be served under said Decision No. 40916, of date July 15, 1953, both in the third paragraph on Page 3 of the Statement in said Decision and in paragraph one of the Order therein, be, and is hereby corrected to read as follows:

Beginning at a point on the north El Paso County line one mile east of U. S. Highway No. 85; thence northerly paralleling U. S. Highway No. 85 one mile east thereof to the intersection of Colorado State Highway No. 214; thence along Colorado State Highway No. 214 and Colorado State Highway No. 83 to the south Arapahoe County line; thence east along the south Arapahoe County line to Comanche Creek; thence north along Comanche Creek a distance of four miles, more or less to a point; thence due east to the intersection of Colorado State Highway No. 81; thence along Colorado State Highway No. 81 to its intersection with Colorado State Highway No. 86; thence west along Colorado State Highway No. 86 to its intersection with a road running south to Ramah, Colorado; thence south along said road to the north El Paso County line; thence west along the north El Paso County line to the point of beginning.

That in all other respects said Decision shall be and remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 24th day of July, 1953,
nunc pro tunc as of July 15, 1953.

ee

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FREDERIC A. BETHKE, ROSINA A.)
BETHKE, AND E. BONABEL BETHKE, CO-)
PARTNERS, DOING BUSINESS AS "BETHKE)
MILK LINES," GILCREST, COLORADO, FOR)
AN EXTENSION OF PUC NO. 557.)
-----)

APPLICATION NO. 12223-Amended
SUPPLEMENTAL ORDER

July 24, 1953

Appearances: Marion F. Jones, Esq.,
Denver, Colorado,
for applicant.

S T A T E M E N T

By the Commission:

By Decision No. 40830, of date July 7, 1953, the Commission authorized an extension of operations under PUC No. 557 of the applicants named in the caption hereof.

The attention of the Commission has been directed to the fact that the application upon which said Decision was based, covered two separate requests for authority, one to serve Golden in the transportation of milk in tank trucks in connection with other points to be served in tank trucks, and the other portion to transport milk and cream to Greeley and LaSalle from an area specifically described in said Decision, with back-haul of empty containers.

In the Order contained in said Decision, an extension of authority was granted to permit transportation of milk and cream in tank trucks over the routes requested, but, in considering the other request, the Commission inadvertently provided that the transportation of milk and cream to Greeley and LaSalle, Colorado, from farms and ranches located within

a definitely described area should also be in tank trucks, and it was not the intention of applicants to request the use of tank trucks in such transportation, nor was it the intention of the Commission to limit such transportation to tank trucks.

F I N D I N G S

THE COMMISSION FINDS:

That the Order contained in said Decision No. 40830, of date July 7, 1953, should be amended in accordance with the facts.

O R D E R

THE COMMISSION ORDERS:

That the words "in tank trucks" contained in line three of the Statement in said Decision No. 40830, of date July 7, 1953, should be, and are hereby, eliminated from said Statement.

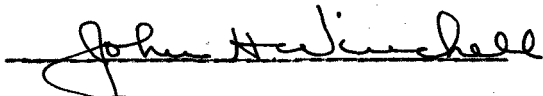
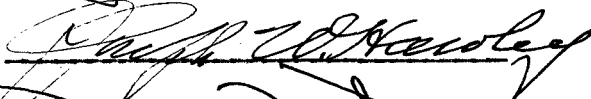

That paragraph 1 of the Order contained in Decision No. 40830, of date July 7, 1953, be, and is hereby, corrected and amended to read as follows:

1. The right to transport milk and cream over irregular routes to Greeley and LaSalle, Colorado, from farms and ranches located within the following area:

Beginning at the intersection of State Highway 14 with the east Weld County Line; thence following State Highway 14 to the northwest corner of Section 30, Township 8 N., Range 62 W.; thence south 8 miles; thence east to the east Weld County Line; thence north 6 miles to the point of beginning, with back-haul of empty containers.

In all other respects said Decision shall be and remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 24th day of July, 1953,
nunc pro tunc as of July 7, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
C. F. AUGUSTINE, 504 SO. 3RD ST.,)
LAMAR, COLORADO.)
-----)

PERMIT NO. C-30615

July 30, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

C. F. Augustine

requesting that Permit No. C-30615 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30615, heretofore issued to _____

C. F. Augustine

be,

and the same is hereby, declared cancelled effective July 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
THEODORE SMITH, DOING BUSINESS AS)
"TED'S AUTO WRECKING & JUNK," ROUTE)
2, BOX 63, FT. LUPTON, COLORADO.) PERMIT NO. C-30638
-----)

July 30, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Theodore Smith, dba "Ted's Auto Wrecking & Junk"

requesting that Permit No. C-30638 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30638, heretofore issued to _____

Theodore Smith, dba "Ted's Auto Wrecking & Junk" be,

and the same is hereby, declared cancelled effective July 4, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Vinshell
Joseph W. Hurd
Joseph C. Hurd
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ELMER A. TIMMONS, P. O. BOX 24,)
INDEPENDENCE, COLORADO.)
_____))
_____)

PERMIT NO. G-30570

July 30, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Elmer A. Timmons

requesting that Permit No. G-30570 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. G-30570, heretofore issued to _____

Elmer A. Timmons

be,

and the same is hereby, declared cancelled effective **June 30, 1953.**

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Joseph W. Hurd
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JAMES W. GRAHAM, JR., DOING BUSINESS)
AS "GRAHAM FEED & SUPPLY STORE,")
BOX 62, GRAND LAKE, COLORADO.)
-----)

PERMIT NO. C-30079

July 30, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
James W. Graham, Jr., dba "Graham Feed & Supply Store"
requesting that Permit No. C-30079 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30079, heretofore issued to _____
James W. Graham, Jr., dba "Graham Feed & Supply Store" be,
and the same is hereby, declared cancelled effective July 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln
Joseph W. Havelock
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MARVIN EARL SMITH, ROUTE 1, BOX 108,)
CANON CITY, COLORADO.)

PERMIT NO. C-27403

July 30, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Marvin Earl Smith

requesting that Permit No. C-27403 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-27403, heretofore issued to _____

Marvin Earl Smith

be,

and the same is hereby, declared cancelled effective June 12, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Joseph W. Hecoban
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRANK HANSEN, BOX 253, DEL NORTE,)
COLORADO.)

) PERMIT NO. C-28552
)
)
)

July 30, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Frank Hansen

requesting that Permit No. C-28552 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-28552, heretofore issued to _____

Frank Hansen

be,

and the same is hereby, declared cancelled effective July 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. ...
Joseph W. ...
Ralph C. ...
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROYAL COACH CO., INC., 414 EAST MILL)
ST., HASTINGS, MICHIGAN.)
_____))
_____)

PERMIT NO. C-21366

July 30, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Royal Coach Co., Inc.

requesting that Permit No. C-21366 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-21366, heretofore issued to _____
Royal Coach Co., Inc. be,

and the same is hereby, declared cancelled effective July 1, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Joseph W. Hecox
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
R. J. WILLIS, DOING BUSINESS AS)
"PUBLIC GAS & EQUIPMENT CO.,")
BOX 6657 STOCKYARDS STATION, DENVER,)
16, COLORADO.)

PERMIT NO. C-26493

July 30, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

R. J. Willis, dba "Public Gas & Equipment Co."

requesting that Permit No. C-26493 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-26493, heretofore issued to _____

R. J. Willis, dba "Public Gas & Equipment Co." be,

and the same is hereby, declared cancelled effective June 1, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Marshall
Joseph W. Hawley
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
KANSAS INTERMOUNTAIN GRAIN, INC.,)
112 NO. SANTA FE, SCOTT CITY,)
KANSAS.)
-----)

PERMIT NO. C-23796

July 30, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Kansas Intermountain Grain, Inc.

requesting that Permit No. C-23796 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-23796, heretofore issued to _____

Kansas Intermountain Grain, Inc. be,

and the same is hereby, declared cancelled effective July 9, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Marshall
Joseph W. Hurd
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JAKE HAYUTIN & SONS, 1425 LARIMER STREET,
DENVER ", COLORADO.)

) PERMIT NO. C-25273
)
)
)

July 30, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Jake Hayutin & Sons

requesting that Permit No. C-25273 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-25273, heretofore issued to _____

Jake Hayutin & Sons be,

and the same is hereby, declared cancelled effective July 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell

Joseph W. Hawley

Joseph W. Hawley
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
KIST BOTTLING CO. OF DENVER, 3380)
WEST 38TH, DENVER 11, COLORADO.)
_____))
_____)

PERMIT NO. C-21501

July 30, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Kist Bottling Co. of Denver

requesting that Permit No. C-21501 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-21501, heretofore issued to _____
Kist Bottling Co. of Denver be,

and the same is hereby, declared cancelled effective July 12, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Marshall
Joseph W. Hawley
Ralph C. Gordon
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JESS O. LARSON, 912 GARFIELD,)
CANON CITY, COLORADO.)
_____))
_____)

PERMIT NO. C-18980

July 30, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Jess O. Larson

requesting that Permit No. C-18980 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-18980, heretofore issued to _____

Jess O. Larson be,

and the same is hereby, declared cancelled effective July 22, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
E. W. LESEBERG, 532 OAK STREET,)
STERLING, COLORADO.)
)
)
)
-----)

PERMIT NO. C-14183

July 30, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

E. W. Leseberg

requesting that Permit No. C-14183 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-14183, heretofore issued to _____

E. W. Leseberg

be,

and the same is hereby, declared cancelled effective July 9, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln
Ralph C. Horton
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRANK G. PAVOLASKY, 940 JACKSON,)
PUEBLO, COLORADO.)
_____)

PERMIT NO. C-13479

July 30, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Frank G. Pavolasky

requesting that Permit No. C-13479 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-13479, heretofore issued to _____

Frank G. Pavolasky

be,

and the same is hereby, declared cancelled effective July 5, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 30th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JIM ROSS, EAGLE, COLORADO.)

) PERMIT NO. G-193
)
)
)
-----)

July 30, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Jim Ross

requesting that Permit No. G-193 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. G-193, heretofore issued to _____

Jim Ross

be,

and the same is hereby, declared cancelled effective July 11, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Linchell
Joseph C. Hecox
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
E. H. KRUMMEL, DOING BUSINESS AS)
"KRUMMEL DISTRIBUTING CO.," 3601 BLAKE)
STREET, DENVER 5, COLORADO.)
-----)

PERMIT NO. C-29

July 30, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
E. H. Krummel, dba "Krummel Distributing Co."

requesting that Permit No. C-29 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29, heretofore issued to _____
E. H. Krummel, dba "Krummel Distributing Co." be,

and the same is hereby, declared cancelled effective June 1, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln
Joseph W. Havelock
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PETE ALSERDA, 819 SOUTH th EAST,)
SALT LAKE CITY, UTAH.)
_____)

PERMIT NO. B-4403-I

July 30, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Pete Alserda

requesting that Permit No. B-4403-I be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4403-I, heretofore issued to _____
Pete Alserda be,

and the same is hereby, declared cancelled effective May 29, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Marshall
Joseph W. Havelock
Ralph C. Gordon
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LLOYD D. LEE, DOING BUSINESS AS)
"G. I. EXPRESS," 1200 SOUTH OGDEN)
STREET, DENVER, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY.)
-----)

APPLICATION NO. 12369
SUPPLEMENTAL ORDER

July 24, 1953

Appearances: Lloyd D. Lee, Denver,
Colorado, pro se;
Harold D. Torgan, Esq.,
Denver, Colorado, for
Amick Transfer & Storage
Co., Bekins Moving &
Storage Co., Duehler
Transfer Co., and Johnson
Storage & Moving Co.;
A. J. Fregeau, Denver, Colo-
rado, for Weicker Transfer
and Storage Company;
E. B. Evans, Esq., Denver,
Colorado, for Fred Rein, Jr.,
Harold Swena, and Aurora
Moving & Storage Company;
Calvin R. Schilt, Denver,
Colorado, for Berkeley
Moving & Storage Company;
S. L. Howell, Englewood,
Colorado, for R. J. Bear
Transfer & Storage, Inc.;
A. H. Deputy, Aurora, Colo-
rado, for Aurora Moving &
Storage Company;
Harold Swena, Golden, Colo-
rado, for Swena Transfer
and Express Company.

S T A T E M E N T

By the Commission:

Under date of July 10, 1953, Petition for Re-hearing was filed by A. H. Deputy and Agnes Deputy, doing business as "Aurora Moving and Storage Company, Aurora, Colorado, and Harold Swena, doing business as "Swena Transfer," Golden, Colorado, being protestants who had appeared at the hearing on the application herein.

Protestant Aurora Moving and Storage Company is the carrier referred to in said decision as having authority to serve only the area east of Denver and only west to York Street in Denver, a call to Aurora being necessary to obtain the service. It cannot furnish service from points west of York Street to any point within the radius requested except to points east, and does not furnish a complete service to residents of Denver or of the five-mile air radius granted to applicant herein.

Protestant Swena Transfer serves only points west of the city limits of Denver.

FINDINGS

THE COMMISSION FINDS:

That no error was committed in the entry of said Decision No. 40818, of date July 1, 1953; that no useful purpose would be served by granting a re-hearing herein, and that said Petition for Re-hearing should be denied.

ORDER

THE COMMISSION ORDERS:

That Petition for Re-hearing filed by Aurora Moving and Storage Company and Swena Transfer in the above entitled matter, be, and the same is hereby, denied.

This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell

Joseph W. Hecox
Commissioners. ✓

COMMISSIONER HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 24th day of July, 1953.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LLOYD D. LEE, DOING BUSINESS AS)
"G. I. EXPRESS," 1200 SOUTH OGDEN)
STREET, DENVER, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY.)
-----)

APPLICATION NO. 12369
SUPPLEMENTAL ORDER

July 24, 1953

Appearances: Lloyd D. Lee, Denver,
Colorado, pro se;
Harold D. Torgan, Esq.,
Denver, Colorado, for
Amick Transfer & Storage
Co., Bekins Moving &
Storage Co., Buchler
Transfer Co., and Johnson
Storage & Moving Co.;
A. J. Fregeau, Denver, Colo-
rado, for Weicker Transfer
and Storage Company;
E. B. Evans, Esq., Denver,
Colorado, for Fred Rein, Jr.,
Harold Swena, and Aurora
Moving & Storage Company;
Calvin R. Schilt, Denver,
Colorado, for Berkeley
Moving & Storage Company;
S. L. Howell, Englewood,
Colorado, for R. J. Bear
Transfer & Storage, Inc.;
A. H. Deputy, Aurora, Colo-
rado, for Aurora Moving &
Storage Company;
Harold Swena, Golden, Colo-
rado, for Swena Transfer
and Express Company.

S T A T E M E N T

By the Commission:

By Decision No. 40818, of date July 1, 1953, Lloyd D. Lee,
doing business as "G. I. Express," was authorized to operate as a
motor vehicle common carrier for hire, on call and demand, for the
transportation of:

household goods, furniture and office equipment, from and to points in the City and County of Denver on the one hand, and to and from points within a radius of five air miles of said City and County of Denver on the other hand, excluding Arvada and Littleton, and from point to point within said radius.

Under date of July 8, 1953, Amick Transfer & Storage Co., Bekins Moving and Storage Co., Buehler Transfer Co., and Johnson Storage and Moving Co., filed herein their Petition for Re-hearing on the application upon which said decision was based, and request to vacate and set aside said Decision No. 40818.

The four protestants are those referred to in said decision as carriers furnishing deluxe service in the transportation of household goods at a charge of \$9.00 per hour in the fringe area of Denver.

The Commission has reviewed the evidence adduced at the hearing on said application and has carefully considered the Petition for Re-hearing filed herein and each and every allegation thereof, and is of the opinion and finds that said petition should be denied.

F I N D I N G S

THE COMMISSION FINDS:

That no error was committed in the entry of said Decision No. 40818, of date July 1, 1953; that no useful purpose would be served by granting a re-hearing herein, and that said Petition for Re-hearing should be denied.

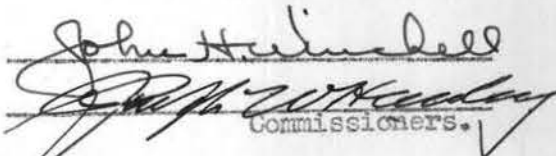
O R D E R

THE COMMISSION ORDERS:

That Petition for Re-hearing filed by Amick Transfer & Storage Co., Bekins Moving and Storage Co., Buehler Transfer Co., and Johnson Storage and Moving Co., in the above-entitled matter, be, and the same hereby is, denied.

This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

COMMISSIONER HORTON NOT PARTICIPATING.
Dated at Denver, Colorado,
this 24th day of July, 1953.
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
VIRGIL O. EAGLE, 911 YUMA,)	CASE NO. 58346-R
COLORADO SPRINGS, COLORADO.)	(Permit No. C-9827)
-----)	

July 24, 1953

S T A T E M E N T

By the Commission:

Under date of August 23, 1951, in Case No. 58346-R, Permit No. C-9827 of Virgil O. Eagle, Fountain, Colorado, was revoked for failure to file monthly road tax reports from February 1, 1951 through July 31, 1951. The records of the office show that the reports that had been requested were duly filed and such reports have been filed regularly ever since the date of said revocation, but, through inadvertence, the permit was never reinstated.

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-9827 be, and the same hereby is, reinstated, as of August 23, 1951, revocation order entered in the above-captioned case under date of August 23, 1951, being hereby set aside, cancelled, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln
Joseph C. ...
Joseph C. ...
 Commissioners.

Dated at Denver, Colorado,
this 24th day of July, 1953.

original

(Decision No. 41005)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF
COLORADO CENTRAL POWER COMPANY, A
DELAWARE CORPORATION, 3470 SOUTH
BROADWAY, ENGLEWOOD, COLORADO, FOR
AN ORDER AUTHORIZING, RATIFYING AND
APPROVING AN INCENTIVE STOCK OPTION
PLAN OF APPLICANT FOR ITS OFFICERS
AND KEY EMPLOYEES.

APPLICATION NO. 12474-SECURITIES

July 23, 1953

STATEMENT

By the Commission:

Upon consideration of the application filed July 22, 1953, by
Colorado Central Power Company, a corporation, in the above-styled matter:

ORDER

THE COMMISSION ORDERS:

That a public hearing be held, commencing on Monday, August 3,
1953, at 10:00 o'clock A. M., at 330 State Office Building, Denver, Colo-
rado, respecting the matters involved and the issues presented in this
proceeding. Any interested municipality or any representative of inter-
ested 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 July 30, 1953, 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

John H. ...
James W. ...
Harold C. ...
Commissioners.

Dated at Denver, Colorado,
this 23rd day of July, 1953.
ea

Original

(Decision No. 41006)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE DISTANCE BETWEEN LEADVILLE,)
COLORADO AND CLIMAX, COLORADO)

CASE NO. 1585

July 24, 1953

S T A T E M E N T

By the Commission:

The Commission is in receipt of an application (No. 259) from The Motor Truck Common Carriers' Association, as agent, for and on behalf of the Southwestern Transportation Company, requesting authority to advance the effective date of 1st Revised Page No. 273-H, which provides a distance of 12 miles between Leadville, Colorado and Climax, Colorado, now scheduled to become effective August 21, 1953, on statutory notice.

At the present time, under the formulae prescribed by the Commission, the distance for rate making purposes is 217 miles between Pueblo and Climax, said distance being computed via Denver. By the establishment of a distance of 12 miles between Leadville and Climax, it will result in a distance of 170 miles.

The petition states that a representative of the Southwestern Transportation Company advises that there is to be an immediate and substantial volume of traffic moving from Pueblo, Colorado, to Climax, Colorado, via his line and it is imperative that the effective date of the publication be advanced to the earliest possible date.

On the basis of 170 miles, the rates under section five (heavy moving commodities) on minimum weights of 20,000, 30,000 and 40,000 pounds would be 69, 64 and 55 cents per 100 pounds, respectively, which in turn would produce truck mile earnings of \$.8118, \$1.129 and \$1.294, respectively.

It would appear that such earnings would more than cover the cost of the operation.

FINDINGS

THE COMMISSION FINDS:

That, the effective date of the proposed mileage should be advanced to July 27, 1953.

ORDER

THE COMMISSION ORDERS, That:

- 1 - This order shall become effective forthwith.
- 2 - The statement and findings be and they are made a part hereof.
- 3 - The effective date of 1st Revised Page No. 273-II covering a distance of 12 miles between Leadville, Colorado and Climax, Colorado, shall be advanced from August 21, 1953 to July 27, 1953, on notice to this Commission and the general public by not less than one day's filing and posting in the manner prescribed by law and the rules and regulations of the Commission.
- 4 - The order entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force and effect until the further order of the Commission.
- 5 - Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winkler

Joseph W. Hawley

Ralph C. Hobbs

Commissioners

Dated at Denver, Colorado
this 24th day of July, 1953.

hs

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
CALVIN PALMER, 603 IOWA STREET,)	
GOLDEN, COLORADO, FOR AN EXTENSION)	<u>APPLICATION NO. 12460-PP-Extension</u>
OF PERMIT NUMBER B-3787.)	

July 27, 1953

Appearances: Calvin Palmer, Golden,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to extend operations under Permit No. B-3787 to include the right to transport clay from pits and supply points within a radius of 25 miles of Golden, Colorado, to points in said area.

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, July 23, 1953, 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 is the owner of and operating under private Permit No. B-3787; that he has a letter of temporary authority from the Commission granting him to continue the extended operations for which he is seeking authority; that he is the owner of a 1949 Ford 2-ton dump truck, a 1951 Ford 2½-ton dump truck, and a 1951 Ford 2-ton dump truck; that his net worth is approximately \$40,000; that the Denver Fire Clay Company have entered into an oral agreement with him to employ his service in the transportation of clay from Denver to Golden, if this authority is granted.

No one appeared in opposition to the granting of the authority sought, and it did not appear that applicant's proposed extended operation will impair the efficiency of any motor vehicle common carrier service with he will compete.

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.

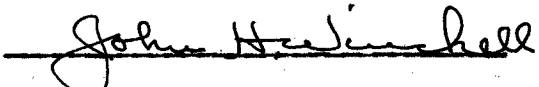
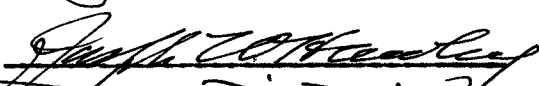
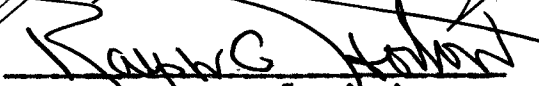
O R D E R

THE COMMISSION ORDERS:

That Calvin Palmer, Golden, Colorado, should be, and he is hereby, authorized to extend operations under Permit No. B-3787 to include the transportation of clay from pits and supply points within a radius of 25 miles of Golden, Colorado, to points in said area.

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 27th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CLAUDE AND ESTHER ROMERO, 2603 W.)
8TH, DENVER, COLORADO, FOR A CLASS) APPLICATION NO. 12462-PP
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

July 27, 1953

Appearances: Esther Romero, 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, and other road surfacing materials used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek, and Gilpin Counties.

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, July 23, 1953, at ten o'clock A. M., and, at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Esther Romero testified that she and her husband, as co-partners, were the applicants in the above-styled application; that they are the owners of a 1951 Chevrolet 2-ton dump truck; that Claude Romero, her husband, has had 20 years of experience in the operation of trucks and is presently operating under a letter of temporary authority

granted by the Commission; that their net worth is approximately \$25,000; that, if this authority is granted, the Western Paving Company, the State Highway Department and the Northwestern Engineering Company indicated that they will employ their service.

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

It did not appear that the proposed service of applicants will impair the efficiency of any common carrier service operating in the territory which applicants seek to serve.

The operating experience and financial responsibility of applicants 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 Claude and Esther Romero, Denver, Colorado, should be, and they hereby are, 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 used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek, and Gilpin Counties.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. ...

...

Ralph C. ...
Commissioners.

Dated at Denver, Colorado,
this 27th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ARTHUR DUNSTON, HENDERSON, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

APPLICATION NO. 12457-PP

July 27, 1953

Appearances: Arthur Dunston, Henderson,
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 and other road surfacing materials used in the construction of roads and highways from pits and supply points in the State of Colorado to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek, and Gilpin Counties.

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, July 23, 1953, 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 is the owner of a 1948 Dodge 2-ton dump truck; that he is now operating under a letter of temporary authority granted by the Commission; that he has had ten years experience in the operation of trucks; that his net worth is approximately

\$8,000.00; and that he has an oral agreement with Brannon Sand & Gravel of Denver to employ his services if the authority is granted.

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 service 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 Arthur Dunston, Henderson, 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 used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek, and Gilpin Counties.

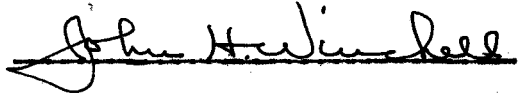
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

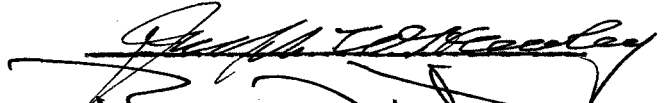
That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

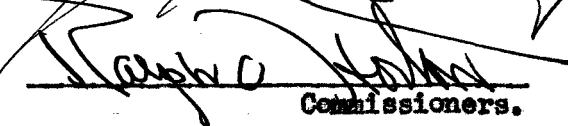
That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

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 27th day of July, 1953.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF
PUBLIC SERVICE COMPANY OF COLORADO
FOR A CERTIFICATE OF CONVENIENCE AND
NECESSITY TO EXERCISE FRANCHISE RIGHTS
IN THE TOWN OF DILLON, COUNTY OF SUMMIT,
STATE OF COLORADO, FOR THE PURCHASE,
GENERATION, TRANSMISSION, DISTRIBUTION
AND SALE OF ELECTRICITY IN SAID TOWN,
IN THE AREA CONTIGUOUS THERETO, AND
ALONG THE TRANSMISSION LINE TO THE TOWN.

APPLICATION NO. 12441

July 27, 1953

Appearances: Lee, Bryans, Kelly and Stansfield,
by Charles Kelly, Esq., Denver,
Colorado, for applicant;
W. Geo. Denny, Jr., Denver, Colo-
rado, and
J. M. McNulty, Denver, Colorado,
for the Commission.

S T A T E M E N T

By the Commission:

This is an application by the Public Service Company of Colorado for a certificate of public convenience and necessity, seeking authority from this Commission to exercise franchise rights granted by the Board of Trustees of the Town of Dillon, Summit County, Colorado, in and by Ordinance No. 46, of June 1, 1953, for the purchase, generation, transmission, distribution and sale of electricity in said Town of Dillon, as well as the right to serve electricity in the area contiguous thereto, and along the transmission line to the Town.

After due notice to all interested parties, the matter was set for hearing, and heard, on July 22, 1953, in the Commission's Office, 312 State Office Building, Denver, Colorado, and was there taken under advisement.

Applicant 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 the amendments thereto, have heretofore been filed with this Commission.

Further testimony at the hearing disclosed that the Town of Dillon had a population of 191 according to the 1950 census. The witness for the Company estimated that during the life of the present franchise, the Company expected to spend approximately \$1,000 for additional facilities in Dillon.

Applicant at the present time is also rendering electric service in the area contiguous to the Town of Dillon and along the transmission lines in and around Dillon and it desires to continue said service. Introduced at the hearing as Exhibit "B", by applicant, was a map showing the Town of Dillon together with the electric transmission and distribution lines in the contiguous territory. Applicant is presently serving various customers from the lines shown on Exhibit "B" and it is applicant's desire to continue to render service from said lines as shown on said map under the certificate applied for herein. Exhibit "B", by reference, is made a part hereof to further delineate the transmission and distribution lines contiguous to the Town of Dillon.

There are no other public utilities engaged in the business of distributing or selling electricity in the Town of Dillon and no one appeared at the hearing in opposition to the granting of the authority sought.

F I N D I N G S

THE COMMISSION FINDS:

That the above Statement, by reference, should be made a part hereof.

That public convenience and necessity require the granting of the authority sought.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require, and will require, the exercise of the franchise rights granted to the Public Service Company of Colorado, in and by Ordinance No. 46, of June 1, 1953, attached to the application herein as Exhibit "A", 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.

Further testimony at the hearing disclosed that the Town of Dillon had a population of 191 according to the 1950 census. The witness for the Company estimated that during the life of the present franchise, the Company expected to spend approximately \$1,000 for additional facilities in Dillon.

Applicant at the present time is also rendering electric service in the area contiguous to the Town of Dillon and along the transmission lines in and around Dillon and it desires to continue said service. Introduced at the hearing as Exhibit "B", by applicant, was a map showing the Town of Dillon, together with the electric transmission and distribution lines in the contiguous territory. Applicant is presently serving various customers from the lines shown on Exhibit "B" and it is applicant's desire to continue to render service from said lines as shown on said map under the certificate applied for herein. Exhibit "B", by reference, is made a part hereof to further delineate the transmission and distribution lines contiguous to the Town of Dillon.

There are no other public utilities engaged in the business of distributing or selling electricity in the Town of Dillon, and no one appeared at the hearing in opposition to the granting of the authority sought.

F I N D I N G S

THE COMMISSION FINDS:

That the above Statement, by reference, should be made a part hereof.

That public convenience and necessity require the granting of the authority sought.

O R D E R

THE COMMISSION ORDERS:

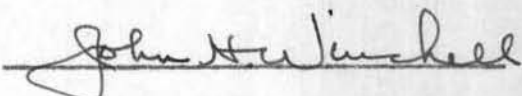
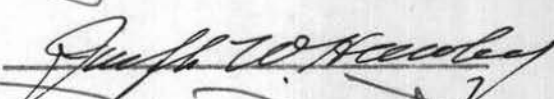
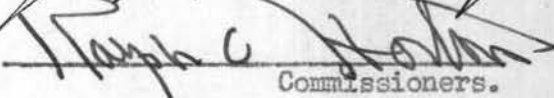
That public convenience and necessity require, and will require, the exercise of the franchise rights granted to the Public Service Company of Colorado, in and by Ordinance No. 46, of June 1, 1953, attached to the application herein as Exhibit "A", which, by reference, is made a part hereof, for the purchase, generation, transmission, distribution, and sale of electricity in the Town of Dillon and in the area contiguous to said town of Dillon and along the transmission and distribution lines, as more fully set forth in Exhibit "B" introduced at the hearing and, by reference, 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 certificate granted herein shall cancel and supersede the certificate heretofore issued by the Commission in Decision No. 2327 dated June 26, 1929, in Application No. 1230.

That applicant shall continue to operate and maintain its electric system and render service in the area hereinabove described, in accordance with the rate schedules, rules and regulations, service connection and main extension policies as are now or hereafter in effect and on file with the Commission, and shall continue to maintain its books and accounts in agreement with the Uniform System of Accounts, and its practices as to testing of meters, consumers' deposits and operations, records of meters and complaints shall be in compliance with the Commission's requirements.

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 27th day of July, 1953.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
PUBLIC SERVICE COMPANY OF COLORADO
FOR A CERTIFICATE OF CONVENIENCE AND
NECESSITY TO EXERCISE FRANCHISE RIGHTS
IN THE TOWN OF SUPERIOR, COUNTY OF
BOULDER, STATE OF COLORADO, FOR THE
PURCHASE, GENERATION, TRANSMISSION,
DISTRIBUTION AND SALE OF ELECTRICITY
IN SAID TOWN, IN THE AREA CONTIGUOUS
THERE TO, AND ALONG THE TRANSMISSION
LINE TO THE TOWN.

APPLICATION NO. 12442

July 27, 1953

Appearances: Lee, Bryans, Kelly and Stansfield,
by Charles Kelly, Esq., Denver,
Colorado, for applicant;
W. Geo. Denny, Jr., Denver, Colo-
rado, and
J. M. McNulty, Denver, Colorado,
for the Commission.

S T A T E M E N T

By the Commission:

This is an application by the Public Service Company of Colorado for a certificate of public convenience and necessity, seeking authority from this Commission to exercise franchise rights granted by the Board of Trustees of the Town of Superior, Boulder County, Colorado, in and by Ordinance No. 57, of April 6, 1953, for the purchase, generation, transmission, distribution and sale of electricity in said Town of Superior, as well as the right to serve electricity in the area contiguous thereto, and along the transmission line to the Town.

After due notice to all interested parties, the matter was set for hearing, and heard, on July 22, 1953, in the Commission's Office, 312 State Office Building, Denver, Colorado, and was there taken under advisement.

Applicant 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 the amendments thereto, have heretofore been filed with this Commission.

Applicant is a public utility, as defined in Section 3, Chapter 137, 1935 Colorado Statutes Annotated, and is engaged in the business of manufacturing, transmitting, and distributing electricity and gas to the various cities, towns, and communities in diverse counties of the State. The post office address and principal office of applicant is the Gas and Electric Building, Denver, Colorado.

Evidence at the hearing disclosed that applicant has been serving electricity in the Town of Superior under the terms and conditions of an electric franchise (the terms of which had not yet expired), previously granted by Ordinance 56, of September 10, 1928. Applicant has been exercising said franchise rights under authority of a certificate of public convenience and necessity heretofore granted by this Commission on September 12, 1929, Decision No. 2508, in Application No. 1216. Prior to the expiration of the terms of the franchise, granted by Ordinance No. 56, applicant was granted a new franchise by the Board of Trustees of the Town of Superior for the purpose of furnishing electric service to said Town and the inhabitants thereof in and by virtue of Ordinance No. 57, dated April 6, 1953. Ordinance No. 57 is entitled as follows:

AN ORDINANCE GRANTING A FRANCHISE BY THE TOWN OF SUPERIOR, BOULDER COUNTY, COLORADO, TO PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO LOCATE, BUILD, CONSTRUCT, ACQUIRE, PURCHASE, MAINTAIN AND OPERATE INTO, WITHIN AND THROUGH THE TOWN OF SUPERIOR, A PLANT OR PLANTS, SUBSTATIONS, AND WORKS, FOR THE PURCHASE, GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY, AND TO FURNISH, SELL AND DISTRIBUTE SAID ELECTRICAL ENERGY THE TOWN OF SUPERIOR, AND THE INHABITANTS THEREOF, FOR LIGHT, HEAT, AND POWER OR OTHER PURPOSES BY MEANS OF CONDUITS, CABLES, POLES AND WIRES STRUNG THEREON, OR OTHERWISE, ON, OVER, UNDER, ALONG, ACROSS AND THROUGH ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES, AND OTHER PUBLIC WAYS AND PLACES IN SAID TOWN OF SUPERIOR, AND FIXING THE TERMS AND CONDITIONS THEREOF.

The above entitled Ordinance is for a period of twenty-five (25) years from and after its passage. A copy of said Ordinance, marked Exhibit "A", together with the formal written acceptance by the Company are all attached to the instant application, and, by reference, made a part hereof.

Further testimony at the hearing disclosed that the Town of Superior had a population of 205 according to the 1940 census and a population of 134 according to the 1950 census. The witness for the Company estimated that during the life of the present franchise, the Company would spend less than \$1,000 for additional facilities in the Town of Superior.

Applicant at the present time is also rendering electric service in the area contiguous to the Town of Superior and in the unincorporated community of Marshall and along the transmission lines serving Superior and Marshall and it wishes to continue said service. Introduced by the applicant at the hearing as Exhibit "B" was a map delineating in greater detail the area applicant wishes to render service in the area contiguous to Superior. The portion of the transmission lines as shown on said Exhibit that applicant specifically referred to is from the junction of the transmission line taking off from the Boulder-Lafayette line, thence southward approximately four miles to Superior, thence westerly approximately four miles to and including the community of Marshall. Exhibit "B" is made a part hereof, by reference, to show in greater detail the area applicant proposes to continue to serve in the area contiguous to Superior.

There are no other public utilities engaged in the business of distributing or selling electricity in the Town of Superior, and no one appeared at the hearing in opposition to the granting of the authority sought.

F I N D I N G S

THE COMMISSION FINDS:

That the above Statement, by reference, should be made a part hereof.

That public convenience and necessity require the granting of the authority sought.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require, and will require, the exercise of the franchise rights granted to the Public Service Company of Colorado, in and by Ordinance No. 57, of April 6, 1953, attached to the

application herein as Exhibit "A", which, by reference, is made a part hereof, for the purchase, generation, transmission, distribution, and sale of electricity in the Town of Superior and in the area contiguous to said Town of Superior and along the transmission and distribution lines, as more fully set forth in Exhibit "B" introduced at the hearing and, by reference, made a part hereof, and as delineated in the preceding Statement, said Statement, by reference, being also 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 certificate granted herein shall cancel and supersede the certificate heretofore issued by the Commission in Decision No. 2508, dated September 12, 1929, in Application No. 1216.

That applicant shall continue to operate and maintain its electric system and render service in the area hereinabove described, in accordance with the rate schedules, rules and regulations, service connection and main extension policies as are now or hereafter in effect and on file with the Commission, and shall continue to maintain its books and accounts in agreement with the Uniform System of Accounts, and its practices as to testing of meters, consumers' deposits and operations, records of meters and complaints shall be in compliance with the Commission's requirements.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Joseph W. Kealey
Ralph G. John
Commissioners.

Dated at Denver, Colorado,
this 27th day of July, 1953.
es

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) HARRY D. LAMONT, 1518 SOUTH GRANT,) DENVER, COLORADO, FOR AN EXTENSION) OF PERMIT NO. B-4595.)	<u>APPLICATION NO. 12458-PP-Extension</u>
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July 28, 1953

Appearances: Harry D. Lamont, Denver,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to extend operations under Permit No. B-4595 to include the right to transport the daily edition of the Rocky Mountain News to points now authorized to be served, and both daily and Sunday editions to Empire, 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, July 23, 1953, 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 is the owner of a 1953 Studebaker 1/2-ton pickup truck and a 1947 Studebaker 1/2-ton pickup truck; that his net worth is approximately \$10,000; that he has, under his present authority, been transporting the Sunday edition of the Rocky Mountain News to Conifer, Shaffers' Crossing, Bailey, Shawnee, Grant, Jefferson, Fairplay, Northrop, Centerville, Salida, Poncha Springs, Buena Vista, Leadville, Climax, Kokomo, Wheeler, Frisco, Dillon, Silver Plume, and Georgetown; that the publishers of the Rocky Mountain News have requested him to apply for the extension of his authority to enable him to serve them more adequately by transporting the daily edition of the News to the

same points; that they have also requested that he seek an extension in his authority to transport the daily and Sunday edition of the Rocky Mountain News to Empire, Colorado; that there is no common carrier authority to render the service for which he is seeking to operate on a seven day a week schedule; that it is in the public interest that he be granted the extension in order that the people in these communities may receive the Rocky Mountain News every day of the week.

Harvey G. Woodrome, State Circulation Manager of the Rocky Mountain News, 305 Jasmine, Denver, Colorado, testified in support of the application that the Rocky Mountain News was in dire need of the services of the applicant; that there was available at the present time no common carrier truck service which operated seven days a week and, therefore, they were unable to deliver their papers to these communities every day of the week, which was a serious disadvantage to his Company and a great inconvenience to the residents of these communities; that public convenience and necessity required the granting of the extension of Mr. Lamont and that, in his opinion, no common carrier authorized to serve the area would be adversely affected by the extension herein applied for.

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 service 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 Harry D. Lamont, Denver, Colorado, should be, and he hereby

is, authorized to extend operations under Permit No. B-4595 to include the transportation of the daily edition of the Rocky Mountain News to points now authorized to be served, and both daily and Sunday editions to Empire, 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

John H. Wheeler

Joseph W. Bradley

Raymond C. Hobart
Commissioners.

Dated at Denver, Colorado,
this 28th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN F. PIERCE, 4221 STEELE STREET,)
DENVER, COLORADO, FOR AN EXTENSION)
OF PERMIT B-3578.)

APPLICATION NO. 12461-PP-Extension

RE MOTOR VEHICLE OPERATIONS OF JOHN)
F. PIERCE, 4221 STEELE STREET,)
DENVER, COLORADO.)

PERMIT NO. B-3578

July 28, 1953

S T A T E M E N T

By the Commission:

On April 30, 1953, the Commission authorized John F. Pierce, Denver, Colorado, to suspend operations under his Permit No. B-3578 until October 20, 1953.

The Commission is now in receipt of a communication from the above-named permittee requesting that his permit be reinstated and extended to include the transportation of sand, gravel and other road surfacing materials used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and the transportation of sand, gravel, dirt, stone and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek, and Gilpin Counties; and coal from mines in the northern Colorado coal fields to Denver, to the Valmont Plant of the Public Service Company located near Boulder, Colorado; to the Plants of the Great Western Sugar Company and Kuner-Empson Company located within a radius of 50 miles of Denver, and to the Rocky Mountain Arsenal located near Denver, Colorado, said authority to bear Permit No. B-3578.

The matter was regularly set for hearing on July 23, 1953, at the

Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, at ten o'clock A. M., with due notice to all interested parties.

When the matter was called up for hearing, applicant did not appear, nor were there any protestants to the granting of said application, whereupon the files were made a part of the record and the matter was taken under advisement.

The records of the Commission show that the applicant has a letter of temporary authority from the Commission granting him the extended operations for which he is seeking authority.

F I N D I N G S

THE COMMISSION FINDS:

That Permit No. B-3578 should be reinstated and extended as set forth in the Order.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3578 should be, and the same hereby is, reinstated as of this date.

That John F. Pierce, Denver, Colorado, should be, and he is hereby, authorized to extend operations under Permit No. B-3578 to include the transportation of sand, gravel and other road surfacing materials used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and the transportation of sand, gravel, dirt, stone and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek and Gilpin Counties; and coal from mines in the northern Colorado coal fields to Denver, to the Valmont Plant of the Public Service Company located near Boulder, Colorado; to the Plants of the Great Western Sugar Company and Kmer-Empson Company located within a radius of 50 miles of Denver, and to the Rocky Mountain Arsenal located near 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

John H. Hinchel

~~Paul C. [unclear]~~
~~Harold A. [unclear]~~
Commissioners.

Dated at Denver, Colorado,
this 28th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DANIEL A. UNREIN, 167½ SHERIDAN)
BOULEVARD, LAKEWOOD, COLORADO, FOR)
A CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 12463-PP

July 28, 1953

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 used in the construction of roads and highways from pits and supply points in the State of Colorado to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek, and Gilpin Counties.

Said application was regularly set for hearing at the Hearing Room of the Commission, 330 State Office Building, on July 23, 1953, at ten o'clock A. M., due notice of the time and place 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.

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 Daniel A. Unrein, Lakewood, 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 used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek, and Gilpin Counties.

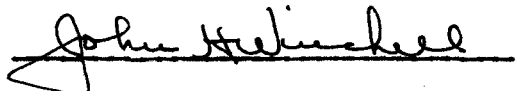
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

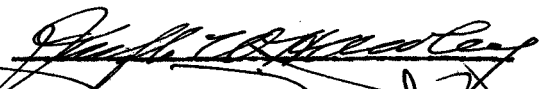
That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and 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 28th day of July, 1953.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
GLENN MAJORS, 111 STUART STREET,)	
DENVER, COLORADO, FOR A CLASS "B")	<u>APPLICATION NO. 12459-PP</u>
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)	
-----)	

July 28, 1953

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 used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone, and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek and Gilpin Counties.

Said application was regularly set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, on July 23, 1953, at ten o'clock A. M., due notice of the time and place 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. 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 Glenn Majors, 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 road-surfacing materials used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek, and Gilpin Counties.

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

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

John H. Hinchel
Joseph W. Hoadley
Joseph C. Hobson
Commissioners.

Dated at Denver, Colorado,
this 28th day of July, 1953.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DWAIN W. FRENCH, DOING BUSINESS AS)
FRENCHIES CLEAN-UP SERVICE, 4330)
IRIS STREET, WHEATRIDGE, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CON-)
VENIENCE AND NECESSITY.)
-----)

APPLICATION NO. 12454

July 28, 1953

Appearances: Roy H. McVicker, Esq.,
Arvada, Colorado, for
applicant;
Joe R. Atencio, Esq.,
Englewood, Colorado, for
Dad's Disposal Service,
protestant.

S T A T E M E N T

By the Commission:

The above named applicant filed with the Commission his application to operate as a common carrier by motor vehicle for hire, for the transportation of ashes, trash, topsoil and fertilizer in the City of Golden, Colorado, and a radius of five miles thereof.

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, July 20, 1953, at ten o'clock A. M., and, at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant moved to amend his application to exclude any area in the application which overlaps the authority of PUC-1968. There being no objection, the motion to amend was granted, whereupon Mr. Atencio withdrew his protest to the granting of the application.

Applicant testified that he is now residing in Wheatridge, Colorado, but is moving to Golden, Colorado, as soon as he can obtain a residence; that there are two other operators authorized to haul trash

in Golden; that one of these operators limits his operation exclusively to the business section; that there is not presently adequate trash service in Golden, in support of which he introduced two petitions signed by various citizens of Golden, including eight members of the City Council, and a letter from the City Manager of Golden to the effect that the City Council was of the opinion that there is need for at least one more trash hauler in Golden and supporting the application; that he is the owner of a truck suitable for this type of service and is prepared to start rendering the service immediately upon the granting of the authority; that he intends to pick up trash in the residential area every two weeks at the rate of \$1.25 per month per residence; that he presently has no intention of soliciting in the business section, but expects to expand to that area later; that the present operators not only do not render adequate service, but that they have no regular rates for their service; that he is the owner of a 1950 3/4-ton GMC truck with stock body; that he has had ten years experience in trucking operations; that his net worth is approximately \$7,000, and that there is an urgent public need for his service in Golden and the surrounding area.

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier motor vehicle service 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 public convenience and necessity require the granting of the proposed motor vehicle common carrier service of applicant.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed common carrier motor vehicle, call and demand service of Dwain W. French, doing

business as "Frenchies Clean-Up Service," Wheatridge, Colorado, for the transportation of ashes, trash, topsoil and fertilizer in the City of Golden, Colorado, and a radius of five miles thereof, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

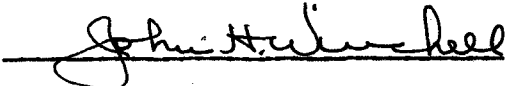
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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

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

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 July, 1953.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
FRANK SABATINO, ROUTE 1, BOX 153,)	<u>PERMIT NO. B-3126</u>
CANON CITY, COLORADO.)	
-----)	

July 28, 1953

S T A T E M E N T

By the Commission:

By Decision No. 38863, of date June 26, 1952, Frank Sabatino, Canon City, Colorado, was authorized to suspend operations under Permit No. B-3126. By Decision No. 40052, of date February 18, 1953, said permit-holder was authorized to further suspend operations under said operating rights.

The Commission is now in receipt of a communication from Frank Sabatino, requesting authority to further suspend operations under Permit No. B-3126.

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 Frank Sabatino, Canon City, Colorado, should be, and he is hereby, authorized to further suspend operations under Permit No. B-3126 until December 20, 1953.

That unless said permit-holder 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 on the part of the Commission, shall stand revoked, without right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln

~~Ralph C. Johnson~~

Ralph C. Johnson
Commissioners.

Dated at Denver, Colorado,
this 28th day of July, 1953.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
WILBUR C. RICHARDSON, BURLINGTON,)	
COLORADO, FOR AN EXTENSION OF CERTI-)	<u>APPLICATION NO. 12455-Extension</u>
FIGATE OF PUBLIC CONVENIENCE AND)	
NECESSITY NUMBER PUC-2381.)	

July 28, 1953

Appearances: Thomas and Thomas, Esqs.,
Burlington, Colorado, for
applicant;
* William T. Secor, Esq.,
Denver, Colorado, for pro-
testants.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to extend operations under PUC-2381 to include the right to transport, not on schedule, milk, cream, and eggs from points along the routes hereinafter described to markets in Colorado Springs and Denver and a return haul of empty cans and containers and rejected shipments of milk and cream, together with ice in block form, together with all IXL products on a call and demand basis, to the area, routes or points to be served as follows:

- A. Along U. S. Highway No. 36 from the Colorado-Kansas State Line on the east to the Town of Cope, Colorado, on the west with pick ups at Idalia, Kirk, Joes, and Cope, Colorado, and at all intervening points on U. S. Highway No. 36 between the Colorado-Kansas State Line on the east and the Town of Cope, Colorado, on the west.
- B. Along U. S. Highway No. 24 from the Colorado-Kansas State Line on the east to the Town of Genoa, Colorado, on the west with pick ups at Paconic, Burlington, Bethune, Stratton, Vona, Seibert, Flagler, Arriba, Bovina, and Genoa, Colorado, and at all intervening points on U. S. Highway No. 24 between the Colorado-Kansas State Line on the east and the Town of Genoa, Colorado, on the west.
- C. Along U. S. Highway No. 40 from the Colorado-Kansas State Line on the east to the Town of Hugo, Colorado, on the west with pick ups at Arapahoe, Cheyenne Wells, Firstview, Kit Carson, Wildhorse, and Hugo, Colorado, and at all intervening points on U. S. Highway No. 40 between the Colorado-Kansas State Line on the east and the Town of Hugo, Colorado, on the west.

- D. Along Colorado Highway No. 51 on the north to the Town of Idalia, Colorado, and on the south to the Town of Cheyenne Wells, Colorado, with pick ups at intervening points along this highway.
- E. Along Colorado Highway No. 57 from the Town of Kirk, Colorado, on the north, and the Town of Stratton, Colorado, on the south, with pick ups at intervening points along this highway.
- F. Along Colorado Highway No. 59 from the Town of Cope, Colorado, on the north to the Town of Kit Carson, Colorado, on the south with pick ups at intervening points along this highway.
- G. On the return haul to transport empty cans and containers and rejected shipments of milk and cream, together with processed dairy-products in containers, together with ice in block form, together with all products produced and sold by the IXL Creamery of Colorado Springs, Colorado, on a call and demand basis, along U. S. Highway No. 24, from the City of Colorado Springs, Colorado, to the junction of U. S. Highway No. 24 and U. S. Highway No. 40, at Limon, Colorado, serving intermediate points along that highway and to include the Towns of Peyton, Calhan, Ramah, Simla, Matheson, and Limon.
- H. On the return haul to transport empty cans and containers and rejected shipments of milk and cream, together with processed dairy products in containers, together with ice in block form and together with all products produced and sold by the IXL Creamery of Colorado Springs, Colorado, on a call and demand basis along U. S. Highway No. 40 from the Town of Limon, Colorado, to the Colorado-Kansas State Line, serving intermediate points along that highway and including the Towns of Hugo, Kit Carson, Cheyenne Wells, Arapahoe and Weskin.
- I. On the return haul to transport empty cans and containers and rejected shipments of milk and cream, together with processed dairy products in containers, together with ice in block form, and together with all products produced and sold by the IXL Creamery of Colorado Springs, Colorado, on a call and demand basis, along U. S. Highway No. 24 from the Town of Limon, Colorado, to the Colorado-Kansas State Line serving intermediate points along the highway to include Limon, Genoa, Bovina, Arriba, Flagler, Seilert, Vona, Stratton, Bethune, Burlington, and Peconic, along U. S. Highway No. 24.

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, July 20, 1953, at ten o'clock A. M., and, at the conclusion of the evidence, the matter was taken under advisement.

* The Attorney who had been retained by the protestants to represent them telephoned that he was detained by a Court case and did not appear. The Commission asked its Attorney, William T. Secor, to assist the protestants in cross-examining the witnesses for applicant and putting on their direct testimony.

At the hearing, applicant moved to amend the application at Page 2, paragraph number 3, by inserting the words "together with dairy products and containers" after the words "and eggs," and in section "E" by striking the words "and the Town of Stratton, Colorado," and inserting in lieu thereof the words "and U. S. Highway 40. There being no objection, the motion to amend was granted, and the application was so amended.

Applicant Wilbur C. Richardson testified that he operates under PUC-2381, but he desires the authority to pick up milk on the north and south connecting highway to the three highways now authorized to be served, and a further extension to permit him, in emergencies, to haul processed dairy products from the IXL Creamery in Colorado Springs to merchants on his route, on a call and demand basis, and a return haul of empty cans and containers in rejected shipments of milk and cream, together with ice in block form; that his financial statement was on file with the Commission and that there had been no material change in his financial situation since the filing of that statement. Applicant offered in evidence two petitions, Exhibits 1 and 2, from milk producers in the area supporting his application.

Jordan C. King, of the IXL Creamery, Colorado Springs, Colorado, testified in support of the application that his Company had an urgent need for the service for which the applicant was seeking authority; that the volume of business which was involved would in no way injure any common carrier presently authorized to render a like service; that the only common carrier authorized to render the service operated on schedule, but one day a week, which was inadequate for the needs of his Company.

John Wharton, Jr., of Wharton Truck Line, Colorado Springs, Colorado, testified in opposition that they had hauled approximately one-half dozen shipments for the IXL Creamery in the last year; that they rendered only once a week service between Colorado Springs and Burlington; that they

pick up milk and cream between Matheson, Colorado, and Colorado Springs, but this service did not conflict with the presently authorized authority or the extension asked for by the applicant.

V. H. Hurt, of Colorado Transportation, Inc., testified that the authority of the Wharton Truck Line was in the process of being transferred to his Company; that he appeared in protest for fear he might lose present or prospective business of the authority he was purchasing. Upon cross-examination, he testified that they were rendering only weekly service between Colorado Springs and Burlington, Colorado, and that he realized that such service would not meet the need of the IXL Creamery for daily emergency service.

From the testimony, it is evident to the Commission that the volume of business which the Wharton Truck Line (or Colorado Transportation, Inc.) could possibly lose by the granting of this extension could not possibly be of sufficient importance to in any way impair the efficiency of their service to the public and their present once a week schedule is certainly not designed to meet the needs of the IXL Creamery for emergency deliveries.

It does not appear that any common carrier would be adversely affected by the granting of the proposed extension.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require the granting of the extension requested by applicant, 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, call and demand, service of Wilbur C. Richardson, Burlington, Colorado, under PUC No. 2381, to include the right to transport, not on schedule, milk, cream, and eggs, together with dairy products and containers, from points along the routes hereinafter described to markets in Colorado Springs and Denver and a return haul of empty cans and containers

and rejected shipments of milk and cream, together with ice in block form, together with all IXL products on a call and demand basis, to the area, routes or points to be served as follows:

- A. Along U. S. Highway No. 36 from the Colorado-Kansas State Line on the east to the Town of Cope, Colorado, on the west with pick ups at Idalia, Kirk, Joes, and Cope, Colorado, and at all intervening points on U. S. Highway No. 36 between the Colorado-Kansas State Line on the east and the Town of Cope, Colorado, on the west.
- B. Along U. S. Highway No. 24 from the Colorado-Kansas State Line on the east to the Town of Genoa, Colorado, on the west with pick ups at Feconic, Burlington, Bethune, Stratton, Vona, Seibert, Flagler, Arriba, Bovina, and Genoa, Colorado, and at all intervening points on U. S. Highway No. 24 between the Colorado-Kansas State Line on the east and the Town of Genoa, Colorado, on the west.
- C. Along U. S. Highway No. 40 from the Colorado-Kansas State Line on the east to the Town of Hugo, Colorado, on the west with pick ups at Arapahoe, Cheyenne Wells, Firstview, Kit Carson, Wildhorse, and Hugo, Colorado, and at all intervening points on U. S. Highway No. 40 between the Colorado-Kansas State Line on the east and the Town of Hugo, Colorado, on the west.
- D. Along Colorado Highway No. 51 on the north to the Town of Idalia, Colorado, and on the south to the Town of Cheyenne Wells, Colorado, with pick ups at intervening points along this highway.
- E. Along Colorado Highway No. 57 from the Town of Kirk, Colorado, on the north, and U. S. Highway 40, on the south, with pick ups at intervening points along this highway.
- F. Along Colorado Highway No. 59 from the Town of Cope, Colorado, on the north to the Town of Kit Carson, Colorado, on the south with pick ups at intervening points along this highway.
- G. On the return haul to transport empty cans and containers and rejected shipments of milk and cream, together with processed dairy-products in containers, together with ice in block form, together with all products produced and sold by the IXL Creamery of Colorado Springs, Colorado, on a call and demand basis, along U. S. Highway No. 24, from the City of Colorado Springs, Colorado, to the junction of U. S. Highway No. 24 and U. S. Highway No. 40, at Limon, Colorado, serving intermediate points along that highway and to include the Towns of Peyton, Calhan, Ramah, Simla, Matheson, and Limon.
- H. On the return haul to transport empty cans and containers and rejected shipments of milk and cream, together with processed dairy products in containers, together with ice in block form and together with all products produced and sold by the IXL Creamery of

Colorado Springs, Colorado, on a call and demand basis along U. S. Highway No. 40 from the Town of Limon, Colorado, to the Colorado-Kansas State Line, serving intermediate points along that highway and including the Towns of Hugo, Kit Carson, Cheyenne Wells, Arapahoe and Weskin.

- I. On the return haul to transport empty cans and containers and rejected shipments of milk and cream, together with processed dairy products in containers, together with ice in block form, and together with all products produced and sold by the IXL Creamery of Colorado Springs, Colorado, on a call and demand basis along U. S. Highway No. 24 from the Town of Limon, Colorado, to the Colorado-Kansas State Line serving intermediate points along the highway to include Limon, Genoa, Bovina, Arriba, Flagler, Seibert, Vona, Stratton, Bethune, Burlington, and Peconic, along U. S. Highway No. 24,

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

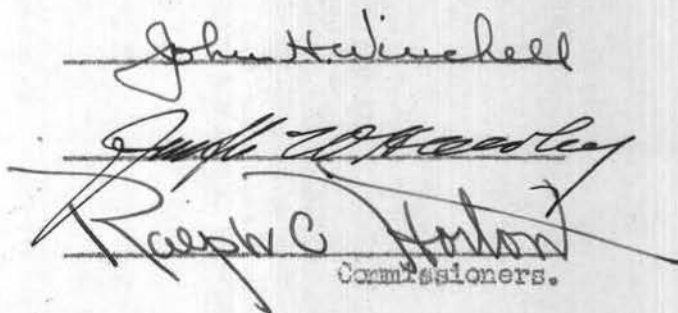
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

Dated at Denver, Colorado,
this 28th day of July, 1953.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
THE COUNTY OF PITKIN, STATE OF COLO-)	
RADO TO EXTEND A WAY AND CROSS THE)	<u>APPLICATION NO. 12391-Amended</u>
TRACKS OF THE DENVER AND RIO GRANDE)	
WESTERN RAILROAD IN TWO PLACES IN)	
THE COUNTY OF PITKIN.)	
-----)	

July 27, 1953

Appearances: Thatcher L. Shaw, Esq.,
Aspen, Colorado, for
the applicant;
H. M. Boyle, Esq., Denver,
Colorado, for The Denver &
Rio Grande Western Rail-
road Company;
J. M. McNulty, Denver, Colo-
rado, for the Commission.

S T A T E M E N T

By the Commission:

On May 27, 1953, the Board of County Commissioners of Pitkin County, by their Attorney, filed an application with this Commission, seeking authority to construct a public crossing over the tracks and right of way of The Denver & Rio Grande Western Railroad in Pitkin County near the City of Aspen, Colorado. On July 16, 1953, an Amended Application was filed by applicant, setting forth in more detail the situation as regards the crossing of the railroad tracks, as requested in its original application.

The matter was set for hearing on less than ten days notice, with the consent of all interested parties, on July 27, 1953, at ten o'clock A. M., in the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, and was there heard by the Commission, and taken under advisement.

Mr. Clarence Quam, one of the County Commissioners of Pitkin County, testified at the hearing that he was familiar with the application as filed with the Commission, and explained the necessity for this crossing.

According to his statement, the Aspen Consolidated School District No. 1 is planning an extension to the present school building. In order to make this extension, it will be necessary to close one of the streets within the city limits of Aspen in order to extend the school building. By closing the street in Aspen, several people will be deprived of a means of ingress and egress to their properties. In order to provide these people with a public road to and from their properties, it is necessary to construct a county road on the railroad right-of-way of the Denver & Rio Grande Western Railroad over the Wye tracks of said railroad, approximately 500 feet northwest of the depot at Aspen, in Pitkin County, Colorado.

Further evidence at the hearing revealed that there are two trains into and out of Aspen a week. Normally, there is a train in and out on Tuesday and again on Friday of each week except during the cattle shipping season when there can be additional trains. The Wye track over which the County wishes to construct the highway is normally used with each of these train movements to turn the engine around. The switching movement over this Wye is necessarily slow, and a member of the train crew is normally on the ground to throw the switches. The Wye is only large enough to turn the engine around so that it is the only unit that uses this facility. The visibility for a motorist going north on Mill Street who proposes to use this crossing is good, since he can see both of the proposed crossings over the Wye tracks without obstruction to his vision. A motorist approaching the crossing from Smuggler Street would have limited visibility until approximately 100 feet from the nearest Wye track, at which time his vision would be such as to show the complete situation. The limited visibility at Smuggler Street is offset by the fact that there is a curve in the road that will necessitate the slowing down by a motorist in the last 100 feet so that by the time he is able to see the complete crossing, his speed is such that he has ample time to take what precautionary measures needed to negotiate the crossing.

Introduced at the hearing as Exhibit No. 1 was a map showing in detail the location of the proposed road and the Wye track, together with other details in the area. Exhibits "2" and "3" introduced at the hearing were written consents by the adjacent property owners to the crossing, stating in effect that they have no objection to the construction of the crossing as proposed and that they had received a copy of the application.

The County proposes to construct an 18 to 20 foot wide graveled surface roadway, and the County will also maintain this roadway once it is constructed. It was agreed at the hearing by the County and Railroad that the Railroad would grant a right-of-way to the County for said road provided the Commission authorized the crossings. It was also agreed that if the authority requested herein were granted, that a copy of the agreement of right-of-way would be filed with the Commission. The railroad company will build the actual crossing over the tracks at both locations on the Wye with wood planking and make said planking of such width that it will extend one to two feet beyond the surfaced portion of the roadway. The railroad will also furnish and install two standard cross-bucks as protection for this crossing. The County has agreed to reimburse the railroad for its expenditures for all labor and materials used in this project. The railroad will maintain the planking over the crossing and the cross-bucks after the installation. The County will furnish and install suitable advance warning signs on the approaches to the crossing, and will maintain the advance warning signs. The standard cross-bucks to be furnished and the advanced warning signs shall be of the reflectorized type so that a motorist using these crossings at night will have ample warning of the location of the crossings.

Mr. Quam believed that the type of crossing protection to be provided; namely, standard cross-bucks and advance warning signs would provide ample protection for this crossing because of the limited number of train movements on the Wye and also because of the limited use of the proposed County Highway estimated by him to be approximately six to ten vehicles per day.

There was no objection at the hearing to the granting of this Application and the Attorney for the railroad had no objection, provided the County paid the full expenses of the crossing installation.

F I N D I N G S

THE COMMISSION FINDS:

That the public safety, convenience and necessity require the construction of a county road over and across the Wye tracks of the Denver & Rio Grande Railroad in Pitkin County adjacent to the City of Aspen.

O R D E R

THE COMMISSION ORDERS:

That the Board of County Commissioners of Pitkin County, Colorado, be, and they hereby are, granted a certificate of public convenience and necessity authorizing them to construct a county road crossing at grade over the Wye tracks and right-of-way of the Denver & Rio Grande Western Railroad in Pitkin County adjacent to the City of Aspen and as more fully shown in Exhibit No. "1" introduced at the hearing, said Exhibit being made a part hereof, by reference.

That the work to be done, method of payment and maintenance, shall be in accordance with the testimony given at the hearing on the instant application and as outlined in the preceding Statement, said Statement being made a part hereof, by reference.

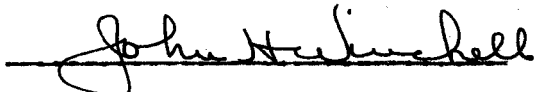
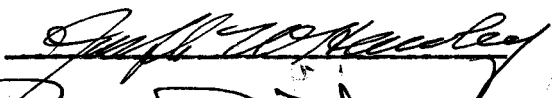
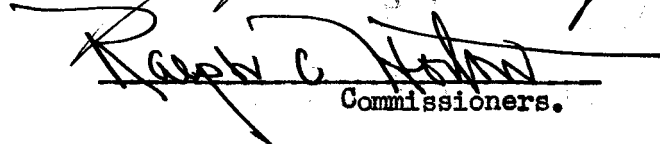
That the crossing shall be protected with reflectorized advance warning signs and reflectorized standard cross-bucks and said protection devices shall all be installed in conformance with the Bulletin of the Association of American Railroads' Joint Committee on Railroad Protection.

That the maintenance of the approaches to the crossing and the advance warning signs shall be by the County Commissioners.

That the maintenance of the cross-bucks and the planking over the crossing shall be by the Denver & Rio Grande Western Railroad.

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 27th day of July, 1953.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
HENRY BRICK, 1205 MAPLE AVENUE,)
ROCKY FORD, COLORADO.)

FUC NO. 2351-I

July 29, 1953

S T A T E M E N T

By the Commission:

On February 20, 1953, the Commission authorized Henry Brick, Rocky Ford, Colorado, to suspend operations under his Certificate of Public Convenience and Necessity No. 2351-I until August 11, 1953.

The Commission is now in receipt of a communication from the above-named certificate-holder requesting that his certificate 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 Certificate of Public Convenience and Necessity No. 2351-I should be, and the same hereby is, reinstated as of July 27, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln
Joseph W. Hawley
Ralph C. Hord

Commissioners.

Dated at Denver, Colorado,
this 29th day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
MARTIN M. OSLIE, 1218 N.)
PROSPECT ST., COLORADO SPRINGS,)
COLORADO.)

PERMIT NO. B-4046

July 29, 1953

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-4046 be suspended for six months from July 25, 1953.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Martin M. Oslie, Colorado Springs, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-4046 until January 25, 1954.

That unless said Martin M. Oslie, Colorado Springs, Colorado, 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

John H. Winchell
Ralph C. [unclear]
Ralph C. [unclear]
Commissioners.

Dated at Denver, Colorado,
this 29th day of July, 1953.

original

(Decision No. 41022)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE SUNDAY AND HOLIDAY BUS SERVICE)
IN WESTWOOD AND LAKEWOOD, COLORADO)
BY JULIUS BUSSARD.)

Investigation and Suspension
Docket No. 353

July 23, 1953

S T A T E M E N T

By the Commission:

By its time schedule No. 48, Julius Bussard, conducting bus service in Englewood, Fort Logan, Lakewood and Westwood, Colorado, proposes, effective July 31, 1953 to discontinue Sunday and Holiday bus service in Lakewood and Westwood, Colorado.

On July 15, 1953 and July 23, 1953, respectively, the Commission received complaints from the Lakewood Chamber of Commerce, Lakewood, Colorado and the Jefferson Record, Lakewood, Colorado, relative to the proposed discontinuance of service.

F I N D I N G S

THE COMMISSION FINDS:

That, the schedule containing the proposed discontinuance of Sunday and holiday service in Lakewood and Westwood, Colorado, should be suspended and that it should enter upon a hearing concerning the lawfulness of said discontinuance.

O R D E R

THE COMMISSION ORDERS: That -

1 - It shall enter upon a hearing concerning the lawfulness of the discontinuance of Sunday and holiday bus service in Westwood and Lakewood, Colorado, as set forth in the Julius Bussard time schedule No. 48.

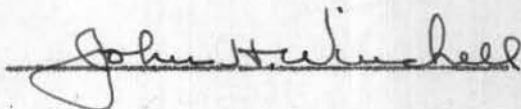
2 - That the operation of the said schedule be suspended and that the use of the regulations and practices therein stated be deferred 120 days or until

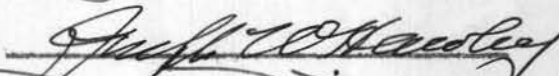
the 28th day of November, 1953 unless otherwise ordered by the Commission and no change shall be made in such regulations and practices during the said period of suspension.

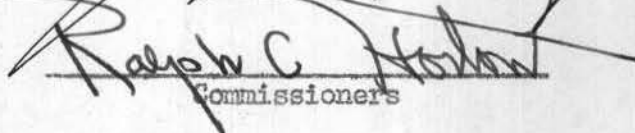
3 - That a copy of this order be filed with said schedule in the office of the Commission and that copies hereof be forthwith served upon Julius Bussard, 3395 South Lincoln Street, Englewood, Colorado, the Lakewood Chamber of Commerce, P.O. Box 7483, Lakewood, Colorado, and the Jefferson Record, 1555 Wadsworth, Lakewood, Colorado.

4 - This proceeding be assigned for hearing at a future date to be determined by the Commission and that notice of such date and place of hearing be given all interested parties.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado
this 28th day of July, 1953.

hs

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WILL & GERTIE DAVIS, 40 KALAMATH,)
DENVER 19, COLORADO.)
)
)
)
-----)

PERMIT NO. C-30701

July 31, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Will & Gertie Davis

requesting that Permit No. C-30701 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30701, heretofore issued to _____

Will & Gertie Davis be,

and the same is hereby, declared cancelled effective July 13, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 31st day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JUSTIN L. CHAPPELL, BOX 872,)
GUNNISON, COLORADO.)
)
)
)
-----)

PERMIT NO. C-30887

July 31, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Justin L. Chappell

requesting that Permit No. C-30887 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30887, heretofore issued to _____
Justin L. Chappell be,

and the same is hereby, declared cancelled effective July 24, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John W. Mitchell
Joseph W. Hawley
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 31st day of July, 1953.

als

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT C. VAN MATRE, 6441 NEWPORT,)
DERBY, COLORADO.)

PERMIT NO. C-30154

July 31, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Robert C. Van Matre

requesting that Permit No. C-30154 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30154, heretofore issued to _____

Robert C. Van Matre be,

and the same is hereby, declared cancelled effective July 24, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln
Joseph W. Havelock
Ralph C. Gordon

Commissioners

Dated at Denver, Colorado,

this 31st day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
BRADY MILLS, INC., P. O. BOX 1111,)
BRADY, TEXAS.)

PERMIT NO. G-29645

July 31, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Brady Mills, Inc.

requesting that Permit No. G-29645 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. G-29645, heretofore issued to _____

Brady Mills, Inc. be,

and the same is hereby, declared cancelled effective July 7, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 31st day of July, 1953.

ms

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HARLAND J. TAYLOR, 1012 BROADWAY,)
GOODLAND, KANSAS.)
)
)
)

PERMIT NO. C-23663

July 31, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Harland J. Taylor

requesting that Permit No. C-23663 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-23663, heretofore issued to _____

Harland J. Taylor

be,

and the same is hereby, declared cancelled effective July 1, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Ralph C. Horton
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 31st day of July, 1953.

als

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
F. R. LUJAN, ROUTE 3, GRAND JUNCTION,)
COLORADO.)

PERMIT NO. C-7897

July 31, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

F. R. Lujan

requesting that Permit No. C-7897 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-7897, heretofore issued to _____

F. R. Lujan

be,

and the same is hereby, declared cancelled effective July 23, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Ralph C. Boston
Commissioners

Dated at Denver, Colorado,

this 31st day of July, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
M. SMOOKLER, 1607 FEDERAL BLVD.,)
DENVER 4, COLORADO.)

PUC NO. 1768-I

July 31, 1953

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. 1768-I be suspended for six months from June 30, 1953.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That M. Smookler, Denver, Colorado, be, and he is hereby, authorized to suspend his operations under PUC No. 1768-I until December 30, 1953.

That unless said M. Smookler, Denver, Colorado, 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

John H. ...
...
...
Commissioners.

Dated at Denver, Colorado,
this 31st day of July, 1953.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE CHANGES IN RATES ON PETROLEUM
AND PETROLEUM PRODUCTS, CARLOADS IN
TANK CARS, FROM DENVER AND DUPONT,
COLORADO, ON THE LINES OF THE
ATCHISON, TOPEKA AND SANTA FE RY.
CO, CHICAGO, BURLINGTON & QUINCY
R.R. CO., CHICAGO, ROCK ISLAND AND
PACIFIC R.R. CO., THE COLORADO &
SOUTHERN RY. CO., THE COLORADO &
WYOMING RY. CO., THE DENVER AND
RIO GRANDE WESTERN R.R. CO., THE
GREAT WESTERN RY. CO., UNION PAC-
IFIC R.R. CO., AND AGENT L. E. KIPP,
AS PUBLISHED IN WESTERN STATES
FREIGHT TARIFF NO. 12, AGENT W. J.
CHRISTIE'S COLO. P.U.C. NO. 37,
CHICAGO, BURLINGTON & QUINCY R.R.
CO'S FREIGHT TARIFF NO. 10799-Q,
COLO. P.U.C. NO. 666, THE DENVER
AND RIO GRANDE WESTERN R.R. CO'S
FREIGHT TARIFF NO. 5909-J, COLO.
P.U.C. NO. 462, AND WESTERN TRUNK
LINE'S FREIGHT TARIFF NO. 407-B, AGENT
L. E. KIPP'S COLO. P.U.C. NO. 334

Investigation and Suspension
Dockets Nos. 316 and 318

July 29, 1953

- Appearances: James A. Gillen, Commerce Attorney, C.B. & Q. R.R. Co., 547 West Jackson Boulevard, Chicago 6, Ill.
- H. M. Boyle, Attorney, The D. & R.G.W. R.R. Co., 1531 Stout St., Denver 1, Colorado., appearing for respondents.
- Muel D. Belnap, Attorney at Law, 2106 Field Building, Chicago 3, Illinois, appearing for protestants.
- C. Austin Sutherland, Secretary, National Tank Truck Carriers, Inc., 1424 Sixteenth St., N.W., Washington 6, D.C. appearing for National Tank Truck Carriers, Inc., protestant.
- Albert L. Vogl, Attorney at Law, 709 Kittredge Building, Denver 2, Colorado, appearing for R. B. (Dick) Wilson, and Colorado protestants.
- H. W. Prickett, Transportation Consultant, 323 Beneficial Life Building, Salt Lake City 1, Utah, and
- S. J. Gardner, Traffic Manager, Husky Oil Company, P.O. Box 380, Cody, Wyo., both appearing for Husky Oil Company.
- C. A. Grant, Transportation Consultant, 937 Equitable Building, Denver, Colorado, appearing for Empire State Oil Company and Empire Petroleum Company.
- D. G. Gilman, Asst. Traffic Manager, Continental Oil Co., Ponca City, Oklahoma, and
- J. A. Brusio, Regional Transportation Representative, Continental Oil Co., Denver, Colorado, both appearing for Continental Oil Co.

Ralph Sargent, Jr., Attorney, and
Thomas S. Wood, Rate Expert, 318 State Office Bldg.,
Denver 2, Colo., appearing for The Public Utilities
Commission of the State of Colorado.

S T A T E M E N T

BY THE COMMISSION:

By schedules filed to become effective October 1, 1950 and October 25, 1950, the Class I rail carriers (including The Great Western Ry. Co.), operating in Colorado (except Missouri Pacific R.R. Co.), proposed to reduce the rates on gasoline and light oils, in tank-car loads, from Denver and Dupont, Colorado, to destinations on The Atchison Topeka and Santa Fe Railway south of Denver to and including Pueblo, Colo.; to all stations in Colorado on the Chicago Burlington & Quincy Railroad Company; to all stations in Colorado on the Chicago Rock Island and Pacific Railway Company; to all stations in Colorado on The Colorado and Southern Railway Company; to Minnequa, Colo., on The Colorado & Wyoming Railway Company; on the Denver and Rio Grande Western Railroad Company, south of Denver to and including Trinidad and Jansen, Colo.; to Mead and Johnstown on the Great Western Ry. Co.; and to all stations in Colorado on the Union Pacific Railroad Company.

Similar schedules were also filed with the Interstate Commerce Commission on interstate traffic from Wyoming and Colorado to Wyoming, Colorado, western South Dakota, Nebraska and Kansas. Also with the Public Service Commission of Wyoming on Wyoming intrastate traffic. Upon protest of for-hire tank-truck carriers, the operation of the proposed schedules was suspended by this Commission on Colorado intrastate traffic; by the Interstate Commerce Commission on interstate traffic and by the Wyoming Commission on Wyoming intrastate traffic.

The interstate case was docketed as I & S No. 5853, and the Wyoming case as I & S No. R-1.

The proceedings were assigned for hearing by this Commission and the Interstate Commerce Commission in Denver, Colorado, in the hearing room of this Commission, 330 State Office Building, on November 19, 1951, under the cooperative plan. A separate and further hearing was held before the Wyoming Commission. At the Denver hearing Mr. Albert O'Neil, of the Wyoming Public Service Commission sat with this Commission and the I.C.C. examiner in an advisory capacity.

By voluntary action of the rail carriers, the effective date of the proposed schedules has been further postponed pending the decision in these proceedings.

On June 30, 1953, Division 2, of the Interstate Commerce Commission, issued its majority report and order in its I & S Docket No. 5353, wherein it expressed the opinion that the rail rates on the traffic involved, for short-line distances under 75 miles should be no lower than the corresponding rates of the tank-truck carriers, and that for the longer hauls, their rates should in no instance be lower than 1.5 cents under the prevailing tank-truck rates from and to the same points.

The record herein shows that, during World War II the Director of the Office of Defense Transportation issued a general order effective May 4, 1942, which prohibited the use of tank cars for hauls of 100 miles or less.

That order remained in effect until October, 1942, when it was amended further by restricting the use of tank cars for hauls of 200 miles or less. Later, this order was amended by restoring the limitation to hauls of 100 miles. On August 15, 1945, all such restrictions were removed.

The respondents' traffic witnesses testified in substance, that the general basis of the proposed rates is 1 1/2 cents per 100 pounds lower than the prevailing truck rates; that they were designed for the purpose of retaining petroleum traffic now being transported by respondent carriers and to restore to such carriers traffic formerly handled by them which has, during recent years, been diverted to other forms of transportation. It is the respondents' considered judgment that these rates are necessary to accomplish the purpose intended.

By schedules filed to become effective June 10, 1949, the rail carriers proposed rates, generally 1/2 to 1 cent per 100 pounds lower than the currently motor carrier rates, from Denver and Dupont, Colorado, to destinations in Colorado on the C.B. & Q., Colo. & Sou., C.R.I. & P, D & RGW, Gt West., Un Pac., and some points on the A.T. & S.F., all located on or east of the Colorado common point territory.

The proposed schedules were, upon a request of the motor carriers, suspended by this Commission and assigned docket number I & S 292. On October 6, 1949, this Commission found the proposed rates justified and vacated its suspension order.

Following the disposition of I & S 292, the motor carriers petitioned this Commission for authority to publish rates which were on approximately the same level as the rail rates found reasonable in I & S 292. By its order dated October 13, 1949, Decision No. 33599, Case No. 1585, the Commission prescribed the requested motor rates. These rates became effective on October 20, 1949.

On October 20, 1949, Decision No. 33632, Case No. 5007, this Commission instituted, on its own motion, an investigation of the reasonableness of the then present rail and motor rates on petroleum and petroleum products in tank trucks from Denver, Dupont and La Junta, to points of destination located in the so-called plains territory on intrastate traffic in Colorado, and an investigation as to the advisability or necessity of establishing a relationship between rail and motor carrier rates on such traffic.

No further action has been taken by this Commission in Case No. 5007. In other words, this case is still pending on the docket of the Commission.

In the present proceedings, the respondents contend that a parity of rates, truck versus rail, will not permit the rail carrier to meet the competition of the truck lines because the truck carriers perform services which the rail carrier cannot perform and because there are certain elements of transportation costs involved in rail transportation which are not present in truck transportation. For example, the unloading cost, tank-car versus tank-truck; the cost by the shipper of tank car rentals from the owner of the tank cars, which cost is not present in truck transportation; also the element of time.

On the other hand, the motor carriers contend that the so-called advantages of tank-truck transportation is off-set by numerous advantages of rail transportation, viz: Heavier loadings; Free unloading time before demurrage accrues; attractive leases of railroad right of way for the location of

bulk plants; Larger consumers of petroleum products than the tank truck industry, and Uniform tariffs and interchange of tank-carload shipments.

All the motor carriers' witnesses testified that a tank truck carrier cannot participate in the traffic at rates that are higher than rail by any amount.

Witness D. S. Eno, Traffic Manager, R. B. "Dick" Wilson, stated in his testimony that his estimated average haul intrastate in Colorado involved in this proceeding would be about 75 miles; that his company has lost money on hauls over 75 miles; that it was his feeling that 75 miles was about the breaking point on a profitable and an unprofitable operation.

Witness H. B. Ward, owner and operator Ward Transport Service, testified that he operates in Texas, Oklahoma, Kansas, Colorado and New Mexico; that about 35 per cent of his total business was in the territory involved in this proceeding, mostly intrastate in Colorado, a very small per cent between Colorado and Kansas; that his average haul in the involved territory in Colorado was between 100 and 125 miles.

Witness Grant Landreth, Terminal Manager, Groendyke Transport Corporation, testified that his corporation operates a tank-truck carrier service in Colorado, Oklahoma, Kansas, New Mexico and Texas; that about 10 per cent of its total business is Colorado intrastate traffic; that its Colorado business amounts to about \$150,000 gross annually; that the average haul intrastate in Colorado is between 75 and 100 miles.

Witness Frank C. Klein testified that he operates out of Denver, Colorado and Sinclair, Wyoming; 25 per cent of his business is from Sinclair, Wyoming, into western Colorado, 25 per cent from Denver to western Colorado and 50 per cent from Denver to destinations in Colorado involved in this proceeding; that for the year ending October 1, 1950, his gross revenue amounted to \$83,000; that he had no report for the year ending October 1, 1951.

Witness W. E. Scott testified that his operations were from Denver, Dupont and La Junta, Colorado; that his gross revenue per year was about \$120,000; that 90 per cent of his business was involved in this proceeding and 10 per cent to western Colorado.

Witness Harland R. Kendall of the Kendall Transport, testified that his operation was entirely intrastate in Colorado; that his gross annual revenues were approximately \$200,000; that about 20 per cent of his total business was not involved in this proceeding; that his average haul intrastate in plains territory in Colorado was about 75 to 80 miles.

A digest of comparisons showing the relation between protestants average revenue at present rates and average tank truck cost in cents per 100 pounds, as shown in protestants' brief for Colorado is as follows:

<u>Mileage Block</u>	<u>Cost</u>	<u>Revenue</u>	<u>Operating Ratio</u>
0 - 24	4.4	6.6	67
25 - 49	6.2	9.2	68
50 - 74	10.0	9.7	103
75 - 99	12.2	10.5	116
100 - 149	17.3	13.7	126
150 - 199	21.9	17.3	127
<u>Total</u>	<u>13.7</u>	<u>11.9</u>	<u>115</u>

From this table it will be observed that beginning with the 50 - 74 miles block, the costs are in excess of the revenues under the present truck rates. In other words, on the basis of the study conducted by the tank-truck carriers, their costs exceed their revenues somewhere between 50 and 74 miles.

As stated in the report of the Interstate Commerce Commission: "The record clearly shows that under an equal basis of rates in this territory, the tank trucks have gradually taken over the movements, in Colorado; for example, up to 92.5 per cent of the total traffic."

In exhibit No. 9, respondents have shown from Denver and Dupont, Colorado, to 14 destinations in Colorado, which they contend are representative of the entire adjustment.

The mathematical average distance to the Colorado destinations shown in this exhibit (No. 9) from Denver and Dupont, is 116 miles, the average present and proposed rates (in cents per 100 pounds) is 13.14 and 11.93, respectively, the revenue per car mile and per ton mile under the proposed rates on an average tank car load of 52,000 pounds is 60.6 and 2.33 cents, respectively.

For the year 1952, the mathematical average distance on all revenue freight on Colorado intrastate traffic for account of the C. B. & Q., C.R.I. & P., Colo. & Sou., D & R.G.W., and Un. Pac. was 155 miles; the average revenue

per loaded car-mile was 38.88 cents and the average revenue per ton-mile was 12.76 mills.

While these comparisons do not prove the justness, reasonableness, or compensatory nature of the proposed rail rates, they do have an indication that they at least cover more than the out-of-pocket cost of performing the service, especially for the average haul of 116 miles.

Again quoting from the report of the Interstate Commerce Commission, viz: "There is no evidence before us that respondents could operate under the proposed rates for the shorter hauls without casting a burden upon other traffic." On the basis of the evidence of the protestants as hereinbefore set forth in this statement, we are in accord with the majority opinion of the Interstate Commerce Commission that the respondents' rates for short-rail distances under 75 miles should be no lower than the corresponding rates of the tank-truck carriers, and that for hauls 75 miles and longer, their rates should in no instance be lower than 1.5 cents under the prevailing tank-truck rates from and to the same points. In arriving at the shortline rail distance, an average distance from Denver and Dupont to the destinations involved herein should be used.

F I N D I N G S

THE COMMISSION FINDS:

That, the proposed rates have not been justified as being just and reasonable. An order will be entered requiring the cancellation of the proposed schedules and discontinuing the proceeding, without prejudice to the establishment of rates in conformity with the views expressed herein.

O R D E R

THE COMMISSION ORDERS, That:

- 1 - This order shall become effective forthwith.
- 2 - The statement and findings be and they are hereby made a part hereof.

3 - The respondents herein be, and they are hereby, notified and required to cancel the proposed schedules, on or before August 7, 1953, upon notice to this Commission and to the general public by not less than one day's filing and posting in the manner prescribed by law and the rules and regulations of the Commission, and that this proceeding be discontinued.



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Hinchel

Joseph C. Bradley

Ralph C. Johnson
Commissioners

Dated at Denver, Colorado
this 29th day of July, 1953.

hs

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CLEO STILES, DOING BUSINESS AS)
"A. C. CLARK TRUCKING CO.,")
P. O. BOX 174, TULSA, OKLAHOMA.)

PUC NO. 1905-I

July 31, 1953

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Cleo Stiles, doing business as "A. C. Clark Trucking Co.," Tulsa, Oklahoma, requesting that Certificate of Public Convenience and Necessity No. 1905-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. 1905-I, heretofore issued to Cleo Stiles, doing business as "A. C. Clark Trucking Co.," Tulsa, Oklahoma, be, and the same is hereby, declared cancelled effective October 25, 1951.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Mitchell

Joseph W. Hensley

Raymond C. Johnson
Commissioners.

Dated at Denver, Colorado,
this 31st day of July, 1953.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PUBLIC CAB COMPANY, A CORPORATION,)
1265 ACOMA STREET, DENVER, COLORADO,)
FOR AN EXTENSION OF OPERATING RIGHTS)
UNDER PUC NO. 1223.)

APPLICATION NO. 12444-Extension

IN THE MATTER OF THE APPLICATION OF)
THE ENGLEWOOD CORPORATION, A COR-)
PORATION, 709 EQUITABLE BUILDING,)
DENVER, COLORADO, FOR AN EXTENSION)
OF OPERATING RIGHTS UNDER PUC NO.)
2450.)

APPLICATION NO. 12445-Extension

IN THE MATTER OF THE APPLICATION OF)
JOE BENOY, DOING BUSINESS AS "JOE'S)
CAB," 1265 ACOMA STREET, DENVER,)
COLORADO, FOR AN EXTENSION OF OP-)
ERATING RIGHTS UNDER PUC NO. 1374.)

APPLICATION NO. 12446-Extension

IN THE MATTER OF THE APPLICATION OF)
CHECKER CAB, INC., 745 WEST 31ST)
AVENUE, DENVER, COLORADO, FOR AN)
EXTENSION OF OPERATING RIGHTS UNDER)
PUC NO. 2378.)

APPLICATION NO. 12469-Extension

IN THE MATTER OF THE APPLICATION OF)
IDA LEWIS, DOING BUSINESS AS "RITZ)
CAB CO.," 2700 WELTON STREET, DEN-)
VER, COLORADO, FOR AUTHORITY TO EX-)
TEND OPERATIONS UNDER PUC NO. 1481.)

APPLICATION NO. 12470-Extension

IN THE MATTER OF THE APPLICATION OF)
YELLOW CAB, INC., 938 EQUITABLE)
BUILDING, DENVER, COLORADO, FOR AN)
EXTENSION OF OPERATING RIGHTS UNDER)
PUC NO. 2204.)

APPLICATION NO. 12471-Extension

IN THE MATTER OF THE APPLICATION OF)
M. P. MASTERSON, DOING BUSINESS AS)
"MASTERSON AUTO SERVICE," 400 SOUTH)
SHEWMAN STREET, DENVER, COLORADO,)
FOR AN EXTENSION OF OPERATING)
RIGHTS UNDER PUC NO. 82.)

APPLICATION NO. 12472-Extension

IN THE MATTER OF THE APPLICATION OF)
CABS, INC., DOING BUSINESS AS)
"DOLLAR CAB LINE," OPERATING ZONE)
CAB CO., 2352 LAFAYETTE STREET,)
DENVER, COLORADO, FOR AUTHORITY TO)
EXTEND OPERATIONS UNDER PUC NO. 1221.)

APPLICATION NO. 12485-Extension

July 28, 1953

Appearances: Nathan R. Kobey, Esq., Denver, Colorado, and Robert S. Mitchell, Esq., Denver, Colorado, for Publix Cab Company, The Englewood Corporation, Joe Benov, doing business as "Joe's Cab;" John R. Barry, Esq., Denver, Colorado, for Checker Cab, Inc., Yellow Cab, Inc.; Walter M. Simon, Esq., Denver, Colorado, for Yellow Cab, Inc., Checker Cab, Inc.; W. T. Lewis, Denver, Colorado, for Ritz Cab Company; John F. Mueller, Esq., Denver, Colorado, for Cabs, Inc., Ritz Cab Company; Thomas B. Masterson, Esq., Denver, Colorado, for Masterson Auto Service; A. K. Holmes, Denver, Colorado, for Colorado Transportation Company; Belmont Wilkins, Denver, Colorado, and Edward O. Geer, Denver, Colorado, for City and County of Denver; John C. Banks, Esq., Denver, Colorado, and Malcolm D. Crawford, Esq., Denver, Colorado, for City and County of Denver; Joseph G. Hodges, Esq., Denver, Colorado, for Colorado Sight-seeing Ass'n.; Roy O. Goldin, Esq., Denver, Colorado, for Teamsters Local 4775; Merle R. Knous, Esq., Denver, Colorado, and Raymond B. Danks, Esq., Denver, Colorado, for The Denver Tramway Corporation; M. O. Shivers, Jr., Esq., Englewood, Colorado, for City of Englewood, Colorado; William T. Secor, Esq., Denver, Colorado, T. S. Wood, Denver, Colorado, and William Brayden, Denver, Colorado, for The Public Utilities Commission of the State of Colorado.

S T A T E M E N T

By the Commission:

By the instant applications, each of the applicants named in

the above and foregoing captions has filed application for an order extending authority under their respective certificates of public convenience and necessity heretofore issued by this Commission, to include the transportation of passengers and their personal baggage, upon call and demand, from point to point within the geographical limits of the City and County of Denver, State of Colorado.

Each of the above-entitled applications was set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, July 28, 1953, at ten o'clock A. M., were there heard on a consolidated record, by agreement of all interested parties, and, at the conclusion of the evidence, the matters were taken under advisement.

Belmont Wilkins, Supervisor of the Excise and License Bureau of the City and County of Denver, testified that he was the legal custodian of the records of licenses issued by the City and County of Denver to the various taxicab companies operating in said City, and that on June 16, 1953, the following-named taxicab companies were duly licensed by said City, and each had been carrying on a taxicab transportation business on and before said date in said City, with the total number of taxicabs licensed by each of said companies to be in service at any one time being as follows:

Public Cab Company	71
The Englewood Corporation.	18
Joe Benov, dba "Joe's Cab"	none
Checker Cab, Inc.	24
Ida Lewis, dba "Ritz Cab Co."	19
Yellow Cab, Inc.	100
M. P. Masterson, dba "Masterson Auto Service"	1
Cabs, Inc., dba "Dollar Cab Line," operating Zone Cab Co.	41

At a Special Election of the electors of the City and County of Denver, held on June 16, 1953, all power to regulate the facilities, services, and rates and charges of every privately-owned public utility which operates taxis in the City and County of Denver was vested in the State Public Utilities Commission.

Under the decisions of the Interstate Commerce Commission, so-called "Grandfather Rights" were recognized in the case of common carriers which had been lawfully operating prior to the date that jurisdiction over their operations was granted to the Commission, and certificates of public

convenience and necessity issued to such carriers upon request.

Under the same theory, in view of the fact that each and all of the above-named applicants -- with the exception of Joe Benov, doing business as "Joe's Cab" (which the evidence shows was not operating in the City and County of Denver on the date mentioned) -- have been operating within the City of Denver for several years prior to the delegation to this Commission of jurisdiction over their operations by the voters at the Special Election on June 16, 1953, the Commission is of the opinion that proof of such operations is sufficient proof of public convenience and necessity for the service of each of said applicants, with the exception of said Joe's Cab, and the extension of the certificates of each and all of the other applicants, as prayed for.

In view of the fact that this Commission has not yet entered into a general investigation of the taxicab business in the City and County of Denver, or conducted hearings on the rates and services of the various applicants, each of said applicants should be limited to the operation of the maximum number of cabs which it was authorized to use on June 16, 1953, as above stated, until further order of this Commission.

There being no testimony offered in support of Application No. 12446 of Joe Benov, doing business as "Joe's Cab," the same should be denied.

An interim fare should be charged for intra-city transportation, and should be fixed by the Commission, pending further order.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement should be made a part hereof, by reference.

That this Commission has jurisdiction over the instant applications and the subject matter thereof.

That the certificates of public convenience and necessity heretofore issued by the Commission to each and all of the above-named applicants -- with the exception of Joe Benov, doing business as "Joe's Cab," -- should be extended, as requested.

That the application of Joe Benov, doing business as "Joe's Cab,"

for extension of PUC No. 1374 should be denied.

That in the Order granting the extensions referred to, there should be incorporated a provision that each of the above certificates extended should be limited to a maximum number of cabs in operation at any one time to the number which were licensed for operation by the City and County of Denver on June 16, 1953, to the respective applicants, until further order of the Commission.

That said Order should also contain a further proviso fixing an interim fare to be charged for intra-city operations of the applicants, until further order of the Commission.

O R D E R

THE COMMISSION ORDERS:

That Application No. 12446, of Joe Benov, doing business as "Joe's Cab," Denver, Colorado, for extension of his authority under PUC No. 1374 should be, and the same is hereby, denied.

That public convenience and necessity require that Certificate of Public Convenience and Necessity No. 1223, of Public Cab Company, a corporation, Denver, Colorado, should be extended to include the right to transport passengers and their personal baggage, upon call and demand, from point to point within the geographical limits of the City and County of Denver, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That public convenience and necessity require that Certificate of Public Convenience and Necessity No. 2450, of The Englewood Corporation, a corporation, Denver, Colorado, should be extended to include the right to transport passengers and their personal baggage, upon call and demand, from point to point within the geographical limits of the City and County of Denver, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That public convenience and necessity require that Certificate of Public Convenience and Necessity No. 2378, of Checker Cab, Inc., Denver, Colorado, should be extended to include the right to transport passengers and their personal baggage, upon call and demand, from point to point within

the geographical limits of the City and County of Denver, State of Colorado, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That public convenience and necessity require that Certificate of Public Convenience and Necessity No. 1481, of Ida Lewis, doing business as "Ritz Cab Co.," Denver, Colorado, should be extended to include the right to transport passengers and their personal baggage, upon call and demand, from point to point within the geographical limits of the City and County of Denver, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That public convenience and necessity require that Certificate of Public Convenience and Necessity No. 2204, of Yellow Cab, Inc., Denver, Colorado, should be extended to include the right to transport passengers and their personal baggage, upon call and demand, from point to point within the geographical limits of the City and County of Denver, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That public convenience and necessity require that Certificate of Public Convenience and Necessity No. 82, of M. P. Masterson, doing business as "Masterson Auto Service," Denver, Colorado, should be extended to include the right to transport passengers and their personal baggage, upon call and demand, from point to point within the geographical limits of the City and County of Denver, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That public convenience and necessity require that Certificate of Public Convenience and Necessity No. 1221, of Cabs, Inc., doing business as "Dollar Cab Line," operating Zone Cab Co., Denver, Colorado, should be extended to include the right to transport passengers and their personal baggage, upon call and demand, from point to point within the geographical limits of the City and County of Denver, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public

convenience and necessity therefor.

That each of the above certificates extended shall be limited to the operation of the maximum number of cabs at any one time to the number which were authorized to be operated by the respective certificate-holders on June 16, 1953.

That the interim fare to be charged for intra-city transportation rendered between points within the limits of the City and County of Denver, State of Colorado, shall be the fare which was in effect by meter settings on June 16, 1953, and this fare shall prevail until further order of the Commission.

That applicants shall file tariffs of rates, rules, and regulations, as required by the rules and regulations of this Commission, within twenty (20) days from date.

That applicants shall operate their carrier systems in accordance with the Order of the Commission, except when prevented by Act of God, the public enemy, or extreme conditions.

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 as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winkler

Joseph W. Hawley

Ralph C. Holton
Commissioners.

Dated at Denver, Colorado,
this 28th day of July, 1953.
mls

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 FOR PERMISSION TO)
CLOSE STATION AT LARKSPUR, DOUGLAS)
COUNTY, COLORADO, AS AN AGENCY)
STATION.)

APPLICATION NO. 12439

At a General Session of The Public
Utilities Commission of the State
of Colorado, held at its offices in
Denver, Colorado, July 30, 1953.

INVESTIGATION AND SUSPENSION DOCKET NO. 352

July 30, 1953

S T A T E M E N T

By the Commission:

Pursuant to Rule No. 6 of this Commission's Rules and Regulations pertaining to railroads and express companies operating in the State of Colorado, and on June 30, 1953, the Atchison, Topeka and Santa Fe Railway Company, by its attorneys, did file its petition requesting authority to close its agency station at Larkspur, Douglas County, Colorado, effective with the close of business on July 31, 1953, and to thereafter discontinue the maintenance of customary agency services, with future business to be handled on the basis of a prepay station.

It appears that Larkspur, population 150, is located on the applicant's main line of railroad between Denver and Colorado Springs, being some 10.3 miles south of Castle Rock and 8.6 miles north of Palmer Lake, Colorado.

It is the applicant's contention that revenues received from operation of the station are grossly inadequate to take care of the actual cost of maintaining this station. It is cited that in the interval of two years and four months, extending from January 1, 1952 to April 30, 1953, the total freight and passenger revenues of the station were \$469.00. Expense of operation and maintenance of the agency station was \$9,559.75 in the same period.

Regarding the current business of the station: passenger ticket sales have been negligible; small freight shipments are now handled by Trailways truck service with storage in the railway station freight-house; Western Union service and handling of Railway Express business is by the present agent. The Agent also handles carload billing of the Tomah siding, some 5.3 miles northerly, in addition to receiving and dispatching train orders for movements of Santa Fe, Rio Grande & Southern and Missouri Pacific trains between Larkspur and the agency station at Palmer Lake.

If the station is closed, it is proposed that the existing stockyard facilities will remain at Larkspur, that carload billing will be handled at Palmer Lake and incoming shipments would be sent with freight prepaid.

By the posting of appropriate notice at its station, in accordance with the Commission's rule herein, the intention of applicant became known to interested parties and the Commission has received a protest petition bearing some forty signatures. With the closing of the station, it is generally contended that residents of Douglas County would be deprived of the services of the only Santa Fe Station now existing in the County and that no facilities would be available for receipt or transmission of Western Union messages.

It appears further that no provisions have been indicated for handling of express shipments, nor is it indicated how train orders for the other railroads will be handled.

In view of the general public opposition to the proposed change in service, and to prevent any avoidable injurious effect upon the rights and interests of this area and the parties involved, it, therefore, appears necessary for the benefit of the public interest herein to suspend the effective date of the proposed changes so that a full and complete understanding of the situation may be properly determined.

The application and file in this matter will, therefore, be transferred to Investigation and Suspension Docket No. 352 on the Commission's docket.

FINDINGS

THE COMMISSION FINDS:

That the application of the Atchison, Topeka and Santa Fe Railway Company to close its agency station at Larkspur, Colorado, and to thereafter maintain same as a non-agency prepay station, should be suspended, and an investigation had in the matter.

ORDER

THE COMMISSION ORDERS:

That the effective date of the agency closing at Larkspur, Colorado, by the Atchison, Topeka and Santa Fe Railway Company, be, and it hereby is, suspended for a period of one hundred-twenty (120) days from July 31, 1953, or until November 28, 1953, unless otherwise ordered.

That the matter of the proposed agency removal by the Atchison, Topeka and Santa Fe Railway Company be made a subject of investigation by this Commission within said period of suspension, or within such further time as the same may be lawfully suspended, and that Application No. 12439, originally assigned to the instant proceedings, be, and hereby is closed, and all records and files of said application be transferred to Investigation and Suspension Docket No. 352.

That a copy of this order be filed with Application No. 12439 and with Investigation and Suspension Docket No. 352, and copies served on Grant, Shafroth & Toll, 730 Equitable Building, Denver 2, Colorado, Attorneys for the Atchison, Topeka and Santa Fe Railway Company and to Mrs. Mary Lou Nava, Larkspur, Colorado, for protestants herein.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Wheeler

~~Joseph C. Hawley~~

Harold C. Holden
Commissioners.

Dated at Denver, Colorado,
this 30th day of July, 1953.
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
 EDWARD D. MARTIN, MAXINE V. MARTIN,)
 P. O. BOX 121, LA SALLE, COLORADO,)
 ALEXANDER NAEB, 509 SOUTH 4TH AVE.,)
 BRIGHTON, COLORADO, FRED REIN, JR.,)
 4401 VINE STREET, DENVER, COLORADO,)
 EDNA B. LEIST AND WILLIAM R. LEIST,)
 ROUTE 2, BOX 360, BOULDER, COLORADO,)
 L. C. AUSTIN, P. O. BOX 32, BOULDER,)
 COLORADO, ALEX LAUBHAN, JR., AND)
 FRED A. LAUBHAN, BRIGHTON, COLORADO,)
 DONALD G. CAMERON AND CHARLES M.)
 CAMERON, 233 KENT STREET, LONGMONT,)
 COLORADO, LAWRENCE HENKEL, 628)
 STRONG STREET, BRIGHTON, COLORADO,)
 MARY ELLA LANG, LONGMONT, COLORADO,)
 AND W. L. LANG, ROUTE 4, LONGMONT,)
 COLORADO, FOR AUTHORITY TO TRANSFER)
 OPERATING RIGHTS AUTHORIZING TRANS-)
 PORTATION OF MILK AND DAIRY PRODUCTS)
FROM THE DENVER MILK SHED, TO COLO-)
RADO MILK TRANSPORT, INC., 407)
DENHAM BUILDING, DENVER, COLORADO.)

APPLICATION NO. 12467-Transfer

APPLICATION NO. 12468-PP-Transfer

July 29, 1953

Appearances: Barry and Hupp, Esqs., Denver,
 Colorado,
 E. B. Evans, Esq., Denver,
 Colorado, and
 Alvin J. Meiklejohn, Denver,
 Colorado, for Colorado
 Milk Transport, Inc.;
 Marion F. Jones, Esq., Denver,
 Colorado, for Bethke Truck
 Line;
 V. G. Gamett, Denver, Colo-
 rado, for Colorado Rapid
 Transit.

S T A T E M E N T

By the Commission:

By applications filed July 16, 1953, Colorado Milk Transport, Inc., as transferee, requested this Commission to authorize the transfer of sixteen separate authorities authorizing the transportation of milk

and dairy products to Denver and other points from various points in Northern Colorado.

The applications were duly set down for hearing, and were heard on July 27, 1953, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, and at the conclusion of the evidence, the matters were taken under advisement.

The applications and the testimony disclose that Colorado Milk Transport, Inc. is a Colorado corporation, organized on July 16, 1953, in accordance with the terms of an Agreement to Incorporate, dated as of July 15, 1953, by the owners of PUC certificates and permits, as follows:

<u>Transferors</u>	<u>PUC Authority Numbers</u>
Edward D. Martin)	PUC Nos. 528, 1323
Maxine V. Martin)	Permit No. A-704
Alexander Naeb)	PUC Nos. 452, 527, 1925, 2329
Fred Rein, Jr.)	PUC No. 454
Edna B. Leist)	PUC No. 422
William R. Leist)	PUC No. 1632
L. C. Austin)	PUC No. 467
Alex Laubhan, Jr.)	PUC No. 375, Permit No. A-626
Fred A. Laubhan)	Permit No. A-674
Donald G. Cameron)	Permit No. A-793
Charles M. Cameron)	PUC No. 913
Lawrence C. Henkel)	
Mary Ella Lang)	
W. L. Lang)	

All of said transferors are presently engaged in transporting milk and dairy products to Denver and the Denver Metropolitan Area from points in Northern Colorado. Parts of some of the territories overlap, but there are large areas where some of the transferors are the only certificated carriers in the area. Where the overlapping occurs -- and even where the authorities border each other -- there has been considerable confusion and uncertainty in the past as to the exact extent of the authorities and exactly what customers the carriers are authorized to serve. The Commission has endeavored for some time past to re-define various of these authorities in connection with transfers, and to eliminate uncertain boundary descriptions and avoid wasteful duplication of effort by the carriers.

As stated in the applications, one of the purposes of the formation of the corporation, and the proposed consolidation of the authori-

ties involved, is to effectuate operating economies and to provide more efficient and faster service to the shippers and to the public in the territories involved. As stated by Mr. Kenneth Martin, President of the new corporation, it is planned that as soon as possible, the milk routes will be carefully plotted to avoid empty hauls and duplicating runs, and to speed up deliveries and give better service with the same or a smaller amount of equipment.

Perhaps the most important single factor in the decision of the applicants to consolidate their authorities into one certificate is the development of producing and transporting milk in bulk by means of farm tanks and tank trucks. As testified to by Mr. Martin, various dairies and producers in Colorado are in the process of converting their operations to tank equipment, and carriers have been requested to render this service, but have found it impossible to do so in the limited areas covered by individual authorities. Under the bulk operation, the milk producers install milk tanks and pipes to which the milking machines are attached. The milk flows directly into the producer's storage tank, and is later pumped into a tank truck, with a sample of each producer's milk taken from his own tank at the time his milk is added to the load. The bulk operation by tank truck eliminates all milk cans and the handling of same, and can be done in a much shorter time with less possibility of contamination or spoilage of milk. Likewise, at the delivery end, the milk is pumped from the tank truck into the dairy vats in a much shorter time and without the bottle-necks produced by the parking of trucks and unloading of cans as is the case with the can haul.

Since the conversion from a can haul to a bulk operation involves some considerable investment, at the present time only the large producers are making the conversion. As would be expected, such producers are scattered throughout Northern Colorado, and each of the individual milk carriers has only one or two shippers in his territory at the present time who is prepared for such operations, or who is contemplating conversion. No one of the carriers could possibly afford the large investment in a tank truck when his operation would be confined to one or two such shippers.

Consequently, it became evident to the carriers some months ago that in order to provide the service requested of them by the dairies and those producers converting to bulk operation, important changes would have to be made in the structure of the certificates and permits owned and operated by the carriers transporting milk from the Denver Milk Shed. A series of meetings of the Milk Carriers' Conference of the Colorado Motor Carriers' Association were held, and a committee of the carriers made a special field trip to the Middle West to inspect and study the bulk operations of producers and carriers in Iowa, Illinois, Wisconsin, and Minnesota, and another trip was made to California. It soon became evident to the carriers --- as well as to the dairies and the producers --- that bulk operation in the production and transportation of milk was not only economically feasible and practical, but that it was an inevitable advance in the industry. The carriers immediately appointed a committee to investigate the possibility of consolidating their authorities, in order to institute tank service throughout Northern Colorado when called upon to do so.

Kenneth Martin, who was named President-Chairman of the corporation, made several calls upon the Lucerne Dairy, operated by Safeway Stores, and also called upon Garden Farm Dairy and other dairies in and around Denver. He stated at the hearing that he had been informed that Garden Farm would have a tank route ready by August 1, which was much sooner than anyone had anticipated, and that the proposed route would include shippers in several of the territories of the transferors. Mr. Martin further stated that under this state of facts, an August 1 dead-line was set up for the operation of the new corporation, and although the organizational efforts began some months ago, it had been a mammoth job to arrange all of the details and legal requirements necessary to form the corporation and apply to this Commission for the authority to make the necessary consolidation of certificates and permits.

In general, the Agreement to Incorporate, which was signed by all of the transferors, contemplated that each would transfer all of his milk authority to the new corporation in exchange for common stock, the value of

said certificates being set at \$50.00 per can of milk hauled per day on each certificate, said value being the going market price of said certificates so far as the carriers could determine. Equipment was to be transferred to the corporation at its appraised market value in exchange for twenty-year eight per cent debentures of the corporation, to the extent of the equity of the owner in said equipment, less any indebtedness on certificates and permits which the corporation assumed. The corporation would accept and operate certificates and permits and assume all indebtedness of the transferors owing on said authorities, and would accept all equipment of the parties offered to it at the appraised value, and assume indebtedness owing on said equipment. The appraisal of the equipment was made by five independent experts. A tentative Balance Sheet of the corporation, introduced as Exhibit 6 at the hearing, shows that the equipment to be transferred to the new corporation will have a value of approximately \$95,000.00 on which the corporation will assume \$42,000.00 debt. The value of the permits and certificates transferred to the corporation is shown as \$240,000.00, for which the corporation will issue 240,000 shares of its \$1.00 par value common stock. The corporation is not assuming any of the other business or personal debts of the transferors, each of whom testified at the hearing regarding his business debts which were, in most cases, only current month's bills which they will take care of in due course.

Some of the certificates and permits owned by the transferors authorize the transportation of general freight, including milk, and the Agreement to Incorporate provides only for this transfer of milk authority to the new corporation.

Fred Rein, Jr., owner of PUC No. 454, operates a general freight business, as well as a milk operation, in the territories granted to him under his certificate.

Donald G. Cameron and Charles M. Cameron, doing business as "Cameron Brothers Truck Line," also operate a general freight business under Permit No. A-626, and they wish to transfer to the corporation authority to haul milk and dairy products, only.

At the hearing, it was requested that Permit No. A-626 and PUC No. 454 be split by Order of this Commission. The authority sought to be transferred from PUC No. 454 and Permit No. A-626 is as follows:

"Milk, cream, and dairy products, in bulk or in cans, from farms to dairies and from cream stations to dairies, except from Fort Collins to Denver, with return of empty cans and rejected supplies."

Since the operation of a general freight business is generally entirely separate from a milk-hauling business, and because the two operations can be separated without confusion and uncertainty as to authority remaining under the general freight certificate, the Commission has many times in the past authorized milk authority to be cut out from a general freight authority and transferred to a milk hauler. There seems to be no reason in the present applications why the requested split should not be allowed -- especially since the denial would not serve any useful purpose, either so far as this Commission policing the authorities is concerned, or in providing the public with better transportation.

V. G. Garnett and E. V. Garnett, who formerly owned and operated Permit No. A-626, and who hold a mortgage thereon approved by this Commission in Decision No. 40131, dated February 27, 1953, have agreed to the splitting of Permit No. A-626. Mr. V. G. Garnett testified at the hearing that in lieu of the mortgage, he was taking back a pledge of the stock to be issued to Cameron Brothers by virtue of the transfer of the milk authority from Permit No. A-626 to the corporation. Mr. Garnett also testified that he had agreed with the corporation that arrangements which he now has with Beatrice Foods Co. -- whereby certain amounts were deducted by the company from the checks to Alexander Naeb and Cameron Brothers and mailed to Mr. Garnett, to apply on certain notes held by him -- were to be continued, and the corporation would assume the indebtedness on said notes and continue the same arrangements for the deduction. The note held by Mr. Garnett due from Mr. Naeb now has a balance of \$2,010.00, and an amount of \$210.00 a month is deducted by the Beatrice Foods Co. from the check due Alexander Naeb on his monthly hauling. The note to the Camerons is now in the amount of \$2,230.00 with a monthly deduction of \$60.00, plus

interest, being made in a similar manner. The Commission sees no reason why the agreement to continue these arrangements should not be approved.

The applications also requested that should this Commission authorize the transfer of the certificates and permits to the new corporation, all such authority be consolidated into one, and that all duplicating authorities be cancelled. A request was also made to convert any private carrier permits into certificates of public convenience and necessity where territory covered by the private authority was not overlapped by common carrier authority.

According to the map which was introduced at the hearing as "Exhibit 4," the only area so involved is a portion of Permit No. A-793 involving ten sections in Boulder County, and the northern part of Permit No. A-626, which completely overlaps the ten sections under Permit No. A-793. There are no common carrier certificates outstanding in the territory involved.

No reason appears why the requested conversion should not be made, since it will not interfere with the present competitive situation and would benefit the new corporation by eliminating confusion on operational practices, in filing tariffs, in advertising and filing customer lists, and would benefit shippers by permitting the corporation to furnish more convenient and economical services.

At the hearing, Walter Moore, President of the Denver Milk Producers Association, representing 2100 producers of milk in Colorado, testified that his group -- being the customers of the transferors involved in this proceeding -- were heartily in favor of the transfer and consolidation, and that as a matter of fact, it was the only possible way by which the carriers could furnish to the producers the tank carriage which they desired and needed. He stated that no one of the carriers with his small territory could expect to stay in business if it became necessary to purchase a tank truck for a few shippers and operate other trucks for can shippers in a limited area. He felt that the consolidation requested by the transferors would allow them to set up efficient routes throughout a large territory -- both on tank and can shipments -- and that such service

was vitally necessary to the shippers.

He stated that the new corporation would have to have adequate accounting procedures and records, and that in any future rate case his group and the Commission could better tell whether the corporation was profitable or not, and thus could set a rate fair to all. As to service, he stated that he had every confidence in the management of the new corporation, and that he had been cooperating with them from the beginning of the organizational period. He also stated that his group could put on its own equipment if necessary to provide service not offered by the new corporation. He also testified that he had notified all of the members of his group -- being 2100 milk producers in Colorado -- of the date of the hearing and the purpose of the new corporation. It was his opinion that the carriers, the dairies, the shippers, and the general public, required the new service, and that the present plan was the only way by which it could be offered.

Kenneth Martin testified that it would be impossible for the new corporation to provide the necessary service to the shippers of milk in Northern Colorado if it were necessary to operate under common carrier certificates and private carrier permits at the same time.

In connection with the requested conversion of part of Permit No. A-626 into a common carrier certificate, he stated that the proposed tank route would go through that area to pick up two or three big shippers, and that if the corporation were forced to purchase another tank truck so as not to mix the loads, the service could not be offered, and need not be offered, since there was now only a private permit in that territory.

Donald Cameron, who, with his brother, owns Private Permit No. A-626, testified that many of his customers have requested him to convert his permit into a certificate, since they needed common carrier service and needed the new tank truck service. He stated that he had advised them he could not perform such service under a Class "A" Permit because the expense would be prohibitive. He also testified that the requested conversion would eliminate many operating difficulties and would eliminate confusion in filing tariffs, advertising and filing customer lists, and in setting up

more efficient milk routes. He further stated that as to splitting the milk authority from his general freight authority, he had already made the split from an operational standpoint, and that his freight service remaining under Permit No. A-626 would not be affected in any degree.

Similarly, Fred Rein, Jr., owner of PUC No. 454, testified that a split of the milk authority from his certificate would not affect his freight operation, since he had also already made a split of the two operations, and was not using any of the same equipment in the two services.

No one appeared at the hearing in opposition to the transfer, and Marion F. Jones, Esq., appearing for Bethke Truck Line, stated that he and his client were in favor of it, since it did not appear from the testimony that any operations of his client would be affected under the authorities being transferred.

A protest was filed by John S. Nevin, of Fort Morgan, Colorado, who holds Permit No. B-1942, authorizing the transportation of milk to Fort Morgan from an area surrounding that city, but his operations are not affected by the present arrangement, and he did not appear at the hearing.

The tank carriage of milk is an established advance in the industry in other states, and shippers in Colorado, as well as the general public, are entitled to have a common carrier equipped and in a position to offer this service, the need for which was stated by Mr. Moore on behalf of all of the milk producers. The same considerations impel the Commission to the conclusion that the requested splits of authority in PUC No. 454 and Permit No. A-626 should be granted.

Mr. V. G. Garnett, previously the owner of both of these authorities, testified from his long experience in the milk-hauling business and from his intimate knowledge of those two authorities, that it was in the public interest to split the milk and freight operations, and that under the new set-up, with a tank truck, there was really no way they could be combined. From the standpoint of the public, he testified that its needs would be better served if the operations were entirely separated by this Commission.

At the hearing, it was requested by the transferors that all ton-mile tax deposits now on file with the Commission under each of their names should be refunded to them, with the exception of the deposit of Fred Rein, Jr., under PUC No. 454. He requested that if the milk authority was split from his certificate, his deposit should be left on file under PUC No. 454. The same request was made by the Cameron Brothers, owners of Permit No. A-626.

At the hearing, it was proposed by the corporation that in a supplemental proceeding, this Commission should definitely describe the new consolidated authority which will result from the transfer of the individual authorities herein involved. It would seem that this proposal is a necessary one, and that as soon as practical, the new corporation should file with this Commission a proposed description and map of said area for study by the Commission's staff so that an appropriate order may be entered.

The Commission therefore makes the following Findings and Order:

F I N D I N G S

THE COMMISSION FINDS:

1. That the proposed transfers and consolidation are compatible with the public interest, and required by public convenience and necessity, and should be authorized under the terms of the Application and the Agreement to Incorporate.
2. That the proposal to separate the milk authority from general freight authority under PUC No. 454 and Permit No. A-626 should be authorized and approved.
3. That the proposal to convert a portion of Permit No. A-626 into common carrier certificate is compatible with the public interest, and required by public convenience and necessity, and should be authorized and approved.
4. That the plan of the corporation to assume all debts of the transferors owing on certificates and permits and equipment transferred to the corporation should be approved.
5. That the proposal of the corporation to assume the debts of

Alexander Naeb, amounting to \$2,010.00, and of Cameron Brothers, amounting to \$2,230.00, due and owing to V. G. Garnett and E. V. Garnett, doing business as "Colorado Rapid Transit," and to continue the payment of said obligations by deductions from checks owing from Beatrice Foods Company, should be approved.

6. That the arrangements made by each transferor to take care of the outstanding indebtedness resulting from the operation of his business — except as to indebtedness on certificates and permits and equipment to be assumed by the corporation — are satisfactory to the Commission.

7. That the corporation should be required to file herein, within a reasonable time, a late-filed exhibit, definitely describing the area certificated to be served under the new certificate after the splitting of the authorities, the conversions, the elimination of duplications, and the transfers above authorized are effected, together with a map of said certificated area, for study by the Commission's staff, to be used as the basis for an appropriate order definitely clarifying the operating rights of transferee, and fixing the boundaries of the area authorized to be served under the new certificate.

ORDER

THE COMMISSION ORDERS:

1. That the transferors heretofore named in this Order should be, and they hereby are, authorized to transfer all their right, title, and interest in and to the certificates and permits listed opposite their names on Page 2 of this Order, to Colorado Milk Transport, Inc., said list of names and authorities, by reference, being made a part of this Order, such transfers being subject to the payment by the corporation of outstanding indebtedness on said certificates and permits, and against the operations thereunder, if any there be, whether secured or unsecured.

2. That the transfers in respect to PUC No. 454 and Permit No. A-626 shall be limited to the transportation to and from the points authorized in said authorities of:

"Milk, cream, and dairy products in bulk
or in cans, from farms to dairies and

from cream stations to dairies and the return of empty cans and rejected supplies."

3. That all other authority under PUC No. 454 and Permit No. A-626 is retained by the owners-transferors, who shall operate their freight business under those certificate and permit numbers.

4. That the portion of Private Permit No. A-626 not otherwise covered by common carrier certificates hereby transferred shall be, and the same is hereby, converted to a certificate of public convenience and necessity and consolidated with the other certificates hereby transferred, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity for the carriage of milk and dairy products, as heretofore described in this Order, in the territory involved.

5. That all certificates and permits hereby transferred are incorporated into one authority, and all duplicating authorities are hereby cancelled, the new authority to be assigned the number "PUC No. 375."

6. That said transfers shall become effective only if and when, but not before, said transferors and transferee, in writing, have advised the Commission that said certificates and permits have been formally assigned, and that said parties have accepted, and in the future will comply with all the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of the Order shall automatically **revoke** the authority herein granted to make the transfer, without further order on the part of the Commission.

7. That transferee be, and is hereby, required to file herein, within a reasonable time, a late-filed exhibit definitely describing the area certificated to be served under the new certificate after the splitting of the authorities, the conversions, the elimination of duplications, and the transfers above authorized are effected, together with a map of said certificated area, for study by the Commission's staff, to be used as a basis for an appropriate order definitely clarifying the operating rights of transferee, and fixing the boundaries of the area authorized to be served under the new certificate.

8. 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.

9. 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 their said certificates and permits, up to the time of transfer of said certificates and permits, and payment by them or transferee of all unpaid ton-mile tax.

10. That the ton-mile tax deposits of all transferors -- except Fred Rein, Jr., owner of PUC No. 454, and Cameron Brothers, owners of Permit No. A-626 -- shall be returned to transferors.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Hinchell
Paul W. Hoadley
Ralph C. Hadow
Commissioners

Dated at Denver, Colorado,
this 29th day of July, 1953.

mw

original

(Decision No. 41035)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN V. BOUCHARD, GUNNISON, COLO-)
RADO, FOR EXTENSION OF PUC NO. 1068.)

APPLICATION NO. 12360-Extension
SUPPLEMENTAL ORDER

July 31, 1953

Appearances: Richard Conour, Esq., Del Norte, Colorado, and Barry and Hupp, Esq., Denver, Colorado, for applicant;
E. B. Evans, Esq., Denver, Colorado, and Robert Porter, Esq., Gunnison, Colorado, for Gunnison Truck Line, James Ashton, Bee Freight Line, and James Chelf;
John M. Boyle, Esq., Salida, Colorado, for Eveready Freight Service, Diamond Truck Line, and Salida Transfer;
H. M. Boyle, Denver, Colorado, for Rio Grande Motor Way, Inc.;
Orville Dunlap, Montrose, Colorado, pro se;
Auborn Howard, Lake City, Colorado, for Lake City Truck Line;
Ed Sittner, Montrose, Colorado, for West End Freight Line.

S T A T E M E N T

By the Commission:

On July 8, 1953, Decision No. 40834 was entered by the Commission in the above-styled application, granting John V. Bouchard, Gunnison, Colorado, authority to extend operations under his PUC No. 1068, and clarifying operating rights under said PUC No. 1068.

On July 20, 1953, "Petition for Rehearing on Behalf of Eveready Freight Service, Inc., Diamond Truck Line, and Salida Transfer," was filed herein by John M. Boyle and Mack Witty, Attorneys.

On July 24, 1953, "Application for Re-Hearing" was filed by E. B. Evans, Attorney, in behalf of W. O. Coleman and Jack K. Coleman, doing business as "Gunnison Truck Line," and Jim Chelf.

The Commission has reviewed the evidence adduced at the hearing on said application, and has carefully considered petitions for rehearing filed herein, and each and every allegation thereof.

F I N D I N G S

THE COMMISSION FINDS:

That no error was committed in the entry of its said Decision No. 40834; that no useful purpose would be served by granting rehearing herein, and that said applications for rehearing should be denied.

O R D E R

THE COMMISSION ORDERS:

That applications for rehearing filed herein by John M. Boyle and Mack Witty, Attorneys for Eveready Freight Service, Inc., Diamond Truck Line, and Salida Transfer, on July 20, 1953, and by E. B. Evans, Attorney for Gunnison Truck Line and Jim Chelf, on July 24, 1953, should be, and the same hereby are, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Hinchell
Ralph W. Hawley
Ralph W. Hawley
Commissioners.

Dated at Denver, Colorado,
this 31st day of July, 1953.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHICAGO, ROCK ISLAND AND PACIFIC)
RAILROAD COMPANY, 601 SEVENTEETH)
STREET, DENVER, COLORADO, FOR AUTH-)
ORITY TO DISCONTINUE THE OPERATION)
OF PASSENGER TRAINS NOS. 25 AND 26)
BETWEEN LIMON, COLORADO, AND THE)
COLORADO-KANSAS STATE LINE.)

APPLICATION NO. 12414

July 31, 1953

Appearances: Milton V. Thompson, Esq.,
Chicago, Illinois, and
W. V. Hodges, Jr., Esq.,
Denver, Colorado, for
applicant;
Thomas E. Creighton, Flagler,
Colorado, for the Town of
Flagler;
A. W. Hudler, Burlington,
Colorado, for the Burlington
Chamber of Commerce and
Burlington Record;
T. A. Backlund, Burlington,
Colorado, pro se;
L. A. Woodson, Jr., Stratton,
Colorado, for the Stratton
Rotary Club and Stratton
Businessmen's Association;
George J. Carper, Burlington,
Colorado, for the Burlington
Chamber of Commerce;
Carl R. Johnson, Genoa, Colo-
rado, for the Town of Genoa;
Victor V. Peluso, Limon, Colo-
rado, for the Town of Limon;
Max Kaitz, Denver, Colorado,
for the Brotherhood of
Railway Clerks;
A. E. Small, Jr., Esq.,
Denver, Colorado, for
Wharton Truck Line;
Max Jones, Goodland, Kansas
for the Brotherhood of
L. F. & E. #396, the City
of Goodland, and Goodland
Chamber of Commerce;
Wayne D. Williams, Esq.,
Denver, Colorado, for
Denver-Limon-Burlington
Transfer Company.

S T A T E M E N T

By the Commission:

This is a proceeding involving the discontinuance by Chicago, Rock Island and Pacific Railroad Company of its passenger Trains Nos. 25 and 26 between Limon, Colorado, and the Colorado-Kansas State Line.

Hearing on said matter was held at 330 State Office Building, Denver, Colorado, on July 7, 1953, at ten o'clock A. M., after appropriate notice to all interested parties, where evidence was heard and taken under advisement.

The evidence discloses that applicant seeks authority to discontinue the operation of its Passenger Trains Nos. 25 and 26 between Limon, Colorado, and the Colorado-Kansas State Line. Applicant is also requesting authority from the Kansas Public Utilities Commission to discontinue these trains in Kansas from the Colorado-Kansas State Line to Belleville, Kansas. The evidence also discloses that sometime ago these trains operated from Limon to Denver, but, by order of this Commission that operation was discontinued and the trains now terminated at Limon.

Exhibit No. 1 shows that for the Year 1951, the railroad company lost some \$19,210.64 out-of-pocket expense operating Trains Nos. 25 and 26; that passenger service is a small percentage of the revenue obtained on said trains; in fact, the hauling of newspapers in the Colorado operation amounts to more than does the passenger traffic. For the Year 1952, the total revenue in the Colorado operation amounted to \$88,656.64, while the passenger revenue for the same period was \$2,263.89. In the operation of Trains Nos. 25 and 26 operating between Limon, Colorado, and Belleville, Kansas, the loss on said train for the Year 1951 amounted to \$119,018.75. The railroad company in 1952, by the installation of Diesel engines reduced this loss to \$70,358.68, while in the Colorado operation, the loss for the Year 1952 for the two trains was \$4,074.31.

If the Commission had only to consider the operating loss in Colorado, we would hesitate about taking off Trains Nos. 25 and 26, but by analyzing the entire situation, we find that this is an interstate opera-

tion with the major portion of its operation in Kansas, and is of little value to the residents of Colorado unless they have "through," that is, interstate operations from the east. Applicant, to take care of the mail, express and newspapers, has filed Application No. 12416, wherein it is proposed to establish through service operated by the Rock Island Motor Transit Company for the transportation of express matter, baggage, newspapers, cream and milk, and the return of empty milk and cream containers. Witnesses for the railroad company contend that by establishing a through service over this route, they can give a faster and more dependable service and make a profit on said operation; that the only commodities to be hauled are those on railroad bills of lading and will not be competitive with any of the certificated motor carriers now operating between Limon, Colorado, and the Colorado-Kansas State Line.

Numerous protests were filed by Town Councils, Chambers of Commerce, and other local organizations, protesting the granting of the application to discontinue Trains Nos. 25 and 26. However, the only testimony offered in opposition to the abandonment of the above trains consisted of complaints as to delayed mail service, and the Commission is not clear at this time as to whether or not the mail service will be impaired to the towns situated between Limon and Burlington, Colorado.

We have attempted to summarize briefly the evidence presented at the hearing. The instant matters do not present a new question. Similar matters have been before the Commission on numerous occasions, and to some extent we are bound by decisions heretofore entered by the Commission in such cases. In the judgment of the Commission, the question for determination in the present application is whether or not, in view of present conditions, the public will be served in a reasonable manner by other transportation agencies if these trains are discontinued.

Bearing in mind that the operation of Trains Nos. 25 and 26 constitutes a serious financial burden upon applicant, the discontinuance of Trains Nos. 25 and 26 does not take from the patrons of applicant public transportation. There still remains available motor bus operations to all

the towns affected, and, in addition, from the towns of Burlington and Limon, a de luxe stream-lined train operates west to Denver and east to Chicago. The substitution of a motor carrier service to take care of all headend traffic, will leave available transportation for all the communities. There is no question but that Trains Nos. 25 and 26 are being operated at a loss, and the traveling public is not using the service. So, it therefore appears unfair to compel applicant to operate two passenger trains at a loss when adequate service is still available to the public.

F I N D I N G S

THE COMMISSION FINDS:

1. That public convenience and necessity no longer require the Chicago, Rock Island and Pacific Railroad Company to operate and maintain Passenger Trains Nos. 25 and 26 between Limon, Colorado, and the Colorado-Kansas State Line.

2. That the cost of operations of Trains Nos. 25 and 26 is out of all proportion to the revenue, and that applicant should not be compelled to continue the operation with an out-of-pocket loss where there is no public convenience and necessity for their continued operation.

3. That applicant should be authorized to contract with the Rock Island Motor Transit Company for the transportation of mail, express, baggage, newspapers, cream, milk, and the return of empty milk and cream containers in substituted service upon discontinuance of the two trains referred to.

4. That jurisdiction should be retained by the Commission to enter such further order or orders as it may deem necessary and proper.

O R D E R

THE COMMISSION ORDERS:

1. That applicant, Chicago, Rock Island and Pacific Railroad Company be, and it hereby is, authorized to discontinue operation of its Passenger Trains Nos. 25 and 26 now operating between Limon, Colorado, and the Colorado-Kansas State Line, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

2. That applicant be, and hereby is, authorized to enter into such contractual arrangements with Rock Island Motor Transit Company as may be mutually agreeable for the transportation of mail, express, baggage, cream, milk, with return of empty cream and milk containers, between Limon, Colorado, and the Colorado-Kansas State Line and intermediate points in substituted service.

3. That jurisdiction is hereby retained by the Commission to enter such further order or orders as it may deem necessary and proper.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. H. H. H.

Ralph G. Holton

Ralph G. Holton
Commissioners.

Dated at Denver, Colorado,
this 31st day of July, 1953.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
THE ROCK ISLAND MOTOR TRANSIT COM-)
PANY, 947 EQUITABLE BUILDING, DENVER,)
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY.)

APPLICATION NO. 12416

July 31, 1953

- Appearances: Milton V. Thompson, Esq.,
Chicago, Illinois, and
W. V. Hodges, Jr., Esq.,
Denver, Colorado, for
applicant;
- Thomas E. Creighton, Flagler,
Colorado, for the Town of
Flagler;
- A. W. Hudler, Burlington,
Colorado, for the Burling-
ton Chamber of Commerce
and Burlington Record;
- T. W. Backlund, Burlington,
Colorado, pro se;
- L. A. Woodson, Jr., Stratton,
Colorado, for the Stratton
Rotary Club and Stratton
Businessmen's Association;
- George J. Carper, Burlington,
Colorado, for the Burling-
ton Chamber of Commerce;
- Carl R. Johnson, Genoa, Colo-
rado, for the Town of Genoa;
- Victor V. Peluso, Limon, Colo-
rado, for the Town of Limon;
- Max Kaitz, Denver, Colorado,
for the Brotherhood of Rail-
way Clerks;
- A. E. Small, Jr., Esq., Denver,
Colorado, for Wharton Truck
Line;
- Max Jones, Goodland, Kansas,
for the Brotherhood of L. F.
& E. #396, the City of Good-
land, and Goodland Chamber
of Commerce;
- Wayne D. Williams, Esq.,
Denver, Colorado, for Denver-
Limon-Burlington Transfer
Company.

S T A T E M E N T

By the Commission:

On June 17, 1953, The Rock Island Motor Transit Company, a wholly-

owned subsidiary of Chicago, Rock Island and Pacific Railroad Company, the applicant herein, filed its application for a certificate of public convenience and necessity for the operation of a motor vehicle common carrier service between Limon, Colorado, and the Colorado-Kansas State Line, for the transportation of express matter, baggage, newspapers, cream, milk, and returned empty milk and cream containers, which formerly moved by rail and are presently handled by Trains Nos. 25 and 26 of Chicago, Rock Island and Pacific Railroad Company, commonly known as "head end" traffic, said traffic to be handled under rail bills of lading at rail rates serving rail depots between Limon, Colorado, and the Colorado-Kansas State Line.

Formal protest was filed by Denver-Limon-Burlington Transfer Company, a Colorado corporation, holding Certificate of Public Convenience and Necessity No. PUC-699, serving Denver and Burlington, Colorado, on U. S. Highways Nos. 24 and 40, said protest alleging that the establishment and operation of the service proposed to be rendered by applicant will be in competition with the service rendered by that company and will injuriously affect and seriously interfere with the revenues, business and operations of this protestant. Protest was also filed by the residents of Stratton, Colorado, wherein they contend that the discontinuance of Trains Nos. 25 and 26 and substituting in lieu thereof motor carrier truck service would be unsatisfactory, causing inconvenience and delay to the residents of their community. Protest was also filed by the Town of Genoa, Colorado, the Brotherhood of Locomotive Firemen and Enginemen, Goodland Chamber of Commerce, the City of Limon, Colorado, and the Burlington Chamber of Commerce, protesting the granting of substituted motor truck service for Trains Nos. 25 and 26.

The instant application was regularly set for hearing, after appropriate notice to all parties in interest, and heard on July 7, 1953, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, and thereafter taken under advisement.

At the hearing, the evidence disclosed that Chicago, Rock Island and Pacific Railroad Company has filed a petition for the discontinuance of Trains Nos. 25 and 26, which trains offer daily service between Limon, Colorado, and the Colorado-Kansas State Line, transporting passengers and head end traffic consisting of express matter, baggage, newspapers, cream, milk, and returned milk and cream containers; that said company picks up some head end traffic from Colorado points, but the major portion of the traffic comes from points outside the State of Colorado, and the evidence discloses that said company now has an application before the Interstate Commerce Commission for the handling of the aforesaid traffic in interstate commerce.

On February 10, 1953, the Commission permitted the discontinuance of the operation of Trains Nos. 25 and 26 operating between Limon, Colorado, and Denver, Colorado, and authorized a certificate of public convenience and necessity to the Rock Island Motor Transit Company, the applicant herein.

We infer from the evidence, and believe the evidence so shows, that the Rock Island Transit Company is now offering a common carrier motor truck service for the handling of head end traffic between Denver and Limon, Colorado. An examination of the files of the Commission indicates that applicant has never completed its certificate of public convenience and necessity and, if it is now operating, it is doing so unlawfully. It appears applicant has not filed a description of equipment, and an examination of the record discloses that applicant has not been filing ton-mile reports as required by Colorado law and the rules and regulations of this Commission. The Commission feels, however, that this is not an intentional violation on the part of applicant company. The Commission, however, is somewhat reluctant to permit future discontinuance of trains by said railroad company until all rules and regulations of the Commission have been complied with pertaining to a substituted service by motor vehicle.

It further appears from the evidence that the Railroad Company has been rendering this service of head end traffic by rail for a number

of years, and it is now desired to handle said traffic through its wholly-owned subsidiary in a substituted motor vehicle service designed to meet its present rail schedules. The traffic will be covered by rail billing and subject to rail rates, and all traffic offered will be handled by the Railroad Company which it is presently obligated to handle when presented to it as a common carrier. The Railroad Company has a large investment in its physical plant and facilities. The traffic at all points will continue to be handled by the railroad employees and the additional expense to the parent railroad company to put its motor carrier truck service in operation will be small. Railroad agents will issue billing, collect charges, and handle freight the same as if transported in railroad cars. Transit will be supervised by railroad officials and a high degree of cooperation will be secured, not possible through competitive truck lines.

It also appears that applicant plans to handle United States Mail in its proposed motor carrier service.

Denver-Limon-Burlington Transfer Company, through its witness, Robert C. Peterson, holding PUC-699, stated his company is operating a line-haul motor freight service between Burlington and Denver, together with intermediate points, and the witness felt that his company could adequately take care of all movements of freight, express, etc., between Limon and Burlington, Colorado.

T. W. Backlund of Burlington, and Thomas E. Creighton of Flagler, both protested substituted service. Their complaints were largely directed to the U. S. mail service.

We have attempted, generally, in the foregoing Statement, to summarize the facts as disclosed by the record as it pertains to the instant application, and after careful consideration of the record as disclosed by the evidence and the files, it now appears we only have one protestant carrier and that is Denver-Limon-Burlington Transfer Company, which company might be adversely affected by the granting of the instant application for a certificate. Similar authority to that herein sought has been applied for, and granted, in many jurisdictions.

The Colorado Commission itself has several times previously granted authority to railroad subsidiary carriers, granting to them certificates of public convenience and necessity to engage in substituted truck-for-rail service, auxiliary and supplemental to the rail service:

Rio Grande Motor Way, Inc.	Decision No. 16188
Rio Grande Motor Way, Inc.	Decision No. 19009
Santa Fe Trail Transportation Co.	Decision No. 30202
Union Pacific Railroad Company	Decision No. 33096

In Decision No. 19009, we said:

"Protestants contend that the evidence does not disclose that the existing motor carrier service is inadequate, and that the application should be denied. We have, in prior decisions, stated that existing motor carriers should normally be accorded the right to transport all traffic which they can handle adequately, efficiently and economically, as against any person entering the field. We do not believe, however, that the granting of the authority sought herein is fundamentally in conflict with that principle."

In the instant application, applicant is not proposing to enter the field of competition with the established carriers in this area on the same footing as would an applicant who would have to solicit business from the shippers herein located and who, by the acquisition of any business, no matter how small, would be taking away from another carrier some part of its business. Applicant already has an established clientele among shippers, and the mere continuance of service now rendered these shippers through a different form of transportation will not aggravate the competitive situation. It is clear, and we feel the evidence so discloses, that the granting of the authority herein sought will not authorize an operation which will be unduly prejudicial to, or competitive with, the Denver-Limon-Burlington Transfer Company, but will merely maintain the same competitive situation which has existed in the past, and at the same time afford to the public a more modern, economical, efficient, and flexible service than heretofore provided.

It is apparent that the Railroad Company is in a position to, and will, coordinate the truck operation proposed in this application with its rail service more satisfactorily than if the railroad were compelled to coordinate its operation with that of a competitor. There is no question in

our minds that the coordinated service proposed will be in the public interest, and definitely so, when we consider the interstate traffic. We do not now, nor have we in the past felt the railroad should be precluded from improving its rail service to the public. Rather, we have felt that it was our duty to assist all carriers -- including rail carriers -- to improve transportation service. In considering the entire record, we should consider the public benefit, and it appears to the Commission that the public should not be deprived of a service merely because it may result in some diversion of traffic. In our judgment, the benefit resulting to the public will clearly outweigh any adverse effect on competing carriers. The proposed operation should be authorized to the extent that it will be a bona fide auxiliary or supplementary service to applicant's rail service.

F I N D I N G S

THE COMMISSION FINDS:

That the present and future public convenience and necessity require the operation by applicant in intrastate and interstate commerce, as a common carrier by motor vehicle for the transportation of express matter, baggage, newspapers, cream, milk, and returned empty milk and cream containers which formerly moved as head end traffic by rail, in substituted service between Limon, Colorado, and the Colorado-Kansas State Line.

The Commission further finds:

1. That said authority granted herein should be consolidated with the authority granted to applicant under Decision No. 40040, dated February 10, 1953, in Application No. 12165.
2. That applicant is fit, willing and able properly to perform such service and to conform to the provisions of the laws of the State of Colorado, and the rules and regulations of the Commission relative to such service.
3. That the foregoing Statement is made a part of these Findings, by reference.

O R D E R

THE COMMISSION ORDERS:

1. That the present and future public convenience and necessity

require the operation by applicant in intrastate and interstate commerce, as a common carrier by motor vehicle for the transportation of express matter, baggage, newspapers, cream, milk, and returned empty milk and cream containers which formerly moved as head end traffic by rail, in substituted service between Limon, Colorado, and the Colorado-Kansas State Line.

2. That said authority herein granted shall be, and the same is hereby consolidated with the authority granted to applicant under Decision No. 40040, dated February 10, 1953, in Application No. 12165.

3. The service to be performed by applicant shall be limited to service which is auxiliary to or supplemental to railroad service.

4. Shipments transported by applicant shall be limited to those moved under a through bill of lading, express bill, or that bill used by the railroad company in handling the commodities authorized under this certificate.

5. For such further specific conditions as the Commission in the future may find it necessary to impose in order to restrict applicant's operation by motor vehicle to service that is auxiliary to or supplemental to railroad service, the Commission hereby retains jurisdiction herein to enter such orders if deemed necessary in the public interest, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

6. That the interstate rights hereby granted are subject to strict compliance by applicant with the provisions of the Federal Motor Carrier Act of 1935, as amended, and the interstate authority heretofore granted, or to be granted to applicant by the Interstate Commerce Commission.

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

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

extreme conditions.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Hinchell

Joseph W. Hensley

Ralph C. Hobbs
Commissioners.

Dated at Denver, Colorado,
this 31st day of July, 1953.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
BEN A. ROMERO, 852 FOX STREET,)
DENVER 4, COLORADO.)
-----)

CASE NO. 65925-INS.
(Permit No. B-2739)

July 31, 1953

S T A T E M E N T

By the Commission:

On July 21, 1953, in Case No. 65925-Ins., the Commission entered an order revoking Permit No. B-2739 for failure to keep on file effective insurance.

It appears that insurance was in effect and insurance agent claimed same was filed, but apparently was misplaced. However, since proper filing has now been made and without lapse, the 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 revocation order entered in Case No. 65925-Ins., should be cancelled and set aside, and said Permit No. B-2739 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That revocation order entered on July 21, 1953 in Case No. 65925-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. B-2739 restored to its former status as of July 21, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. ...
...
...
Commissioners.

Dated at Denver, Colorado,
this 31st day of July, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT W. HOVER, DOING BUSINESS)
AS "HOVER MOTOR COMPANY," 739) PERMIT NO. C-21948
E. PIKES PEAK AVENUE, COLORADO)
SPRINGS, COLORADO.)
-----)

July 31, 1953

S T A T E M E N T

By the Commission:

On July 23, 1953, the Commission entered an order cancelling the above-numbered permit, effective as of June 29, 1953.

This permit was erroneously cancelled as of June 29, 1953, in Decision No. 40949. The permit has on file effective insurance and is otherwise in good standing. Under the circumstances, the permit should be reinstated without prejudice.

F I N D I N G S

THE COMMISSION FINDS:

That Permit No. C-21948 should not have been cancelled, and that it should be reinstated.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 40949, of date July 23, 1953, be, and hereby is, set aside and held for naught, and Permit No. C-21948 restored to its former status as of June 29, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Hinchell

Joseph W. Bradley

Joseph C. Gordon
Commissioners.

Dated at Denver, Colorado,
this 31st day of July, 1953.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: CHANGES IN RULES, REGULA-)
TIONS AND RATES IN CONNECTION WITH)
SECTION 5, HEAVY COMMODITIES, IN)
MOTOR TRUCK COMMON CARRIERS')
ASSOCIATION TARIFF NUMBER 12,)
COLORADO P.U.C. NUMBER 6.)

CASE NO. 1585

August 3, 1953

S T A T E M E N T

By the Commission:

The Commission is in receipt of an application No. 260 by the M.T.C.C.A., as agent, for and on behalf of carriers, parties to its tariff, Colo. P.U.C. No. 6, requesting authority to publish the tariff changes set forth in Exhibit A, attached here to, and made a part hereof.

F I N D I N G S

THE COMMISSION FINDS:

That, Case No. 1585 should be reopened for further hearing relative to the matters and things set forth in Exhibit A.

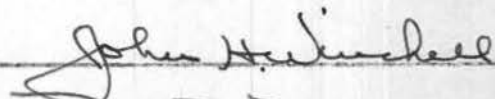
O R D E R

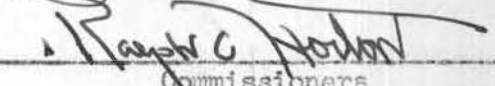
THE COMMISSION ORDERS:

That, Case No. 1585 be and the same is hereby reopened for further hearing before the Commission, beginning at 10:00 o'clock A.M., September 15, 1953, in the hearing room of the Commission, 330 State Office Building, Denver, Colorado, for the taking of evidence relative to the matters and things set forth in the statement, which statement is made a part hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

COMMISSIONER HAWLEY NOT
PARTICIPATING.





Commissioners

Dated at Denver, Colorado
this 3d day of August, 1953.

407 Denham Building,
Denver 2, Colorado.

July 20, 1953

To the Public Utilities Commission,
State Office Building,
Denver 2, Colorado.



APPLICATION NO. 260

The Motor Truck Common Carriers' Association, as agent, for and on behalf of carriers parties to its tariff Colo. P.U.C. No. 6, does hereby petition the Public Utilities Commission of the State of Colorado that it be permitted to publish the tariff changes set forth in Exhibit "A", attached hereto and by reference made a part hereof, to become effective one day after the filing thereof with the Public Utilities Commission.

Your petitioner represents that the proposed tariff changes will be published in The Motor Truck Common Carriers' Association's Local and Joint Freight Tariff No. 12, Colo. P.U.C. No. 6.

Inasmuch as your petitioner is not informed fully as to the special circumstances and conditions relied upon as justifying the requests herein made, he requests that these matters be set for public hearing at the earliest date possible, at which time a number of carriers, representing a cross section of the industry, will appear and present evidence and testimony in support of this application.

Your petitioner further requests that any Order which this Commission may issue as a result of this application and subsequent hearing be made to apply to all carriers.

Respectfully submitted,

THE MOTOR TRUCK COMMON CARRIERS' ASS'N.

J. R. Smith, Chief of Tariff Bureau

EXHIBIT "A"

SECTION NO. 5
Heavy Commodities

Rules and Regulations governing the rates on movements of heavy commodities set forth herein.

Refer to pages No. 240 to 250, inclusive, of The Motor Truck Common Carriers' Association's Local and Joint Freight Tariff No. 12, Colo. P.U.C. No. 6, and cancel all provisions thereon. The following will apply:

Item No.	Rule
----------	------

APPLICATION OF RATES:

- | | |
|------|---|
| 4130 | <p>(a) The rates published in this Section will apply only to call and demand carriers and will not alternate with the rates published in Sections Nos. 1 or 2.</p> <p>(b) Except as otherwise provided for in this section, the rates include pick-up service at point of origin and delivery service at point of destination, accessible to trucks. The pick-up and delivery service referred to herein shall include the truck and driver used in over-the-road transportation.</p> <p>(c) Shipments which, due to weight, size, or shape, cannot be loaded or unloaded by truck and driver and require the use of additional labor and/or additional equipment will be subject to the additional charges provided for in Item No. 4140.</p> |
|------|---|

ADDITIONAL CHARGES:

The following charges are in addition to the transportation charges published in this Section, and will be assessed on shipments when special services and/or extra labor or equipment is required in loading or unloading shipments or when extra services are required due to weak bridges or other highway obstructions.

		<u>HOURLY RATES</u>	<u>Per Hour</u>
		1 to 1½ ton truck with driver	\$ 4.50
		2 ton to 2½ ton, inclusive, truck with driver	5.50
		3 ton to 5 ton, inclusive, truck with driver	6.00
		Winch Truck with driver	7.00
		Tail Gate Lift Truck	6.00
		Tractor and highbed or van semi-trailer with driver (3 axle)	8.00
		(4 axle)	10.00
		Tractor and lowbed trailer, up to 30,000 pounds, with driver	10.00
4140		Tractor and lowbed trailer, 30,000 to 50,000 pounds, with driver	12.00
(Continued)		Tractor and lowbed trailer, 50,000 to 80,000 pounds, with driver	15.00
		Tractor and lowbed trailer, over 80,000 pounds, with driver	17.50
		Crane with driver and operator....up to 75 feet of boom	15.00
		Crane with driver and operator....75 feet of boom and over	20.00
		Winch Tractor or Truck with A-Frame and driver	8.00
		Heavy Moving Foreman	5.00
		(Extra expense on rigging in accordance with the amount of rigging used.)	
		Heavy moving helpers	3.50
		Heavy moving helpers, high work	5.00
		General Cartage, extra men	3.00
		Pole Trailers	3.00

SECTION NO. 5
Heavy Commodities

Rules and Regulations governing the rates on movements of heavy commodities set forth herein.

Item No.	Rule
4140 (con- clu- ded)	<p><u>ADDITIONAL CHARGES:</u> (concluded)</p> <p><u>NOTE 1:</u> Time to be computed from the time the equipment or men leaves the place where their employment started to the time it takes to return to the same place.</p> <p><u>NOTE 2:</u> Any necessary travel or subsistence expenses involved in performing the above services are additional.</p> <p><u>NOTE 3:</u> Where hourly rates are applicable herein, fractions of an hour will be considered as one full hour.</p>
4160	<p><u>SINGLE PIECES WEIGHING OVER 45,000 POUNDS:</u></p> <p>Except as otherwise provided for in this Section, the rate on any single piece weighing over 45,000 pounds, when moving in mountain territory, shall be computed on the basis of 160% of the rate under the plains scale. On interterritorial movements (that is between plains and mountain territories as set forth in Item 860) the rate under the differential scale shall be increased fifty (50) per cent.</p>
4170	<p><u>ARTICLES OF EXCEPTIONAL VALUE:</u></p> <p>Carriers transporting commodities of value in excess of \$5,000.00 and which are insured by the carrier, shall add the cost of insurance for the excess valuation to the transportation charges, or in lieu thereof, a release in the following form shall be entered on the bill of lading covering the shipment:</p> <p style="padding-left: 40px;">"The value of the shipment herein described is agreed upon as not exceeding \$5,000.00."</p> <p style="text-align: center;">_____ Shipper's Signature</p>
4180	<p><u>LENGTHY ARTICLES:</u></p> <p>The rate on articles over forty (40) feet in length shall be increased three (3%) per cent per foot for each foot or fraction thereof over forty (40) feet.</p>
4190	<p><u>MOVING EMPTY EQUIPMENT:</u></p> <p>For hauls between points which necessitate a movement of empty equipment from the origin of the equipment to the origin of the shipment, a charge for such empty movement shall be made on the following basis:</p> <p>(1) From the origin of the equipment to the origin of the shipment; and (2) From the origin of the shipment to the origin of the equipment, or from the destination of the shipment to the origin of the equipment, whichever produces the lower mileage.</p> <p>The rates for such empty movement will be based on the hourly rates provided in Item 4140.</p>

SECTION NO. 5

Heavy Commodities

Rules and Regulations governing the rates on movements of heavy commodities set forth herein.

Item No.	Rule
4200	<p><u>HOURLY CHARGE TO APPLY OVER UNIMPROVED ROADS:</u></p> <p>The rates set forth in this section shall apply over improved roads as now or hereafter designated by the State Highway Department. On movements over roads not so designated, the hourly rates as provided for in Item 4140 shall apply.</p> <p>On a movement involving both improved and unimproved roads, the charge shall be computed on the basis of the rate applicable for the distance over the improved road plus the hourly charge for the time consumed over the unimproved road.</p>
4210	<p><u>BACK HAUL MOVEMENTS:</u></p> <p>When a carrier has a two-way movement of commodities over the same route, for the same shipper, charge for the return movement shall be computed on the basis of 60% of the applicable rate in the opposite direction; provided, however, that in no event shall said reduced rate be lower than 120 per cent of the applicable class rate where said transportation is over the route of a scheduled line haul motor vehicle common carrier (regular route carrier), or a combination of such carriers.</p> <p>The reduction herein provided for applies only to the line haul transportation charges and does not apply to any special or extra charges.</p>
4214	<p><u>MINIMUM CHARGE:</u></p> <p>Commodities named in this section weighing less than 15,000 pounds in one shipment, shall be charged for at the hourly rates set forth in Item No. 4140 but not more than the rate subject to a minimum weight of 15,000 pounds.</p> <p><u>EXCEPTION:</u> This item will not apply to articles subject to Item No. 4440.</p>
4215	<p>When a shipper requests the exclusive use of a vehicle for service in transporting commodities not named in this section, between points in the State of Colorado, the charge will be based on the hourly rate set forth in Item 4140 but not less than 120% of the scheduled line haul common carrier rates.</p>
4216	<p>Nothing in this tariff shall be construed as making it binding on the part of the carrier to receive or deliver freight for destinations to which, on account of road conditions, it is impractical to operate trucks or make deliveries.</p> <p>In such cases, notice shall be given to both the consignor and consignee and deliveries made by special arrangements, subject to the governing rules and regulations.</p>

SECTION NO. 5
Heavy Commodities

Rules and Regulations governing the rates on movements of heavy commodities set forth herein.

Item No.	Rule
	<p><u>SPECIAL PERMITS:</u></p> <p>The rates herein published do not include the charges made for special permits required under state regulations because of weight or dimensions of any load. The charge for such permits as shown thereon shall be in addition to the transportation charges.</p>
Item No.	Commodity
4220	<p>Articles, heavy, not otherwise specified, weighing 5,000 pounds or more in a single piece, or the component parts of which, when assembled, weigh not less than 5,000 pounds, and the density of which will exceed 20 pounds per cubic foot.</p>
4230	<p>Boilers, heating or power, wrought or wrought and cast combined.</p> <p>Rates will also apply on the following articles shipped with boilers: Parts for each boiler; brick, fire clay, fire tile, insulating material, asbestos cement, or iron or steel material for setting up or suspending each boiler, also on firing tools consisting of pokers, scrapers, slice bars, or wire brushes.</p> <p>The weight of insulating material and asbestos cement must not exceed 15% of weight upon which charges are assessed.</p>
4240	<p><u>OUTFITS, Viz.:</u></p> <p>Bridge Builders', Contractors', or Graders', as described under that heading in National Motor Freight Classification, supplements thereto and reissues thereof.</p> <p>Water Well and Supplies, as described under the heading of Oil, Water, Refinery, or Gas Well Outfits in National Motor Freight Classification, supplements thereto and reissues thereof.</p>
4250	Cable, electric, or Wire Rope or Strand.
4260	Culverts - See Item No. 4440.
4270	<p><u>ELECTRICAL EQUIPMENT, Viz.:</u></p> <p>Transformers, Motors, Generators, or Generators and Engines combined. Power Pumps. Telephone Switchboards, parts and equipment.</p>

SECTION NO. 5
Heavy Commodities

Item No.	Commodity		
4280	<u>IMPLEMENTS, GRADING AND ROAD MAKING:</u> See Item No. 4440.		
4290	<u>Machinery or Machines and Machinery or Machine Parts, Viz.:</u> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> Asphalt or Cement Mixing; Bakery; Bottling; Bulldozers (See Item 4440); Clay Working, Brick, Sewer Pipe and Tile; Compressors, Air; Cranes; Crushers, Ore, Stone or Coal; Derricks; Elevators, Conveyors or Escalators; Engines, steam or internal combustion; Farm; </td> <td style="width: 50%; vertical-align: top;"> Ice Making or Refrigerating; Laundry, steam; Mill, flour or grain; Pile Drivers; Piling; Power Pumps; Printing; Mining, Ore Milling or Smelting; Screens, coal, gravel, sand or stone; Shoe or Shoe Repairing; Stokers; Tractors (See Item 4440); Trenching Machines; Well Boring or Drilling Machines. </td> </tr> </table>	Asphalt or Cement Mixing; Bakery; Bottling; Bulldozers (See Item 4440); Clay Working, Brick, Sewer Pipe and Tile; Compressors, Air; Cranes; Crushers, Ore, Stone or Coal; Derricks; Elevators, Conveyors or Escalators; Engines, steam or internal combustion; Farm;	Ice Making or Refrigerating; Laundry, steam; Mill, flour or grain; Pile Drivers; Piling; Power Pumps; Printing; Mining, Ore Milling or Smelting; Screens, coal, gravel, sand or stone; Shoe or Shoe Repairing; Stokers; Tractors (See Item 4440); Trenching Machines; Well Boring or Drilling Machines.
Asphalt or Cement Mixing; Bakery; Bottling; Bulldozers (See Item 4440); Clay Working, Brick, Sewer Pipe and Tile; Compressors, Air; Cranes; Crushers, Ore, Stone or Coal; Derricks; Elevators, Conveyors or Escalators; Engines, steam or internal combustion; Farm;	Ice Making or Refrigerating; Laundry, steam; Mill, flour or grain; Pile Drivers; Piling; Power Pumps; Printing; Mining, Ore Milling or Smelting; Screens, coal, gravel, sand or stone; Shoe or Shoe Repairing; Stokers; Tractors (See Item 4440); Trenching Machines; Well Boring or Drilling Machines.		
4300	<u>LUMBER, Viz.:</u> Piling and Bridge; Poles, electric or telephone, wooden. Mileage scales of rates on pages 247 to 250, inclusive, will not apply on commodities named in this item. Rates to apply will be the hourly charge provided in Item No. 4140 herein.		
4310	<u>MACHINERY, N.O.I.B.N.</u> (See Item No. 4440)		
4320	<u>PIPE, Viz.:</u> Concrete, Iron or Steel.		
4330	<u>PILING, Viz.:</u> Concrete, Cement or Steel.		
4340	<u>SHOVELS</u> , power.		
4350	<u>SMOKE STACKS</u> (See Item No. 4440)		
4360	<u>SNOW PLOW ATTACHMENTS.</u>		

SECTION NO. 5
Heavy Commodities

Item No.	Commodity												
4370	<p><u>TANKS, IRON, STEEL OR WOOD:</u></p> <p>Apply the bulky article provisions, as shown in Item No. 4440.</p>												
4380	<p><u>STRUCTURAL IRON OR STEEL, including Plate Girders and Stringers.</u></p> <p>Steel Concrete Forms.</p>												
(add) 4390	<p><u>ORDNANCE, Viz.::</u></p> <p>Army Tractor Tanks, Vehicles, Crawler Type, with or without gun mounts. Vehicles, crawler type, with earth moving attachments.</p>												
4400	<p><u>POLE LINE CONSTRUCTION MATERIAL:</u></p> <p>As specified under the heading "Pole Line Construction Material" in current classification, supplements thereto and reissues thereof.</p> <p>Poles, telephone or electric, cement, concrete, iron or steel.</p>												
4410	<p><u>RAILWAY EQUIPMENT:</u></p> <p>As specified under the heading of "Railway Equipment" in current classification, supplements thereto and reissues thereof.</p>												
4420	<p><u>RAILWAY TRACK MATERIAL, IRON OR STEEL:</u></p> <p>As specified under the heading "Railway Track Material, iron or steel", in current classification, supplements thereto or reissues thereof.</p>												
4430	<p><u>REINFORCEMENT, concrete or plaster, iron or steel.</u></p>												
4440	<p><u>LIGHT AND BULKY ARTICLES:</u></p> <p>When the shipment is of such dimensions that it occupies a space on one vehicle as provided for in Column 1 below, the minimum weight upon which transportation charges will be assessed will be the weight specified in Column 2 below:</p> <table style="width: 100%; margin-top: 10px;"> <thead> <tr> <th style="text-align: center;">Column 1 Space Occupied</th> <th style="text-align: center;">Column 2 Minimum Weight Pounds</th> </tr> </thead> <tbody> <tr> <td>Not over 1,000 cubic feet</td> <td style="text-align: right;">15,000</td> </tr> <tr> <td>Over 1,000 cubic feet but not over 1,200 cubic feet</td> <td style="text-align: right;">24,000</td> </tr> <tr> <td>Over 1,200 cubic feet but not over 1,700 cubic feet</td> <td style="text-align: right;">34,000</td> </tr> <tr> <td>Over 1,700 cubic feet but not over 2,200 cubic feet</td> <td style="text-align: right;">44,000</td> </tr> <tr> <td>Over 2,200 cubic feet</td> <td style="text-align: right;">50,000</td> </tr> </tbody> </table>	Column 1 Space Occupied	Column 2 Minimum Weight Pounds	Not over 1,000 cubic feet	15,000	Over 1,000 cubic feet but not over 1,200 cubic feet	24,000	Over 1,200 cubic feet but not over 1,700 cubic feet	34,000	Over 1,700 cubic feet but not over 2,200 cubic feet	44,000	Over 2,200 cubic feet	50,000
Column 1 Space Occupied	Column 2 Minimum Weight Pounds												
Not over 1,000 cubic feet	15,000												
Over 1,000 cubic feet but not over 1,200 cubic feet	24,000												
Over 1,200 cubic feet but not over 1,700 cubic feet	34,000												
Over 1,700 cubic feet but not over 2,200 cubic feet	44,000												
Over 2,200 cubic feet	50,000												

SECTION NO. 5
Heavy Commodities

Item No.	Commodity
(add) 4440-1	<p>Shipments of reinforcing and structural steel, in quantities of 40,000 pounds or more, loaded by the consignor and unloaded by the consignee, will be charged for at 90% of the mileage rate published herein.</p> <p>In the event carrier is requested to unload the shipment, such service will be performed and will be charged for at 10¢ per 100 pounds.</p> <p>Lengths from 40 feet to 60 feet will be subject to an additional charge of 20% of the mileage rate in lieu of the 3% per foot provided in Item No. 4180.</p>
(add) 4440-2	<p><u>DETENTION OF EQUIPMENT:</u></p> <p>When, through cause not attributable to the carrier, the carrier's vehicle is delayed and prevented from loading at point of origin for more than one hour after vehicle is made available for loading, or is delayed and prevented from unloading at point of destination for more than one hour after shipment is tendered for unloading, the following charges will apply for the time in excess of the one hour period allowed. (See note)</p> <p>The rates for such detention will be those set forth in Item No. 4140.</p> <p>NOTE: Vehicle will not be spotted for loading, or shipment will not be tendered for unloading between the hours of 6:00 p.m., and 7:00 a.m., unless advance arrangements are made by the shipper or consignee.</p>

SECTION NO. 5

Heavy Commodities

These rates apply on commodities named in this section

ALL RATES ON THIS PAGE ARE INCREASES

Distance--Miles	#Plains Scale				#Differential Scale				#Mountain Scale			
	COLUMN				COLUMN				COLUMN			
	1	2	3	4	1	2	3	4	1	2	3	4
	15M	20M	30M	40M	15M	20M	30M	40M	15M	20M	30M	40M
10 and under	17	16	13	11	6	4	6	2	23	20	19	13
20 and over 10	20	17	16	13	6	6	4	6	26	23	20	19
30 and over 20	24	23	19	17	6	5	6	6	30	28	25	23
40 and over 30	28	25	23	20	6	7	5	6	34	32	28	26
50 and over 40	32	28	26	24	10	6	7	6	42	34	33	30
60 and over 50	34	32	29	26	12	10	10	7	46	42	39	33
70 and over 60	41	34	32	29	11	12	10	10	52	46	42	39
80 and over 70	46	41	34	32	13	11	13	10	59	52	47	42
90 and over 80	49	43	39	34	16	12	12	12	65	55	51	46
100 and over 90	54	47	43	39	17	13	12	12	71	60	55	51
110 and over 100	58	52	46	42	17	16	13	12	75	68	59	54
120 and over 110	62	55	49	45	19	17	16	13	81	72	65	58
130 and over 120	67	58	54	47	18	17	17	13	85	75	71	60
140 and over 130	71	62	56	51	20	19	17	16	91	81	73	67
150 and over 140	75	67	59	54	23	18	18	17	98	85	77	71
160 and over 150	77	71	62	56	24	20	19	17	101	91	81	73
170 and over 160	82	73	67	59	23	22	18	18	105	95	85	77
180 and over 170	86	76	69	62	26	23	21	19	112	99	90	81
190 and over 180	90	81	73	67	27	23	22	18	117	104	95	85
200 and over 190	97	84	76	69	28	24	23	21	125	110	99	90
210 and over 200	99	88	80	72	30	27	23	22	129	115	103	94
220 and over 210	103	94	84	75	30	26	24	23	133	120	108	98
230 and over 220	108	97	86	77	33	28	26	24	141	125	112	101
240 and over 230	112	101	90	81	34	29	27	23	146	130	117	104
250 and over 240	117	103	94	84	36	30	26	26	153	133	120	110
260 and over 250	120	105	97	86	36	33	28	26	156	138	125	112
270 and over 260	125	111	101	90	37	34	29	27	162	145	130	117
280 and over 270	129	115	103	94	40	34	30	26	169	149	133	120
290 and over 280	132	119	105	97	40	35	33	28	172	154	138	125
300 and over 290	137	123	110	99	40	35	33	30	177	158	143	129
320 and over 300	145	128	116	103	42	39	35	30	187	167	151	133
340 and over 320	149	132	119	108	45	40	35	33	194	172	154	141
360 and over 340	156	138	125	112	47	43	37	34	203	181	162	146
380 and over 360	162	145	130	117	49	42	41	36	211	187	171	153
400 and over 380	169	149	134	123	50	45	42	35	219	194	176	158
420 and over 400	176	155	142	127	51	44	40	36	227	199	182	163
440 and over 420	181	159	145	130	52	46	42	41	233	205	187	171
460 and over 440	187	167	151	134	55	45	44	42	242	212	195	176
480 and over 460	195	172	156	141	56	48	46	41	251	220	202	182
500 and over 480	201	176	160	145	58	52	50	42	259	228	210	187
520 and over 500	208	182	168	149	60	51	48	46	268	233	216	195
540 and over 520	212	186	171	154	63	54	52	47	275	240	223	201
560 and over 540	220	194	176	158	63	53	52	48	283	247	228	206
580 and over 560	227	199	182	162	65	56	52	50	292	255	234	212
600 and over 580	232	203	186	168	69	59	58	51	301	262	244	219
620 and over 600	240	210	194	172	69	60	55	53	309	270	249	225
640 and over 620	245	214	197	176	70	61	58	55	315	275	255	231
660 and over 640	253	220	202	181	71	63	58	56	324	283	260	237
680 and over 660	258	227	207	185	74	62	63	59	332	289	270	244
700 and over 680	263	231	212	190	79	67	64	59	342	298	276	249

For explanation of plains, mountain and differential territory, see Item No. 860.
M Stands for Thousand. Example: 15M means 15,000.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: JOINT RATES ON MILK IN CANS)
FROM KEENSBURG AREA TO JOHNSTOWN,)
COLORADO.)

CASE NO. 1585

August 3, 1953.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a joint application from Frederic A. Bethke, d/b/a Bethke Milk Lines, and Carl Thompson by Hugh M. Sloan (the certificate of Carl Thompson is now in the process of being transferred to Hugh M. Sloan, d/b/a Road Runner Truck Line), requesting authority to establish a rate of 48¢ per 100 pounds of milk from the Keensburg area to Johnstown, Colorado.

This request is based on the fact that the Fort Lupton Condensery has been closed and the milk out of the Keensburg area is being transferred to the Johnstown condensery.

The only rates now in effect are the combination of the two local rates, namely - 37 cents from the Keensburg area to Fort Lupton plus 37 cents from Fort Lupton to Johnstown, Colorado.

This application was filed in the office of the Commission on June 17, 1953.

The petition requests that the new rate of 48 cents be made effective as of June 16, 1953, in order that the business handled for the last half of June and subsequently, will be on the basis of the lower joint rate.

F I N D I N G S

THE COMMISSION FINDS:

That, a joint rate of 48 cents per 100 pounds of milk from the authorized territory of Carl Thompson, now Hugh M. Sloan, d/b/a Road Runner Truck Line, in the Keensburg area to Johnstown, Colorado, in connection with the said Road Runner Truck Line, the Keensburg area to Fort Lupton and Bethke Milk Lines, Fort Lupton to Johnstown, Colorado should be established, nunc pro tunc as of June 16, 1953.

ORDER

THE COMMISSION ORDERS, That:

1 - The statement and findings be and are hereby made a part hereof.

2 - This order shall become effective forthwith.

3 - Frederic A. Bethke, d/b/a Bethke Milk Lines and Hugh M. Sloan, d/b/a Road Runner Truck Line shall publish a new tariff containing the joint rate herein set forth in the findings.

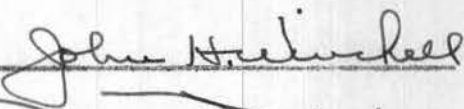
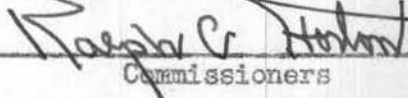
4 - All private carriers by motor vehicle to the extent they are affected shall publish the rate prescribed herein for the motor vehicle common carriers affected.

5 - The rate herein prescribed shall become effective nunc pro tunc as of June 16, 1953 by filing and posting in the manner prescribed by law and the rules of the Commission.

6 - The order entered in case number 1585, February 5, 1936, as since amended, shall continue in force and effect until the further order of the Commission.

7 - Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER HAWLEY NOT
PARTICIPATING.

Dated at Denver, Colorado
this 3d day of August, 1953.

hs

Original

(Decision No. 41042)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: THE CANCELLATION OF EX-)
CEPTIONS TO THE CLASSIFICA-)
TION BY SAMUEL C. WELKER AND)
MARTHA R. WELKER D/B/A ROCKY)
MOUNTAIN FREIGHT LINES, ESTES)
PARK, COLORADO.)

CASE NO. 1585

August 3, 1953

S T A T E M E N T

By The Commission:

The Commission is in receipt of an application, number 256, of the Motor Truck Common Carriers' Association, as agent, for and on behalf of Samuel C. Welker and Martha R. Welker, d/b/a Rocky Mountain Freight Lines, to cancel the application of the following items in M.T.C.C.A. Freight Tariff No. 12, PUC No. 6, on traffic transported by said Rocky Mountain Freight Lines, which are exceptions to classification, viz:

Item No.

- | | |
|-----|--|
| 110 | Beverages |
| 130 | Books |
| 140 | Fiberboard Boxes |
| 160 | Buffing or Polishing Compounds |
| 190 | Butter Grease |
| 210 | Catalogues |
| 230 | Clothing (Cotton Work Clothes) |
| 310 | Dry Goods |
| 330 | Explosives, high |
| 350 | Fruit, fresh |
| 400 | Groceries |
| 420 | Ice Cream and Other Frozen Confections |
| 425 | Ice Cream Mix, etc. |
| 430 | Iron or Steel Crushing Balls |
| 460 | Meat, fresh |
| 480 | Packing House Products |
| 490 | Paint |
| 500 | Paper and Paper Articles |
| 510 | Pelts, sheep |
| 520 | Petroleum and Petroleum Products |
| 530 | Pipe or Culverts |
| 540 | Poultry, dressed |
| 550 | Poultry, live |
| 580 | Scales |
| 590 | Tobacco, smoking |
| 610 | Vegetables, fresh |
| 640 | Wool in grease |

FINDINGS

THE COMMISSION FINDS:

That Case No. 1585 should be reopened for further hearing relative to the matters and things set forth in the statement.



ORDER

THE COMMISSION ORDERS:

That Case No. 1585 be and the same is hereby reopened before the Commission beginning at 10:00 o'clock A.M. on the 17th day of September, 1953 in the hearing room of the Commission, 330 State Office Building, Denver, Colorado, for the taking of evidence relative to the matters and things set forth in the statement, which statement is made a part hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

COMMISSIONER HAWLEY NOT
PARTICIPATING.



Commissioners

Dated at Denver, Colorado
this 3d day of August, 1953.

hs

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: CHANGES IN RATES ON LIVE-
STOCK BETWEEN POINTS IN THE
COUNTIES OF BACA, BENT, CROWLEY,
KIOWA, LAS ANIMAS, OTERO,
PROWERS AND PUEBLO.

CASE NO. 1535

August 3, 1953

S T A T E M E N T

By the Commission:

The Commission is in receipt of an application, number 253, from the Motor Truck Common Carriers' Association, as agent, for and on behalf of Frank M. Cadwell, Boone, Colorado; Oliver Walker and Charles Shehorn, d/b/a Walker-Shehorn Truck Line, Trinidad, Colorado; L. O. Light, La Verne Light, Wayne Light and Jimmie Light, d/b/a L. O. Light and Sons, Lamar, Colorado; John D. Green, Fowler, Colorado; George Wright, d/b/a Wright Motor Lines, Rocky Ford, Colorado; L. E. Walker, Walsh, Colorado; L. L. Richardson, Pueblo, Colorado; and Robert L. Harris, d/b/a Las Animas Transfer Company, Las Animas, Colorado, requesting authority to publish the following:

"1. Amend Item No. 4510 of Colo. P.U.C. No. 6 to read as follows:

(Applies on movements from and to points in the San Luis Valley; / (R) also between all points in Plains Territory located in the Counties of Baca, Bent, Crowley, Kiowa, Las Animas, Otero, Prowers and Pueblo.)

In the event any single shipper does not have tonnage sufficient to enable him to take advantage of the truckload rates, shipments may be combined in making up the required minimum weight on the following basis:

Compute the distance from the farthest point of origin to the destination of the shipment at the applicable rate, plus one hundred (100) cents for each pick-up involved in making up the minimum weight.

The same basis shall be used in distribution to more than one consignee or from more than one consignor at markets or sale lots.

In no case shall the aggregate charges on a combined load be more than if part of the load is computed on the less truckload rate without the pick-up charge and the balance of the load at the truckload rate plus the pick-up charge. (See note.)

NOTE: Subject to the basis for less-than-truckload rates provided in Exception No. 1 when the movement is from or to points in the San Luis Valley.

2. Remove the application of the 20,000 pound minimum and substitute the 18,000 pound minimum as is now applicable in the mountain and inter-territorial areas. This 18,000 pound minimum to apply only between points in Plains Territory located in the Counties of Baca, Bent, Crowley, Kiowa, Las Animas, Otero, Prowers and Pueblo.

3. Publish the following exception to the distances published in Section No. 8:

Rates for the transportation of livestock between points in Plains Territory located in the Counties of Baca, Bent, Crowley, Kiowa, Las Animas, Otero, Prowers and Pueblo are to be computed on highway miles as determined by use of the Colorado Highway Department's Official Map of the State of Colorado."

FINDINGS

THE COMMISSION FINDS:

That Case No. 1585 be re-opened for further hearing relative to the matters and things set forth in the statement.

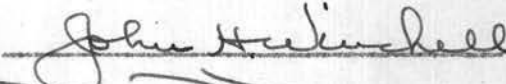

ORDER

THE COMMISSION ORDERS:

That Case No. 1585 be and the same is hereby reopened before the Commission, beginning at 10:00 o'clock A.M. on the 6th day of October, 1953, in the hearing room of the Commission, 330 State Office Building, Denver, Colorado, for the taking of evidence relative to the matters and things set forth in the statement, which statement is made a part hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

COMMISSIONER HAWLEY NOT
PARTICIPATING.



Commissioners

Dated at Denver, Colorado
this 3d day of August, 1953.

hs

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SAM BRUNTZ, 1406 11TH STREET,)
GREELEY, COLORADO.)
)
)
)
-----)

PERMIT NO. C-28363

August 7, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Sam Bruntz

requesting that Permit No. C-28363 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-28363, heretofore issued to _____
Sam Bruntz _____ be,

and the same is hereby, declared cancelled effective July 12, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Joseph W. Hecox
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 7th day of August, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
E. N. SIMPSON, 2441 - 5th STREET,)
BOULDER, COLORADO.)
)
)
)
-----)

PERMIT NO. C-22038

August 7, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

E. N. Simpson

requesting that Permit No. C-22038 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-22038, heretofore issued to _____

E. N. Simpson

be,

and the same is hereby, declared cancelled effective July 30, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Marshall
Joseph W. Hawley
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 7th day of August, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES M. HASWELL, BOX 462,)
JULESBURG, COLORADO.)
)
)
-----)

PERMIT NO. C-30624

August 7, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Charles M. Haswell

requesting that Permit No. C-30624 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30624, heretofore issued to _____

Charles M. Haswell be,

and the same is hereby, declared cancelled effective July 18, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Finckel
Ralph W. Hawley
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 7th day of August, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ART LARSON, BOX 160, HENDERSON,)
COLORADO.)
)
)
-----)

PERMIT NO. C-30289

August 7, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Art Larson

requesting that Permit No. C-30289 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30289, heretofore issued to _____

Art Larson be,

and the same is hereby, declared cancelled effective July 27, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 7th day of August, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LOUIS B. BEREND, ROUTE 4, BOX 393,)
GOLDEN, COLORADO.)
-----)

PERMIT NO. G-29623

August 7, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Louis C. Berend

requesting that Permit No. G-29623 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. G-29623, heretofore issued to _____

Louis C. Berend be,

and the same is hereby, declared cancelled effective July 28, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John MacInnes
Joseph W. Hawley
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 7th day of August, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WM. R. BALLENGER, EVERGREEN,)
COLORADO.)

) PERMIT NO. C-30784
)
)
)
)

August 7, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Wm. R. Ballenger

requesting that Permit No. C-30784 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30784, heretofore issued to _____

Wm. R. Ballenger

be,

and the same is hereby, declared cancelled effective July 31, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln
Joseph W. Hecolay
Joseph C. Horton

Commissioners

Dated at Denver, Colorado,

this 7th day of August, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
GREYHOUND CORPORATION, 3511)
WEST FORT STREET, DETROIT 16,)
MICHIGAN.)

PUG NO. 1883-I

August 7, 1953

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Greyhound Corporation, Detroit, Michigan, requesting that Certificate of Public Convenience and Necessity No. 1883-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. 1883-I, heretofore issued to Greyhound Corporation, Detroit, Michigan, be, and the same is hereby, declared cancelled effective July 28, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Wainwright
Ralph C. Hurd
Ralph C. Hurd

Commissioners.

Dated at Denver, Colorado,
this 7th day of August, 1953.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LAWRENCE MONTEZ, 6615 NORTH GROVE,)
DENVER 11, COLORADO.)

PERMIT NO. B-4445

August 7, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Lawrence Montez

requesting that Permit No. B-4445 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4445, heretofore issued to _____
Lawrence Montez be,

and the same is hereby, declared cancelled effective July 28, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Pirschell
Joseph W. Hensley
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 7th day of August, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LEWIS NEILL, 447 RALEIGH, DENVER 4,)
COLORADO.)
)
)
-----)

PERMIT NO. B-4471

August 7, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Lewis Neill

requesting that Permit No. B-4471 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4471, heretofore issued to _____

Lewis Neill be,

and the same is hereby, declared cancelled effective July 27, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Finckel
Joseph W. Hensley
Joseph C. Horton
Commissioners

Dated at Denver, Colorado,

this 7th day of August, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LEROY HARRISON, 821 E. CALHOUN ST.,)
SPRINGFIELD, MISSOURI.)
)
)
)
-----)

PERMIT NO. C-29142

August 7, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
LeRoy Harrison

requesting that Permit No. C-29142 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29142, heretofore issued to _____

LeRoy Harrison be,

and the same is hereby, declared cancelled effective June 21, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winshell

Ralph C. Gordon

Commissioners

Dated at Denver, Colorado,

this 7th day of August, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ELMER SMITH, BOX 126, EAST LAKE,)	
COLORADO, FOR A CLASS "B" PERMIT)	<u>APPLICATION NO. 12476-PP</u>
TO OPERATE AS A PRIVATE CARRIER BY)	
MOTOR VEHICLE FOR HIRE.)	
-----))	

August 5, 1953

Appearances: Elmer Smith, East Lake,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On May 21, 1953, Elmer Smith, of East Lake, 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, cement, rock lath, cinder blocks, coal, plaster, lime, glass blocks, between points within a 25-mile radius of East Lake, Colorado, for The Rio Grande Fuel Company, only.

The matter was set for hearing at 330 State Office Building, Denver, Colorado, on August 3, 1953, 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 a 1-ton Dodge truck with which he proposes to carry on the operation, and has a net worth of approximately \$10,000.00. He requests to serve The Rio Grande Fuel Company, only.

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 Elmer Smith, of East Lake, 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, cement, rock lath, cinder blocks, coal, plaster, lime, glass blocks, between points within a 25-mile radius of East Lake, Colorado, for The Rio Grande Fuel Company, 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.

COMMISSIONER HAWLEY ABSENT.

Dated at Denver, Colorado,
this 5th day of August, 1953.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PETE VELCOFF, DOING BUSINESS AS)
"VELCOFF TRADING POST," ERIE, COLO-)
RADO, FOR AN EXTENSION OF PERMIT)
NO. B-4488.)
-----)

APPLICATION NO. 12477-PP-Extension

August 5, 1953

Appearances: Pete Velcoff, Erie, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

By Decision No. 38513, of date April 24, 1952, Pete Velcoff,
doing business as "Velcoff Trading Post," Erie, Colorado, was authorized
to operate as a Class "B" private carrier by motor vehicle for hire for
the transportation of:

coal from coal mines in the vicinity of Erie, Colorado,
to Erie, Colorado; and gravel from Longmont, Colorado,
to Erie, Colorado,

and "Permit No. B-4488" issued to him.

By the instant application, permit-holder wishes to extend his
authority under said Permit No. B-4488 to include:

the transportation of sand, gravel and other road-surfacing
materials used in the construction of roads and highways
from pits and supply points in the State of Colorado, to
road jobs within a radius of 50 miles of said pits and
supply points, and for the transportation of sand, gravel,
dirt, stone and refuse from and to building construction
jobs to and from points within a radius of 50 miles of
said jobs, excluding service in Boulder, Clear Creek, and
Gilpin Counties; peat moss from peat beds within a radius
of 15 miles of Ward, Colorado, to points within a radius
of 50 miles of Erie; coal from mines in the northern Colo-
rado coal fields to Denver, Colorado, to Rocky Mountain
Arsenal near Denver, the Valmont Plant of Public Service
Company near Boulder, Colorado, and to plants of the Great
Western Sugar Company and Kumer-Empson Company within a
radius of 50 miles of Erie, Colorado; farm products (ex-
cluding livestock), and fertilizer from point to point
within a radius of 50 miles of Erie, Colorado.

The matter was set for hearing, and heard, on August 3, 1953, at 330 State Office Building, Denver, Colorado, with due notice to all interested parties, and at the conclusion of the evidence, the matter was taken under advisement.

It appeared from the evidence that applicant is an experienced operator, and the financial responsibility of applicant was established to the satisfaction of the Commission.

No one appeared in opposition to the granting of the extension sought, and it did not appear that applicant's extended service would tend to impair the efficiency of any motor vehicle common carrier service with which he will compete.

F I N D I N G S

THE COMMISSION FINDS:

That extended authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

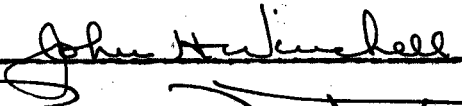
That Pete Velcoff, doing business as "Velcoff Trading Post," Erie, Colorado, should be, and hereby is, authorized to extend operations under Permit No. B-4488, so that operating rights under said Permit No. B-4488, as extended, shall be as follows:


transportation of coal from coal mines in the vicinity of Erie, Colorado, to Erie, Colorado, and gravel from Longmont, Colorado, to Erie, Colorado.

transportation of sand, gravel and other road-surfacing materials used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek, and Gilpin Counties; peat moss from peat beds within a radius of 15 miles of Ward, Colorado, to points within a radius of 50 miles of Erie; coal from mines in the northern Colorado coal fields to Denver, Colorado, to Rocky Mountain Arsenal near Denver, the Valmont Plant of Public Service Company near Boulder, Colorado, and to plants of the Great Western Sugar Company and Kumer-Empson Company within a radius of 50 miles of Erie, Colorado; farm products (excluding livestock), and fertilizer from point to point within a radius of 50 miles of Erie, 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





Commissioners.

COMMISSIONER HAWLEY ABSENT.

Dated at Denver, Colorado,
this 5th day of August, 1953.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LEO F. COFFEY, 455 SOUTH CLARKSON)
STREET, DENVER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

APPLICATION NO. 12478-PP

August 5, 1953

Appearances: Lee F. Coffey, Denver,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On July 7, 1953, Leo F. Coffey, of Denver, 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 used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek and Gilpin Counties.

The matter was regularly set for hearing at 330 State Office Building, Denver, Colorado, on August 3, 1953, 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 ample equipment with which to carry on his proposed operation, and his net worth is approximately \$10,000.

FINDINGS

THE COMMISSION FINDS:

That the instant application should be granted.

ORDER

THE COMMISSION ORDERS:

That Leo F. Coffey, of Denver, Colorado, should be, and 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 used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek and Gilpin Counties.

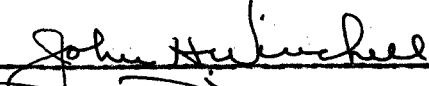
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

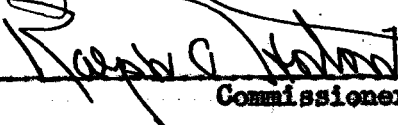
That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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.

COMMISSIONER HAWLEY ABSENT.

Dated at Denver, Colorado,
this 5th day of August, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) ROBERT F. MILLER, 701 WEST LAKE,) FORT COLLINS, COLORADO, FOR A CLASS) "B" PERMIT TO OPERATE AS A PRIVATE) CARRIER BY MOTOR VEHICLE FOR HIRE.) -----	<u>APPLICATION NO. 12480-PP</u>
---	---------------------------------

August 5, 1953

By the Commission:

On July 14, 1953, Robert F. Miller, of Fort Collins, 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 used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone, and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek and Gilpin Counties.

The matter was regularly set for hearing at 330 State Office Building, Denver, Colorado, on August 3, 1953, at ten o'clock A. M., due notice of the time and place of said hearing being forwarded to all interested parties, including applicant.

When the matter was called for hearing, applicant did not appear, either in person or by counsel. Whereupon, 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 operation 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 Robert F. Miller, of Fort Collins, 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 used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone, and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek and Gilpin Counties.

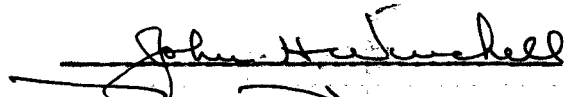
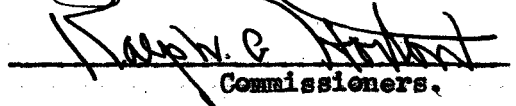
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

COMMISSIONER HAWLEY ABSENT.

Dated at Denver, Colorado,
this 5th day of August, 1953.

bf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WESTERN REDDI-WIP, 180 WYNKOOP,)
DENVER 2, COLORADO.)
)
)
)
)
-----)

PERMIT NO. C-26721

August 7, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Western Reddi-Wip

requesting that Permit No. C-26721 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-26721, heretofore issued to _____
Western Reddi-Wip be,

and the same is hereby, declared cancelled effective August 1, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John Healinshell
Joseph W. Hawley
Joseph C. Horton
Commissioners

Dated at Denver, Colorado,

this 7th day of August, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
L. L. LARSON, BOX 241, LA SALLE,)
COLORADO.)

PERMIT NO. C-26046

August 7, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
L. L. Larson

requesting that Permit No. C-26046 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-26046, heretofore issued to _____
L. L. Larson _____ be,

and the same is hereby, declared cancelled effective July 25, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Ralph C. Hurdley
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 7th day of August, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
INLAND CONSUMER CREDIT CO. (CORP.),)
BOX 311, GREELEY, COLORADO.)
)
)
)
-----)

PERMIT NO. C-27751

August 7, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Inland Consumer Credit Co. (Corp.)

requesting that Permit No. C-27751 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-27751, heretofore issued to _____

Inland Consumer Credit Co. (Corp.) be,

and the same is hereby, declared cancelled effective July 28, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln

Ralph C. Hurlburt

Ralph C. Hurlburt
Commissioners

Dated at Denver, Colorado,

this 7th day of August, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
M. SMOOKLER, 1607 FEDERAL BOULEVARD,)
DENVER 4, COLORADO.)
_____))
_____)

PERMIT NO. C-9645

August 7, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

M. Smookler

requesting that Permit No. C-9645 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-9645, heretofore issued to _____

M. Smookler

be,

and the same is hereby, declared cancelled effective June 30, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Lincoln

Joseph W. Hawley

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 7th day of August, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES J. TRIBBLE, JAMESTOWN STAR)
ROUTE, BOULDER, COLORADO.)
)
)
-----)

PERMIT NO. C-25344

August 7, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Charles J. Tribble

requesting that Permit No. C-25344 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-25344, heretofore issued to _____
Charles J. Tribble be,

and the same is hereby, declared cancelled effective July 28, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Joseph W. Hecox
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 7th day of August, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOHN R. SHELLEY, DOING BUSINESS AS)
"SHELLEY'S CREAMERY," 665 4TH)
AVENUE, LONGMONT, COLORADO.)
-----)

PERMIT NO. C-7578

August 7, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

John R. Shelley, dba "Shelley's Creamery"

requesting that Permit No. C-7578 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-7578, heretofore issued to _____

John R. Shelley, dba "Shelley's Creamery" be,

and the same is hereby, declared cancelled effective January 1, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Ralph C. Gordon
Ralph C. Gordon

Commissioners

Dated at Denver, Colorado,

this 7th day of August, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

) PERMIT NO. C-25222
)
)
)
-----)

August 7, 1953

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.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-25222, heretofore issued to _____
Bruce Hardman _____ be,

and the same is hereby, declared cancelled effective June 23, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Ralph C. Woodard
Ralph C. Woodard

Commissioners

Dated at Denver, Colorado,

this 7th day of August, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LESTER SHARP, 523 EUCLID STREET,)
FT. MORGAN, COLORADO.)

) PERMIT NO. C-29164
)
)
)
)

August 7, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Lester Sharp

requesting that Permit No. C-29164 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29164, heretofore issued to _____
Lester Sharp _____ be,

and the same is hereby, declared cancelled effective July 25, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Ralph C. Hudson
Ralph C. Hudson

Commissioners

Dated at Denver, Colorado,

this 7th day of August, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MABEL I. WILSON, 421 PINE STREET,)
STERLING, COLORADO.)
)
)
-----)

PERMIT NO. C-5915

August 7, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Mabel I. Wilson

requesting that Permit No. C-5915 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-5915, heretofore issued to _____
Mabel I. Wilson be,

and the same is hereby, declared cancelled effective July 27, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Winchell
Joseph W. Hecolay
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 7th day of August, 1953.

mls

(Decision No. 41067)

IN THE MATTER OF ISSUANCE OF)
TEMPORARY CERTIFICATES OF PUBLIC)
CONVENIENCE AND NECESSITY UNDER)
CHAPTER 80, SESSION LAWS OF)
COLORADO 1951)

APPLICATION NO. 12489

August 4, 1953

S T A T E M E N T

By the Commission:

Report has been received from Paul W. Swisher, Commissioner, Colorado Department of Agriculture, to the effect that an emergency exists in the matter of trucks for the transportation of beans in Weld, Adams and Morgan Counties; corn in Larimer, Boulder and Weld Counties; pickles in Adams, Weld and Boulder Counties; tomatoes in Weld, Morgan and Adams Counties, from the fields to canneries and storage points.

That said emergency will begin August 7th and continue until September 6th, 1953.

Request is made for an order of the Commission relative to the issuance of temporary certificates for the seasonal transportation of commodities above described.

F I N D I N G S

THE COMMISSION FINDS:

That an emergency exists because of the shortage of certified trucks for the transportation of vegetables in the territory above described and that public convenience and necessity require that temporary certificates should issue for the operation of motor vehicles for the transportation of said vegetables to markets and places of storage as provided by Chapter 80, Session Laws of 1951, said certificates to be effective for a period of thirty (30) days from August 7, 1953 to September 6, 1953.

ORDER

THE COMMISSION ORDERS:

That temporary certificates should be, and are hereby authorized to be issued for the operation of motor vehicles for the transportation of vegetables to markets and places of storage in that part of Colorado described above, said certificates to be effective August 7th of 1953 and to continue in force up to and including September 6th, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Hunschell

X X X X X X
Raymond C. Hoken
Commissioners

Commissioner Hawley absent.

Dated at Denver, Colorado,
this 4th day of August, 1953
ds

(Decision No. 41068)

IN THE MATTER OF ISSUANCE OF)
TEMPORARY CERTIFICATES OF PUBLIC)
CONVENIENCE AND NECESSITY UNDER)
CHAPTER 80, SESSION LAWS OF)
COLORADO 1951.)

APPLICATION NO. 12490

August 4, 1953

S T A T E M E N T

By the Commission:

Report has been received from Paul W. Swisher, Commissioner, Colorado Department of Agriculture, to the effect that an emergency exists in the matter of trucks for the transportation of early potatoes from fields to markets, storage points, sheds and railroad cars in that part of Weld County lying south of a line drawn along Highway 34. Supplemental information has been received from the State Highway Patrol that there are large amounts of potatoes lying between Highway 34 and Highway 14 and that the emergency herein provided for, should be for that part of Weld County lying south of Highway 14.

That said emergency will begin August 7th and will continue until September 6th, 1953.

Request is made for an order of the Commission relative to the issuance of temporary certificates for additional transportation of early potatoes in the territories above described.

F I N D I N G S

THE COMMISSION FINDS:

That an emergency exists because of a shortage of certified trucks for the transportation of early potatoes in the territory above described and that public convenience and necessity require that temporary certificates should issue for the operation of motor vehicles for the

transportation of said early potatoes to markets, storage points, sheds and railroad cars as provided by Chapter 80, Session Laws of 1951, said certificates to be effective for a period of thirty (30) days from August 7th, 1953 to September 6th, 1953.

ORDER

THE COMMISSION ORDERS:

That temporary certificates should be, and are hereby authorized to be issued for the operation of motor vehicles for the transportation of early potatoes to markets, storage points, sheds and railroad cars in that part of Colorado described above, said certificates to be effective August 7th of 1953 and to continue in force up to and including September 6th, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. Hawley

X X X X X
Ralph C. Horton
Commissioners

COMMISSIONER HAWLEY ABSENT.

Dated at Denver, Colorado,
this 4th day of August, 1953
ds

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FELIX MARQUEZ, BOX 63, DENVER, COLO-)
RADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION No. 12479-PP-Reissue

August 5, 1953

Appearances: Felix Marquez, Denver,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On July 13, 1953, Felix Marquez, 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 used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone, and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek, and Gilpin Counties; and coal from the northern Colorado coal fields to Denver; to Valmont Plant of Public Service Company, located near Boulder, Rocky Mountain Arsenal, northeast of Denver, and to Kumer-Empson and Great Western Sugar Company Plants within a 50 mile radius of Denver, Colorado; said authority to bear permit number "B-4295."

The matter was set for hearing at 330 State Office Building, Denver, Colorado, on August 3, 1953, 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 a 1951 Ford 2-ton dump truck with which he proposes to operate, and his net worth is approximately \$8,000.00.

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 Felix Marquez, of Denver, Colorado, should be, and 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 used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone, and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek and Gilpin Counties; and coal from the northern Colorado coal fields to Denver; to Valmont Plant of Public Service Company located near Boulder, Rocky Mountain Arsenal northeast of Denver, and to Kumer-Empson and Great Western Sugar Company Plants within a 50 mile radius of Denver, Colorado.

That said authority shall be designated "Permit No. B-4295" being a number formerly held by applicant.

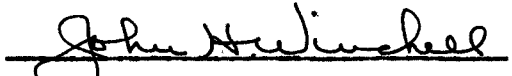
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.


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.

COMMISSIONER HAWLEY ABSENT.

Dated at Denver, Colorado,
this 5th day of August, 1953.

mls

original

(Decision No. 41070)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
GEORGE VANCIL, DOING BUSINESS AS)
"VANCIL TRUCK LINE," DEERTRAIL,)
COLORADO, FOR AN EXTENSION OF PUC)
NO. 2371.)

APPLICATION NO. 12342-Extension
SUPPLEMENTAL ORDER

August 5, 1953

Appearances: Stockton and Lewis, Esqs.,
Denver, Colorado, and
Barry and Hupp, Esqs.,
Denver, Colorado, for
applicant;
Frank A. Safranek, Esq.,
Limon, Colorado, for Dee
Wann, J. H. McCorkle,
Genoa Transportation Com-
pany, L. C. LaBorde,
William F. Ackley, Barn-
hill Truck Line, Ralph
Kincaid;
Ed Tuxhorn, Byers, Colo-
rado, pro se;
Alice Blakley, Denver,
Colorado, for Blakley
Livestock Trucking Co.

S T A T E M E N T

By the Commission:

On July 9, 1953, Decision No. 40843 was entered by the Commission in the above-styled application, authorizing applicant herein to extend operations under PUC No. 2371.

On July 20, 1953, application for rehearing was filed by Ed Tuxhorn, Byers, Colorado, in behalf of Byers-Denver Truck Line.

The Commission has reviewed the evidence adduced at the hearing on said application, and has carefully considered application for rehearing filed herein, and is of the opinion, and finds, that said application for rehearing should be denied.

F I N D I N G S

THE COMMISSION FINDS:

That application for rehearing filed herein should be denied.

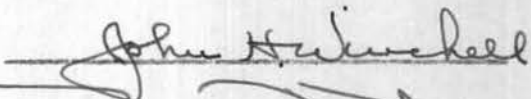

ORDER

THE COMMISSION ORDERS:

That application for rehearing filed hereby by Ed Tuxhorn, on behalf of Byers-Denver Truck Line, should be, and the same is hereby, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HAWLEY NOT PARTICIPATING.

Dated at Denver, Colorado,
this 5th day of August, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HAROLD GUECK, DAILEY, COLORADO, FOR)
AUTHORITY TO TRANSFER PERMIT NO.)
B-821 TO ROBERT GUGELMAN, BERTHOUD,)
COLORADO.)

APPLICATION NO. 12475-PP-Transfer

August 5, 1953

Appearances: Bruce Ombey, Esq., Denver,
Colorado, for Transferor
and Transferee.

S T A T E M E N T

By the Commission:

On August 30, 1934, Private Carrier Permit No. B-821 was issued to Douglas G. Cressey, of Avondale, Colorado, which authorizes transportation of:

freight between points in the State of Colorado.

By Decision No. 9879, W. G. Cressey was authorized by this Commission to transfer said Permit No. B-821 to Lucille Tolbert, doing business as "Tolbert Truck Line," and by Decision No. 31655, Lucille Tolbert, doing business as "Tolbert Truck Line," was authorized by this Commission to transfer the above-named permit to Howard Gueck, the transferor herein, who now seeks authority to transfer said Permit No. B-821 to Robert Gugelman, of Berthoud, Colorado.

The matter was regularly set for hearing, and heard, at 330 State Office Building, Denver, Colorado, on August 3, 1953, and, at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that said operation is free and clear of liens, and there is no outstanding indebtedness, except current bills, which transferor agrees to pay.

The evidence further discloses that the consideration for the

purchase price of said permit, one 1947 GMC truck tractor, and a 1947 Fruehauf trailer, is the sum of \$14,150, payable as follows: \$500.00 every six months, and 3% interest per annum, the first payment to begin six months after the date of transfer, said payment of \$500.00 to be applied first to the accrued interest and then to the principal balance, and shall be evidenced by a note bearing date of the approval of transfer of said permit, and to be secured by chattel mortgage.

It further appears that transferee is well qualified financially and through experience to immediately commence operations under said permit, and that the ton-mile tax deposit is to be transferred to the account of transferee.

The transferee stated at the hearing that his office for the solicitation of business would be located at Berthoud, Colorado, and agreed that he would maintain an office at Berthoud only for the solicitation of business.

F I N D I N G S

After careful consideration of the records, the Commission is of the opinion, and finds, that the proposed transfer is compatible with the public interest and should be authorized, subject to payment of current outstanding indebtedness, if any there be, at the time of transfer.

O R D E R

THE COMMISSION ORDERS:

That Harold Gueck, of Dailey, Colorado, be, and hereby is, authorized to transfer all his right, title and interest in and to Permit No. B-821 to Robert Gugelman, of Berthoud, Colorado, said transferor, to secure payment of the purchase price, being hereby authorized to place a chattel mortgage on said permit, as more particularly set forth in the Contract of Sale attached to said application.

IT IS FURTHER ORDERED, That the said permit shall be restricted to the extent that an office can be maintained by transferee at Berthoud, Colorado, only, for the solicitation of business.

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

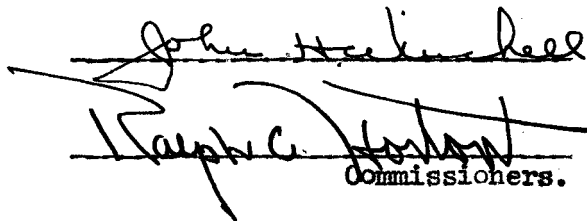
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

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.

This order is made a part of the permit authorized to be transferred.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

COMMISSIONER HAWLEY ABSENT.

Dated at Denver, Colorado,
this 5th day of August, 1953.

mls

Mitchell

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
KANSAS-NEBRASKA NATURAL GAS COMPANY,)
INC., HASTINGS, NEBRASKA, FOR AN OR-)
DER, AUTHORIZING ISSUE OF PREFERRED)
STOCK AND DEBENTURES.)

APPLICATION NO. 12491

August 4, 1953

S T A T E M E N T .

By the Commission:

Upon consideration of the application filed August 4, 1953, by the Kansas-Nebraska Natural Gas Company, Inc., a corporation, in the above-styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on Friday, August 14, 1953, at 9:30 O'clock A. M., 330 State Office Building, Denver, Colorado, respecting the matters involved and the issues presented in this proceeding. Any interested municipality or any representative of interested consumers or security holders of applicant corporation, and any other person whose participation herein is in the public interest, may intervene in said proceedings. Intervention petitions should be filed with the Commission on or before August 10, 1953, and should set forth the grounds of the proposed intervention, and the position and interest of the petitioners in the proceedings, and must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

COMMISSIONER HAWLEY, ABSENT.

John H. ...
Ralph C. ...
Commissioners

Dated at Denver, Colorado,
this 4th day of August, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
COY GERGEN, 511 NORTH SEVENTH)
STREET, LAMAR, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

APPLICATION NO. 12452-PP

August 5, 1953

Appearances: Coy Gergen, Lamar, 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 dirt, between all points within a radius of fifty miles of Lamar, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Eads, Colorado, July 30, 1953, 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 is now operating under a letter of temporary authority granted by this Commission; that he is the owner of a 1952 International K-7 five-yard dump truck, a 1950 International K-5 four-yard dump truck, a 1949 Ford six-yard dump truck, a 1948 Ford six-yard dump truck, and a 1948 GMC three-yard dump truck; that he has had ten years experience in the operation of trucks; that his net worth is approximately \$10,000.00; that he has an oral contract with the City of Lamar to employ his services if this application is granted.

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

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

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

F I N D I N G S

THE COMMISSION FINDS:

That applicant is fit, willing, and able to perform the service sought to be performed, and to conform to the requirements of the Private Carrier Act, and our rules and regulations thereunder; that the proposed operation will not impair the efficiency of any common carrier service with which applicant will compete; that authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Coy Gergen, Lamar, Colorado, should 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 dirt, from point to point within a radius of fifty miles of Lamar, Colorado.

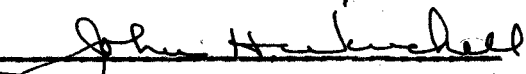
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

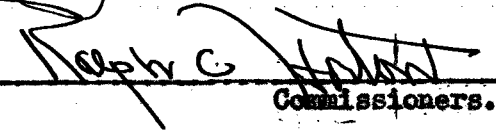
That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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.

COMMISSIONER HAWLEY ABSENT.

Dated at Denver, Colorado,
this 5th day of August, 1953.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE MOUNTAIN UTILITIES CORPORATION)
TO SELL AND ASPEN WATER COMPANY TO)
PURCHASE ALL OF THE FACILITIES AND)
ASSETS OF THE MOUNTAIN UTILITIES)
CORPORATION, SITUATE IN PITKIN)
COUNTY, COLORADO, AND RELATING TO)
THE WATER SYSTEM AT THE CITY OF)
ASPEN AND VICINITY, AND RELATED)
MATTERS.)

APPLICATION NO. 12428

August 7, 1953

Appearances: Holme, Roberts, More, Owen &
Keegan, Esqs., by Robert E.
More, Esq., Denver, Colorado,
for applicant and Aspen Water
Company;
George J. Bailey, Esq., Walden,
Colorado, for Mountain Parks
Electric, Inc.;
W. E. Parkison, Esq., Glenwood
Springs, Colorado, for Holy
Cross Electric Association,
Inc.;
George J. Petre, Esq., Glenwood
Springs, Colorado, for the
City of Aspen;
Dr. Robert Barnard, Aspen, Colo-
rado, pro se;
Wm. R. Shaw, Esq., Aspen, Colo-
rado, pro se;
Thatcher Shaw, Esq., Aspen,
Colorado, for Pitkin County
Commissioners and pro se;
V. E. Ringle, Esq., Aspen, Colo-
rado, for the Aspen Lions Club
and pro se;
Burnham Miller, Esq., Aspen,
Colorado, pro se;
Robert Holt, Esq., Aspen, Colo-
rado, pro se;
W. Geo. Denny, Jr., and
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 June 24, 1953, and set for hearing, after due notice to all interested parties, on July 10, 1953, at 330 State Office Building, Denver, Colorado, and for a continued hearing at the Court House, Aspen, Colorado, on July 11, 1953, and, after

said hearings, was taken under advisement by the Commission.

This is an application of The Mountain Utilities Corporation, a Colorado corporation, (hereinafter called "Mountain") and Aspen Water Company, a Colorado corporation, (hereinafter called "Water Company") requesting authority for Mountain to sell and transfer and Water Company to purchase the water system and facilities now owned and operated by Mountain at Aspen, Colorado, and for authority to Water Company to maintain and operate such properties after such transfer. It was also prayed that a Certificate of Public Convenience and Necessity covering the operation of said water system be granted to Mountain, and that authority be granted Mountain to transfer the same to Water Company.

Concurrently with this application, there were filed with the Commission Applications Nos. 12429 and 12430 for orders authorizing transfer to Mountain Parks Electric, Inc. (hereinafter called "Parks") and Holy Cross Electric Association, Inc. (hereinafter called "Holy Cross"), the certificates of public convenience and necessity now held by Mountain for the authorization of electric service in certain cities, communities and rural areas in Pitkin and Grand Counties. By Applications Numbers 12431 and 12433, Parks and Holy Cross prayed for authority to issue securities and apply the proceeds thereof to the acquisition of said certificates and operation of Mountain's said electrical utilities. All of the above numbered applications were heard on a joint record, together with the instant application.

The evidence disclosed that for a number of years Mountain has been engaged in the business of the supply and distribution of water in Aspen, Colorado, and in territory adjacent thereto, and also in the business of the supply and distribution of electricity in certain areas in Pitkin and Grand Counties, Colorado. Under date of June 5, 1953, Gerald L. and Florence M. Schlessman, who own all of the capital stock of Mountain, entered into a Sale Agreement (Exhibit C herein) to sell all of said stock to Parks (the name of which then was "North Park Rural Electric

Association, Inc.") and Holy Cross, jointly, and to do certain other acts specified in said Agreement. Section 8 of said Agreement provided that neither Parks nor Holy Cross was interested in acquiring said water system of Mountain, and Section 8 further provided that Mountain should divest itself of said water system prior to adjustment date. Pursuant to said Section 8, Mountain and Water Company entered into an Agreement dated June 22, 1953, (Exhibit B herein) wherein and whereby Mountain agreed, subject to the approval of this Commission, to separate its water supply and distribution properties and business from its electrical system and business and to sell and transfer such water property and business to Water Company.

The evidence disclosed (Exhibit A herein) that Water Company is a Colorado corporation with an authorized capital stock in the amount of \$100,000, duly authorized to acquire, own, operate and maintain a public utility water supply and distribution system and business. All capital stock of Water Company and its promissory note for \$10,237.39, or an adjusted amount, will be paid to Mountain as the purchase price for said water system, and all of said capital stock will thereupon be sold to said Gerald L. Schlessman, who, with his wife, are now the owners of all of the capital stock of Mountain. The same executive officers who are now operating said water system will operate it for Water Company, and Water Company will file with this Commission an Adoption Notice and a Supplement to Tariff adopting the water tariffs now in effect in Aspen, Colorado, all in accordance with Rule 21 of the Commission's Rules of Practice and Procedure.

At the continued hearing in Aspen, appearances were made by various interested parties, including the City, County Commissioners, and several customers. Rather extensive cross-examination of the witnesses was conducted by these interested parties and, as a result of the questions, it developed that they were concerned with the future operations of both the water and electric properties. Since the proposed transfer of the water company is to a new corporation that will have the same directors and owners

of the stock as the present Mountain Utilities Corporation, no change in policy or rates is contemplated at this time. Mr. Lanning, as a witness for the water company, stated in effect that the company would continue to render water service, and new mains and services would be installed as they were needed. The new Aspen Water Company would be under the jurisdiction of the Commission, the same as the Mountain Utilities Corporation had been in the past.

George Thurston, Superintendent for Holy Cross and who was called as a witness by said applicant, testified that the construction of an electrical transmission line to Aspen had been discussed and that, if such line were constructed, then, under Section 2(b) of the Agreement of June 22, 1953, Water Company would have the right to acquire, without additional consideration, all water rights, ditches, tanks, reservoirs, pipe lines and lands now used by Mountain in its production of electric power. This would give Aspen Water Company greatly larger water resources than Mountain or its predecessors have had, and assure Aspen and environs of an adequate supply in case substantial growth occurs.

By Application No. 9728, Decision 32233, of March 1, 1949, Mountain obtained an order from this Commission setting forth in detail, by metes and bounds, the territory it was obliged to serve as a public utility. By the same order, a certain contract between Mountain and the Aspen Company, et al, was approved. Mountain, in the instant matter, seeks a certificate of public convenience and necessity from this Commission to operate as a water utility in the area heretofore delineated by Decision No. 32233. Mountain acquired the water properties in Aspen from a predecessor company that had been distributing water in Aspen prior to the passage of the Public Utility Act and hence was operating by virtue of so-called "grandfather rights." Since Mountain is seeking herein to divest itself of the water operation, we believe it an opportune time to grant the request for a certificate of public convenience and necessity to Mountain, together with permission for Mountain to transfer to the Aspen Water Company said certificate, with the provision that the area to be served under the certificate to be

granted will be the same area as defined in Application No. 9728, and, further, that the other provisions in said Order shall be binding upon Mountain and upon the Aspen Water Company in the event the transfer herein contemplated is consummated.

F I N D I N G S

After careful consideration of all the evidence adduced at both hearings, and of all the files, records and proceedings herein, the Commission is of the opinion and finds as follows:

1. That the Commission has jurisdiction over and with respect to the sale and transfer by Mountain Utilities Corporation and the purchase and acquisition by Aspen Water Company of the aforesaid water system of Mountain in and about Aspen, Colorado, and of all other matters presented in the Application herein.

2. That Mountain should be permitted to sell and transfer to Water Company, and the latter should be permitted to purchase and acquire from Mountain the aforesaid Aspen water system, upon the terms and conditions set forth in the Agreement of June 22, 1953 (Exhibit B herein), provided, that the consideration set out as the price of the assets involved shall not be binding on this Commission in any subsequent investigation where valuation may be an issue.

3. That public convenience and necessity require that a certificate of public convenience and necessity for operation of said water system should be issued by this Commission to Mountain and that, upon acquisition of said water system by Water Company, transfer of said certificate of public convenience and necessity from Mountain to Aspen Water Company should be approved by this Commission.

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

O R D E R

THE COMMISSION ORDERS:

1. That the sale and transfer by The Mountain Utilities Corporation to Aspen Water Company of the aforesaid water system in and about Aspen,

Colorado, and the purchase and acquisition of the same by Aspen Water Company on the terms set forth in Exhibit B herein, being the Agreement of June 22, 1953, be, and the same hereby are, authorized and approved.

2. That a certificate of public convenience and necessity for the operation of said water system be, and it hereby is, granted to The Mountain Utilities Corporation, and the transfer of the same to Aspen Water Company, upon the completion of the transfer of said water system to it, be, and the same hereby is, authorized and approved.

3. That the area for water service granted by the certificate of public convenience and necessity herein be, as defined by the Commission in Application No. 9728, Decision No. 32233, of March 1, 1949, and that all the other provisions of said Decision shall remain in full force and effect upon The Mountain Utilities Corporation until the transfer herein authorized is completed, and upon the Aspen Water Company as its successor upon completion of said transfer.

4. That the tariff of rates, rules and regulations of The Mountain Utilities Corporation with respect to water users in and about Aspen shall be adopted by and become and remain those of Aspen Water Company until changed according to law and the rules and regulations of this Commission.

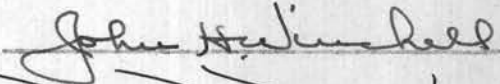
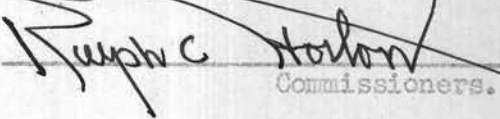
5. That Aspen Water Company shall, within 60 days from the closing date of the sale and transfer, file with the Commission a certificate showing that it has duly acquired the said water and distribution system in and about the Town of Aspen, Colorado, the said certificate of public convenience and necessity and other property and rights incident thereto, and showing the date of acquisition of same and the final net purchase price.

6. That the Aspen Water Company shall, within 60 days of the closing date of the sale and transfer herein authorized, file with this Commission a balance sheet of said Company, as of said closing date, that shall reflect the opening entries it proposes to place upon its books.

7. That jurisdiction hereof be, and the same is, retained to the end that such further orders deemed necessary may be entered by the Commission.

This Order shall become effective twenty-one days from date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HAWLEY ABSENT.

Dated at Denver, Colorado,
this 7th day of August, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
W. D. DELAP, WETMORE, COLORADO, FOR)
AUTHORITY TO TRANSFER PERMIT NO.)
B-3079 TO MARION DUNSMOOR, WETMORE,)
COLORADO.)
-----)

APPLICATION NO. 12488-PP-Transfer

August 7, 1953

S T A T E M E N T

By the Commission:

By Decision No. 22442, of date July 7, 1944, J. A. Holentine was authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

milk to Pueblo from farms within a radius of seven and one-half miles of Wetmore, and from farms within a distance of three miles of State Highway No. 96 between Wetmore and Pueblo, with back-haul of empty cans and feed from Pueblo to said farms,

said operating rights being designated "Permit No. B-3079."

Pursuant to authority contained in Decision No. 27710, of date March 3, 1947, said permit-holder transferred said Permit No. B-3079 to W. D. Delap, Wetmore, Colorado, said W. D. Delap, by the same decision, being authorized to extend operations thereunder to include the right to transport:

milk from farms within a radius of five miles of Florence to Pueblo, with back-haul of empty cans.

By the instant application, W. D. Delap seeks authority to transfer Permit No. B-3079 to Marion Dunsmoor, Wetmore, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit 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 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 W. D. Delap, Wetmore, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to Permit No. B-3079 — being the operating rights granted by Decision No. 22442, as extended by Decision No. 27710 — to Marion Dunsmoor, Wetmore, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

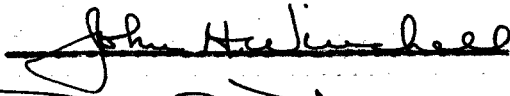
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

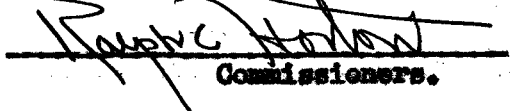
The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering his operations under said permit up to the time of transfer of 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.

COMMISSIONER HAWLEY ABSENT.

Dated at Denver, Colorado,
this 7th day of August, 1953.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
STERLING ALFALFA PRODUCTS, INC.,)	<u>PERMIT NO. C-29828</u>
BOX 162, STERLING, COLORADO.)	<u>CASE NO. 66095-INS.</u>
-----)	

August 7, 1953

S T A T E M E N T

By the Commission:

On July 29, 1953, in Case No. 66095-Ins., the Commission entered an order cancelling the above-numbered permit for failure of respondent to keep on file the required Certificate of Insurance.

Inasmuch as proper insurance filing was made within the five-day period of grace allowed in said Order,

F I N D I N G S

THE COMMISSION FINDS:

That said revocation order should be set aside, and said permit reinstated.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-29828 should be, and the same hereby is, reinstated, as of July 29, 1953, revocation order entered in Case No. 66095-INS., under date of July 29, 1953, being hereby set aside, cancelled, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John H. ...
Ray C. ...
 Commissioners.

COMMISSIONER HAWLEY ABSENT.

Dated at Denver, Colorado,
this 7th day of August, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
TONY SALAMANCA, ROUTE 1, BOX 22,)
PLATTEVILLE, COLORADO.)
-----)

PERMIT NO. C-29067
CASE NO. 65930-INS.

August 7, 1953

S T A T E M E N T

By the Commission:

On July 21, 1953, in Case No. 65930-Ins., the Commission entered an order cancelling the above-numbered permit for failure of respondent to keep on file the required Certificate of Insurance.

Inasmuch as proper insurance has now been filed,

F I N D I N G S

THE COMMISSION FINDS:

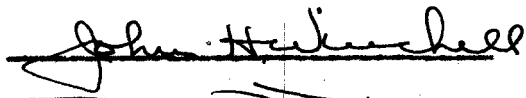
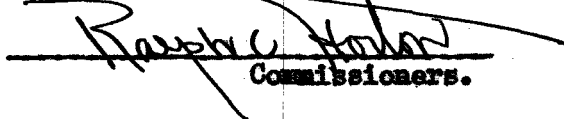
That said revocation order should be set aside.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-29067 should be, and the same hereby is, reinstated, as of July 21, 1953, revocation order entered in Case No. 65930-Ins. being hereby set aside, cancelled and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HAWLEY ABSENT.

Dated at Denver, Colorado,
this 7th day of August, 1953.

ea

original

(Decision No. 41078)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE D. CROW AND JOSEPH F. SCHMITT,)
DOING BUSINESS AS "EADS-LAMAR TRUCK)
LINE," EADS, COLORADO, FOR AUTHORITY)
TO TRANSFER PUC NO. 306 TO DENVER-)
LIMON-BURLINGTON TRANSFER COMPANY,)
1420 18TH STREET, DENVER, COLORADO.)
-----)

APPLICATION NO. 12456-Transfer

August 7, 1953

Appearances: Edward C. Hastings, Esq.,
Eads, Colorado,
John J. Lefferdink, Esq.,
Eads, Colorado, and
J. J. Vandemoer, Jr., Esq.,
Cheyenne Wells, Colorado,
for applicants;
A. J. Fregeau, Denver, Colo-
rado, for Weicker Transfer
and Storage Company.

S T A T E M E N T

By the Commission:

Pursuant to authority contained in Decision No. 28066, of date April 12, 1947, George D. Crow and Joseph F. Schmitt, co-partners, doing business as "Eads-Lamar Truck Line," Eads, Colorado, acquired operating rights known as "PUC No. 306," authorizing them to operate as common carriers by motor vehicle, for the transportation of:

freight between Eads and Lamar, Colorado, and intermediate points, and livestock, only, to Lamar from the territory within a radius of ten miles from Eads and two miles from Wiley, Colorado.

By the instant application, George D. Crow and Joseph F. Schmitt, co-partners, doing business as "Eads-Lamar Truck Line," Eads, Colorado, seek authority to transfer all right, title, and interest in and to said PUC No. 306 to Denver-Limon-Burlington Transfer Company, Denver, Colorado, owners and operators of PUC No. 699 and PUC No. 699-I.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Eads, Colorado, July 30, 1953, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Joseph F. Schmitt, one of transferors herein, testified that the co-partnership had been operating under PUC No. 306 since December, 1948. He identified and introduced into evidence Exhibit No. 3 -- the Agreement with the Denver-Limon-Burlington Transfer Company for the purchase of the Eads-Lamar Truck Line -- and Exhibit No. 1 -- the equipment list of Eads-Lamar Truck Line, which equipment is to be transferred with the operating rights. He testified that he has been the active manager of the operation; that the gross operating revenue for 1953 by months was as follows: January, \$167; February, \$160; March, \$93; April, \$87; May, \$91.30; June, \$93.30; that in conducting the operation they used a 1953 two-ton Chevrolet Tractor, a Trailmobile Furniture Van, and one Chevrolet Pick-up Truck; that the value of the tractor was approximately \$2,995, the trailer, \$4,320, and the pick-up truck, \$1,000; that they employed one man at \$175 per month; that gas cost on an average of \$80 per month; that repairs and maintenance average \$15 per month; that during the first six months of 1953 they operated at a loss; that during the Year 1952 they operated at a very small profit; that they could not continue to operate at a loss, and that if authority to make this transfer is denied, they would have to discontinue service, and there is no other service available between Eads and Lamar, Colorado; that freight from Denver was received from Weicker Transfer and Storage Company at Lamar; that merchants will not pay a combination of two local rates; that they would pay a through rate; that they operated daily, except Sundays and holidays, on schedule; that their scheduled operation did not make satisfactory time connections with Denver-Limon-Burlington in most cases; that he, Schmitt, personally operated the mail contract between Eads and Lamar, for which he received \$2,460 annually; that even with this mail contract, the operation was losing money.

Henry Orender, President of Denver-Limon-Burlington Transfer Company, identified his signature on Exhibit No. 1, and identified and introduced in evidence Exhibit No. 5, being the equipment list of the Denver-Limon-Burlington Transfer Company. He stated that if this transfer is approved, his company would operate a daily service between Cheyenne Wells, Kit Carson, Eads, and Lamar, Colorado; that their present operation included three-times-a-week service between Kit Carson and Eads; that they would acquire and put into service refrigerated trucks, in order to transport fresh meats under refrigeration from Denver to Eads, and from Lamar, Colorado, north into the Lamar Trade Territory.

Robert Peterson, Treasurer of Denver-Limon-Burlington Transfer Company, identified and introduced into evidence Exhibit No. 6, the Profit and Loss Statement of Denver-Limon-Burlington Transfer Company for the first six months of 1953, and Exhibit No. 7, the Balance Sheet of Denver-Limon-Burlington Transfer Company, as of June 30, 1953, and Exhibit No. 4, the Certificate of Incorporation of Denver-Limon-Burlington Transfer Company. He stated that the highway distance from Denver to Lamar, by way of Highway No. 40 and Kit Carson, was 204 miles; that the highway distance from Denver to Lamar, by way of Pueblo, was 234 miles.

L. P. Creaghe, Lamar, Colorado, testified that he is a meat packer; that his business would be seriously injured by the discontinuance of the Eads-Lamar Truck Line; that he ships one to two tons a week from Lamar to Eads; that he is in urgent need of a truck service from Lamar to Kit Carson and Cheyenne Wells; that there is presently no service available to him to Burlington and Hugo, Colorado; that the logical Lamar Trade Area north of Lamar is not now available to him as a market because of lack of transportation; that he could not make connections between the Eads-Lamar Truck Line and the Denver-Limon-Burlington Transfer Company going north to transport his fresh meats; that other merchants also needed this service.

Harold R. Maxwell, Lamar, Colorado, President of Maxwell Implement and Truck Company and of the Maxwell Investment Company, which owns and operates a furniture business, and the Maxwell Hotel, testified that his business would suffer seriously if the Eads-Lamar Truck Line is discontinued; that he needs service north for furniture shipments from Lamar, and that it was not satisfactory to interline between Eads-Lamar Truck Line and Denver-Limon-Burlington Transfer Company, as furniture became damaged by too much handling; that there was presently no service to Cheyenne Wells, Sheridan Lake, or Haswell; that public convenience and necessity required such service from Lamar; that the Implement Company could get quicker service to Denver by the shorter route, and that a day's time and service was vital during the harvest season; that National Alfalfa Dehydrating & Milling Company needs repair parts often, and when it does, it needs them in a hurry; that the granting of this application would be a great service to his companies and their customers. Upon cross-examination, Mr. Maxwell testified that goods shipped from Denver by Weicker and Santa Fe Trails Transportation Company were two or three days late in arriving in Lamar on numerous occasions; that he had no personal knowledge of when the shippers delivered the goods to Weicker or Santa Fe.

C. O. Bowman, of Lamar, testified that he has been Mayor of Lamar since April, 1945; that the city operates its own electric and water utilities, and paves its own streets; that discontinuance of the Eads-Lamar Truck Line would mean a great loss of business to the merchants of Lamar; that he considered Eads in the Lamar Trade Area; that there was no truck service north from Lamar, except to Eads, and that public convenience and necessity required an extension of that truck service. He urgently supported the application for transfer. He stated that the present Denver to Lamar truck service by way of Pueblo was satisfactory.

Glenn R. Snyder, of Lamar, testified that he is in the laundry and dry-cleaning business; that discontinuance of the Eads-Lamar Truck Line would mean a loss of \$40 to \$100 per week to him; that public convenience and necessity required a truck service into the area north of

Lamar; that the present Denver-to-Lamar service, by way of Pueblo, was satisfactory.

Fred M. Betz, Sr., of Lamar, Co-Publisher of the Lamar Daily News, testified that he uses the Eads-Lamar Truck Line to deliver his papers six days a week; that he needs service to other communities north of Lamar; that his paper would have to go by mail to Pueblo or Denver, and back to those areas, which would be unsatisfactory for a daily paper; that there was a market for his paper in the area north of Lamar, but no service was available; that service from Denver to Lamar, by way of Pueblo, was satisfactory.

Howard E. Appel, of Lamar, testified that he is in the laundry business and uses the Eads-Lamar Truck Line to deliver laundry to the hospital in Eads; that he could develop business in the trade area north of Lamar if truck service was available; that the service between Denver and Lamar, by way of Pueblo, was satisfactory.

Charles Wooden, of Lamar, a merchandise jobber, testified he uses the Eads-Lamar Truck Line, and that a discontinuation of it would mean a loss of business to him; that there is no adequate service from Lamar into the trade area to the north; that public convenience and necessity require such service; that he now has to ship into that area by way of Denver; that a faster service would be a great help to him in meeting competition; that shipments from Denver move too slow by Weicker Transfer and Storage Company and Santa Fe Trail Transportation Company, and that faster service by the shorter route was needed.

R. K. Jackson, of Eads, testified that he operates a cold storage plant and slaughter house in Eads; that he is a Trustee of the Town Council, and is on the Board of the hospital; that he is President of the local Cattle and Horse Growers' Association; that he ships fresh meat from Denver and Lamar; that discontinuance of the Eads-Lamar Truck Line would hurt his business; that he now receives shipments of fresh meat from Denver, which have to be refrigerated for hours in Lamar before they can be re-shipped to Eads; that direct shipments from Denver by refrigeration would be a decided advantage to his business, and would give the people in Eads fresh meat in better condition; that present service by Weicker Transfer and Storage

Company was not satisfactory, but was not intolerable; that he shipped in from two hundred to five hundred pounds of fresh meat per week.

Robert Rehm, Eads, Colorado, testified that he is the operator of a common carrier truck line offering a call and demand service; that he was in no position to render daily service between Eads and Lamar; that public convenience and necessity require a scheduled line-haul service from Denver, through Eads, to Lamar.

L. C. Rutledge, of Eads, Colorado, testified that he is President of the Eads Chamber of Commerce; that the discontinuance of the Eads-Lamar Truck Line would hinder almost all business in the town; that the present service between Lamar and Eads was very satisfactory, but that the service from Denver, by way of Pueblo, to Eads was too long and too uncertain; that repairs ordered to be delivered by truck came eight days late by parcel post, after four telephone calls; that he did not know, of his own knowledge, if the shipment had been offered to Weicker Transfer and Storage Company.

Eugene N. Eichenberger, of Cheyenne Wells, Colorado, who is engaged in the lumber and builders' supply business, testified that he now receives three-times-a-week truck service, but that it would be a decided advantage to have daily service; that he presently shipped to Colorado Springs by rail, by way of Denver; that a direct truck service would be a great help; that Lamar is the trade center of his area, and that he needs a direct connection to Lamar; that he did not have a large volume of freight from Lamar; that he received very poor service from Colorado Springs to Cheyenne Wells on builders' hardware.

Dean Hollenbaugh, of Cheyenne Wells, testified that he operates the Ford Agency at Cheyenne Wells; that daily truck service would be an advantage to his business; that he had business in Lamar, but no service; that he drove to Eads to pick up shipments from Lamar; that public convenience and necessity require the granting of the instant application for transfer.

F. L. Pyles, President of the First National Bank, at Eads,

testified that he is the Mayor of Eads, Colorado; that suspension of operations of the Eads-Lamar Truck Line would be a serious inconvenience to the businessmen of Eads; that Denver and Lamar were the principal supply points for Eads, and that the community needed a daily scheduled line-haul service from Denver and to Lamar.

It was stipulated into the record by attorneys for applicants and for protestants, that the highway mileage from Denver to Lamar, by way of Pueblo, was 233 miles; that the highway mileage from Denver to Lamar, by way of Highway No. 40 and Kit Carson, was 205 miles.

J. B. Miller, of Eads, Colorado, testified that he operates a hardware store in Eads; that suspension of operations by Eads-Lamar Truck Line would not only be inconvenient, but would cause him considerable loss of business; that he presently had available no adequate service to points north of Eads; that daily service between Denver and Eads would be of great benefit; that his shipments from Denver ran from 200 pounds to 1500 pounds per week; that he received a shipment the day before by Weicker; that the service by Weicker was satisfactory.

Louis Woolk, of Sheridan Lake, Colorado, testified that he is the manager of a general mercantile business in Sheridan Lake; that the granting of the instant application would be a decided advantage and would serve public convenience and necessity; that he did not receive much merchandise from Lamar at the present time because he had no way to get it.

Raymond Rouse, of Eads, Colorado, testified that he is Manager of the Foster Lumber Company; that he uses Weicker's service, most of his freight coming out of Denver; that a daily service would be of great advantage to the community and to his business.

J. N. Conner, of Eads, Colorado, testified that he is Manager of the Knudtson Oil Company, and part owner of the Knudtson Motor Company at Kit Carson, Colorado, and Knudtson Chevrolet Company at Cheyenne Wells, Colorado; that discontinuance of the Eads-Lamar Truck Line would be detrimental to his business; that he urgently needed a truck service from Cheyenne Wells to Lamar, and Kit Carson to Lamar; that public convenience and necessity

required it, and he vigorously supported the application; that he had never asked the Eads-Lamar Truck Line and the Denver-Limon-Burlington Transfer Company to render joint service.

L. M. Johnson, of Eads, Colorado, a hotel owner, Raymond Baker, an Eads service station operator, Dean Oquist, operator of an Eads, Colorado plumbing business, Charles Cunningham, owner of an Eads, Colorado furniture store, E. G. Smith, of Eads, Colorado, in the dry goods business, Gene Pyles, Eads, Colorado, associated with Pikes Peak Natural Gas Company, and Burl L. Holcomb, of Eads, Colorado, a grocer, all testified under oath that if called to the witness stand, their testimony would be substantially the same as that of the other citizens of Eads who had testified in support of the application.

A. J. Fregeau, Manager of the Transportation Division of Weicker Transfer and Storage Company, testified that his company operated a scheduled line-haul service under PUC No. 8, from Denver to Colorado Springs, Pueblo, Lamar, and other points, and a call and demand service under PUC No. 41; that it operated 362 units; that it maintains a complete terminal unit and seven pieces of equipment and nine employees at Lamar, Colorado; that his company's scheduled line-haul operation left Denver at 7:00 o'clock P. M., and arrived in Lamar between 5:00 o'clock and 6:00 o'clock A. M., with delivery service to the merchants in Lamar as soon as they were open for business; that the population, according to the 1950 Census, of Lamar, was 6,825, and of Eads, 1,015; that in addition to the scheduled line-haul carrier service offered by his company, the Santa Fe Trail Transportation Company offered a service from Denver to Lamar, by way of Pueblo; that Weicker had operated to Lamar since 1930; that there had been no complaints on the service to Lamar; that it was in a position to provide additional service if it was required; that another (a third) single-line scheduled service between Denver and Lamar would seriously injure its business. He identified and introduced in evidence Protestant's Exhibit "A", showing the tonnage hauled by Weicker between Denver and Lamar for the Year 1952, and through June, 1953, showing the average tonnage hauled per month.

Mr. Fregeau moved for a continued hearing on the application at Lamar, Colorado, at some later date.

The testimony indicates the possibility of some reduction in traffic available to the two presently-certificated line-haul carriers between Denver and Lamar, if the transfer is authorized.

There was much uncontradicted testimony supporting the need for additional motor carrier service between Lamar and points north of Lamar in their normal trade area, and testimony of witnesses from Lamar as to their need for a truck service into Lamar from Denver, which would take advantage of the shorter highway mileage and consequent speedier service.

While the Commission has no desire to injure, or in the slightest way impair, the volume of business of the presently-certificated line-haul carriers between Denver and Lamar, the possible injury to these carriers is far out-weighed by the need of the residents of Lamar, Eads, Kit Carson, Cheyenne Wells, and Sheridan Lake, for improved motor carrier service, or any common carrier service at all. The citizens of Eads are entitled to refrigerated service in the transportation of fresh meats from Denver, and to a daily scheduled operation.

There was contradictory testimony as to the satisfactory manner in which Weicker and Santa Fe are presently serving Lamar on freight shipments from Denver.

In view of the fact that the need for service to the communities north of Lamar far out-weighs any possible injury to Weicker Transfer and Storage Company or Santa Fe Trail Transportation Company, the granting of the motion for a continued hearing at Lamar will serve no useful purpose.

F I N D I N G S

THE COMMISSION FINDS:

That the motion for a continued hearing at Lamar, Colorado, should be denied.

That the application for transfer should be granted.

ORDER

THE COMMISSION ORDERS:

That the motion for a continued hearing at Lamar, Colorado, in the instant application, should be, and the same is hereby, denied.

That George D. Crow and Joseph F. Schmitt, co-partners, doing business as "Eads-Lamar Truck Line," Eads, Colorado, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 306 -- being the operating rights acquired by them pursuant to authority contained in Decision No. 28066 -- to Denver-Limon-Burlington Transfer Company, a corporation, Denver, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferors and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

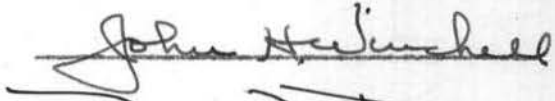
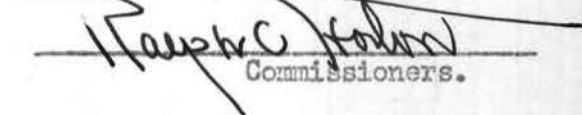
The tariff of rates, rules and regulations of transferors shall upon proper adoption notice become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

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 twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HAWLEY ABSENT.

Dated at Denver, Colorado,
this 7th day of August, 1953.

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original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MOUNTAIN PARKS ELECTRIC, INC.,)
WALDEN, COLORADO, AND HOLY CROSS)
ELECTRIC ASSOCIATION, INC., GLEN-)
WOOD SPRINGS, COLORADO, FOR ORDER)
AUTHORIZING PURCHASE BY MOUNTAIN)
PARKS ELECTRIC, INC., (JOINTLY WITH)
HOLY CROSS ELECTRIC ASSOCIATION,)
INC.,) OF ALL STOCK OF THE MOUNTAIN)
UTILITIES CORPORATION)
AND DISTRIBUTION TO MOUNTAIN PARKS)
ELECTRIC, INC., OF ALL PROPERTIES)
OF THE MOUNTAIN UTILITIES CORPORA-)
TION IN THE COUNTY OF GRAND IN THE)
STATE OF COLORADO, INCLUDING EXIST-)
ING LINES FOR ELECTRIC SERVICE; AND)
ALSO AUTHORIZING TRANSFER OF CERTI-)
FICATE OF PUBLIC CONVENIENCE AND)
NECESSITY TO MOUNTAIN PARKS)
ELECTRIC, INC.)

APPLICATION NO. 12429-Transfer

IN THE MATTER OF THE APPLICATION OF)
HOLY CROSS ELECTRIC ASSOCIATION,)
INC., GLENWOOD SPRINGS, COLORADO,)
AND MOUNTAIN PARKS ELECTRIC, INC.,)
WALDEN, COLORADO, FOR ORDER AUTHO-)
RIZING PURCHASE BY HOLY CROSS ELEC-)
TRIC ASSOCIATION, INC., (JOINTLY)
WITH MOUNTAIN PARKS ELECTRIC, INC.,))
OF ALL STOCK OF THE MOUNTAIN UTILI-)
TIES CORPORATION, AND DISTRIBUTION)
TO HOLY CROSS ELECTRIC ASSOCIATION,)
INC., OF ALL PROPERTIES OF THE)
MOUNTAIN UTILITIES CORPORATION IN)
THE COUNTY OF PITKIN IN THE STATE OF)
COLORADO, INCLUDING POWER PLANT AND)
EXISTING LINES FOR ELECTRIC SERVICE;)
AND ALSO AUTHORIZING TRANSFER OF)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO HOLY CROSS ELECTRIC)
ASSOCIATION, INC.)

APPLICATION NO. 12430-Transfer

August 7, 1953

Appearances: Holme, Roberts, More, Owen &
Keegan, Esqs., by Robert E.
More, Esq., Denver, Colorado,
for The Mountain Utilities
Corporation;
George J. Bailey, Esq., Walden,
Colorado, for Mountain Parks
Electric, Inc.;

W. E. Parkison, Esq., Glenwood Springs, Colorado, for Holy Cross Electric Association, Inc.;

George J. Petre, Esq., Glenwood Springs, Colorado, for the City of Aspen, Colorado;

Dr. Robert Barnard, Aspen, Colorado, pro se;

Wm. R. Shaw, Esq., Aspen, Colorado, pro se;

Thatcher Shaw, Esq., Aspen, Colorado, for Pitkin County Commissioners, and pro se;

V. E. Ringle, Esq., Aspen, Colorado, for the Aspen Lion's Club, and pro se;

Burnham Miller, Esq., Aspen, Colorado, pro se;

Robert Holt, Esq., Aspen, Colorado, pro se;

W. Geo. Denny, Jr., Denver, Colorado, and

J. M. McNulty, Denver, Colorado, for the Commission.

S T A T E M E N T

By the Commission:

The above entitled applications of Mountain Parks Electric, Inc., (hereinafter called Parks), and Holy Cross Electric Association, Inc. (hereinafter called Holy Cross), seeks authority from this Commission to transfer from The Mountain Utilities Corporation (hereinafter called Mountain), the certificates of public convenience and necessity now held by Mountain authorizing service in Pitkin and Grand Counties, Colorado. Concurrently with the transfer of said certificates, applicants herein propose to acquire all of the capital stock of Mountain and upon said acquisition to dissolve Mountain as a corporation and to distribute to the said purchasers all of the physical assets of the properties now owned by Mountain. Prior to the acquisition of the capital stock of Mountain by applicants, Mountain will divest itself of certain water properties in Aspen, Colorado, (see Application No. 12428) to a new corporation, Aspen Water Company, so that upon acquisition by applicants herein only electric properties and the aforementioned certificates will be in the possession of Mountain.

The above applications were set for hearing, after due notice to all interested parties, on July 10, 1953, 330 State Office Building, Denver, Colorado, and for a continued hearing on Applications Nos. 12428 and 12430, at the Court House, Aspen, Colorado, on July 11, 1953, and were there heard by the Commission and taken under advisement.

Filed jointly with the above-mentioned Applications, were Applications No. 12431 by Parks and No. 12433 by Holy Cross for authority, respectively, to issue securities in connection with the above-mentioned acquisition of the electrical certificates and assets of Mountain. All of the applications so far mentioned were heard on a joint record, since the matters contained therein were all mutually dependent. Also filed by Holy Cross was Application No. 12432 for the ratification of previously issued securities and said application was heard at the same time, but in a separate proceeding, since it had to do with raising of funds by Holy Cross yet was not directly affected by the other applications.

The evidence disclosed that Mountain is a Colorado corporation and is and has been for a number of years engaged in the business of the supply and distribution of electricity in certain areas in Pitkin and Grand Counties, Colorado, and in the business of the supply and distribution of water in and about Aspen, Colorado. Mountain and Holy Cross are both Colorado corporations operating with funds borrowed from the U. S. Government through the Rural Electrification Administration (hereinafter called "R.E.A."). Mountain Parks Electric, Inc., is the same corporation as North Park Rural Electric Association, Inc., its name having been changed by amendment to its Articles of Incorporation, dated June 10, 1953. Articles of Incorporation of both Parks and Holy Cross are on file with the Commission; Parks, in Application No. 12429, and Holy Cross, in Application No. 12433.

The evidence disclosed that, under date of June 5, 1953, Gerald L. Schlessman and Florence M. Schlessman, who own all of the capital stock of Mountain, entered into a Sale Agreement (Exhibit C to Application No. 12428) to sell all of said stock to Parks (the name of which then was "North Park Rural Electric Asso-

ciation, Inc.") and Holy Cross, jointly, and to do certain other acts specified in said Agreement. Said Agreement provided that neither Parks nor Holy Cross was interested in acquiring said water system of Mountain and that Mountain should divest itself of said water system prior to adjustment date. Pursuant, thereto, Mountain and Water Company entered into an Agreement, dated June 22, 1953 (Exhibit B to said Application No. 12428) wherein the parties agreed to separate said water supply and distribution properties and business from the electrical system and business and to sell and transfer such water property and business to Water Company. This Commission has this day authorized the transfer from Mountain to Water Company of said water system and has granted the other relief prayed in said Application No. 12428. Concurrently with the entering of the instant Order, this Commission has also ordered the reliefs prayed in said Applications Nos. 12431, 12432, and 12433, and has ratified and authorized the issuance of securities described therein.

The evidence further disclosed that, as of June 5, 1953, North Park Rural Electric Association, Inc., and Holy Cross entered into a Collateral Agreement (Exhibit 5 herein) wherein and whereby it was agreed that as soon as possible, after the consummation of said sale of capital stock of Mountain to Parks and Holy Cross, dissolution would be made of Mountain and thereupon Holy Cross would acquire all assets of Mountain in Pitkin County, Colorado, and Parks would acquire all assets of Mountain in Grand County, Colorado.

The evidence further showed that both Parks and Holy Cross are now and for some time have been engaged in the business of acquiring electric energy and distributing and selling the same to their members and to non-member consumers in the State of Colorado in the County of Jackson, in the case of Parks, and the Counties of Eagle, Garfield, and Pitkin, in the case of Holy Cross. The evidence showed that both Parks and Holy Cross propose to improve, extend and complete their present properties and that Parks proposes to construct 208 miles more or less of distribution line in

Grand, Summit, Jackson and Larimer Counties, Colorado, and in Albany County, Wyoming, for the purpose of serving 437 rural consumers now unserved.

In addition to the acquiring of the assets of the electrical properties of Mountain, Parks and Holy Cross desire to have transferred to them the certificates of public convenience and necessity now held by Mountain. The records of the Commission disclose that Mountain obtained a certificate of public convenience and necessity from this Commission in Application No. 5153, Decision No. 14590, dated January 2, 1940, authorizing it to serve the Town of Aspen and contiguous territory. Mountain is also the holder of an electrical franchise from the City of Aspen authorizing it to render electric service in said town by virtue of Ordinance B 38. The area that Mountain was authorized to serve under the certificate is more fully set forth in Application No. 5153 to which reference is hereby made.

Mountain is the holder of a certificate of public convenience and necessity by virtue of authority from this Commission by the following numbered applications for certain areas of service in Grand County. Applications Numbers 1900A, 2242A, 4748A, and 5216A, Decision No. 21099, of July 1, 1943, authorizing service in the Town of Hot Sulphur Springs by virtue of Ordinance No. 90, and for service to West Portal and Tabernash and between Granby and Tabernash and contiguous territory, and also by virtue of said Decision, Mountain was authorized to exercise franchise rights granted by the Town of Granby by virtue of Ordinance No. 104. By Application No. 6460, Decision No. 21424, of October 5, 1943, Mountain was authorized to render electric service to the Towns of Hot Sulphur Springs and Parshall. By Applications Nos. 6811A, and 7009A, Decision No. 24981, of September 26, 1945, Mountain was authorized to exercise franchise rights in the Town of Grand Lake in and by virtue of Ordinance No. 12 and was authorized by said Decision to serve territory contiguous to Grand Lake. Reference is hereby made to all of the above-numbered applications for the exact area that Moun-

tain is authorized to serve by this Commission.

At the continued hearing in Aspen, in Application No. 12430, several people appeared and presented testimony and questioned the witnesses. From the gist of the testimony and questions at said hearing, it appears that the people of Aspen are rather concerned with the future of their electric and water service. Water service problems were covered in Application No. 12428. The problem, as it has to do with the electric service, resolves itself into whether or not Holy Cross, if it is permitted to take over the electric properties in Aspen, is financially able and has the ability to continue to operate these properties and to furnish adequate electric service. Holy Cross is financed wholly by funds advanced by the United States Government through the R.E.A. and these funds are obtained at the rate of 2% on long-term loans and these borrowings are definitely very advantageous in today's money market. The witness for Holy Cross, in his testimony, stated that he had many years experience in managing electric property and that Holy Cross has been serving its customers in Eagle, Garfield and Pitkin Counties since its inception in about the year 1940.

It was made very clear at the hearing in Aspen that the present customers of Mountain will not have to join Holy Cross in order to receive service, if the transfer is granted. Holy Cross, however, stated by its witness that they would like to have these people join, since it would put them in an advantageous position tax-wise, but Holy Cross would continue to render service to all existing customers of Mountain, leaving it optional with the customer whether or not he wished to join Holy Cross. If the transfer is granted, Holy Cross intends to adopt the existing rates and schedules of Mountain now on file with this Commission, all in accordance with Rule 22 of the Commission's Rules of Practice and Procedure. The rates will remain the same until such time as they are changed according to law.

In a proceeding where a certificate of public convenience and necessity is to be transferred from one party to another, the Commission is

concerned with, among other things, first, the financial ability of the new owner, and second, the ability of the new owner to carry on the service of a public utility with all the rights and duties that this entails. Both of the applicants herein have proven to the satisfaction of the Commission their financial standing and both have had experience in the operation of electrical properties. While it is true that in the case of Parks, it has been operating heretofore as a co-operative, the articles of incorporation of the co-operative, as filed with the Commission, permit service to consumers on acquired lines. Applicant has stated by its witness that it will serve the area obtained by the transfer herein under the certificate of public convenience and necessity, as a public utility. The witness for Parks further stated that the co-operative will adopt the existing rates of Mountain Utilities Corporation, Inc., as they pertain to the Grand County area to be acquired.

Holy Cross Electric Association, Inc., has not only been serving its members as a co-operative, but has, on a previous occasion, obtained a certificate from this Commission as to certain areas of service on acquired properties and as to such certificated areas has been rendering service as a public utility. The experience acquired in said operation should prove beneficial in its operations in the additional territory requested herein to be acquired under the certificates of Mountain in Pitkin County. The Commission would necessarily be reluctant to grant a transfer if the evidence before it were such that the owners were incapable of performing their duties as required. No such evidence was presented in the instant matters and we find no reasons why these transfers should not be authorized.

F I N D I N G S

THE COMMISSION FINDS:

That The Mountain Utilities Corporation is a public utility and subject to the jurisdiction of this Commission.

That the Commission has jurisdiction of the transfer of the certificates of public convenience and necessity now held by The Mountain Utili-

ties Corporation and has jurisdiction over Mountain Parks Electric, Inc., and Holy Cross Electric Association, Inc., as to the acquisition of said certificates.

That the transfer by The Mountain Utilities Corporation of its certificates of public convenience and necessity to Mountain Parks Electric, Inc., and Holy Cross Electric Association, Inc., is in the public interest and should be authorized and approved by this Commission.

That the above Statement be made a part hereof, by reference.

O R D E R

THE COMMISSION ORDERS:

That The Mountain Utilities Corporation be, and it hereby is, authorized to transfer to Holy Cross Electric Association, Inc., the certificate of public convenience and necessity heretofore granted by this Commission in Application No. 5153, Decision No. 14590, of January 2, 1940, authorizing service to Aspen and contiguous territory.

That The Mountain Utilities Corporation be, and it hereby is, authorized to transfer the certificates of public convenience and necessity to Mountain Parks Electric, Inc., heretofore issued by this Commission, in Applications Numbers 1900A, 2242A, 4748A, and 5216A, Decision No. 21099, of July 1, 1943, authorizing service in the Town of Hot Sulphur Springs by virtue of Ordinance No. 90, and for service to West Portal and Tabernash, and between Granby and Tabernash and contiguous territory, and also under said Decisions to exercise franchise rights granted by the Town of Granby by virtue of Ordinance No. 104.

That The Mountain Utilities Corporation be, and hereby is, further authorized to transfer to Mountain Parks Electric, Inc., the certificate of public convenience and necessity granted in Application No. 6460, in Decision No. 21424, of October 5, 1943, authorizing electric service between the Towns of Hot Sulphur Springs and Parshall; and by Applications Nos. 6811A and 7009A, Decision No. 24981, of September 26, 1945, authorizing the exercise of franchise rights in the Town of Grand Lake in and by virtue of

Ordinance No. 12 and to serve in the territory contiguous to Grand Lake.

That Holy Cross Electric Association, Inc., shall adopt the rates, rules and regulations of The Mountain Utilities Corporation now on file with this Commission as they pertain to the Pitkin County division of said Company.

That Mountain Parks Electric, Inc. shall adopt the rates, rules and regulations of The Mountain Utilities Corporation now on file with this Commission, as they pertain to Grand County division of said Company.

That upon completion and consummation of the transfer of certificates herein authorized, Holy Cross Electric Association, Inc., and Mountain Parks Electric, Inc., shall take over and acquire all privileges and rights of The Mountain Utilities Corporation, its certificates of public convenience and necessity and franchises in the towns and rural areas heretofore served by The Mountain Utilities Corporation and shall assume and discharge all obligations thereby imposed upon said The Mountain Utilities Corporation under said certificates and franchises, and shall furnish service, including, without limiting the generalities of the foregoing, the sale of electrical energy, without discrimination between members and non-members of the said Associations.

That all franchises and statutory rights of the towns served under the franchises shall be fully retained by said towns, it being contemplated that all persons and corporations now served by The Mountain Utilities Corporation and other persons within the territory allocated to The Mountain Utilities Corporation, under its certificates of public convenience and necessity, shall be served by Holy Cross Electric Association, Inc., and Mountain Parks Electric, Inc., whether they do or do not become members of said associations.

That the method of acquisition by applicants of the stock of The Mountain Utilities Corporation; of the dissolution of The Mountain Utilities Corporation; of the disposition of assets of said corporation, be approved by this Commission, all in accordance with the Sale Agreement, of June 5,

1953, and the Collateral Agreement of June 5, 1953.

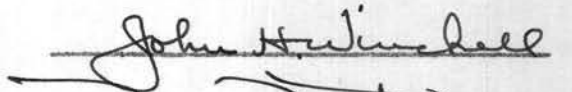
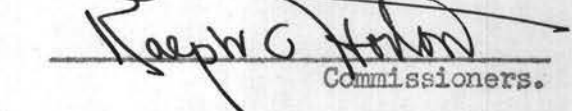
That Holy Cross Electric Association, Inc., and Mountain Parks Electric, Inc., shall, within sixty (60) days from the closing date of the sale and transfer, file with this Commission in writing, a statement that they have duly acquired The Mountain Utilities Corporation, showing the date of acquisition and final net purchase price as divided between the two parties.

That The Mountain Utilities Corporation jointly with Holy Cross Electric Association, Inc., and Mountain Parks Electric, Inc., shall within sixty (60) days of the closing date of the sale and transfer, file with this Commission a balance sheet of The Mountain Utilities Corporation, as of the closing date, reflecting the disposition of the physical assets of said Company to Holy Cross Electric Association, Inc., and Mountain Parks Electric, Inc.

That the Commission retain jurisdiction of the instant proceedings to make such further order or orders as may be necessary.

That this Order shall become effective twenty-one days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HAWLEY ABSENT.

Dated at Denver, Colorado,
this 7th day of August, 1953.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MOUNTAIN PARKS ELECTRIC, INC., A)
CORPORATION, WALDEN, COLORADO, FOR)
AN ORDER AUTHORIZING THE ISSUANCE)
OF SECURITIES, AND THE APPLICATION)
OF THE PROCEEDS THEREFROM TO CERTAIN)
LAWFUL PURPOSES.)
-----)

APPLICATION NO. 12431-AMENDED-SECURITIES

August 7, 1953

Appearances: George J. Bailey, Esq.,
Walden, Colorado, for
applicant;
Holme, Roberts, More, Owen &
Keegan, by Robert E. More,
Esq., Denver, Colorado, for
The Mountain Utilities
Corporation;
W. E. Parkison, Esq., Glenwood
Springs, Colorado, for Holy
Cross Electric Association, Inc.;
W. Geo. Denny, Jr., Denver, Colo-
rado, and
J. M. McNulty, Denver, Colorado,
for the Commission.

S T A T E M E N T

By the Commission:

By the instant application, Mountain Parks Electric, Inc., asks that this Commission authorize the applicant to execute notes payable to United States of America in the aggregate amount of \$1,625,000; to ratify all the action heretofore taken by the applicant with respect thereto; authorizing applicant to use the proceeds therefrom for certain purposes, and to authorize applicant to issue an additional 9,000 shares of stock.

The matter was set for hearing, after due notice to all interested parties, on July 10, 1953, at ten o'clock A. M., at the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, and was there heard by the Commission and taken under advisement.

The applicant is engaged in the business of purchasing, accumulating, and acquiring electric energy, and distributing, selling and furnishing electric energy to its members in the Counties of Grand and Jackson in the State of Colorado.

The principal office of the applicant is located in Walden, Colorado. The applicant is the same corporation as North Park Rural Electric Association, Inc., the change of name having been made by amendment of date June 10, 1953, to its Articles of Incorporation. The Articles of Incorporation, with amendments thereto, are on file with the Commission, in Application No. 12429.

The testimony and exhibits offered at the hearing show that applicant proposes to construct 208 miles, more or less, of distribution line in Grand, Summit, Jackson and Larimer Counties, Colorado, and in Albany County, Wyoming, for the purpose of serving 437 rural consumers now unserved; to improve, extend and complete the properties of the applicant; to purchase, together with Holy Cross Electric Association, Inc., all of the capital stock of The Mountain Utilities Corporation; together with Holy Cross to loan funds to The Mountain Utilities Corporation to retire its long term debt with a loan having a maturity date of less than twelve months from the date of its issuance and, ultimately, upon the dissolution of The Mountain Utilities Corporation, to acquire the Grand County portion of the properties of The Mountain Utilities Corporation and consolidate said Grand County portion with the present properties of the applicant. After the proposed acquisition is completed, applicant proposes to rehabilitate the acquired properties. Applicant has also applied to this Commission for authority to make such proposed acquisition under Application No. 12429, and the Agreement for the purchase by applicant and Holy Cross of the capital stock of The Mountain Utilities Corporation and the Collateral Agreement between applicant and Holy Cross covering, among other matters, the dissolution of The Mountain Utilities Corporation, are on file as exhibits herein.

That for the purpose of financing the proposals of applicant above set forth and to obtain monies for other lawful purposes, the applicant, as of April 27, 1953, entered into an Amendment to an Amending Loan Contract, being Exhibit No. 2 herein, whereby the United States of America, acting through the Administrator of the Rural Electrification Administration, has agreed to lend, and the applicant has agreed to borrow, the sum of \$1,625,000; said loan is to be evidenced by one or more notes maturing in 35 years, and bearing interest at the rate of two per centum per annum and to be dated subsequent to the approval of the Commission, and to be in the form of the note presented to the Commission, being Exhibit No. 3 herein. The payment of said notes, as well as certain notes heretofore made by the applicant and payable to the United States of America, and notes that may be made hereafter payable to the United States of America, not to exceed the total aggregate amount of \$6,000,000 will be secured by a Mortgage to the Government of date March 11, 1952, secured by all of the property of the applicant, whether then owned or thereafter acquired, said Mortgage being Exhibit No. 4 herein.

Of the amount of \$1,625,000 to be borrowed as above set forth, the sum of \$899,000 will be used for the purchase of the stock of The Mountain Utilities Corporation, and for the rehabilitation of the properties so acquired of which sum, the amount of \$197,625 will be used for the retirement of the long term debt of said The Mountain Utilities Corporation as provided in said agreements above mentioned.

At the hearing, applicant requested, and was permitted, to file an amended application in the instant matter, asking the Commission to authorize issuance of an additional 9,000 shares of stock. As originally set up, applicant's charter provided for only 1,000 shares of stock. It is customary to issue one share of stock par value of \$5.00 to each member of the corporation. Since applicant expects to expand and take in additional members, as shown by the testimony herein, it was necessary that the additional shares be authorized.

Attached to Application No. 12429 herein, is a certified copy of the Articles of Incorporation of applicant and in said Articles of Incorporation is a certification of Amendment to the Articles stating, in effect, that the Board of Directors, as provided by law and the by-laws of said association, have amended Article IV of said Articles by increasing the authorized shares of stock from 1,000 to 10,000 shares. This action was taken on June 10, 1953, at a meeting held for such purpose.

F I N D I N G S

THE COMMISSION FINDS:

That this Commission has jurisdiction of Mountain Parks Electric, Inc., as to the Grand County properties to be acquired, and as to the subject matter of the instant application.

That the Commission is fully advised in the premises.

That the above and foregoing Statement be incorporated as a part of these Findings, by reference.

That the execution by applicant of the Amendment to the Amending Loan Contract, Exhibit No. 2 and of the mortgage of date March 11, 1952, Exhibit No. 4, should be ratified and approved.

That the issuance of notes aggregating the sum of \$1,625,000 in the form of Exhibit No. 3, to be dated hereafter, should be authorized and approved.

That the increase of the capital stock of applicant from 1,000 to 10,000 shares and the issuance of said stock be authorized and approved.

That the use of the borrowed funds by applicant for the purposes set forth in the foregoing Statement is legal and proper and in the public interest.

O R D E R

THE COMMISSION ORDERS:

1. That the issuance by Mountain Parks Electric, Inc., of mortgage notes to United States of America, aggregating the sum of \$1,625,000, to be dated hereafter, and in the form of Exhibit No. 3, be, and the same hereby is, authorized and approved.

2. That the issuance by North Park Rural Electric Association, Inc., (now named Mountain Parks Electric, Inc.) of the Amendment to the Amending Loan Contract, dated April 27, 1953, be, and the same hereby is, ratified and approved.

3. That the issuance by North Park Rural Electric Association, Inc. (now named Mountain Parks Electric, Inc.) of the Mortgage, dated March 11, 1952, as is set forth in Exhibit No. 4, be, and the same is hereby, ratified and approved.

4. That the use by Mountain Parks Electric, Inc., of the funds received by it from the loan herein authorized and approved for the purposes set forth in the above Statement, and for the purpose of carrying out the terms of the agreement for the purchase of the capital stock of The Mountain Utilities Corporation and of the Collateral Agreement between Mountain Parks Electric, Inc., and Holy Cross Electric Association, Inc., both of said agreements being exhibits herein, be, and the same is hereby, approved.

5. That Mountain Parks Electric, Inc., be, and it hereby is, authorized to do any and all things necessary to carry said purposes into effect and to carry out the terms of said purchase and Collateral Agreements.

6. That the increase of the capital stock of Mountain Parks Electric, Inc., from 1,000 shares of a par value of \$5.00 to 10,000 shares of a par value of \$5.00, and the issuance of such stock be, and the same is hereby, authorized and approved.

7. That upon final execution of the Mortgage Note (in the form of Exhibit No. 3) a conformed signed copy of said document shall be filed with this Commission within 60 days of said execution.

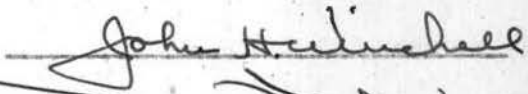
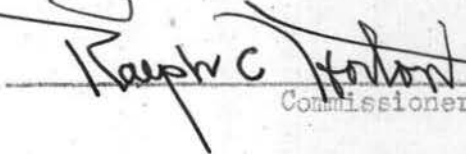
8. That the authorizations and approvals above given apply only to the portions of the above-described Agreements, Mortgage Notes and Mortgages which have to do with the acquired properties.

9. That nothing herein contained shall be construed to imply any recommendation or guaranty of, or any obligation with respect to, said securities on the part of the State of Colorado.

10. That the Commission retains jurisdiction of this proceeding to the end that it may make such further order, or orders, in the premises as to it may seem to be proper or desirable.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HAWLEY ABSENT.

Dated at Denver, Colorado,
this 7th day of August, 1953.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HOLY CROSS ELECTRIC ASSOCIATION,)
INC., A CORPORATION, GLENWOOD)
SPRINGS, COLORADO, FOR AN ORDER)
AUTHORIZING THE ISSUANCE OF SECU-)
RITIES, AND THE APPLICATION OF THE)
PROCEEDS THEREFROM TO CERTAIN LAW-)
FUL PURPOSES.)

APPLICATION NO. 12433-SECURITIES

August 7, 1953

Appearances: W. E. Parkison, Esq., Glen-
wood Springs, Colorado,
for applicant;
Holme, Roberts, More, Owen &
Keegan, Esqs., by Robert E.
More, Esq., Denver, Colorado,
for Mountain Utilities Cor-
poration;
George J. Bailey, Esq., Walden,
Colorado, for Mountain Parks
Electric, Inc.;
W. Geo. Denny, Jr., and
J. M. McNulty, Denver, Colorado,
for the Commission.

S T A T E M E N T

By the Commission:

By the instant application, Holy Cross Electric Association, Inc., asks that this Commission authorize the applicant to execute a note payable to United States of America in the amount of \$635,000; to authorize a certain Mortgage securing payment of the same; to ratify and approve a Loan Contract relating thereto; and also asks that this Commission authorize applicant to use the proceeds therefrom for certain purposes.

The matter was set for hearing, after due notice to all parties in interest, on July 10, 1953, at ten o'clock A. M., at the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, and was there heard by the Commission and taken under advisement.

The applicant is engaged in the business of purchasing, accumulating and acquiring electric energy and distributing, selling and furnish-

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ing electric energy to its members and to non-members in the Counties of Eagle, Garfield and Pitkin in the State of Colorado.

The principal office of the applicant is located in Glenwood Springs, Colorado. Its articles of incorporation, with amendments thereto, have been filed with the Commission in the instant application.

The testimony and exhibits offered at the hearing show that applicant proposes to improve, extend and complete the properties of the applicant; to purchase, together with Mountain Parks Electric, Inc., all of the capital stock of The Mountain Utilities Corporation; and also, together with Mountain Parks, to loan funds to The Mountain Utilities Corporation to retire its long term debt with a loan having a maturity date of less than twelve months from the date of its issuance and, ultimately, upon the dissolution of Mountain Utilities Corporation, to acquire the Pitkin County portion of the properties of the Mountain Utilities Corporation (excluding any part of the domestic water system) and consolidate said Pitkin County portion with the present properties of the applicant. After the proposed acquisition is completed, applicant proposes to rehabilitate the acquired properties. Applicant has also applied to this Commission for authority to make such proposed acquisition under Application No. 12430, and the Agreement for the purchase by applicant and Mountain Parks of the capital stock of Mountain Utilities Corporation and the Collateral Agreement between applicant and Mountain Parks covering, among other matters, the dissolution of Mountain Utilities Corporation, are on file as exhibits herein.

That for the purpose of financing the proposals of applicant, above set forth, and to obtain monies for other lawful purposes, the applicant, as of April 27, 1953, entered into an Amending Loan Contract, being Exhibit No. 8 herein, whereby the United States of America, acting through the Administrator of the Rural Electrification Administration has agreed to lend and the applicant has agreed to borrow the sum of \$635,000; said loan is to be evidenced by one note maturing in 35 years and bearing inter-

est at the rate of two per centum per annum and to be executed subsequent to the approval of the Commission and to be in the form of the note presented to the Commission, being Exhibit No. 9 herein. The payment of said note, as well as certain notes heretofore made by the applicant and payable to the United States of America, and notes that may be made hereafter payable to the United States of America, not to exceed the total aggregate amount of \$5,000,000 will be secured by a mortgage to the Government of date May 15, 1953, secured by all of the property of the applicant, whether then owned or thereafter acquired, said mortgage being Exhibit No. 10 herein.

Of the amount of \$635,000 to be borrowed, as above set forth, the sum of \$453,600 will be used for the purchase of the stock of Mountain Utilities Corporation and for the rehabilitation of the properties so acquired of which sum, the amount of \$118,575 will be used for the retirement of the long term debt of said Mountain Utilities Corporation, as provided in said Agreements above mentioned.

F I N D I N G S

THE COMMISSION FINDS:

That this Commission has jurisdiction of Holy Cross Electric Association, Inc., as to its previously acquired public utility properties, and as to the Pitkin County properties to be acquired from Mountain Utilities Corporation, and as to the subject matter of the instant application.

That the Commission is fully advised in the premises.

That the above and foregoing Statement be incorporated as a part of these Findings, by reference.

That the execution by applicant of the Amending Loan Contract, being Exhibit No. 8 herein, should be ratified and approved.

That the issuance of the Mortgage Note in the sum of \$635,000, being Exhibit 9 herein, and the Mortgage dated May 15, 1953, being Exhibit 10 herein, should be authorized and approved.

That the use of the borrowed funds by applicant for the purposes set forth in the foregoing Statement is legal and proper and in the public

interest.

O R D E R

THE COMMISSION ORDERS:

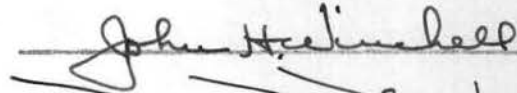
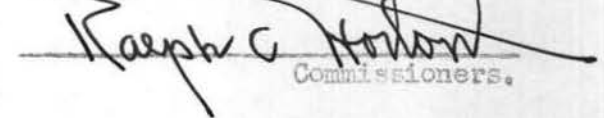
1. That the issuance by Holy Cross Electric Association, Inc., of a Mortgage Note to United States of America in the sum of \$635,000, dated May 15, 1953, and in the form of Exhibit No. 9, be, and the same hereby is, authorized and approved.
2. That the issuance by Holy Cross Electric Association, Inc., of the Amending Loan Contract, dated April 27, 1953, as set forth in Exhibit No. 8, be, and the same hereby is, ratified and approved.
3. That the issuance by Holy Cross Electric Association, Inc., of the Mortgage, dated May 15, 1953, as is set forth in Exhibit No. 10, be, and the same is hereby, authorized and approved.
4. That the use by Holy Cross Electric Association, Inc., of the funds received by it from the loan herein authorized and approved for the purposes set forth in the preceding Statement and for the purpose of carrying out the terms of the agreement for the purchase of the capital stock of Mountain Utilities Corporation and of the collateral agreement between Mountain Parks Electric, Inc., and Holy Cross Electric Association, Inc., both of said agreements being exhibits herein, be, and the same is hereby, approved.
5. That Holy Cross Electric Association, Inc., be, and it hereby is, authorized to do any and all things necessary to carry said purposes into effect and to carry out the terms of said purchase and collateral agreements.
6. That upon final execution of the Mortgage and Mortgage Note (Exhibits 10 and 9) conformed signed copies of said documents shall be filed with this Commission within 60 days of said execution.
7. That the authorizations and approvals above given apply only to the portions of the above described Agreements, Mortgage Notes and Mortgages which have to do with the acquired properties.

8. That nothing herein contained shall be construed to imply any recommendation or guaranty of, or any obligation with respect to, said securities on the part of the State of Colorado.

9. That the Commission retains jurisdiction of this proceeding to the end that it may make such further order, or orders, in the premises as to it may seem to be proper or desirable.

That this Order shall become effective twenty-one days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HAWLEY ABSENT.

Dated at Denver, Colorado,
this 7th day of August, 1953.
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HOLY CROSS ELECTRIC ASSOCIATION, INC.,)
GLENWOOD SPRINGS, COLORADO, FOR AN)
ORDER RATIFYING AND AUTHORIZING THE)
ISSUANCE OF CERTAIN SECURITIES AND)
THE APPLICATION OF THE PROCEEDS)
THEREFROM TO CERTAIN LAWFUL PURPOSES.)
-----)

APPLICATION NO. 12432-Securities

August 7, 1953

Appearances: W. E. Parkison, Esq., Glenwood Springs, Colorado, for applicant;

Holme, Roberts, More, Owen & Keegan, Esqs., by Robert E. More, Esq., Denver, Colorado, for The Mountain Utilities Corporation;

George J. Bailey, Esq., Walden, Colorado, for Mountain Parks Electric, Inc.;

W. George Denny, Jr., and J. M. McNulty, Denver, Colorado, for the Commission.

S T A T E M E N T

By the Commission:

The above application was set for hearing, after due notice to all parties in interest, on July 10, 1953, at 330 State Office Building, Denver, Colorado. No protests or answers were filed. Hearing was duly had at the time and place aforesaid. The matter was then taken under advisement.

By the instant application, Holy Cross Electric Association, Inc., Glenwood Springs, Colorado, seeks ratification by this Commission of the previous issuance of certain securities by the applicant and the previous application of the proceeds therefrom to certain purposes.

The evidence disclosed that applicant is engaged in the business of acquiring electric energy, and distributing and selling the same to its members in the counties of Eagle, Garfield and Pitkin in the State of Colorado.

that on or about January 22, 1944, applicant acquired by purchase the facilities of Eagle River Electric Company, and that since that date, applicant has engaged in the business of acquiring electric energy and distributing and selling the same to its members in said counties, and also to both members and non-member consumers in the area formerly served by the said Eagle River Electric Company. The above purchase and transfer was authorized by this Commission in Application No. 2135A, Decision No. 21764, of date December 29, 1943.

That the applicant has borrowed certain sums of money from the United States of America, and that to represent the indebtedness thereby created, has issued six mortgage notes, as follows:

<u>Date</u>	<u>Amount</u>	<u>Final Maturity</u>
a. September 5, 1940	\$119,000	September 5, 1965
b. July 25, 1941	176,000	July 25, 1966
c. May 5, 1943	60,500	May 5, 1968
d. July 28, 1947	114,500	July 28, 1982
e. December 13, 1947	260,000	December 13, 1982
f. March 15, 1950	195,000	March 15, 1985

Copies of the three mortgage notes, designated above as "d", "e" and "f" were introduced into evidence at the hearing, marked respectively, Exhibits 2a, 2b, and 2c.

The evidence further disclosed that since March 22, 1947, with the purpose of securing the payment of those of the above described mortgage notes which were then in existence, the applicant has executed and delivered three supplemental indentures, constituting mortgages upon the assets of the applicant, to the Colorado Springs National Bank as Trustee, the same being dated, respectively, December 13, 1947; May 9, 1950, and March 15, 1951. Copies of said supplemental indentures were introduced into evidence at the hearing, marked, respectively, Exhibits 2d, 2e, and 2f.

The evidence further showed that under date of November 10, 1947, applicant entered into an agreement with the United States of America, pertaining to the three mortgage notes hereinabove designated as

"a", "b", and "c", the effect of which was to alter the interest rate and maturity date of such three notes. A copy of said agreement was introduced into evidence at the hearing as Exhibit 2g.

The evidence further disclosed that the proceeds of the note designated above as "c" were used for the original purchase of the Eagle River Electric Company; that the agreement, Exhibit 2g, pertained in part thereto; that the proceeds of the notes, Exhibits 2a, 2b, and 2c, were used in part for the extension and improvement of the facilities acquired from the Eagle River Electric Company.

The evidence further showed that the application of such funds to the facilities acquired from the Eagle River Electric Company improved such acquired facility and enabled applicant to provide better service to its members and to non-member consumers in said area.

F I N D I N G S

THE COMMISSION FINDS:

That this Commission has jurisdiction of the lines of Holy Cross Electric Association, Inc., in the area formerly served by the Eagle River Electric Company as to the subject matter of the instant application.

That the Commission is fully advised in the premises.

That the above and foregoing Statement is incorporated as a part of these Findings, by reference.

That the issuance by Holy Cross Electric Association, Inc., of the mortgage notes, Exhibits 2a, 2b, and 2c, and the supplemental indentures, Exhibits 2d, 2e, and 2f, and the agreement, Exhibit 2g, should be ratified and approved.

That the above authorization relates to that portion of the above described transactions which have to do with the applicant's expenditures of borrowed money within the area formerly served by the Eagle River Electric Company.

O R D E R

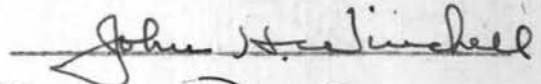
THE COMMISSION ORDERS:

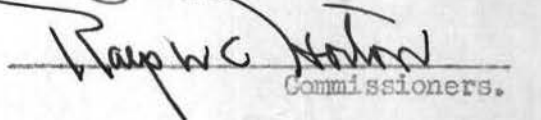
1. That the issuance by Holy Cross Electric Association, Inc., of the mortgage note, dated July 28, 1947, as is fully set out in Exhibit 2a, be, and the same hereby is, ratified and approved.
2. That the issuance by Holy Cross Electric Association, Inc., of the mortgage note, dated December 13, 1947, as is fully set out in Exhibit 2b, be, and the same hereby is, ratified and approved.
3. That the issuance by Holy Cross Electric Association, Inc., of the mortgage note, dated March 15, 1950, as is fully set out in Exhibit 2c, be, and the same hereby is, ratified and approved.
4. That the issuance by Holy Cross Electric Association, Inc., of the supplemental indenture, dated December 13, 1947, as is fully set out in Exhibit 2d, be, and the same hereby is, ratified and approved.
5. That the issuance by Holy Cross Electric Association, Inc., of the supplemental indenture, dated May 9, 1950, as is fully set out in Exhibit 2e, be, and the same hereby is, ratified and approved.
6. That the issuance by Holy Cross Electric Association, Inc., of the supplemental indenture, dated March 15, 1951, as is fully set out in Exhibit 2f, be, and the same hereby is, ratified and approved.
7. That the issuance by Holy Cross Electric Association, Inc., of the agreement, dated November 10, 1947, as is fully set out in Exhibit 2g, be, and the same hereby is, ratified and approved.
8. That the ratifications and approvals above given apply only to the portions of the above described mortgage notes, supplemental indentures, and agreement which have to do with the properties acquired from the Eagle River Electric Company.
9. That nothing herein contained shall be construed to imply any recommendation or guaranty of, or any obligation with respect to, said securities, on the part of the State of Colorado.
10. That the Commission retains jurisdiction of this proceeding

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.

That this Order shall become effective twenty-one days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners.

COMMISSIONER HAWLEY ABSENT.

.Dated at Denver, Colorado,
this 7th day of August, 1953.

ea

Original

(Decision 41083)

IN THE MATTER OF ISSUANCE OF)
TEMPORARY CERTIFICATES OF PUBLIC)
CONVENIENCE AND NECESSITY UNDER)
CHAPTER 80, SESSION LAWS OF)
COLORADO 1951)
-----)

APPLICATION NO. 12507

August 6, 1953

S T A T E M E N T

By the Commission:

Report has been received from Paul W. Swisher, Commissioner, Colorado Department of Agriculture, to the effect that an emergency exists in the matter of trucks for the transportation of produce and potatoes in the San Luis Valley of Colorado.

That said emergency will begin August 10th and continue until September 9th, 1953; both dates inclusive.

Request is made for an order of the Commission relative to the issuance of temporary certificates for the seasonal transportation of commodities above described.

F I N D I N G S

THE COMMISSION FINDS:

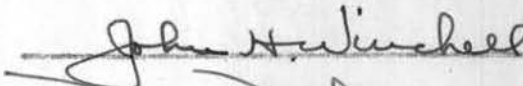
That an emergency exists because of the shortage of certified trucks for the transportation of produce and potatoes in the San Luis Valley and that public convenience and necessity require that temporary certificates should issue for the operation of motor vehicles for the transportation of said produce and potatoes from fields to markets, sheds and places of storage as provided by Chapter 80, Session Laws of 1951, said certificates to be effective for a period of thirty (30) days from August 10th, 1953 to September 9th, 1953; both dates inclusive.


O R D E R

THE COMMISSION ORDERS:

That temporary certificates should be, and are hereby authorized to be issued for the operation of motor vehicles for the transportation of produce and potatoes from fields to markets, sheds and places of storage in that part of Colorado described above, said certificates to be effective August 10th of 1953 and to continue in force up to and including September 9th, 1953.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners

COMMISSIONER HAWLEY ABSENT

Dated at Denver, Colorado,
this 6th day of August, 1953
ds

original

(Decision No. 41084)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
THE GREAT WESTERN RAILWAY COMPANY,)	
A COLORADO CORPORATION, FOR AN)	
ORDER AUTHORIZING THE CONSTRUCTION)	<u>APPLICATION NO. 12411</u>
OF A RAILROAD GRADE CROSSING APPRO-)	
XIMATELY ONE-HALF MILE EAST OF)	
JOHNSTOWN, WELD COUNTY, COLORADO.)	

August 7, 1953

Appearances: Edward A. Walsh, Esq., Denver,
Colorado, for applicant;
J. L. McNeill, Denver, Colo-
rado, for the Commission.

S T A T E M E N T

By the Commission:

On June 9, 1953, The Great Western Railway Company, by P. H. McMaster, Vice President, filed an application with this Commission, seeking authority to construct a new railroad grade crossing over Colorado State Highway No. 60, immediately east of the Town of Johnstown, Weld County, Colorado.

The matter was set for hearing on July 24, 1953, at 10:30 o'clock A. M., in the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, and, after proper notice to all interested parties, was there heard by the Commission and taken under advisement.

By the testimony of Mr. J. D. Baker, Loveland, Colorado, as Superintendent of The Great Western Railway Company, it was shown that easterly from Johnstown, the main track of The Great Western Railway Company between Johnstown and Milliken, Colorado, is parallel and on the north side of Highway No. 60. Also, that for many years past, and located some 600 feet easterly beyond the Johnstown City limits, there has existed a railroad grade crossing over Highway No. 60, whereby rail service has been provided to a sugar beet piling ground and extensive factory buildings of

The Great Western Sugar Company, located on the south side of Highway No. 60.

The Great Western Sugar Company is now constructing a large factory addition on the site of the beet piling ground which will be served by the existing crossing. A new location for beet storage has been secured and, because of space limitations, it becomes necessary to construct a new crossing some 30 feet westerly for access and complete utilization of the new storage area. In other testimony, to show the situation, Mr. Baker identified the following exhibits:

- Exhibit B. Plan and profile sheet to show track layout and highway grade over the trackage.
- Exhibit C. Agreement, dated May 25, 1953, between The Great Western Railway Company and Board of Weld County Commissioners.
- Exhibit D: Plan of proposed solid plank crossing construction as submitted with application.
- Exhibit D-1: Revised crossing plan providing asphalt paving between Flangeway timbers at the rails.

The following exhibits, as attached to the application, were also accepted at the hearing:

- Exhibit A: Map of The Great Western Railway Company showing connections to other railroads.
- Appendix A: Waiver of Notice and Consent for the proposed new crossing construction from Colorado Central Power Company in connection with its power lines that extend over the proposed new track site.

Waiver of Notice and Consent for the proposed crossing from The Great Western Sugar Company as an adjacent property owner.

Mr. Baker explained that rail traffic is seasonal and will consist of four switching movements per day at intermittent intervals to handle raw materials and car storage for the sugar plant and proposed factory additions. More regular movements of sugar beets will occur during the months of October, November, and December. Speeds are low, being some five miles per hour, with all moves under the guidance of a trainman, who verifies that a move can be safely made at the time of starting. Estimated highway traffic

on State Highway No. 60 was 1200 motor vehicles per day during 1952. Vehicular speeds are variable due to the nearness of the Johnstown City limits; motorists approaching the town are slowing down and motorists leaving Johnstown are accelerating.

It was also pointed out at the hearing that this is a semi-industrial fringe area, where other trackage and crossings now serve, to the sugar factory, to a group of grain elevators and storage warehouses, with a crossing of The Great Western Railway main line to Longmont being very near to the Johnstown City limits.

Regarding the proposed crossing construction, it was explained by Mr. Baker that some 370 feet of asphalt paving will be repaired on and along State Highway No. 60 by Weld County, and that the present crossing will be raised about six inches to secure a level and smooth-riding grade in connection with the proposed new track and crossing. Exhibit D-1 is a diagram of the proposed crossing construction showing the use of asphalt surfacing between flange-way timbers at the rails.

Protection at the present crossing consists of only one non-reflectorized crossbuck sign adjacent to the westbound traffic lane of the highway. With the installation of the new crossing, it is proposed that the present crossbuck sign will be removed and two reflectorized crossbuck signs installed—one on each side of the highway and outside of the nearest trackage as shown on Exhibit B. Customary reflectorized advance warning signs will also be installed to complete the protection.

The files of the Commission reveal that, in a reply letter dated July 20, 1953, the Colorado Department of Highways has indicated no objection to the proposed work, if installed according to the terms and agreements contained in the instant application.

The complete improvement is to be in accordance with the specifications of this Commission and the Association of American Railroads. Estimated cost is as follows:

Crossing work and track raise by The Great Western Railway Company	\$1,220.00
Highway Asphalt paving by Weld County	1,000.00
Total	\$2,220.00

Continuing maintenance expense of the crossing and crossbucks will be by The Great Western Railway Company.

In view of the low volume and slow speed of rail traffic, it appears that the installation of the improved reflectorized crossbucks will provide adequate protection in this semi-industrial area where there are other grade crossings. No objections were presented at the hearing and the files of the Commission do not show any objections to the proposed work.

F I N D I N G S

THE COMMISSION FINDS:

That the public safety, convenience and necessity require the construction of a new crossing and the other crossing improvements, complete with the installation of reflectorized crossing signs, all as set forth in the preceding Statement, which Statement, by reference, is made a part hereof.

O R D E R

THE COMMISSION ORDERS:

That The Great Western Railway Company be, and it hereby is, granted a certificate of public convenience and necessity authorizing it to rebuild an existing highway-railroad grade crossing on its Track "A" and, at some 30 feet westerly therefrom, to construct a new grade crossing for its Track No. 6, to remove existing warning sign and to install two reflectorized crossbuck signs, said crossings being over State Highway No. 60, approximately 600 feet easterly from the east City limits of Johnstown, Weld County, Colorado.

That two reflectorized advance warning signs shall be installed as a part of the crossing protection by Weld County, said signs, crossing construction and protection devices all to be installed in conformance with the Bulletin of the Association of American Railroads Joint Committee

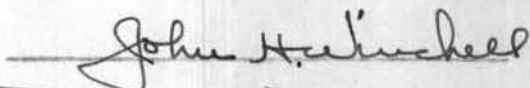

on Railroad Protection.

That continuing maintenance of the advance warning signs shall be by Weld County.

That the crossing work to be done, method of payment and maintenance shall be as agreed and as further indicated in the above Statement and Exhibits "A", "B", "C", "D-1" and Appendix "A", all of which, by reference, are 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.

COMMISSIONER HAWLEY ABSENT.

Dated at Denver, Colorado,
this 7th day of August, 1953.

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