

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HOWARD C. GARRETT, DOING BUSI- )  
NESS AS "INDEPENDENT TRASH SER- )  
VICE," 1613 WEST 17TH, PUEBLO, )  
COLORADO. )  
----- )

PUC NO. 2451  
CASE NO. 67191-INS.

-----  
December 28, 1953  
-----

S T A T E M E N T

By the Commission:

On November 18, 1953, in Case No. 67191-Ins., the Com-  
mission entered its decision, revoking PUC No. 2451 for failure of  
Respondent to keep effective insurance on file with this Commission.

It now appears that the required insurance has been filed  
by Respondent.

F I N D I N G S

THE COMMISSION FINDS:

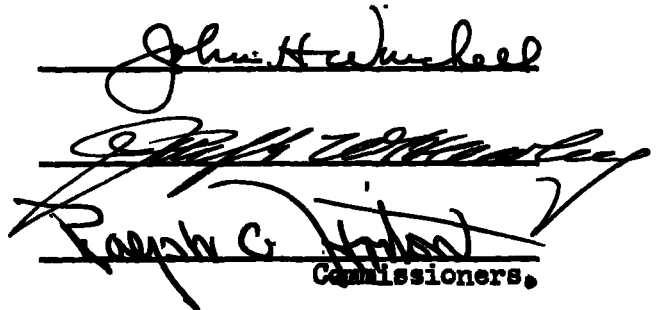
That PUC No. 2451 should be reinstated.

O R D E R

THE COMMISSION ORDERS:

That PUC No. 2451 should be, and the same hereby is, re-  
instated, revocation order entered by the Commission in Case No. 67191-Ins.,  
under date of November 18, 1953, being hereby vacated, set aside, and held  
for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of December, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
PETE L. STEFAN, BOX 206, DURANGO, )  
COLORADO. )  
 )  
 )  
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----- )

PERMIT NO. C-30742

-----  
December 31, 1953  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Pete L. Stefan

requesting that Permit No. C-30742 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30742, heretofore issued to \_\_\_\_\_

Pete L. Stefan be,

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Robert H. Marshall  
Robert C. Marshall  
Joseph C. Korman  
Commissioners

Dated at Denver, Colorado,

this 31st day of December, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

MICHAEL J. AND HAZEL DELL RYAN, )  
1052 SANTA FE DRIVE, DENVER 4, )  
COLORADO. )  
\_\_\_\_\_ )

PERMIT NO. C-24041

\_\_\_\_\_  
December 31, 1953  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

\_\_\_\_\_  
Michael J. and Hazel Dell Ryan

requesting that Permit No. C-24041 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-24041, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Michael J. and Hazel Dell Ryan be,

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Mitchell*  
*Joseph C. Hawley*  
*Ralph C. Gordon*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 31st day of December, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
GAY CAMPBELL, BOX 34, MARVEL, )  
COLORADO. )  
 )  
 )  
 )  
 )

PERMIT NO. C-22944

December 31, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Gay Campbell

requesting that Permit No. C-22944 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-22944, heretofore issued to \_\_\_\_\_

Gay Campbell be,

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchell*  
*James C. Hawley*  
*Ralph C. Roston*

Commissioners

Dated at Denver, Colorado,

this 31st day of December, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
JENNIE S. DeGRAZIO, DOING BUSINESS )  
AS "DeGRAZIO COAL & WOOD YARD," 202 )  
WEST FIRST STREET, SALIDA, COLORADO. )  
\_\_\_\_\_ )

PERMIT NO. C-21155

\_\_\_\_\_  
December 31, 1953  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Jennie S. DeGrazio, dba "DeGrazio Coal & Wood Yard"

requesting that Permit No. C-21155 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-21155, heretofore issued to \_\_\_\_\_

Jennie S. DeGrazio, dba "DeGrazio Coal & Wood Yard" be,

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
James C. H. H. H.  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 31st day of December, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
G. P. HOFF, JR., DOING BUSINESS AS )  
"NORTH DENVER AUTO SALES," 3800 )  
KALAMATH STREET, DENVER 11, COLORADO )  
----- )

PERMIT NO. C-24727

-----  
December 31, 1953  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
G. P. Hoff, Jr., dba "North Denver Auto Sales"  
requesting that Permit No. C-24727 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-24727, heretofore issued to \_\_\_\_\_  
G. P. Hoff, Jr., dba "North Denver Auto Sales" be,  
and the same is hereby, declared cancelled effective December 13, 1953.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchell*  
*Joseph W. Haverley*  
*Joseph C. Norton*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 31st day of December, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

GERTIE WELKER & MAURICE SLOHM, DOING )  
BUSINESS AS "GERTIE'S POULTRY FARM," )  
717 FEDERAL BOULEVARD, DENVER 2, )  
COLORADO. )  
-----)

PERMIT NO. C-16574

-----  
December 31, 1953.  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Gertie Welker & Maurice Slohm, dba "Gertie's Poultry Farm"

requesting that Permit No. C-16574 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-16574, heretofore issued to \_\_\_\_\_

Gertie Welker & Maurice Slohm, dba "Gertie's Poultry Farm" be,

and the same is hereby, declared cancelled effective October 10, 1953.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hineshell  
Joseph C. Hineshell  
Joseph C. Hineshell  
Commissioners

Dated at Denver, Colorado,

this 31st day of December, 1953.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
HENRY MASSMAN, HOLYOKE, COLORADO. )

PERMIT NO. B-2263

December 31, 1953

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Henry Massman

requesting that Permit No. B-2263 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-2263, heretofore issued to \_\_\_\_\_

Henry Massman be,

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 31st day of December, 1953.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF  
ROBERT E. WALTER, DOING BUSINESS AS  
"BOB WALTER TRUCKING," P. O. BOX 2,  
LA JUNTA, COLORADO, FOR A CERTIFI-  
CATE OF PUBLIC CONVENIENCE AND  
NECESSITY.  
-----

APPLICATION NO. 12619  
SUPPLEMENTAL ORDER

-----  
December 28, 1953  
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Appearances: Barry & Hupp, Esqs., Denver,  
Colorado, for applicant;  
John H. Lewis, Esq., Denver,  
Colorado, and  
Marion F. Jones, Esq., Denver,  
Colorado, for Harry L. Bennett,  
Frank Cadwell, L. O. Light &  
Sons, and Wright Motor Lines;  
Bartley & Bartley, Esqs., Pueblo,  
Colorado, for Red Richardson;  
Robert James, Esq., Fowler, Colo-  
rado, for John Green;  
C. R. Cornelius, La Junta, Colo-  
rado, for Cornelius Transfer;  
J. Avara, Ordway, Colorado, for  
Avara Truck Service.

S T A T E M E N T

By the Commission:

By Decision No. 41784, of date December 23, 1953, Robert E. Walter,  
doing business as "Bob Walter Trucking," P. O. Box 2, La Junta, Colorado,  
was granted a certificate of public convenience and necessity authorizing:

"transportation of livestock between points within  
a radius of 50 miles of La Junta, Colorado, and from  
and to said radius to and from all points and places  
in the State of Colorado, . . . provided, however,  
that said certificate shall be limited to one office  
in La Junta, Colorado, for the purpose of soliciting  
business."

It has been called to the attention of the Commission by the Enforce-  
ment Division of the Commission that our restriction in the Order that:  
"said certificate to be limited to one office in La Junta, Colorado, for  
the purpose of soliciting business," might be construed to mean that the

authority under said certificate might be limited so as to prevent the solicitation of business at the sales rings located outside the City of La Junta. It was not the intention of the Commission to so restrict said authority. In the instant Order, we mean that applicant's office should be confined to La Junta, and the word "La Junta" in this Order means the City of La Junta or within a two-mile radius of said City of La Junta.

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

##### THE COMMISSION FINDS:

That Decision No. 41784, of date December 23, 1953, should be amended, as provided in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That Decision No. 41784, of date December 23, 1953, should be, and the same is hereby, amended, nunc pro tunc, as of said 23rd day of December, 1953, by striking the first paragraph of said Order, and inserting in lieu thereof the following, so that the first paragraph of said Order, as amended, shall read:

"That public convenience and necessity require the call and demand motor vehicle service of applicant, Robert E. Walter, doing business as "Bob Walter Trucking," P. O. Box 2, La Junta, Colorado, for the transportation of livestock between points within a radius of 50 miles of La Junta, Colorado, and from and to said radius to and from all points and places in the State of Colorado, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor, provided, however, that said applicant shall be limited to one office in La Junta, Colorado, or within a two-mile radius of said City of La Junta, for the purpose of soliciting business."

That, except as herein amended, said Decision No. 41784, shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Wheeler*

*Jeff C. Kearley*

*Ralph C. Hahn*  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of December, 1953.

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
W. H. WILDER, LA JUNTA, COLORADO, )  
FOR A CERTIFICATE OF PUBLIC CON- )  
VENIENCE AND NECESSITY. )  
----- )

APPLICATION NO. 12620  
SUPPLEMENTAL ORDER

-----  
December 28, 1953  
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Appearances: Lawrence Thulemeyer, Esq.,  
La Junta, Colorado, for  
applicant;  
John H. Lewis, Esq., Denver,  
Colorado, and  
Marion F. Jones, Esq., Denver,  
Colorado, for L. O. Light,  
Wright Motor Lines, Bennett  
Motor Transport Company and  
Frank M. Cadwell;  
Robert T. James, Esq., Fowler,  
Colorado, for John Green and  
Red Richardson;  
C. H. Cornelius, Lamar, Colorado,  
for Cornelius Transfer and  
Storage.

S T A T E M E N T

By the Commission:

By Decision No. 41782, of date December 23, 1953, W. H. Wilder,  
of La Junta, Colorado, was granted a certificate of public convenience  
and necessity, authorizing:

"transportation of livestock between points within a  
25-mile radius of La Junta, Colorado, and from and to  
points in said area to and from points within a radius  
of 100 miles of La Junta, Colorado, provided, however,  
that applicant shall be limited to the use of bob-  
tailed trucks only, designed for small shipments, said  
certificate to be limited to one office in La Junta for  
the solicitation of business."

It has been called to the attention of the Commission by the  
Enforcement Department of the Commission that our restriction in the Order  
that: "said certificate to be limited to one office in La Junta for the  
solicitation of business," might be construed to mean that the authority  
under said certificate might be limited so as to prevent the solicitation  
of business at the sales rings located outside the City of La Junta. It

was not the intention of the Commission to so restrict said authority. In the instant Order we deem that applicant's office should be confined to La Junta, and the word "La Junta" in this Order means the City of La Junta or within a two-mile radius of said City of La Junta.

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

##### THE COMMISSION FINDS:

That said Decision No. 41782 should be amended, as provided in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That Decision No. 41782, of date December 23, 1953, should be, and the same is hereby amended, nunc pro tunc, as of said 23rd day of December, 1953, by striking the first paragraph of said Order, and inserting in lieu thereof the following, so that the first paragraph of said Order, as amended, shall read:

"That public convenience and necessity require the call and demand common carrier motor vehicle service of W. R. Wilder, of La Junta, Colorado, for the transportation of livestock between points within a 25-mile radius of La Junta, Colorado, and from and to points in said area to and from points within a radius of 100 miles of La Junta, Colorado, provided, however, that applicant shall be limited to the use of bob-tailed trucks only, designed for small shipments, and that said certificate shall be limited to one office in La Junta, Colorado, or within a two-mile radius of said City of La Junta, for the purpose of soliciting business."

That, except as herein amended, said Decision No. 41782 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Huchel  
Ralph C. Harkin  
Ralph C. Harkin  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of December, 1953.  
ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: APPLICATION OF HAROLD W. BARRETT )  
AND RICHARD A. BARRETT, DBA "MILE HIGH )  
PUMP SERVICE", 3511 SOUTH DOWNING, )  
ENGLEWOOD, COLORADO, THAT PRESCRIBED )  
RATES, RULES AND REGULATIONS OF )  
COMMISSION WILL NOT APPLY IN CONNEC- )  
TION WITH THIS CARRIER'S OPERATIONS. )

CASE NO. 1585

December 29, 1953

S T A T E M E N T

By the Commission:

On November 24, 1953, under Decision No. 41599, the Commission issued a private carrier permit to Harold W. Barrett and Richard A. Barrett, doing business as Mile High Pump Service of 3511 South Downing Street, Englewood, Colorado, authorizing the transportation of electric ranges, refrigerators, deep freeze and gas-fired space heaters, gas stoves, water heaters and household appliances using bottled gas, propane gas and containers, between all points within a 50-mile radius of Denver, Colorado, for Montgomery Ward and Company, only; such cartage service to be performed in those instances only where transportation is coupled with special service; that is, where applicant also installs and connects said gas and appliances as a part of his service; and applicants shall not add any other customers without first obtaining authority from the Commission so to do.

The service performed by this carrier in addition to the transportation includes any sundry service offered a customer in the sale of merchandise. In fact, the transportation might be considered a secondary matter, or incidental to the sale of the commodity.

The Commission, in the past, has excluded the application of its prescribed rates, rules and regulations on similar operations, and believes similar action should be taken here.

## FINDINGS

The Commission Finds:

That, the application should be authorized.

## ORDER

The Commission Orders:

That, this order shall become effective forthwith; that the prescribed rates, rules and regulations shall not apply in connection with the operation of Harold W. Barrett and Richard A. Barrett, doing business as the Mile High Pump Service, 3511 South Downing Street, Englewood, Colorado, a private carrier, who is serving the Montgomery Ward and Company, exclusively; that this action is taken without prejudice should a complaint be filed at some subsequent date relative to any potential competitive situation which may arise between the said service of Mile High Pump Service and that of a common carrier service; that the order entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force until the further order of the Commission; that jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hinchell

Joseph W. Hecox

Ralph C. Horton  
Commissioners

Dated at Denver, Colorado

this 29th day of December, 1953.

hs

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ALVIN A. HEDSTROM, OWL CANON )  
ROUTE, LA PORTE, COLORADO. )  
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PERMIT NO. B-3558

-----  
December 31, 1953  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named named permittee requesting that his Permit No. B-3558 be suspended for six months from December 15, 1953.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

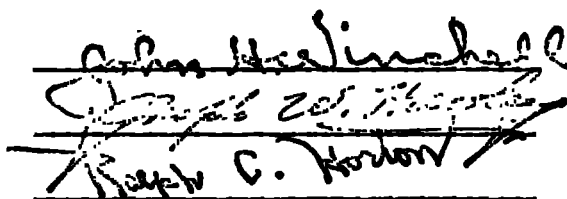
O R D E R

THE COMMISSION ORDERS:

That Alvin A. Hedstrom, La Porte, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-3558 until June 15, 1954.

That unless said Alvin A. Hedstrom, La Porte, 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

  
Commissioners.

Dated at Denver, Colorado,  
this 31st day of December, 1953.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
W. C. CASE, H. L. CASE, AND F. E.  
CASE, CO-PARTNERS, DOING BUSINESS  
AS "CASE BROTHERS," P. O. BOX 596,  
GAINESVILLE, TEXAS, FOR AUTHORITY  
TO TRANSFER INTERSTATE OPERATING  
RIGHTS TO CASE BROTHERS TRUCKING  
CONTRACTORS, INC., P. O. BOX 596,  
GAINESVILLE, TEXAS.

PUC NO. 2498-I-Transfer

December 30, 1953

S T A T E M E N T

By the Commission:

Heretofore, W. C. Case, H. L. Case, and F. E. Case, co-partners, doing business as "Case Brothers," Gainesville, Texas, were authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle, in interstate commerce, and PUC No. 2498-I issued to them.

Said certificate-holders now seek authority to transfer said operating rights to Case Brothers Trucking Contractors, Inc., a corporation, Gainesville, Texas.

The records and files of the Commission fail to disclose any reason why said request should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

That said transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

That W. C. Case, H. L. Case, and F. E. Case, co-partners, doing business as "Case Brothers," Gainesville, Texas, should be, and they are hereby, authorized to transfer all their right, title, and interest in and

to PUC No. 2498-I to Case Brothers Trucking Contractors, Inc., Gainesville, Texas, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, and subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That road tax deposit of transferors shall be transferred and credited to account of transferee herein.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Luchel

John H. Luchel  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,  
this 30th day of December, 1953.

original

(Decision No. 41800)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
MURRAY SHAPIRO AND ALEXANDER )  
SHAPIRO, CO-PARTNERS, DOING BUSINESS )  
AS "MURAL TRUCKING SERVICE," 2900 )  
REVIEW AVENUE, LONG ISLAND CITY, )  
NEW YORK, FOR AUTHORITY TO TRANSFER )  
INTERSTATE OPERATING RIGHTS TO )  
MURAL TRANSPORT, INC., 2900 REVIEW )  
AVENUE, LONG ISLAND CITY, NEW YORK. )  
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PUC NO. 1875-I-Transfer

-----  
December 30, 1953  
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S T A T E M E N T

By the Commission:

Heretofore, Murray Shapiro and Alexander Shapiro, co-partners, doing business as "Mural Trucking Service," Long Island City, New York, were authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle, in interstate commerce, and PUC No. 1875-I issued to them.

Said certificate-holders now seek authority to transfer said operating rights to Mural Transport, Inc., Long Island City, New York.

The records and files of the Commission fail to disclose any reason why said request should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

That said transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

That Murray Shapiro and Alexander Shapiro, co-partners, doing business as "Mural Trucking Service," Long Island City, New York, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 1875-I to Mural Transport, Inc., Long Island

City, New York, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, and subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Wheeler

Joseph C. Kearney

Raymond C. Holman  
Commissioners

Dated at Denver, Colorado,  
this 30th day of December, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE INVESTIGATION AND SUSPENSION OF )  
TEMPORARY RIDER, ORIGINAL SHEETS NO. )  
34 AND 34A, of P.U.C. Tariff NO. 3- )  
GAS, OF THE PUBLIC SERVICE COMPANY )  
OF COLORADO. )  
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INVESTIGATION AND SUSPENSION  
DOCKET NO. 361

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December 28, 1953  
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S T A T E M E N T

By the Commission:

On December 28, 1953, Mr. W. D. Virtue, Vice-President of The Public Service Company of Colorado, filed with The Public Utilities Commission of the State of Colorado a temporary rider, designated as Original Sheet No. 34 and Original Sheet No. 34A, as a part of Public Service Company's tariff, Colorado P.U.C. No. 3, Gas, to become effective on January 1, 1954.

Authority for filing said temporary rider was granted by the Commission by Authority No. 13788 of December 28, 1953.

Said temporary rider, being Sheets 34 and 34A, if permitted to become effective, would increase the cost of gas to customers as follows:

- I. All rates for residential and commercial natural gas service rendered to customers supplied with natural gas purchased from the Colorado Interstate Gas Company and the Colorado Wyoming Gas Company shall be increased per hundred cubic feet used per month . . . . . \$0.0036
- II. All rates for interruptible industrial natural gas service rendered to customers situated within the area delineated by diagonal lines on the territorial map on Colo. P.U.C. No. 3, First Revised Sheet No. 4 together with all rates for interruptible industrial natural gas service rendered to customers situated within the City and County of Denver shall be increased per thousand cubic feet used per month. . . . . \$0.030
- III. All rates for interruptible industrial natural gas service rendered to customers situated in those areas shown on the territorial map of Colo. P.U.C. No. 3, First Revised Sheet No. 4, outside of the area delineated by diagonal lines and outside of the City and County of Denver shall be increased per thousand cubic feet used per month. . . . . \$0.020

Applicant, in its petition to the Commission, stated that the request for the rate filing was based on the following circumstances and conditions:

1. On September 2, 1953, in FPC Docket No. G-2260, Colorado Interstate Gas Company tendered to the Federal Power Commission for filing, pursuant to Section 4 of the Natural Gas Act, to take effect on October 3, 1953, a proposed system-wide increase in its rates and charges for all gas sold for resale, subject to the jurisdiction of the Federal Power Commission, including natural gas furnished for resale to your petitioner. Simultaneously with said filing, Colorado Interstate Gas Company (hereinafter referred to as Colorado Interstate) requested that, if the Federal Power Commission suspended such rates, the suspension be for a period no longer than three months from October 3, 1953, or until January 1, 1954. By order issued September 28, 1953, the Federal Power Commission set said matter for hearing on January 12, 1954, and at the same time suspended the effective date of the proposed changes in rates and charges until March 3, 1954, and in such order denied Colorado Interstate's request to limit the period of suspension to January 1, 1954.

2. Likewise, on September 2, 1953, in FPC Docket No. G-2261, Colorado-Wyoming Gas Company (hereinafter referred to as Colorado-Wyoming), a pipeline customer of Colorado Interstate, tendered to the Federal Power Commission for filing a proposed increase in its rates and charges for gas sold for resale, subject to the jurisdiction of the Federal Power Commission, including natural gas furnished for resale to your petitioner. Said increase proposed by Colorado-Wyoming is based in part on the anticipated increase in its gas purchase costs resulting from the increase filing proposed by Colorado Interstate in FPC Docket No. G-2260. By order issued September 28, 1953, the matter of the proposed increase in the rates and charges of Colorado-Wyoming was set down for hearing before the Federal Power Commission on January 20, 1954, and the effective date of said proposed changes in rates and charges was suspended until March 3, 1954.

3. On December 22, 1953, in FPC Docket No. G-2260, the Federal

Power Commission amended its order issued September 28, 1953, in said matter and rescinded the original suspension of the proposed increase in the rates and charges of Colorado Interstate, and ordered that the same be suspended and their use deferred until January 1, 1954 instead of March 3, 1954. In said order, the Federal Power Commission finds that such action on its part is necessary and appropriate and in the public interest, and in said order the Federal Power Commission recites that the Colorado Interstate will place in operation on or about January 1, 1954 additional facilities which will enable it to receive additional volumes of natural gas under recently executed gas purchase contracts calling for increased gas purchase costs. The Federal Power Commission, in said order, further takes official notice that the Kansas State Corporation Commission has increased the minimum field price in the Kansas Hugoton field, effective January 1, 1954, from eight cents to eleven cents per MCF, and that Colorado Interstate makes extensive purchases of gas in the Kansas Hugoton gas field.

4. Colorado Interstate has advised your petitioner that said proposed increase in rates and charges for natural gas furnished to your petitioner will become effective under bond on January 1, 1954.

5. On December 26, 1953, in FPC Docket No. 2261, Colorado-Wyoming moved the Federal Power Commission to shorten the period of suspension of its said proposed changes in rates from March 3, 1954 to January 1, 1954 and that it be authorized to put into effect said proposed changes in rates as of January 1, 1954, or, in the alternative that the Federal Power Commission accept for filing certain proposed changes in its rates and charges negotiated with the Staff of the Federal Power Commission, to be effective January 1, 1954. It is anticipated by your petitioner that an order will be entered by the Federal Power Commission authorizing Colorado-Wyoming to increase its rates and charges as negotiated with the Staff of the Federal Power Commission, effective January 1, 1954.

6. During the year 1954, the total increase in the cost of natural gas purchased for resale by your petitioner from Colorado Interstate and Colo

rado-Wyoming, pursuant to the proposed changes in rates of such respective suppliers, to become effective January 1, 1954, is estimated to be \$2,097,000. Thus an emergency situation has been created which compels your petitioner to seek relief in the form of an immediate adjustment in its rates for natural gas service to become effective on January 1, 1954, concurrently with the increase in the said rates and charges of Colorado Interstate and Colorado-Wyoming, as hereinabove set forth.

7. Your petitioner's net operating revenue for the 12-month period ended November 30, 1953 was \$8,634,448. Such revenue, when related to the total property, plant and equipment of your petitioner at November 30, 1953 in the amount of \$172,814,824, shows a return of 5.00%. Said net operating revenue if related to total property, plant and equipment at November 30, 1953, less book depreciation of \$26,944,925, shows a return of 5.92%.

8. The total increase in revenues resulting from the aforesaid rate adjustment during the year 1954, is estimated to be an amount which is approximately equivalent to the estimated increase in the cost of purchased gas to your petitioner.

Your petitioner proposes that the rate adjustment hereby requested shall remain in force and effect until final determination of the rates of Colorado Interstate and Colorado-Wyoming are made by the Federal Power Commission, at which time said adjustment shall be reviewed, new rate schedules filed, and any moneys refunded to Public Service Company resulting from application of the rates for natural gas as finally allowed by said Federal Power Company, shall be subject to refund to its customers in a manner to be approved by this Commission.

In order to protect the interests of all concerned, the Commission has decided on its own motion, to suspend said temporary rider being Original Sheet No. 34 and Original Sheet No. 34A of Public Service Company Tariff, P. U. C. No. 3 - Gas, and to hold a hearing in regard to said matters.

## FINDINGS

### THE COMMISSION FINDS:

That the effective date of Original Sheet No. 34 and Original Sheet No. 34A of Public Service Company Colorado P. U. C. Tariff No. 3 - Gas, should be suspended and an investigation and hearing held in the matter.

## ORDER

### THE COMMISSION ORDERS:

That the effective date of the proposed temporary rider of the Public Service Company's Colorado P. U. C. Tariff No. 3 - Gas, being Original Sheet No. 34 and Original Sheet No. 34A be, and it hereby is, suspended for a period of one hundred and twenty (120) days from January 1, 1954, or until April 30, 1954, unless otherwise ordered.

That the increase in the cost of gas proposed in said filing be made a subject of investigation by the Commission within said period of suspension.

That the matters contained in Public Service Company's Original Sheet No. 34 and Original Sheet No. 34A of Colorado P. U. C. Tariff No. 3 - Gas, be, and they hereby are, set for hearing before the Commission at 9:30 o'clock A. M., December 31, 1953, in the Commission's Hearing Room, 330 State Office Building, Denver, Colorado.

That a copy of this Order be forthwith served on W. D. Virtue, Vice-President of the Public Service Company of Colorado, Gas and Electric Building, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hinchell

Joseph C. Hinkley  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of December, 1953.

MLS

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HOLLY GRAY AND EDDIE GRAY, CO- )  
PARTNERS, DOING BUSINESS AS "GRAY )  
BROTHERS," 1045 SOUTH HOBART STREET, )  
PAMPA, TEXAS, FOR AUTHORITY TO )  
TRANSFER INTERSTATE OPERATING )  
RIGHTS TO W. D. CAMERON, STAR ROUTE )  
2, PAMPA, TEXAS. )  
-----

PERMIT NO. B-3581-I-Transfer

-----  
December 31, 1953  
-----

S T A T E M E N T

By the Commission:

Heretofore, Holly Gray and Eddie Gray, co-partners, doing business as "Gray Brothers," Pampa, Texas, were authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a private carrier by motor vehicle for hire, in interstate commerce, and Permit No. B-3581-I issued to them.

Said permit-holders now seek authority to transfer said operating rights to W. D. Cameron, Pampa, Texas.

The records and files of the Commission fail to disclose any reason why said request should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

That authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

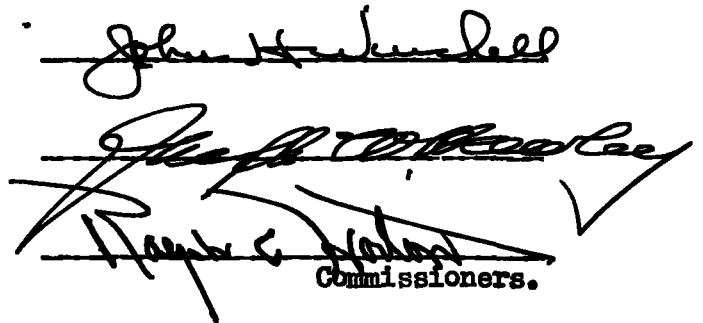
That Holly Gray and Eddie Gray, co-partners, doing business as "Gray Brothers," Pampa, Texas, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to Permit No. B-3581-I to W. D. Cameron, Pampa, Texas, subject to the payment of outstanding indebtedness against said operation, if any there be, whether

secured or unsecured, and subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 31st day of December, 1953.

mls

original

(Decision No. 41803)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE INVESTIGATION AND SUSPENSION OF )  
TEMPORARY RIDER, SECOND REVISED )  
SHEET NO. 20 OF P.U.C. NO. 5 OF THE )  
PUEBLO GAS AND FUEL COMPANY. )  
-----

INVESTIGATION AND SUSPENSION  
DOCKET NO. 362

-----  
December 29, 1953  
-----

S T A T E M E N T

By the Commission:

On December 29, 1953, Mr. W. D. Virtue, Vice President of the Pueblo Gas and Fuel Company, filed with The Public Utilities Commission of the State of Colorado, a temporary rider, designated as Second Revised Sheet No. 20, as a part of Pueblo Gas and Fuel tariff, Colorado P.U.C. No. 5, to become effective on January 1, 1954.

Authority for filing said temporary rider was granted by the Commission by Authority No. 13789 of December 29, 1953.

Said temporary rider being Second Revised Sheet No. 20, if permitted to become effective, would increase the cost of gas to customers as follows:

1. All rates for residential and commercial natural gas service shall be increased per hundred cubic feet used per month . . . . . \$0.0036
2. All rates for interruptible industrial natural gas service shall be increased per thousand feet used per month. . . . . \$0.030

Applicant, in its petition to the Commission, stated that the request for the rate filing was based on the following circumstances and conditions:

1. On September 2, 1953, in FPC Docket No. G-2260, Colorado Interstate Gas Company tendered to the Federal Power Commission for filing, pursuant to Section 4 of the Natural Gas Act, to take effect on October 3, 1953, a proposed system-wide increase in its rates and charges for all gas sold for

resale, subject to the jurisdiction of the Federal Power Commission, including natural gas furnished for resale to your petitioner. Simultaneously, with said filing, Colorado Interstate requested that, if the Federal Power Commission suspended such rates, the suspension be for a period no longer than three months from October 3, 1953, or until January 1, 1954. By order issued September 28, 1953, the Federal Power Commission set said matter for hearing on January 12, 1954, and, at the same time, suspended the effective date of the proposed changes in rates and charges until March 3, 1954 and in such order denied Colorado Interstate's request to limit the period of suspension to January 1, 1954.

2. On December 22, 1953, in FPC Docket No. G-2260, the Federal Power Commission amended its order issued September 28, 1953 in said matter and rescinded the original suspension of the proposed increase in the rates and charges of Colorado Interstate, and ordered that the same be suspended and their use deferred until January 1, 1954 instead of March 3, 1954. In said order, the Federal Power Commission finds that such action on its part is necessary and appropriate and in the public interest, and in said order the Federal Power Commission recites that Colorado Interstate will place in operation, on or about January 1, 1954, additional facilities which will enable it to receive additional volumes of natural gas under recently executed gas purchase contracts calling for increased gas purchase costs. The Federal Power Commission, in said order, further takes official notice that the Kansas State Corporation Commission has increased the minimum field price in the Kansas Hugoton field, effective January 1, 1954, from eight cents to eleven cents per MCF, and that Colorado Interstate makes extensive purchases of gas in the Kansas Hugoton gas field.

3. Colorado Interstate Gas Company has advised your petitioner that said proposed increase in rates and charges for natural gas furnished to your petitioner will become effective under bond on January 1, 1954.

4. During the year 1954, the total increase in the cost of natural gas purchased for resale by your petitioner from Colorado Interstate, pur-

suant to the proposed changes in rates of such supplier to become effective January 1, 1954, is estimated to be \$275,000. Thus an emergency situation has been created which compels your petitioner to seek relief in the form of an immediate adjustment in its rates for natural gas service to become effective on January 1, 1954, concurrently with the increase in the said rates and charges of Colorado Interstate, as hereinabove set forth.

5. Your petitioner's net operating revenue for the 12-month period ended November 30, 1953 was \$222,108. Such revenue, when related to the total property, plant and equipment of your petitioner at November 30, 1953, in the amount of \$4,020,959, shows a return of 5.52%. Said net operating revenue, if related to total property, plant and equipment at November 30, 1953, less book depreciation of \$660,261, shows a return of 6.61%.

6. The total increase in revenues resulting from the aforesaid rate adjustment during the year 1954 is estimated to be an amount which is approximately equivalent to the estimated increase in the cost of purchased gas to your petitioner.

Your petitioner proposes that the rate adjustment hereby requested shall remain in force and effect until final determination of the rates of Colorado Interstate is made by the Federal Power Commission, at which time said adjustment shall be reviewed, new rate schedules filed, and any moneys refunded to The Pueblo Gas and Fuel Company resulting from application of the rates for natural gas as finally allowed by said Federal Power Commission shall be subject to refund to its customers in a manner to be approved by this Commission.

In order to protect the interests of all concerned, the Commission has decided, on its own motion, to suspend said temporary rider, being Second Revised Sheet No. 20 of Pueblo Gas and Fuel Company's Tariff, Colorado P.U.C. No. 5, and to hold a hearing in regard to said matters.

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

##### THE COMMISSION FINDS:

That the effective date of the Second Revised Sheet No. 20 of Pueblo Gas and Fuel Company, Colorado P.U.C. No. 5, should be suspended and

an investigation and hearing held in the matter.

O R D E R

THE COMMISSION ORDERS:

That the effective date of the proposed temporary rider of the Pueblo Gas and Fuel Company's Colorado P.U.C. No. 5, being Second Revised Sheet No. 20, be, and it hereby is, suspended for a period of one-hundred and twenty (120) days from January 1, 1954, or until April 30, 1954, unless otherwise ordered.

That the increase in the cost of gas proposed in said filing be made a subject of investigation by the Commission within said period of suspension.

That the matters contained in Pueblo Gas and Fuel Company's Second Revised Sheet No. 20, of Colorado P.U.C. Tariff No. 5, be, and they hereby are, set for hearing before the Commission at ten-thirty o'clock A. M., December 31, 1953, in the Commission's Hearing Room, 330 State Office Building, Denver, Colorado.

That a copy of this Order be forthwith served on W. D. Virtue, Vice-President of the Pueblo Gas and Fuel Company, Gas and Electric Building, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hutchell

Joseph W. Keeney  
Reuben C. Hobart  
Commissioners.

Dated at Denver, Colorado,  
this 29th day of December, 1953.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
GEORGE WRIGHT, DOING BUSINESS AS  
"WRIGHT MOTOR LINES," ROCKY FORD,  
COLORADO, FOR AN AMENDMENT TO CER-  
TIFICATE NUMBER PUC-960 TO REMOVE  
CERTAIN RESTRICTIONS.

APPLICATION NO. 12621-Extension

December 31, 1953

Appearances: John H. Lewis, Esq., Denver,  
Colorado, and  
Marion F. Jones, Esq., Denver,  
Colorado, for applicant;  
Barry and Hupp, Esqs., Denver,  
Colorado, for Bennett Motor  
Transport;  
Walter Shehorn, Trinidad, Colo-  
rado, for Walker-Shehorn  
Truck Lines;  
C. H. Cornelius, La Junta, Colo-  
rado, pre se.

S T A T E M E N T

By the Commission:

On May 26, 1953, George Wright, doing business as "Wright Motor Lines," of Rocky Ford, Colorado, filed the instant application to remove certain restrictions permitting him to maintain an office and agent in the City of La Junta, Colorado, for the purpose of developing business for the transportation of livestock only. He further seeks authority to accept shipments of livestock at any point in the Counties of Otero, Pueblo, Las Animas, Crowley, Bent, Kiowa, Prowers and Baca.

Pursuant to prior notice to all parties in interest, the above application for an extension was regularly set for hearing at the City Hall in La Junta, Colorado, on November 19, 1953, and at the conclusion of the hearing, the matter was taken under advisement.

Applicant presently is the owner of Certificate of Public Convenience and Necessity No. PUC-960, which authorizes the following service:

"Conduct of a transfer, moving and general cartage business within the City of Manzanola and in the counties of Otero, Pueblo, Las Animas, Crowley, Bent, Kiowa, Prowers, and Baca, and for occasional service throughout the State of Colorado, and in each of the counties thereof, subject to the terms and conditions hereinafter stated: 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. The applicant shall not be permitted without further authority from this Commission to establish a branch office or to have an agent employed in any other town or city than Manzanola for the purpose of developing business."

At a later hearing, George Wright, doing business as "Wright Motor Lines, was permitted to change the base of his operations under PUC-960 from Manzanola to Rocky Ford, and that order permitted the modifying of the above-described authority under said PUC-960 by substituting the words "Rocky Ford" in lieu of the word "Manzanola" as the headquarters for said operations under said PUC-960.

At the instant hearing, the evidence disclosed that applicant has employed agents for the solicitation of business at La Junta. This matter was formally called to applicant's attention by the Enforcement Division of the Commission, and applicant was ordered to refrain from soliciting business at La Junta sales rings, but before formal order of the Commission, applicant filed the instant application.

Ed D. Rogers, the Manager of Wright Motor Lines, stated that in the past, they had used their drivers for the solicitation of business, especially livestock, in La Junta. In other words, they based their trucks at the La Junta sales yard, making themselves available for hauling of livestock to and from La Junta.

It appears from the evidence that at the date of hearing, there were no locally-domiciled livestock carriers serving the La Junta area. It also appears that there are carriers who have authority to transport livestock out of La Junta, but do not have authority to maintain an office or employ an agent for the solicitation of business at said point. The evidence further disclosed that some carriers can solicit business at the La Junta sales ring.

Several shipper-witnesses appeared and testified as to the need for locally-domiciled carriers. The witnesses testified that there is inadequate service available to take care of the livestock movement. Mr. R. P. Lewis, who operates the sales ring at La Junta; Ray Poole, a cattle dealer; and O. C. Morrow, a livestock raiser residing in the La Junta area, all testified as to the inadequacy of the service for transporting livestock to and from the La Junta sales ring, and especially stressed the unavailability of motor carrier service.

C. H. Cornelius, who operates under a certificate of public convenience and necessity, protested the granting of authority permitting applicant to maintain an office in La Junta. Mr. Cornelius has a very general authority and specializes in the transportation of household goods and farm products. It appears from his testimony that Mr. Cornelius is not vitally interested in the movement of livestock and has not catered to that particular type of business for many years. However, he protested because PUC-960 is a certificate that permits the transportation of all commodities, and he feels that if Wright Motor Lines is permitted to establish an office in La Junta, that the enforcement problem would be difficult for the Commission, and Wright Motor Lines would be soliciting business other than for the transportation of livestock.

The Commission has carefully studied the record made in the instant matter, and is of the opinion that there is a need for applicant's service in the transportation of livestock. Applicant has confined himself in his application so that he would be restricted to the developing of business for the transportation of livestock only, and we see no need for any further authority. We recognize Mr. Cornelius' concern and agree with him that the granting of the authority asked for makes a serious enforcement problem -- especially if said certificate is held by persons who are unscrupulous and have no regard for the rights of other certificated carriers. Nevertheless, we are convinced that the public needs the service, and the Commission, on numerous occasions, has stated it felt it was the duty of

the Commission to furnish to the public adequate transportation.

In the past few years, La Junta has become one of the largest livestock markets in the state, and the record indicates that we only have one larger market, and that is at the Denver Stock Yards. Thousands of cattle are moved in and out of La Junta annually by motor carriers, and it is absolutely necessary that motor carrier service be available for this movement.

The applicant also asks that he be permitted authority to accept shipments of livestock at any point in the Counties of Otero, Pueblo, Las Animas, Crowley, Bent, Kiowa, Prowers, and Baca. The evidence, if any, given at the hearing in support of this proposed extension, was slight, and from an examination of the authority now held by applicant, we see no reason why said authority should be clarified or further extended. In our judgment, the authority is clear, and any discussion would only tend to cloud the authority.

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

##### THE COMMISSION FINDS:

That public convenience and necessity require the granting of the instant application, as hereinafter limited, permitting applicant to establish an office in La Junta, Colorado, or within a two-mile radius of said city, or to have an agent employed in said above-described area for the purpose of developing business for the transportation of livestock only, 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 establishment of a branch office or the employment of an agent in the City of La Junta, Colorado, or within a two-mile radius thereof, by applicant, for the purpose of developing business for the transportation of livestock only, and this order

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

That this order is made a part of the certificate granted to applicant and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hunsbeck  
Joseph W. Hunsbeck  
Ralph C. Hunsbeck  
Commissioners.

Dated at Denver, Colorado,  
this 31st day of December, 1953.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
HENRY KALINOWSKI, DOING BUSINESS AS )  
"HANK'S MACHINE SHOP," P. O. BOX 85, )  
CROOK, COLORADO. )  
\_\_\_\_\_ )

PERMIT NO. C-30799

\_\_\_\_\_  
January 8, 1954  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Henry Kalinowski, dba "Hank's Machine Shop,"

requesting that Permit No. C-30799 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30799, heretofore issued to \_\_\_\_\_

Henry Kalinowski, dba "Hank's Machine Shop," \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective December 29, 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 8th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
HIRAM J. WOLVERTON & WM. L. CLARK, )  
DOING BUSINESS AS "WOLVERTON COAL )  
COMPANY," 9280 NORTH FEDERAL BLVD., )  
DENVER 11, COLORADO. )  
-----)

PERMIT NO. C-13542

-----  
January 8, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

\_\_\_\_\_  
Hiram J. Wolverton & Wm. L. Clark, dba "Wolverton Coal Company,"

requesting that Permit No. C-13542 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-13542, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Hiram J. Wolverton & Wm. L. Clark, dba "Wolverton Coal Company," be,

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
*John H. Lincoln*  
\_\_\_\_\_  
*Ralph C. Horton*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 8th day of January, 1954.

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
CHARLEY C. BENSE, 2167 SO. SANTA FE, )  
DENVER 19, COLORADO. )

**PERMIT NO. C-31219**

**January 8, 1954**

**STATEMENT**

**By the Commission:**

**The Commission is in receipt of a communication from** \_\_\_\_\_

**Charley C. Bense**

requesting that Permit No. C-31219 be cancelled.

## FINDINGS

## THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

**That Permit No. C-31219 , heretofore issued to**

Charley C. Bense be,

**and the same is hereby, declared cancelled effective December 29, 1952.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

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

**Dated at Denver, Colorado,**

**this 8th day of January, 1954.**

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
A. S. DEAN, DOING BUSINESS AS )  
"ARTHUR S. DEAN & SONS," ROUTE I, )  
LAS ANIMAS, COLORADO. )  
----- )

PERMIT NO. C-30796

-----  
January 8, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

\_\_\_\_\_  
A. S. Dean, dba "Arthur S. Dean & Sons"

requesting that Permit No. C-30796 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS: /

That Permit No. C-30796, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
A. S. Dean, dba "Arthur S. Dean & Sons," \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective July 31, 1953.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hinchell  
Joseph E. Hinchell  
Joseph C. Hinchell  
Commissioners

Dated at Denver, Colorado,

this 8th day of January, 1954.

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
JESS BRANDON, 2915 WEST 27TH AVENUE, )  
DENVER 11, COLORADO. )

**PERMIT NO. C-30291**

**January 8, 1954**

## STATEMENT

**By the Commission:**

**The Commission is in receipt of a communication from**\_\_\_\_\_

**Jess Brandon**

**requesting that Permit No. C-30291 be cancelled.**

## FINDINGS

### **THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:** !

That Permit No. C-30291, heretofore issued to \_\_\_\_\_

**Jess Brandon** \_\_\_\_\_ **be,**

**and the same is hereby, declared cancelled effective December 23, 1952.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

John H. Hinchell  
Ralph C. Hinchell  
Ralph C. Hinchell  
Commissioners

**Dated at Denver, Colorado,**

**this 8th day of January, 1954.**

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
R. L. HUDSON, DOING BUSINESS AS )  
"COLORADO SECTIONAL HOMES CO.," )  
5199 SOUTH SANTA FE DRIVE, LITTLETON, )  
COLORADO. )  
-----)

PERMIT NO. C-21363

-----  
January 8, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

R. L. Hudson, dba "Colorado Sectional Homes Co."

requesting that Permit No. C-21363 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-21363, heretofore issued to \_\_\_\_\_

R. L. Hudson, dba "Colorado Sectional Homes Co.," \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective December 24, 1953.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
Ralph C. Norton  
Ralph C. Norton  
Commissioners

Dated at Denver, Colorado,

this 8th day of January, 1954.

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
FLOYD ORFIELD, 526 HUGO, COLORADO )  
SPRINGS, COLORADO. )

PERMIT NO. C-31569

**January 8, 1954.**

## STATEMENT

**By the Commission:**

**The Commission is in receipt of a communication from** \_\_\_\_\_

Floyd Orfield

requesting that Permit No. C-31569 be cancelled.

## FINDINGS

### **THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

**That Permit No. C-31569, heretofore issued to**

Floyd Orfield be,

and the same is hereby, declared cancelled effective December 12, 1952.

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

John H. Winchell  
Joseph W. Harbison  
Commissioners

**Dated at Denver, Colorado,**

**this 8th day of January, 1954.**

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
STERLING TANKER SERVICE, INC., 331 )  
STATE ST., FT. MORGAN, COLORADO. )

**PERMIT NO. C-30959**

**January 8, 1954**

## STATEMENT

**By the Commission:**

The Commission is in receipt of a communication from \_\_\_\_\_  
Sterling Tanker Service, Inc.

**requesting that Permit No. C-30959 be cancelled.**

## FINDINGS

### THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-30959, heretofore issued to \_\_\_\_\_  
Sterling Tanker Service, Inc. be,  
and the same is hereby, declared cancelled effective November 24, 1953.

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

John H. Lincoln  
 Ralph W. Henshaw  
 Ralph C. Henshaw  
 Commissioners

**Dated at Denver, Colorado,**

**this 8th day of January, 1954.**

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
LAURENCE FROMM, JR., DOING BUSINESS )  
AS "L. F. COIN CO.," ROUTE 4, )  
GRAND JUNCTION, COLORADO. )  
\_\_\_\_\_ )

PERMIT NO. C-25553

\_\_\_\_\_  
January 8, 1954  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

\_\_\_\_\_  
Laurence Fromm, Jr., dba "L. F. Coin Co." \_\_\_\_\_

requesting that Permit No. C-25553 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-25553, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Laurence Fromm, Jr., dba "L. F. Coin Co." \_\_\_\_\_ be,

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Mitchell*  
*Joseph W. Titus*  
*Ralph C. Horton*

\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 8th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
CARROLL E. FLACK, DOING BUSINESS AS )  
"FLACK BEVERAGES," ROUTE 3, BOX 292, )  
GREELEY, COLORADO. )  
\_\_\_\_\_ )

PERMIT NO. C-6650

\_\_\_\_\_  
January 8, 1954  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Carroll E. Flack, dba "Flack Beverages"

requesting that Permit No. C-6650 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-6650, heretofore issued to \_\_\_\_\_

Carroll E. Flack, dba "Flack Beverages" \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective October 18, 1953.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 8th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HAROLD DUNN, 914 WEST EDISON )  
STREET, BRUSH, COLORADO. )  
-----

PUC NO. 2656-I

-----  
January 8, 1954  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Harold Dunn, Brush, Colorado, requesting that Certificate of Public Convenience and Necessity No. 2656-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. 2656-I, heretofore issued to Harold Dunn, Brush, Colorado, be, and the same is hereby, declared cancelled effective December 28, 1953.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. W. Marshall*  
*Charles E. H. H. H. H.*  
*Ralph C. Horton*  
-----  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of January, 1954.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
R. W. HALLAM, DOING BUSINESS AS )  
"HALLAM TRUCK & IMPLEMENT CO.," )  
MAIN & RATON, DELTA, COLORADO. )  
-----)

PERMIT NO. C-28744

-----  
January 11, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

\_\_\_\_\_  
R. W. Hallam, dba "Hallam Truck & Implement Co." \_\_\_\_\_

requesting that Permit No. C-28744 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

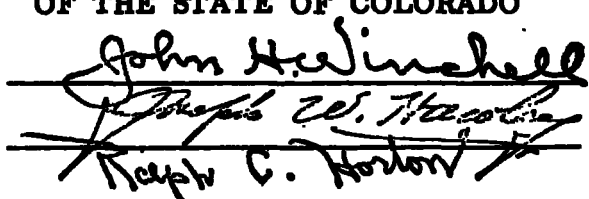
ORDER

THE COMMISSION ORDERS:

That Permit No. C-28744, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
R. W. Hallam, dba "Hallam Truck & Implement Co." \_\_\_\_\_ be,

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 11th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
FRANK ORTEGA, DOING BUSINESS AS )  
"GOLDEN PRODUCE CO.," 1290 NILES ST., )  
ROUTE 4, BOX 78, GOLDEN, COLORADO. )  
----- )

PERMIT NO. C-24403

-----  
January 11, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

\_\_\_\_\_  
Frank Ortega, dba "Golden Produce Co."

requesting that Permit No. C-24403 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-24403, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Frank Ortega, dba "Golden Produce Co." be,

and the same is hereby, declared cancelled effective December 20, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchell*  
*James C. Macomber*  
*Harold C. Gordon*

\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 11th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ALBERT A. PARDI, 940 LITTLETON )  
BOULEVARD, LITTLETON, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-30556

-----  
January 11, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

\_\_\_\_\_  
Albert A. Pardi

requesting that Permit No. C-30556 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30556, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Albert A. Pardi be,

and the same is hereby, declared cancelled effective December 30, 1953.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
*John H. Lincoln*  
\_\_\_\_\_  
*Joseph C. H. H. H.*  
\_\_\_\_\_  
*Joseph C. H. H.*  
Commissioners

Dated at Denver, Colorado,

this 11th day of January, 195 4.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
S. T. MILLER, 1525 FEDERAL BOULEVARD,) )  
DENVER 4, COLORADO. ) )  
 ) )  
 ) )  
----- )

PERMIT NO. C-16213

-----  
January 11, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

\_\_\_\_\_  
S. T. Miller

requesting that Permit No. C-16213 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-16213, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
S. T. Miller be,

and the same is hereby, declared cancelled effective December 28, 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 11th day of January, 1954.

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
JOHN PLOZZA, 1357 IOLA STREET, )  
AURORA, COLORADO. )

**PERMIT NO. C-10823**

January 11, 1954

## STATEMENT

**By the Commission:**

The Commission is in receipt of a communication from \_\_\_\_\_  
John Plozza

**requesting that Permit No. C-10823 be cancelled.**

## FINDINGS

### THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-10823, heretofore issued to \_\_\_\_\_  
John Plozza \_\_\_\_\_ be,

**and the same is hereby, declared cancelled effective December 28, 1953.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

*John H. Lincoln*  
*Ralph C. Weston*  
*Ralph C. Weston*  
Commissioners

**Dated at Denver, Colorado,**

**this 11th day of January, 1954.**

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
F. C. WESTON, DOING BUSINESS AS )  
"WEST-WICK RANCH," 505 BOSTON BUILD- )  
ING, DENVER 2, COLORADO. )  
----- )

PERMIT NO. C-30104

-----  
January 11, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

F. C. Weston, dba "West-Wick Ranch,"

requesting that Permit No. C-30104 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30104, heretofore issued to \_\_\_\_\_

F. C. Weston, dba "West-Wick Ranch," be,

and the same is hereby, declared cancelled effective December 5, 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 11th day of January, 1954.

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
CHARLES SACKRIDER, JR., 405 SPRUCE, )  
WAMEGO, KANSAS. )

**PERMIT NO. C-29772**

**January 8, 1954**

**STATEMENT**

**By the Commission:**

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

**Charles Sackrider, Jr.**

requesting that Permit No. C-29772 be cancelled.

## FINDINGS

### **THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C- 29772 , heretofore issued to

**Charles Sackrider, Jr.**

**be,**

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

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

*John H. Linschell*  
*Joseph C. Horion*  
Commissioners

**Dated at Denver, Colorado,**

**this 11th day of January, 1954.**

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
JIM HAWTHORNE, 2400 SO. HUMBOLDT ST.,)  
DENVER 10, COLORADO.)

PERMIT NO. C-24195

**January 11, 1954**

## STATEMENT

**By the Commission:**

**The Commission is in receipt of a communication from** \_\_\_\_\_

**Jim Hawthorne**

**requesting that Permit No. C-24195 be cancelled.**

## FINDINGS

## THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:** 1

**That Permit No. C-24195 , heretofore issued to**

**Jim Hawthorne** **be.**

**and the same is hereby, declared cancelled effective December 29, 1952.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

John H. Winchell  
Joseph C. Horton  
Commissioners

**Dated at Denver, Colorado,**

**this 11th day of January , 1954.**

**mls**



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

EDDIE SIMONIN, 2081½ FULTON, P. O.  
BOX 511, AURORA, COLORADO.

PERMIT NO. B-4588

January 11, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Eddie Simonin

requesting that Permit No. B-4588 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4588, heretofore issued to \_\_\_\_\_

Eddie Simonin

be,

and the same is hereby, declared cancelled effective December 28, 1953.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hines  
Ralph C. Horion  
Commissioners

Dated at Denver, Colorado,

this 11th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
HIRAM J. WOLVERTON & WM. J. CLARK, )  
DOING BUSINESS AS "WOLVERTON COAL )  
CO.," 9280 NORTH FEDERAL, DENVER 11, )  
COLORADO. )  
-----)

PERMIT NO. B-3528

-----  
January 11, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Hiram J. Wolverton & Wm. J. Clark, dba "Wolverton Coal Co."

requesting that Permit No. B-3528 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-3528, heretofore issued to \_\_\_\_\_

Hiram J. Wolverton & Wm. J. Clark, dba "Wolverton Coal Co." be,

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. McInchell  
Ralph C. Norton  
Commissioners

Dated at Denver, Colorado,

this 11th day of January, 1954.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
YALE B. CHAPIN, ELIZABETH, )  
COLORADO. )  
-----

PUC NO. 530

-----  
January 11, 1954  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Yale B. Chapin, Elizabeth, Colorado, requesting that Certificate of Public Convenience and Necessity No. 530 be cancelled.

F I 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. 530, heretofore issued to Yale B. Chapin, Elizabeth, Colorado, be, and the same is hereby, declared cancelled effective December 30, 1953.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchell*  
*Repin C. Norton*

Commissioners.

Dated at Denver, Colorado,  
this 11th day of January, 1954.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE INVESTIGATION AND SUSPENSION OF  
TEMPORARY RIDER, ORIGINAL SHEET  
NO. 16 AND ORIGINAL SHEET NO. 17  
OF P.U.C. TARIFF NO. 4 OF THE  
GREELEY GAS COMPANY, GREELEY,  
COLORADO.

INVESTIGATION AND SUSPENSION  
DOCKET NO. 363

December 30, 1953

S T A T E M E N T

By the Commission:

On December 30, 1953, Mr. Gerald L. Schlessman, President of Greeley Gas Company, filed with the Public Utilities Commission of the State of Colorado, a temporary rider designated as Original Sheet No. 16 and Original Sheet No. 17, as a part of Greeley Gas Company's Colorado P. U. C. Tariff No. 4, to become effective on January 1, 1954.

Said temporary rider, being Sheets Nos. 16 and 17, if permitted to become effective, would increase the cost of gas to consumers, as follows:

1. All rates for residential and commercial natural gas service rendered to customers supplied with natural gas purchased from the Colorado-Wyoming Gas Company shall be increased per hundred cubic feet used per month . . . . . \$0.0018

The rate on file and affected hereby is identified as follows: Colorado PUC No. 4 - Second Revised Sheet #3. Also Industrial Contract: Hackett and Walters Baking Company.

2. All rates for interruptible natural gas service rendered to customers under special contracts supplied with natural gas purchased from the Colorado-Wyoming Gas Company shall be increased per hundred cubic feet used per month . . . . . \$0.001

The contracts on file and affected hereby are identified as follows:

Gresley Building	12th Street School
Shanks Feed Store	High School
Weld County Garage	Garnsey and Wheeler
Kiley the Cleaner	Tribune Newspaper
Colorado State College	4th Street School
Elk's Lodge	Eaton High School
Hammonds Implement	Erickson's Greenhouse
Weld County Rest Home	
Weld County Hospital	

Also Special Contracts for Industrial Gas Service -- Summer-time only:

Northern Colorado Alfalfa Milling Co.  
Mead Dehydrating Co.

Applicant, in its petition to the Commission, stated that the request for the rate filing was based on the following circumstances and conditions:

- "1. On September 2, 1953, in FPC Docket No. G-2260, Colorado Interstate Gas Company tendered to the Federal Power Commission for filing pursuant to Section 4 of the Natural Gas Act, to take effect on October 3, 1953, a proposed system-wide increase in its rates and charges for all gas sold for resale subject to the jurisdiction of the Federal Power Commission, including natural gas furnished for resale to Colorado-Wyoming Gas Company, your petitioner's pipeline supplier. By order issued September 28, 1953, the Federal Power Commission set said matter for hearing on January 12, 1954, and at the same time suspended the effective date of the proposed changes in rates and charges until March 3, 1954.
- "2. Likewise on September 2, 1953, in FPC Docket No. G-2261, Colorado-Wyoming Gas Company tendered to the Federal Power Commission for filing a proposed increase in its rates and charges for gas sold for resale subject to the jurisdiction of the Federal Power Commission, including natural gas furnished for resale to your petitioner. Said increase proposed by Colorado-Wyoming Gas Company was based in part on the anticipated increase in its gas purchase costs resulting from the increase filing proposed by Colorado Interstate in FPC Docket No. G-2260. By Order issued September 28, 1953, the matter of the proposed increase in the rates and charges of Colorado-Wyoming was set down for hearing before the Federal Power Commission on January 20, 1954, and the effective date of said proposed changes in rates and charges was suspended until March 3, 1954.
- "3. On December 22, 1953 in FPC Docket No. G-2260 the Federal Power Commission amended its order issued September 28, 1953 in said matter and rescinded the original suspension of the proposed increase in the rates and charges of Colorado Interstate, and ordered that the same be suspended and their use deferred until January 1, 1954 instead of March 3, 1954.

- "4. Your petitioner is advised that Colorado Interstate will put into effect under bond on January 1, 1954, said proposed increase in rates and charges for natural gas furnished to Colorado-Wyoming Gas Company.
- "5. On December 26, 1953 In FPC Docket No. 2261, Colorado-Wyoming moved the Federal Power Commission to shorten the period of suspension of its said proposed changes in rates from March 3, 1954 to January 1, 1954 and that it be authorized to put into effect said proposed changes in rates as of January 1, 1954 or, in the alternative, that the Federal Power Commission accept for filing certain proposed changes in its rates and charges as contained in Colorado-Wyoming's Third Revised Sheet No. 4 to its FPC Tariff Original Volume 1, to be effective January 1, 1954, which proposed rates and charges were negotiated with the Staff of the Federal Power Commission in settlement of the rate proceedings in Colorado-Wyoming's FPC Docket No. G-2261. On December 29, 1953 the Federal Power Commission authorized Colorado-Wyoming to increase its rates and charges as negotiated with the Staff of the Federal Power Commission, effective January 1, 1954, said rates and charges to be subject to further adjustment upon final determination of the rates and charges of Colorado Interstate.
- "6. Colorado-Wyoming has advised your petitioner that said increase in rates and charges for natural gas furnished for resale to your petitioner, as reflected on its Third Revised Sheet No. 4 to its FPC Tariff Original Volume No. 1, will become effective January 1, 1954.
- "7. The total increase in the cost of natural gas purchased for resale by your petitioner from Colorado-Wyoming, pursuant to said changes in the rates of said supplier to become effective January 1, 1954, is estimated to be \$55,500. Thus, an emergency situation has been created which compels your petitioner to seek relief in the form of an immediate adjustment in its rates for natural gas service to become effective on January 1, 1954, concurrently with the increase in the said rates and charges of Colorado-Wyoming as hereinabove set forth.
- "8. Your petitioner's pro forma net operating revenue for the 12-month period ended December 31, 1953 is \$79,560. Such revenue, when related to the total pro forma property, plant and equipment of your petitioner at December 31, 1953 in the amount of \$1,141,545., less book depreciation of \$228,658., plus working capital (1/6 of 12 months' operating expenses) in the amount of \$94,805., and materials and supplies in the amount of \$39,628., shows a return of 7.5%. On a pro forma basis for the 12-months period ended December 31, 1953, with your petitioner absorbing fifty per cent (50%) of the increased cost of gas, the return would be 5.8%.

"9. The total increase in revenues resulting from the aforesaid rate adjustment on a pro forma basis for the 12-months period ended December 31, 1953 is estimated to be an amount which is approximately equivalent to fifty per cent (50%) of the estimated increase in the cost of purchased gas to your petitioner.

"Your petitioner proposes that the rate adjustment hereby requested shall remain in force and effect until final determination of the rates of Colorado-Interstate and Colorado-Wyoming is made by the Federal Power Commission, at which time said adjustment shall be reviewed, new rate schedules filed, and as to any moneys refunded to Greeley Gas Company resulting from application of the rates for natural gas as finally allowed by said Federal Power Commission, fifty per cent (50%) thereof shall be subject to refund to the customers of Greeley Gas Company in a manner to be approved by this Commission."

In order to protect the interests of all concerned, the Commission has decided, on its own motion, to suspend said temporary rider, being Original Sheets Nos. 16 and 17, of Greeley Gas Company's Tariff P. U. C. No. 4, and to hold a hearing in regard to said matters.

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

##### THE COMMISSION FINDS:

That the effective date of Original Sheet No. 16 and Original Sheet No. 17 of Greeley Gas Company, Colorado P. U. C. Tariff No. 4, should be suspended and an investigation and hearing had in the matter.

#### O R D E R

##### THE COMMISSION ORDERS:

That the effective date of the proposed temporary rider of the Greeley Gas Company's Colorado P. U. C. Tariff No. 4, being Original Sheet No. 16, and Original Sheet No. 17, be, and it hereby is, suspended for a period of one hundred twenty (120) days from January 1, 1954, or until April 30, 1954, unless otherwise ordered.

That the increase in the cost of gas proposed in said filing be made a subject of investigation by the Commission within said period of suspension.

That the matters contained in Greeley Gas Company's Original Sheet No. 16 and Original Sheet No. 17, of Colorado P. U. C. Tariff No. 4, be, and they hereby are, set for hearing before the Commission at 10:00 o'clock A. M., on January 6, 1954, in the Commission's Hearing Room, 330 State Office Building, Denver, Colorado.

That a copy of this order be forthwith served on Gerald L.  
Schlessman, President of Greeley Gas Company, Greeley, Colorado, and  
the Mayor of Greeley, Greeley, Colorado.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Lusk  
John W. Lusk  
Ralph C. Nelson  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of December, 1953.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

THE PUBLIC UTILITIES COMMISSION OF  
THE STATE OF COLORADO,

Complainant,

vs.

CASE NO. 5066

SAMUEL C. WELKER AND MARTHA R.  
WELKER, DOING BUSINESS AS "ROCKY  
MOUNTAIN FREIGHT LINES," AND  
ROCKY MOUNTAIN FREIGHT LINES,  
INC.,

Defendants.

December 31, 1953

S T A T E M E N T

By the Commission:

On November 13, 1953, "Order to Satisfy or Answer" was issued  
by this Commission in the above-styled matter (Decision No. 41528).

Inasmuch as the matters and things therein complained of have  
been duly satisfied by defendants herein,

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled case should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That Case No. 5066 should be, and the same hereby is, dismissed.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Linde*

*Ralph C. Harkness*

*Ralph C. Harkness*  
Commissioners

Dated at Denver, Colorado,  
this 31st day of December, 1953.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF  
GILBERT G. WEAKLAND, F. O. BURKE,  
AND W. J. BURKE, DOING BUSINESS  
AS "BUR-LAND RANCH," 7056 WEST  
43RD AVENUE, WHEATRIDGE, COLORADO. )  
----- )

PERMIT NO. B-4447

-----  
December 31, 1953  
-----

S T A T E M E N T

By the Commission:

On July 1, 1953, by Decision No. 40833, the Commission authorized the above-captioned permit-holders to suspend operations under Permit No. B-4447 until January 1, 1954.

The Commission is now in receipt of a communication from F. O. Burke, one of said permit-holders, requesting that said partnership be allowed to further suspend operations under Permit No. B-4447, until July 1, 1954, inasmuch as Walter J. Burke, one of said partners, is serving in the Armed Forces in Korea, and will not be discharged from the Army until some time in May, 1954.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

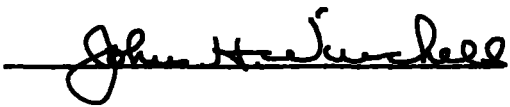


THE COMMISSION ORDERS:

That Gilbert G. Weakland, F. O. Burke, and W. J. Burke, co-partners, doing business as "Bur-Land Ranch," Wheatridge, Colorado, should be, and they hereby are, authorized to further suspend operations under Permit No. B-4447 until July 1, 1954.

That unless said permit-holders shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said operating rights, 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 right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 31st day of December, 1953.

IMW

original

(Decision No. 41833)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
HERMAN DETERT, 1112 11TH STREET, )  
DENVER, COLORADO, FOR AUTHORITY TO )  
TRANSFER PERMIT NO. B-1292 TO E. E. )  
LONG, 2021 SOUTH PEARL STREET, )  
DENVER, COLORADO. )  
-----

APPLICATION NO. 12695-PP-Transfer

RE MOTOR VEHICLE OPERATIONS OF )  
E. E. LONG, 2021 SOUTH PEARL )  
STREET, DENVER, COLORADO. )  
-----

PERMIT NO. B-3511

-----  
December 31, 1953  
-----

S T A T E M E N T

By the Commission:

By Decision No. 7207, of date February 19, 1936, Herman Detert, Denver, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

sand, gravel, rock, and like construction material, from point to point within a radius of seventy-five miles of Denver, Colorado,

said operating rights being designated "Permit No. B-1292."

By the instant application, said permit-holder seeks authority to transfer said Permit No. B-1292 to E. E. Long, Denver, Colorado.

Said E. E. Long, by Decision No. 26863, of date October 15, 1946, was authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado,

said operating rights being known as "Permit No. B-3511."

E. E. Long, transferee herein, requests that in the event authority sought by the instant application is granted, he be authorized to consolidate operations under Permits Nos. B-1292 and B-3511, said consolidated operation to be known as "Permit No. B-1292."

Inasmuch as the files of the Commission and the application herein show that Permit No. B-1292 is in good standing; that road tax has been paid; that ton-mile tax deposit is to be refunded to transferor; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is qualified and able to carry on the operation, and it does not appear that any useful purpose would be served by setting said application for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said permit, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

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

##### THE COMMISSION FINDS:

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

#### O R D E R

##### THE COMMISSION ORDERS:

That Herman Detert, Denver, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-1292 -- being the operating rights granted by Decision No. 7207 -- to E. E. Long, 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 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 this 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 operations under said permit up to the time of transfer of said permit, and payment by him or transferee of all unpaid ton-mile tax.

This Order is made a part of the permit authorized to be transferred.

That road-tax deposit of transferor shall be refunded to him.

That Permit No. B-3511, now owned and operated by transferee herein, shall be consolidated with operating rights herein authorized to be transferred, said consolidated operations to be known as "Permit No. B-1292."

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 31st day of December, 1953.

original

(Decision No. 41334)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
ACE EXPRESS, 2920 WEST 26TH )  
AVENUE, DENVER, COLORADO. )

PERMIT B-4236

-----  
January 5, 1954  
-----

S T A T E M E N T

By the Commission:

Effective with July 12, 1952, L. E. and Muriel English, doing business as Ace Express, were cancelled as a participating carrier from the Colorado Motor Freight Tariff No. 1-A, Colorado P.U.C. No. 3.

Thereafter, on October 7, 1952, the Commission issued a "Show Cause" order, Case No. 11-T, against said Ace Express for failure and neglect to keep an effective tariff on file as required by law and the Rules and Regulations of the Commission. Hearing was set for October 27, 1952, at 10:00 o'clock A.M., 330 State Office Building, Denver, Colorado.

No one appearing for or on behalf of said Ace Express in answer to the above mentioned "Show Cause", the Commission issued an "Order of Revocation", revoking and cancelling Permit B-4236, being the permit issued to L. E. and Muriel English, doing business as Ace Express, effective five days' from the date of the Order, October 27, 1952.

On the same date, October 27, 1952, John P. Beck, Agent, filed an application for authority to publish L. E. and Muriel English, doing business as Ace Express, 2920 West 26th Avenue, Denver, Colorado, as a participating carrier in Colorado Motor Freight Tariff No. 1-A, Colo. P.U.C. No. 3, on one days' notice.

The application being approved, Special Permission No. 13635, dated October 28, 1952, was issued authorizing the publication.

On October 29, 1952, John P. Beck, as Agent, for the Colorado Motor Freight Tariff No. 1-A, Colo. P.U.C. No. 3, issued 48th Revised Page No. 5, showing L. E. and Muriel English, doing business as Ace Express as a participating carrier in said tariff No. 1-A, effective October 31, 1952.

In order to clear the records, the "Order of Revocation" in Case No. 11-T, should be revoked and cancelled, as the respondent in said Case No. 11-T, did file a tariff as required by law and the Rules and Regulations of the Commission and within the five days from the date of the "Order of Revocation", October 27, 1952.

### FINDINGS

The Commission Finds:

That, the "Order of Revocation", Case No. 11-T, revoking and cancelling Permit B-4236, L. E. and Muriel English, doing business as Ace Express, should be set aside and held for naught.

### ORDER

The Commission Orders:

That, the "Order of Revocation", Case No. 11-T, be, and same hereby is, set aside and held for naught; that Permit B-4236, be, and same hereby is, reinstated to its former status, nunc pro tunc, as of October 27, 1952.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Lusk

John C. Holsen

Joseph C. Holsen  
Commissioners

Dated at Denver, Colorado

this 5th day of January, 1954.

hs

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
K. C. ELECTRIC ASSOCIATION, A COLO- )  
RADO CORPORATION, HUGO, COLORADO, )  
FOR AN ORDER AUTHORIZING THE ISSU- )  
ANCE OF SECURITIES AND THE APPLICA- )  
TION OF THE PROCEEDS THEREFROM. )  
-----

APPLICATION NO. 12692  
SECURITIES

-----  
January 6, 1954  
-----

Appearances: T. H. Thomas, Jr., Burlington,  
Colorado, for applicant;  
Robert Wilson, Denver, Colo-  
rado, and  
J. M. McNulty, Denver, Colo-  
rado, for the Commission.

By the Commission:

On December 10, 1953, the K. C. Electric Association of Hugo, Colorado, filed its application with this Commission seeking authority for the approval of a certain Loan Contract entered into between Applicant and the Rural Electrification Administration of the Department of Agriculture of the United States of America, and the approval of a Mortgage Note by and between the same parties for security on said loan.

The matter was set for hearing, after due notice to all interested parties on December 22, 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.

Applicant is engaged in the business of purchasing, transmitting, and distributing electric energy to members and non-members of the Association and in the Towns of Bethune, Stratton, Vona, Seibert and Flagler in Kit Carson County and the Towns of Hugo, and Arriba in Lincoln County and the Towns of Cheyenne Wells and Kit Carson and the unincorporated Town of Bovina in Cheyenne County, Colorado. The principal office of Applicant is located in Hugo, Colorado.

This corporation is formed without purpose of gain or profit to itself and is authorized to issue 10,000 shares of capital stock of a par value of \$5.00. The shares of capital stock are in fact in the nature of a membership fee and no person is entitled to own or hold more than one share of stock or membership in the co-operative. Any and all persons in the rural areas served by the corporation under the Rural Electrification Program, other than consumers on acquired lines, are required to be members of the corporation and, upon payment of the membership fee and compliance with the Articles of Incorporation, By-laws and Rules and Regulations of the corporation, are entitled to one electric service connection.

Further, this corporation is authorized and empowered to serve non-member consumers on lines purchased from public utility corporations and, in such cases, membership in the corporation is optional with such non-members.

Membership fees in this corporation are refundable upon surrender of the stock held by the member and discontinuance of purchase of electricity from the corporation.

Members and non-members of the corporation are entitled to participate in the "Capital Credit and Patronage Refund" plan set forth in Article VIII of the By-laws of this corporation.

By prior applications to this Commission, Applicant has applied for and obtained certain certificates of public convenience and necessity previously held by public utilities in the area in which it renders service. Certain of these heretofore acquired certificates and properties were obtained from The Inland Utilities Company and one, C. A. Berridge. As to these acquired properties and certificates, applicant is offering service to the public on a non-membership basis.

As to certain of the acquired properties, Applicant, since the acquisition, has been rehabilitating certain of the acquired lines and for said purpose has obtained monies from the Rural Electrification Administration. Financing has also been obtained from the same source to

acquire properties and also for the purpose of building into the territories not presently served with electricity. To accomplish this program, Applicant has from time to time executed promissory notes in favor of the United States of America, payable in quarterly installments over a period of twenty-five or thirty-five years, each bearing interest of 2% per annum. Up to the present time, Applicant has executed seven such notes for a total principal amount of \$3,985,000, as set forth in the tabulation herein:

<u>No.</u>	<u>Date</u>	<u>Principal Amount</u>	<u>Final Payment Date</u>
1.	August 24, 1948	\$ 550,000.00	August 24, 1973
2.	August 24, 1948	150,000.00	August 24, 1983
3.	June 7, 1949	500,000.00	June 7, 1984
4.	September 15, 1950	500,000.00	September 15, 1985
5.	November 13, 1950	500,000.00	November 13, 1985
6.	July 26, 1951	1,375,000.00	July 26, 1986
7.	August 20, 1951	<u>410,000.00</u>	August 20, 1986
Total		\$3,985,000.00	

By the instant application, authority is sought for the execution of a promissory note in the amount of \$310,000.00, dated September 10, 1953. The note is payable in quarterly installments with interest at the rate of 2% per annum, with a final payment date of October 31, 1986, all as set forth in Exhibit No. 3, introduced at the hearing and, by reference, made a part hereof.

To secure all of the sums advanced and to be advanced by the United States of America under the aforesaid and above described notes, applicant, on July 26, 1951, executed, signed and delivered a Mortgage upon all the real and personal property owned by the Association and upon all the real and personal property hereafter acquired by the Association in the Counties of Cheyenne, Kiowa, Kit Carson, Lincoln, and Yuma, in the State of Colorado. The execution of the above Mortgage was ratified by this Commission in Application No. 12235, Decision No. 40226, of March 31, 1953.

Introduced at the hearing herein as Exhibit No. 1 was a conformed copy of an Amendment, dated as of September 9, 1953, to the Amending Loan Contract, dated as of July 16, 1951, as amended, by the Applicant and the

United States of America. By the above document, the interested parties have agreed to increase the aggregate amount of the loans as provided for in the Loan Contract, as Amended, by an amount of \$310,000.00, thereby raising the total amount of the loan in the aggregate to \$4,295,000.00.

Out of the total sum of \$310,000.00 to be obtained, Applicant proposes to expend the sum of \$70,874.10 for the rehabilitation and rebuilding of its electric lines, facilities and distribution system within the Town of Stratton, Kit Carson County, Colorado, and the sum of \$109,649.87 for the rehabilitation and rebuilding of its electric lines, facilities and distribution system within the Town of Cheyenne Wells, Cheyenne County, Colorado.

The remainder of the funds obtained from said loan are to be used for the extension of the rural electrification lines of Applicant.

Also introduced at the hearing as Exhibit No. 2 and identified by the witness was a copy of the resolution of the Board of Directors authorizing the said Association to borrow from the United States of America an additional amount of money not to exceed \$310,000.00.

In regard to the money to be borrowed by Applicant herein, and also monies heretofore received by Applicant from the United States of America, it is understood that the payment of interest on said monies is only on the part of the money actually advanced to Applicant and no interest is paid on monies that are ear-marked, but not actually advanced.

### F I N D I N G S

#### THE COMMISSION FINDS:

That this Commission has jurisdiction of The K. C. Electric Association as to the properties acquired under certificates of public convenience and necessity 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 is incorporated as a part of these Findings, by reference.

That the execution of the Amendment, dated as of September 9, 1953, to the Amending Loan Contract, dated as of July 16, 1951, as amended, by and between The K. C. Electric Association and United States of America, being Exhibit No. 1 herein, should be authorized and approved.

That the issuance of a Mortgage Note, made by The K. C. Electric Association to United States of America, dated as of September 10, 1953, being Exhibit No. 3 herein, should be authorized and approved.

That the above security transactions are not inconsistent with public interest or with the provisions of the law governing such transactions and should be approved.

#### O R D E R

##### THE COMMISSION ORDERS:

That the execution of the Amendment, dated as of September 9, 1953, to the Amending Loan Contract, dated as of July 16, 1951, as amended, by and between the K. C. Electric Association and United States of America, as more fully set forth in Exhibit No. 1, be, and it hereby is, authorized and approved.

That the issuance of a Mortgage Note made by the K. C. Electric Association to the United States of America, dated as of September 10, 1953, and as more fully set forth in Exhibit No. 3, be, and it hereby is, authorized and approved.

That the authorities and approvals above given apply only to the portions of the above-described Loan Contract and Mortgage Note which have to do with the properties acquired under certificates of public convenience and necessity.

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.

That the Commission retain jurisdiction of this proceeding to the end that it may make such further Order, or Orders, in the premises as it may seem to be proper and desirable.

That the authority herein granted shall be authorized from and  
after this date, this Order hereby being made effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchell*  
JOHN H. WINCHELL

*Joseph W. Hawley*  
JOSEPH W. HAWLEY

*Ralph C. Holman*  
RALPH C. HOLMAN  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF  
O. C. WILCOX, DIGHTON, KANSAS.

) PUC NO. 2045-I  
CASE NO. 171-AR

January 4, 1954

S T A T E M E N T

By the Commission:

On September 25, 1952, in Case No. 171-AR, the Commission entered its order, revoking PUC No. 2045-I for failure of respondent to file Annual Report.

It now appears that said delinquent Annual Report is on file with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That revocation order entered in the above-entitled case should be set aside, vacated, and held for naught, and PUC No. 2045-I restored to active status.

O R D E R

THE COMMISSION ORDERS

That PUC No. 2045-I should be, and the same hereby is, reinstated, as of September 25, 1952, revocation order entered by the Commission on that date in Case No. 171-AR being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Hines*  
*Robert C. Hines*  
*Frank C. Hines*  
Commissioners

Dated at Denver, Colorado,  
this 4th day of January, 1954.

original

(Decision No. 41837)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
EDWARD T. MURDOCK, DOING BUSINESS  
AS "MURDOCK MOVING AND STORAGE,"  
1939 WEST 32ND AVENUE, DENVER, COLO-  
RADO, FOR A CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY.

APPLICATION NO. 12653

January 6, 1954

Appearances: Ammons, Bromley & Kingsley, Esqs.,  
Denver, Colorado, by Robert T.  
Kingsley, Esq., for applicant;  
E. B. Evans, Esq., Denver, Colo-  
rado, for Swena, et al;  
H. D. Hicks, Denver, Colorado, for  
Weicker Transfer and Storage Co.;  
Harold D. Torgan, Esq., Denver,  
Colorado, for Bushler Transfer  
Company, Johnston Storage and  
Moving Co., Bekins Van and Storage  
Co., and Amick Transfer and Stor-  
age Co.;  
Bernard E. Schilt, Esq., Denver,  
Colorado, for Aurora Moving and  
Storage.

S T A T E M E N T

By the Commission:

By the instant application, Edward T. Murdock, doing business as "Murdock Moving and Storage," seeks a certificate of public convenience and necessity for the transportation of household goods and furniture to and from points in the City and County of Denver, Colorado, from and to points within an area lying 5 miles from the City Limits of the City and County of Denver, Colorado, as now located.

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, December 2 1953, at ten o'clock A. M., and, at the conclusion of the evidence, the matter was taken under advisement.

Edward T. Murdock, the applicant, testified that for the past 22 years, he has been actively engaged within the City and County of Denver in the business of transporting household goods and furniture. He has used in this operation and now has available, one 1949 Studebaker 1½-ton moving van, fully equipped, and one 1946 ½-ton Chevrolet stake pickup truck. He plans to add to this equipment one 1950 Willys 1½-ton pickup truck, and is financially able to purchase other equipment if necessary. He employs three experienced men. There is no indebtedness against the operation and his net worth is \$75,000. In connection with his operation, he owns a two-story brick warehouse, 50 x 90.

Applicant testified that in the course of his business, he has gained many regular customers, many of whom have moved or intend to move to points within the 5-mile radius of Denver, in which area the population has increased many fold in the last several years. This increase has created a demand for additional service between points in Denver and points in said area. Many of his former customers, who expect to move into this area are desirous of having applicant move their household goods and furniture. The present service is inadequate and public convenience and necessity require the additional service offered. Of his 400 to 500 customers whom he has served exclusively, many have moved as high as 20 times and many have moved to and from the 5-mile area. He has received hundreds of requests for his service that he could not meet because of his limited operation, although he has moved some of these customers under a lease agreement. As points from which he has requests for his service he named Hoffman Heights, Wheatridge, Lakewood, Cherry Hills, and other points. Most of these requests come from former customers and some from those referred to him by such former customers.

Applicant is not particularly interested in long distance hauling, and such transportation beyond the 5-mile radius, he refers to other carriers with proper authority.

The evidence clearly shows that applicant has good equipment, is financially stable and is qualified by experience to give adequate service in the area he proposes to serve.

No customer witnesses were produced by applicant, nor was any evidence given in opposition to favorable action on the application, nor to indicate that the granting of the application would in any manner impair the service of any other common carriers who might be offering what they consider to be adequate service in any part of the area applicant seeks to serve. No protest was voiced by any common carrier appearing at the hearing, nor by counsel for any such carrier.

### F I N D I N G S

#### THE COMMISSION FINDS:

The Commission is of the opinion that public convenience and necessity require favorable action upon the instant application 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 common carrier motor vehicle call and demand service of applicant for the transportation in pickup and delivery service of household goods and furniture to and from points in the City and County of Denver, Colorado, from and to points within a radius of 5 miles of the City limits of said City and County of Denver, Colorado, as now located, 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

John H. Lunsell

Joseph C. O'Sullivan

Ralph C. Holton

Commissioners.

Dated at Denver, Colorado,  
this 6th day of January, 1954.

ea

original

(Decision No. 41838)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

PAUL G. ZIMMERMAN,  
Complainant,

vs.

L. O. LIGHT & SONS, and  
HAROLD McCUNE,  
Defendants.

CASE NO. 5059

January 6, 1954

Appearances: Barry and Hupp, Esqs.,  
Denver, Colorado, for  
Complainant;  
Allen, Lynch & Rouse, Esqs.,  
Denver, Colorado, for  
Defendants.

S T A T E M E N T

By the Commission:

Under date of June 1, 1953, Paul G. Zimmerman, Burlington, Colorado, the holder of PUC No. 961, filed his complaint against L. O. Light and Sons, PUC Nos. 1178 and 1407, and Private Carrier Permit No. 1148, and one Harold McCune, with no authority from this Commission, charging that during the year preceding February 1953, said defendants or respondents have operated a trucking service in and around Burlington, Colorado, wherein said McCune has operated under the authority of Light to the detriment of Complainant Zimmerman, in violation of Rule 16 of the Rules and Regulations Governing Common Carriers by Motor Vehicle for Hire, effective January 1, 1951.

No hearing was set upon said complaint for the reason that prior thereto, to-wit: on April 8, 1953, Louis J. Carter, Supervisor of Complaint and Investigation Division of the Commission, submitted a report

to the Commission on the operations under the certificates and permit of L. O., LaVerne, Wayne and Jimmie Light, doing business as "L. O. Light & Sons," Lamar, Colorado; that by Decision No. 40332, of date April 24, 1953, the Commission, on its own motion, ordered an investigation of such operations, as a result of which full hearing was had before the Commission as to such operations on May 5, 1953, and on October 30, 1953, by Decision No. 41436, the Commission found that in the operation of PUC Nos. 1178 and 1407, and Private Carrier Permit No. B-1148, said L. O. Light & Sons had violated Rules 14, 16 and 34 of the Rules and Regulations Governing Common Carriers by Motor Vehicle, effective January 1, 1951, and Rules 12, 14, 18 and 19 of the Rules and Regulations Governing Private Carriers by Motor Vehicle, effective June 15, 1950, in the particulars set forth in the Statement in said Decision No. 41436, and the Commission ordered that said certificates and permit be revoked and cancelled, provided that in lieu of said revocation respondents might, if they so desired, pay to the Commission on or before November 15, 1953, for the use of the State of Colorado, the sum of \$150.00. Such payment was made by respondents in lieu of said revocation.

On December 17, 1953, said Defendants, L. O. Light & Sons, filed a Motion to Dismiss Case No. 5059 on the ground that the violation alleged in the Complaint is one of the violations charged in Case No. 5053, being the case in which Decision No. 41436, supra, was issued on October 30, 1953.

The Commission has reviewed the evidence set forth in the Statement in Decision No. 41436, supra, and finds that the investigation covered by said Statement and the Findings and Order thereon were based partly upon a review of the operation of said L. O. Light & Sons and said McCune, which are the basis of the instant complaint. Any possible relief under the complaint in the instant case has been granted by our Order in Decision No. 41436, dated October 30, 1953.

#### FINDINGS

##### THE COMMISSION FINDS:

That the Motion filed in the instant Case No. 5059 by the Defendant

L. O. Light & Sons, should be granted, and the complaint upon which said case is based should be dismissed.

ORDER

THE COMMISSION ORDERS:

That the Complaint in Case No. 5059 should be, and is hereby, dismissed.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winkler  
John W. Winkler  
Ralph C. Hobart  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of January, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF  
CECIL A. FOSTER, DOING BUSINESS  
AS "FOSTER TRUCK LINE," 1655  
DECATUR STREET, DENVER, COLORADO.  
-----

}  
}  
} PUC NOS. 23, 72

-----  
January 4, 1954  
-----

S T A T E M E N T

By the Commission:

Cecil A. Foster, doing business as "Foster Truck Line," Denver, Colorado, owner and operator of PUC Nos. 23 and 72, has requested the Commission to authorize him to suspend operations under said certificates.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

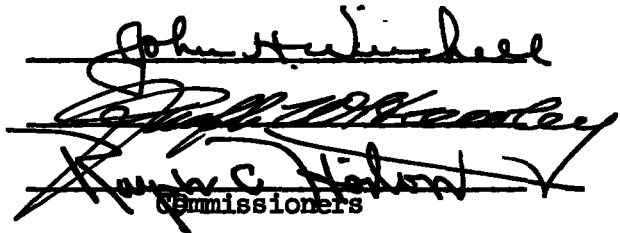
O R D E R

THE COMMISSION ORDERS:

That Cecil A. Foster, doing business as "Foster Truck Line," Denver, Colorado, should be, and he hereby is, authorized to suspend operations under PUC No. 23 and PUC No. 72 until April 1, 1954.

That unless said certificate-holder shall, prior to expiration of said suspension period, reinstate said certificates by filing insurance and otherwise complying with all rules and regulations of the Commission applicable to common carrier certificates, said certificates, without further action by the Commission, shall stand revoked, without right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 4th day of January, 1954.

original

(Decision No. 11840)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DEAN RESLER, BOX 309, STERLING, COLO- )  
RADO, FOR A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY. )  
----- )

APPLICATION NO. 12632  
SUPPLEMENTAL ORDER

-----  
January 6, 1954  
-----

Appearances: Barry and Hupp, Esqs., Denver,  
Colorado, for applicant;  
Marion F. Jones, Esq., Denver,  
Colorado, for R. B. "Dick"  
Wilson, Inc., Ward Transport,  
Inc., Melton Transport Company,  
Groendyke Transport, Inc., and  
Collett Tank Lines;  
Frank C. Klein, Denver, Colorado,  
for Frank C. Klein & Co. Inc.

S T A T E M E N T

By the Commission:

By Decision No. 41723, of date December 15, 1953, the Commission granted to Dean Resler, Box 309, Sterling, Colorado, authority to transport crude petroleum and water between points within a radius of 50 miles of Merino, Colorado, as set forth in the Order.

On December 23, 1953, Petition for Rehearing was filed in said matter by Marion F. Jones, Esq., attorney for protestants.

The Commission has reviewed the evidence adduced at the hearing on said application, and has carefully considered Petition for Rehearing filed herein, and each and every allegation thereof, and is of the opinion that said Petition should be denied.

F I N D I N G S

THE COMMISSION FINDS:

That Petition for Rehearing filed herein by protestants should be denied.

ORDER

THE COMMISSION ORDERS:

That Petition for Rehearing filed in the above-styled matter,  
should be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of January, 1954.

82

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
MILFORD M. EDSON, BOX 1015, )  
CHAPPELL, NEBRASKA. )

PERMIT NO. C-20836

**January 11, 1954**

## STATEMENT

**By the Commission:**

**The Commission is in receipt of a communication from**\_\_\_\_\_

**Milford M. Edson**

**requesting that Permit No. C-20836 be cancelled.**

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:** 1

That Permit No. C-20836, heretofore issued to \_\_\_\_\_

Milford M. Edson be,

**and the same is hereby, declared cancelled effective January 4, 1954.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

*John H. Linchell*  
*Joseph C. Horton*  
*Joseph C. Horton*  
Commissioners

**Dated at Denver, Colorado,**

**this 11th day of January, 1954.**

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
LOUIS DE BELL, 3277 JULIAN STREET, )  
DENVER 11, COLORADO. )

PERMIT NO. C-28283

**January 11, 1954**

**STATEMENT**

**By the Commission:**

**The Commission is in receipt of a communication from** \_\_\_\_\_

**Louis De Bell**

**requesting that Permit No. C-28283 be cancelled.**

## FINDINGS

### THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

**That Permit No. C-28283** , heretofore issued to \_\_\_\_\_

Louis De Bell be,

**and the same is hereby, declared cancelled effective January 1, 1954.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

John H. Winchell  
Ralph C. Horton  
Commissioners

**Dated at Denver, Colorado,**

**this 11th day of January, 1954.**

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
WILLARD D. HALL, INC., 1440 JASMINE )  
STREET, DENVER, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-29679

-----  
January 11, 1954  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Willard D. Hall, Inc.

requesting that Permit No. C-29679 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

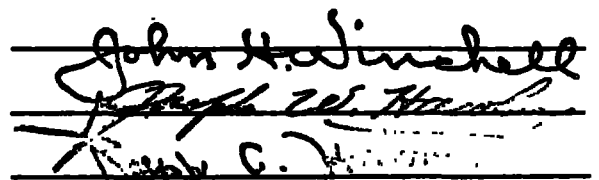
ORDER

THE COMMISSION ORDERS:

That Permit No. C-29679, heretofore issued to \_\_\_\_\_  
Willard D. Hall, Inc. \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective December 31, 1953.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 11th day of January, 1954.

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
HALLCO INC., 1440 JASMINE STREET, )  
DENVER, COLORADO. )

**PERMIT NO. C-31227**

**January 11, 1954**

**STATEMENT**

**By the Commission:**

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

**Hallco Inc.**

**requesting that Permit No. C-31227 be cancelled.**

## FINDINGS

### **THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:** /

That Permit No. C-31227, heretofore issued to

**Hallco Inc.**

be,

**and the same is hereby, declared cancelled effective December 31, 1953.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

John H. Winchell  
Joseph W. Macaulay  
Richard C. Foster  
Commissioners

**Dated at Denver, Colorado,**

**this 11th day of January** , 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE INVESTIGATION AND SUSPENSION OF  
TEMPORARY RIDER, ORIGINAL SHEETS  
NOS. 34 AND 34A, OF PUC TARIFF NO.  
3 GAS, OF PUBLIC SERVICE COMPANY  
OF COLORADO.

INVESTIGATION AND SUSPENSION  
DOCKET NO. 361

January 7, 1954

Appearances: Lee, Bryans, Kelly and Stans-  
field, Esqs., Denver, Colorado,  
by  
Edgar A. Stansfield, Esq.,  
Denver, Colorado, and  
Ralph Sargent, Jr., Esq.,  
Denver, Colorado, for  
Public Service Company  
of Colorado;  
Leonard M. Campbell, Esq.,  
Denver, Colorado, for  
Colorado Municipal League,  
the City of Fort Collins,  
Colorado, and pro se;  
John M. Sayre, Esq., Boulder,  
Colorado, for the City  
of Boulder, Colorado;  
John C. Banks, Esq., Denver,  
Colorado, and  
Malcolm D. Crawford, Esq.,  
Denver, Colorado, for the  
City and County of Denver,  
Colorado;  
William T. Secor, Esq.,  
J. M. McNulty, and  
W. George Denny, Jr., Denver,  
Colorado, for the Commission.

S T A T E M E N T

By the Commission:

On December 28, 1953, Public Service Company of Colorado, herein-  
after sometimes called the "Company," by its Vice-President, W. D. Virtue,  
filed with the Commission, pursuant to Section 17 of the Public Utilities  
Act and the Rules of Practice and Procedure of the Commission in such case  
made and provided, an emergency gas rate adjustment, being a temporary

rider designated as Original Sheet No. 34 and Original Sheet No. 34A, as a part of its Tariff, Colo. PUC No. 3-Gas, to become effective on January 1, 1954, and at the same time petitioned the Commission that it be permitted to put in force and effect said temporary gas rate adjustment as of said date affecting all its customers supplied with natural gas purchased by the Company from Colorado Interstate Gas Company and Colorado-Wyoming Gas Company, both of which are interstate pipeline transmission companies, subject to the jurisdiction of the Federal Power Commission.

Authority for filing said temporary rider was granted by the Commission by Authority No. 13788, of December 28, 1953.

By Decision No. 41801 in the instant matter, the effective date of the proposed temporary rider was suspended, and the matters contained in said temporary rider were set for hearing before the Commission at 9:30 o'clock A. M., December 31, 1953, in the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado. Notice of said hearing was given to all parties in interest. Hearing was held in the instant matter on December 31, 1953, and evidence was heard in behalf of the Company, and opportunity was given all those who appeared at the hearing for full cross-examination. At the conclusion of the hearing, the Commission took the matter under advisement.

The Company is an operating public utility, engaged primarily in the generation, purchase, transmission, distribution, and sale of electricity and in the purchase, distribution, and sale of natural gas in the State of Colorado. Its territory is divided into ten operating divisions throughout the State. Division offices, in addition to the main office in Denver, are located in the Cities of Boulder, Brighton, Fort Collins, Grand Junction, Idaho Springs, Leadville, Alamosa, Salida, and Sterling, Colorado. District Offices are located in certain cities, towns, and communities within the larger divisions. The Company supplies electric service at retail in Denver and 144 other communities, and to rural, commercial, and industrial customers. It also supplies at wholesale, all or part of the requirements of seven other utilities and three municipalities in or adjacent to its service area. The

Company supplies natural gas service in Denver and 37 other communities throughout the State. The principal pipeline suppliers of natural gas to the Company are Colorado Interstate Gas Company and Colorado-Wyoming Gas Company. The Company owns approximately 15% of the common stock of Colorado Interstate, and owns all of the common stock of Colorado-Wyoming. In addition to purchasing gas for re-sale from said pipeline suppliers, the Company also purchases substantial quantities of gas from said suppliers for use in its electric generating plants.

Public Service Company of Colorado is a public utility, as defined in the Public Utilities Act, and tariffs covering its natural gas rates for service throughout its system are on file with this Commission and contained in the Company's Tariff, Colo. PUC No. 3-Gas. The temporary gas rate adjustment which the Company proposes to place into effect in the instant matter is filed as a temporary rider to the Company's Tariff, Colo. PUC No. 3-Gas, now on file with the Commission.

At the outset of the hearing in the instant matter, Mr. John M. Sayre, representing the City of Boulder, moved that the Commission dismiss the petition filed in the matter now being heard as to the City of Boulder upon the basis that it is a "Home-Rule" City, and that The Public Utilities Commission has no jurisdiction as to the regulation of rates of "Home-Rule" Cities. Mr. Sayre also offered Boulder's Exhibit No. 1, being a copy of the franchise granted to Public Service Company, together with proof of publication of said franchise. The Commission, at the hearing, took the motion under advisement.

Leonard M. Campbell appeared at the hearing on behalf of the Colorado Municipal League, but his appearance for the League did not include any appearance in connection with the "Home-Rule" or franchise question that might apply to member cities in the League. He also appeared as an individual rate-payer in Denver on his own behalf, and he further specifically appeared for the "Home-Rule" City of Fort Collins, Colorado. Subsequent to the hearing herein, Mr. Campbell filed written protest on behalf of the City of Fort Collins, and for himself as an individual, attached to which were "late-filed" Exhibits A and B. He also filed a

written protest on behalf of the Colorado Municipal League. The protest on behalf of the Municipal League was to the effect that the proposed gas rate increase was excessive, and also discriminatory, as between gas and electric customers. His prayer was for the Commission to dismiss the application, to deny the proposed rate increase, or in the event an increase be granted, the order be conditioned upon a refund to the customers of such part of the increase as the Company is able to absorb after a proper determination thereof is made at a full rate hearing and the review of all the pertinent facts.

The protest on behalf of the City of Fort Collins and for himself as an individual rate-payer in the City of Denver pertains to the question of rights under the franchises and the jurisdiction of this Commission over the "Home-Rule" Cities of Fort Collins and Denver. His prayer in this petition was to the effect that the application be dismissed, or denied, as it applied to customers in the "Home-Rule" Cities of Denver and Fort Collins, Colorado.

Since we reserved the ruling on Mr. Sayre's motion at the hearing, we will consider both the motions of Mr. Sayre and Mr. Campbell at this time, as they pertain to the jurisdiction of this Commission. We appreciate the citations given by counsel for our consideration, and we have reviewed the same, together with all the evidence adduced at the hearing, and all of the allegations -- both oral and written -- as submitted, and we are of the opinion that the motions to dismiss or deny for lack of jurisdiction should be denied.

From the evidence at the hearing, it is apparent that the emergency gas rate adjustment sought by the Company herein has been precipitated by the increase in rates for gas furnished to the Company for re-sale by its principal suppliers, Colorado Interstate Gas Company and Colorado-Wyoming Gas Company, which rates, under orders of the Federal Power Commission, are to become effective January 1, 1954.

On September 2, 1953, in FPC Docket No. G-2260, Colorado Interstate Gas Company tendered to the Federal Power Commission for filing, pursuant to Section 4 of the Natural Gas Act, a proposed system-wide

increase in its rates and charges for all gas sold for re-sale subject to the jurisdiction of the Federal Power Commission, including natural gas furnished for re-sale to the Public Service Company. Simultaneously with said filing, Colorado Interstate requested that if the Federal Power Commission suspended such rates, that the suspension be for a period no longer than until January 1, 1954. By order issued September 28, 1953, the Federal Power Commission set said matter for hearing on January 12, 1954, and at the same time, suspended the effective date of the proposed changes in rates and charges until March 3, 1954, and in such order, denied Colorado Interstate's request to limit the period of suspension to January 1, 1954.

This Commission, the Company, and the City and County of Denver have all intervened in this matter involving the rates and charges of the Colorado Interstate Gas Company before the Federal Power Commission in FPC Docket G-2260, the hearing on which has been set in Washington, D. C., on January 12, 1954.

The Federal Power Commission, on December 22, 1953, in FPC Docket No. 2260, amended its order issued September 28, 1953, by shortening the original suspension of the proposed increase in the rates and charges of Colorado Interstate from March 3, 1954, to January 1, 1954. In said amending order, the Federal Power Commission finds that such action on its part is necessary and appropriate, and in the public interest, and recites that the Colorado Interstate will place in operation, on or about January 1, 1954, additional facilities which will enable it to receive additional volumes of natural gas under recently executed gas purchase contracts calling for increased gas purchase costs. The Federal Power Commission in said order further takes official notice that the Kansas State Corporation Commission has increased the minimum field price in the Kansas Hugoton Field, effective January 1, 1954, from eight cents to eleven cents per MCF, and that Colorado Interstate makes extensive purchase of gas in the Kansas Hugoton Gas Field. By telegram dated December 22, 1953, Colorado Interstate Gas Company advised Applicant that the proposed increased rates and charges contained in its Application FPC Docket No. G-2260 would

become effective under bond on January 1, 1954.

On September 2, 1953, in FPC Docket No. G-2261, Colorado-Wyoming Gas Company, which supplies natural gas to the Company for distribution in various northern Colorado communities, and which purchases its gas requirements from Colorado Interstate, tendered to the Federal Power Commission for filing a proposed increase in its rates and charges for gas sold for re-sale subject to the jurisdiction of the Federal Power Commission, including natural gas furnished for re-sale to the Company. By order issued September 28, 1953, the matter of the proposed increase in the rates and charges of Colorado-Wyoming was set down for hearing before the Federal Power Commission on January 20, 1954, and the effective date of said proposed changes in rates and charges was suspended until March 3, 1954. By letter dated December 22, 1953, Colorado-Wyoming tendered for filing with the Federal Power Commission its Third Revised Sheet No. 4 to its FPC Tariff Original Volume No. 1, which contained revised proposed rates and charges negotiated with the staff of the Federal Power Commission in settlement of its rate proceedings at FPC Docket No. G-2261. In said revised filing, Colorado-Wyoming stated that the proposed rates were predicated upon the proposed increased rates of Colorado Interstate to be effective on January 1, 1954, and if the Federal Power Commission, in FPC Docket No. 2260, after hearing, should direct Colorado Interstate to sell gas to Colorado-Wyoming at a rate lower than the proposed increased rates to be effective January 1, 1954, Colorado-Wyoming would file new schedules with the Federal Power Commission to reflect such lower rate, and would refund to its customers, which include Public Service Company, the difference between the rate reflected on its Third Revised Sheet No. 4 and the lower rate prescribed by the Federal Power Commission. On December 29, 1953, the Federal Power Commission accepted for filing Colorado-Wyoming's Third Revised Sheet No. 4, to be effective January 1, 1954, in settlement of the rate proceedings at FPC Docket No. G-2261, upon the terms set forth in Colorado-Wyoming's letter to the Federal Power Commission, dated December 22, 1953, and by letter dated December 29, 1953, Colorado-Wyoming advised the Company that the new increased rates reflected on its

Third Revised Sheet No. 4 which had been accepted by the Federal Power Commission would become effective January 1, 1954.

The impact on the Company of the increase in the rates and charges for gas furnished to the Company by Colorado-Wyoming Gas Company and Colorado Interstate Gas Company, effective January 1, 1954, is that during the year 1954, the increase in the cost of gas purchased by Public Service Company of Colorado from said suppliers will amount to \$2,097,000.00.

W. D. Virtue, Vice-President and Treasurer of the Company, testified with respect to various computations and figures taken from the books of account of the Company for the twelve-months' period ended November 30, 1953. He testified that the total property, plant, and equipment of the Company, as of November 30, 1953, was \$172,814,824.00. Relating this amount, less the book reserve for depreciation at November 30, 1953 in the amount of \$26,944,925 to the net operating revenue of the Company for the twelve-months' period ended November 30, 1953, in the amount of \$8,634,448, a return of 5.92% would be shown. With an allowance added of \$3,543,000 for materials and supplies, and \$3,740,000 for working capital to the property, plant and equipment, less the reserve for depreciation, a return of 5.64% is indicated at November 30, 1953.

With respect to the gas department of the Company, the total property, plant and equipment of the gas department, less the book reserve for depreciation at November 30, 1953, was \$34,898,080, and with an allowance for working capital and materials and supplies in the amount of \$2,650,000, when related to the net operating revenue of the gas department for the twelve-months' period ended November 30, 1953, shows a return of 6.82%.

Mr. Virtue also testified with respect to computations made as to the gas operating results estimated by the Company for the year 1954. He testified that the total property, plant and equipment for the year 1954 is estimated to amount to \$43,750,800 for the gas department, and that this amount, less the depreciation reserve, would amount to \$37,804,000. He estimated the net operating revenue for the year 1954 in the amount of \$2,743,845, which amount, when related to the net property, plant and

equipment of the gas department, with an allowance added for materials and supplies and working capital of \$2,941,000, shows a return of 6.73%.

These figures as to the gas operating results for the year 1954 do not contain the estimated increase cost of gas, which amount is estimated to be, as heretofore stated, \$2,097,000. Assuming the increased cost of gas is borne entirely by the Company during the year 1954, the return on the gas department, when related to net plant plus allowance for materials and supplies, is estimated to be 4.31%.

The \$2,097,000 increased cost of purchased gas to the Company, which the Company seeks to off-set by the increase in its revenues resulting from the temporary rate adjustment, includes only the cost of gas purchased by the Company for re-sale, and does not include the increased cost of gas purchased by the Company from Colorado Interstate for use in its electric generating plants. The cost of such gas has been increased from ten and one-half cents to sixteen cents, and in the year 1954, this increased cost will be approximately \$700,000, of which the Company expects to recover 30% by application of the Company's electric fuel adjustment clauses. To off-set this increased operating expense of the Company's electric department, the Company has not proposed any adjustment in its electric rates, but seeks by the instant application to recover only the increased cost of gas purchased by the Company for re-sale. The matter of the increased cost to the Company of gas purchased from Colorado Interstate for use in its generating plants is the subject of a jurisdictional dispute between Colorado Interstate and the Federal Power Commission. This matter has been set for oral argument before the Federal Power Commission on January 12, 1954, in Washington, D. C., prior to the general rate hearing in Docket No. G-2260.

Viewing the evidence as a whole adduced at the hearing by the Company in support of its application for emergency relief, there are various factors which the Commission deems to be significant. First and foremost, the action of the Federal Power Commission in allowing Colorado Interstate to put into effect its increased rates under bond on January 1, 1954, was without prior notice to the Company, and has presented the

Company with a special unavoidable problem of serious consequences. In its order of September 28, 1953, in FPC Docket No. 2260, the Federal Power Commission had specifically denied Colorado Interstate's request to shorten the suspension period to January 1, 1954, and had suspended Colorado Interstate's proposed new rates until March 3, 1954. Anticipating a substantial increase in its cost of purchased gas from Colorado Interstate and likewise from Colorado-Wyoming to become effective March 3, 1954, the Company had undertaken a review of its entire rate structure, including both gas and electric rates. These studies are not today completed, but the Company has stated that it expects to complete these studies in the near future.

Secondly, it appears to this Commission that the Company has made a prima facie showing that neither the Company as a whole nor the gas department alone can absorb the total increase in the cost of gas purchased for re-sale by the Company amounting to \$2,097,000.

We have set out in the table below the various rates of return all calculated using Property, Plant and Equipment based on Original Cost, with Materials and Supplies added, less Reserve for Depreciation, for both the total Company and the Gas Department only, showing 100% pass-on of the increase to the customer, 100% absorption of the increase by the Company, and an absorption of 16-2/3% of the increase by the Company, based on twelve months ending November 30, 1953.

TWELVE MONTHS ENDING NOVEMBER 30, 1953

<u>Items</u>	<u>Total Company</u>	<u>Gas Department Only</u>
Property Plant and Equipment	\$ 172,814,824	\$ 40,225,805
Materials and Supplies	3,543,000	873,000
Working Capital	3,740,000	1,777,000
Gross Property Plant and Equipment	\$ 180,097,824	\$ 42,875,805
Depreciation Reserve	\$ 26,944,925	\$ 5,327,725
Net Property Plant and Equipment	\$ 153,152,899	\$ 37,548,080
Net Operating Income, 100% Pass-on	\$ 8,634,448	\$ 2,561,247
Rate of Return, 100% Pass-on	5.64%	6.82%
Net Operating Income, 100% absorption	\$ 7,648,858	\$ 1,575,657
Rate of Return, 100% absorption	4.99%	4.20%
Net Operating Income, 16-2/3% absorption	\$ 8,470,150	\$ 2,396,949
Rate of Return, 16-2/3% absorption	5.53%	6.38%

A similar tabulation based on the estimated twelve months' operations for the year 1954 is as follows:

TWELVE MONTHS ENDING DECEMBER 31, 1954 (Estimated)

Items	Total Company	Gas Department Only
Property, Plant and Equipment	\$ 192,840,000	\$ 43,750,800
Materials and Supplies	4,142,000	962,000
Working Capital	4,120,000	1,979,000
Gross Property Plant and Equipment	\$ 201,102,000	\$ 46,691,800
Depreciation Reserve	\$ 32,909,000	\$ 5,946,800
Net Property Plant and Equipment	\$ 168,193,000	\$ 40,745,000
Net Operating Income, 100% Pass-on	\$ 8,372,730	\$ 2,743,845
Rate of Return, 100% Pass-on	4.98%	6.73%
Net Operating Income, 100% absorption	\$ 7,387,140	\$ 1,758,255
Rate of Return, 100% absorption	4.39%	4.31%
Net Operating Income, 16-2/3% absorption	\$ 8,208,432	\$ 2,579,547
Rate of Return, 16-2/3% absorption	4.88%	6.33%

In setting forth in the above tabulation the results of the 16-2/3% absorption of the increase of cost of gas to the Company as estimated for 1954, which results in a 6.33% rate of return, we have applied what we believe to be the amount the Company can safely absorb without jeopardizing its financial position with respect to its gas operations, and at the same time share with its gas customers a part of the increased cost of gas so that the customers in turn will not bear an undue burden.

In arriving at our conclusions herein as to what amount should be absorbed by the Company and what amount passed on to the customer, we have considered certain basic elements, both as to rate of return and as to elements that could be considered legitimate components of a rate base, without, however, going into a full scale rate hearing to determine the exact amount of these elements. We feel justified in this instance in using this procedure because of the very nature of the problem confronting us, with the time element involved, the emergency nature of the temporary increase, and the fact that the motivating cause for the increase is beyond the direct control of either the Company or the Commission. The answer herein, as we have determined it, was reached after consideration of all the elements involved, and having in mind that the end result to be fair

to all concerned must lie in a zone of reasonableness.

Protestants contended at the hearing that it was discriminatory and preferential to place the entire burden of the proposed increased cost of gas purchased for re-sale upon the gas customers of the Company, while the Company is absorbing the increased cost of gas purchased from Colorado Interstate for use in its generating plants. The increased cost of boiler gas can only affect the Company's electric rates, which are not involved in this proceeding. However, the Company has stated that as soon as it completes its studies it expects to come before this Commission with an application to increase its electric rates. Based on the showing made in the instant proceeding by the Company, the Company's present return on its gas department is higher than the return to the Company as a whole, and it is higher than the return to the Company on the electric department. Nevertheless, this Commission does not believe that the gas rate adjustment which we will order herein will result in either preferential or discriminatory treatment, but will be fair and equitable to said gas customers.

We have been assured by the Company that any refund due its customers as a result of the final settlement of the rate case in FPC Docket 2260 will be passed on to said customers. . So that there will be no misunderstanding, we will order that the Public Service Company make a refund of the proportionate share due to its customers. However, we will retain jurisdiction of this matter to make such further order, or orders, as we deem necessary to fully carry out and accomplish the refund in a manner to meet with our final approval.

In accordance with the evidence before us, and based on the considerations heretofore enumerated, we believe that the proposed temporary rider designated as "Original Sheet No. 34 and Original Sheet No. 34A," being a part of the Public Service Company Tariff, Colorado FUC No. 3-Gas, as filed with the Commission on December 28, 1953, is unjust, unreasonable, discriminatory, and preferential, and it should be permanently suspended and not permitted to become effective. We further believe that rates that would retain to the Public Service Company 16-2/3% of the estimated increase

of \$2,097,000 for the Year 1954 would be fair and equitable, and that the Company should be permitted to file a temporary rider to its present tariff to reflect this absorption.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the above Statement be incorporated as a part of these Findings, by reference.

That the Commission has jurisdiction of the Public Service Company of Colorado, and of the tariffs of said Company involved in the instant matter.

That the temporary rider designated as "Original Sheet No. 34 and Original Sheet No. 34A" to said Company's tariff, Colo. PUC No. 3-Gas, filed with the Commission on December 28, 1953, proposing to increase the gas rates effective January 1, 1954, is unjust, unreasonable, discriminatory, and preferential, and should be permanently suspended and not permitted to become effective.

That the Company should be permitted to file a new temporary rider to its Tariff, Colo. PUC No. 3-Gas designed so that the Company will absorb 16-2/3% of the estimated increase to it of the cost of gas based on the 1954 estimates.

That such rate when filed, should be permitted to become effective on January 9, 1954, upon 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 this Commission.

That the temporary rider as set forth above reflecting an absorption of 16-2/3% by the Company of the proposed gas rate increase is fair, just, reasonable, and non-discriminatory.

That the motions of John M. Sayre and Leonard M. Campbell to dismiss the instant matter or to deny it for lack of jurisdiction should be denied.

That the Public Service Company of Colorado should be ordered to pass on to its customers their proportionate share of any refund due to said customers as a result of the final settlement of the gas rates

in FPC Docket No. 2260 and FPC Docket No. 2261.

That this Commission should retain jurisdiction of this matter to make such further order, or orders, as may be necessary in the premises.

### O R D E R

#### THE COMMISSION ORDERS:

That the temporary rider designated as "Original Sheet No. 34 and Original Sheet No. 34A" to Public Service Company's tariff, Colo. PUC No. 3-Gas, filed with the Commission on December 28, 1953, proposing to increase the gas rates effective January 1, 1954, should be, and it hereby is, permanently suspended.

That the Company be, and it hereby is, authorized to file a new temporary rider to its tariff, Colo. PUC No. 3-Gas, designed so that the Company will absorb 16-2/3% of the estimated increase to it of the cost of gas based on the 1954 estimates.

That the temporary rider as outlined above, and as herein authorized, shall become effective on the 9th day of January, 1954, upon 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 this Commission.

That the motions of John M. Sayre and Leonard M. Campbell to dismiss the instant matter or to deny it for lack of jurisdiction be, and they hereby are, denied.

That Public Service Company of Colorado be, and it hereby is, ordered to pass on to its customers their proportionate share of any refund due to said customers as a result of the final settlement of the gas rates in FPC Docket No. 2260 and FPC Docket No. 2261, in the manner to be later approved by the Commission.

That this Commission shall retain jurisdiction of this matter to make such further order, or orders, as may be necessary in the premises.

That this Order shall become effective as of the day and  
date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Lusk  
John C. Kealey  
Ralph C. Hobbs  
Commissioners

Dated at Denver, Colorado,  
this 7th day of January, 1954.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
AIRPORT LIMOUSINE SERVICE, INC., A )  
COLORADO CORPORATION, 745 WEST 31ST )  
STREET, DENVER, COLORADO, FOR A CER- )  
TIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY FOR THE TRANSPORTATION OF )  
PASSENGERS BETWEEN DOWNTOWN DENVER )  
AND THE AIRPORT, SITUATED ON THE )  
EASTERN EXTREMITIES OF THE CITY AND )  
COUNTY OF DENVER, COLORADO. )

APPLICATION NO. 12642

January 8, 1954

Appearances: Barry and Hupp, Esqs., Denver,  
Colorado, and  
Walter M. Simon, Esq., Denver,  
Colorado, for the applicant;  
Nathan R. Kobey, Esq., Denver,  
Colorado, for Publix Cab Co.;  
A. K. Holmes, Denver, Colorado,  
for Colorado Transportation  
Company.

S T A T E M E N T

By the Commission:

By the instant application, Airport Limousine Service, Inc., seeks a certificate of public convenience and necessity validating its alleged "grandfather rights" under which it was operating limousine service between Stapleton Airfield in Denver, Colorado, to various points in downtown Denver, prior to June 16, 1953.

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, November 16, 1953, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

When the application was called up for hearing, Nathan R. Kobey, Esq., representing Publix Cab Company, stated that his company would not object to favorable action upon the application providing any certificate issued should limit the points to be served in downtown Denver

to those served by applicant on and prior to June 16, 1953.

Mr. Walter M. Simon, Secretary-Treasurer of applicant corporation, identified Exhibit No. 1, a certified copy of the certificate of incorporation filed with the Secretary of State February 24, 1951. In this certificate, the main object of the corporation is declared to be "to own and operate a line of limousines for the transportation of passengers and baggage in the City and County of Denver and elsewhere in the State of Colorado." He also identified Exhibit No. 2, a copy of the revocable permit issued to Yellow Cab, Inc., by the Manager of Improvements and Parks of the City and County of Denver on February 27, 1951, authorizing limousine service in the transportation of passengers between the Stapleton Airfield and the following points in downtown Denver, to-wit: Albany Hotel, Brown Palace Hotel, Continental Airlines Ticket Office (470 17th Street), Cosmopolitan Hotel, and Shirley Savoy Hotel.

Mr. Simon testified that this permit has been assigned to applicant with the consent of the City. By agreement with City officials, limousine service was inaugurated between Stapleton Airfield and two additional points in downtown Denver, to-wit: Union Station and Oxford Hotel, which service was operated on and prior to June 16, 1953. He stated that the sole purpose of applicant in filing the instant application was to validate the so called "grandfather rights" of applicant under said revocable permit and secure a certificate of public convenience and necessity authorizing the same service granted by the permit relative to the transportation of passengers in limousines between Stapleton Airfield and the points above named.

Exhibit No. 3 shows the description of equipment of applicant, consisting of four Cadillac limousines, one Plymouth limousine, and one Dodge limousine, of a value of \$18,034.66.

Exhibit No. 4 is the Balance Sheet of applicant, as of date October 31, 1953, showing total capital and surplus of \$44,149.13. The equipment is used solely in the transportation referred to.

The evidence further disclosed that this operation is conducted

wholly within the municipal confines of the City and County of Denver and has been so conducted since its inauguration.

At a special election of the electors of the City and County of Denver held June 16, 1953, all power to regulate the facilities, services and rates and charges of every privately owned public utility which operates taxis or limousines in the City and County of Denver was vested in the State Public Utilities Commission. After this election, the various taxicab companies petitioned this Commission for certificates of public convenience and necessity based on their presently existing operation at the time of the election referred to supra. By Decision No. 41032, this Commission granted the authority sought by the various cab companies under the "grandfather rights" theory as recognized by the Interstate Commerce Commission and by this Commission at various times. Under the same theory, in view of the fact that the applicant has been operating within the City and County of Denver for some time prior to the delegation to this Commission of jurisdiction over its operation by the voters at the special election on June 16, 1953, the Commission is of the opinion that proof of such operations is proof of public convenience and necessity for the service of said applicant and that the certificate prayed for should be granted.

#### 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 application and the subject matter thereof.

That the so called "grandfather rights" of applicant should be validated and certificate of public convenience and necessity should issue as herein limited.

#### O R D E R

##### THE COMMISSION ORDERS:

That public convenience and necessity require that Airport Limousine Service, Inc., a Colorado Corporation, with its principal place

of business in Denver, Colorado, should be authorized to transport passengers and their personal baggage in limousines of rated seating capacity of eight to ten, including the driver, between Stapleton Airfield, situated in the northeastern section of the City and County of Denver, Colorado, and the following points in the downtown area of Denver, to-wit: Albany Hotel, Brown Palace Hotel, Continental Airlines Ticket Office (470 17th Street), Cosmopolitan Hotel, Shirley Savoy Hotel, Union Station and Oxford Hotel, 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 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.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hunsicker

Joseph W. Hunsicker

Raymond C. Hunsicker  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of January, 1954.

mls

original  
(Decision No. 41847)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE INVESTIGATION AND SUSPENSION OF )  
TEMPORARY RIDER, SECOND REVISED )  
SHEET NO. 20 OF PUC NO. 5 OF THE )  
PUEBLO GAS AND FUEL COMPANY. )  
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INVESTIGATION AND SUSPENSION  
DOCKET NO. 362

-----  
January 8, 1954  
-----

Appearances: Lee, Bryans, Kelly and Stans-  
field, Esqs., Denver,  
Colorado, by  
E. A. Stansfield, Esq., Denver,  
Colorado, and  
Ralph Sargent, Jr., Esq., Denver,  
Colorado, for Pueblo Gas and  
Fuel Company;  
John H. Marsalis, Esq., Pueblo,  
Colorado, for the City of  
Pueblo, Colorado;  
William T. Secor, Esq., Denver,  
Colorado,  
W. George 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:

On December 29, 1953, Mr. W. D. Virtue, Vice-President of the Pueblo Gas and Fuel Company, hereinafter sometimes referred to as the "Company," filed with the Commission in accordance with Section 17 of the Public Utilities Act, and the Rules of Practice and Procedure of the Commission, an emergency gas rate adjustment, being a temporary rider designated as "Second Revised Sheet No. 20," as a part of the Pueblo Gas and Fuel Tariff, Colo. PUC No. 5, to become effective January 1, 1954. The temporary rider, if permitted to become effective, would increase the cost of gas to all of the customers of the Company.

Authority for filing said temporary rider was granted by the Commission by Authority No. 13789, of December 29, 1953.

By Decision No. 41803 in the instant matter, the effective date of the proposed temporary rider was suspended, and the matters contained in said temporary rider were set for hearing before the Commission at 10:30 o'clock A. M., December 31, 1953, in the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado. Notice of said hearing was given to all parties in interest. The hearing was held on said matter on said date, and evidence was heard on behalf of the Company and an opportunity was given to all who appeared at the hearing for cross-examination. At the conclusion of the hearing, the Commission took the matter under advisement.

The Pueblo Gas and Fuel Company is an operating public utility, engaged in the purchase, distribution, and sale of natural gas in the "Home-Rule" City of Pueblo and the area contiguous thereto in Pueblo County, in the State of Colorado. The Company is a wholly-owned subsidiary of the Public Service Company of Colorado. The tariffs, rates, rules, and regulations under which the Company renders gas service are all on file with this Commission as "Colo. PUC No. 5."

At the opening of the hearing in the instant matter, John H. Marsalis, Attorney for the City of Pueblo, made a special appearance for said city, limiting his appearance for the city to the question of jurisdiction of this Commission. Mr. Marsalis filed a written motion at the hearing petitioning the Commission to dismiss the action and proceedings on the basis that this Commission does not have jurisdiction to entertain the same since Pueblo is a "Home-Rule" city, existing under and by virtue of the provisions of Article XX of the Constitution of Colorado. At the hearing, Mr. Marsalis also amended his written petition in Paragraph 4 thereof and in support of said petition, as amended, he filed Exhibits A and B being respectively, a copy of the Charter of Pueblo, and a copy of the Ordinance granting a franchise to the Company. The Commission took the matter covered by his motion under advisement.

Before going on with the merits of the rate increase, we will first rule on the motion as presented by Mr. Marsalis. After reviewing

said motion and all the evidence in support thereof, and each and every allegation thereof, we believe that said motion should be denied.

From the evidence adduced at the hearing, it appears that the emergency gas rate adjustment sought by the Company herein has been brought about by the increase in rates for gas furnished to the Company for re-sale by its supplier, Colorado Interstate Gas Company, hereinafter sometimes referred to as "Interstate," which rates, under order of the Federal Power Commission, became effective under bond on January 1, 1954.

On September 2, 1953, in FPC Docket No. G-2260, Colorado Interstate Gas Company tendered to the Federal Power Commission for filing, pursuant to Section 4 of the Natural Gas Act, to take effect on October 3, 1953, a proposed system-wide increase in its rates and charges for all gas sold for re-sale, subject to the jurisdiction of the Federal Power Commission, including natural gas furnished for re-sale to the Company. Simultaneously with said filing, Colorado Interstate requested that, if the Federal Power Commission suspended such rates, the suspension be for a period no longer than three months from October 3, 1953, or until January 1, 1954. By order issued September 28, 1953, the Federal Power Commission set said matter for hearing on January 12, 1954, and, at the same time, suspended the effective date of the proposed changes in rates and charges until March 3, 1954, and in such order denied Colorado Interstate's request to limit the period of suspension to January 1, 1954.

Several interested parties, including this Commission, have intervened in this matter involving the rates and charges of Colorado Interstate Gas Company before the Federal Power Commission, in FPC Docket No. G-2260, which has been set for hearing in Washington, D. C., on January 12, 1954.

On December 22, 1953, in FPC Docket No. G-2260, the Federal Power Commission amended its order issued September 28, 1953 in said matter, and rescinded the original suspension of the proposed increase in the rates and charges of Colorado Interstate, and ordered that the same be suspended and their use deferred until January 1, 1954, instead of March 3, 1954. In said Order, the Federal Power Commission finds that

such action on its part is necessary and appropriate and in the public interest, and in said order the Federal Power Commission recites that Colorado Interstate will place in operation, on or about January 1, 1954, additional facilities which will enable it to receive additional volumes of natural gas under recently-executed gas purchase contracts calling for increased gas purchase costs. The Federal Power Commission, in said order, further takes official notice that the Kansas State Corporation Commission has increased the minimum field price in the Kansas Hugoton Field, effective January 1, 1954, from eight cents to eleven cents per MCF, and that Colorado Interstate makes extensive purchases of gas in the Kansas Hugoton Gas Field.

Introduced at the hearing as "Exhibit A-1" was a copy of a telegram from the Colorado Interstate Gas Company, dated December 22, 1953, addressed to the Pueblo Gas and Fuel Company, stating, in effect, that the rates that Interstate had filed with the Federal Power Commission were to become effective on January 1, 1954, under bond.

Testimony at the hearing by W. D. Virtue, Vice-President of Pueblo Gas and Fuel Company, revealed that under the Interstate rates as filed with the Federal Power Commission, the Pueblo Company would receive a yearly increase in the cost of gas estimated for the Year 1954 to be \$275,000. It was the position of the witness that the Company could not absorb any of this proposed increase, but must pass it on to its customers. In support of this position, Mr. Virtue presented certain figures which together with certain calculations that we have made, we have set out in a table below to facilitate comparison.

	<u>12 Months Ending Nov. 30, 1953</u>	<u>Estimated 12 Months Ending Dec. 31, 1954</u>
Property, Plant and Equipment	\$ 4,020,959	\$ 4,487,000
Materials and Supplies	95,000	97,000
Working Capital	164,700	183,800
Gross Property, Plant and Equip.	\$ 4,280,659	\$ 4,767,800
Depreciation Reserve	660,261	736,700
Net Property, Plant and Equip.	\$ 3,620,398	\$ 4,031,100
Net Operating Income, 100% Pass-on	\$ 222,108	\$ 256,100
Rate of Return, 100% Pass-on	6.13%	6.35%
Net Operating Income, 100% absorption	\$ 92,858	\$ 126,850
Rate of Return, 100% absorption	1.56%	3.15%

It will be noted from the above table that if the Company were to absorb the full increase in the cost of gas, the rate of return as calculated, would be 3.15%. We do not feel that any further comment need be made on this percentage other than to state that we believe it to be too low. If the Company passes on the full increase as it proposes to do in its temporary rider that is presently under suspension, the Company would have a rate of return calculated at 6.35% for the Year 1954, as estimated. We could have made other calculations to show other rates of return after assuming certain portions of the increase to be absorbed by the Company, but we believe that such calculations are unnecessary, in view of the results shown in the table.

The rate of return of 6.35% as estimated for the Year 1954, is, we feel, within the zone of reasonableness that neither penalizes the customer nor the Company, but is fair to all concerned. To enable the Company to make this fair return, it will be necessary for the Company to pass on to its customers all the estimated increase resulting from the filing of Colorado Interstate Gas Company with the Federal Power Commission.

The temporary rider that the Company has filed, that we have suspended in the instant matter, is calculated to produce to the Company revenue for the Year 1954 estimated at an amount which is approximately equivalent to the estimated increase in the cost of gas purchased from Interstate. It is proposed that the rate adjustment resulting from the temporary rider remain in full force and effect until final determination of the rates of Interstate by the Federal Power Commission, at which time said adjustment shall be revised, new rate schedules filed, and any monies refunded to the Company resulting from application of the rates for natural gas as finally allowed by the Federal Power Commission shall be subject to refund to the Company's customers in a manner to be approved by this Commission. We agree with this proposal, and our Order herein shall so provide.

Under conditions very similar to this, in Investigation and Suspension Docket No. 361, Re Public Service Company of Colorado, temporary gas rate increase, Decision No. 41845, of date January 7, 1954, we listed certain reasons for our actions that we believe are appropriate in this instance also,

and so we reiterate what we said in that decision:

"In arriving at our conclusions herein as to what amount should be absorbed by the Company and what amount passed on to the customer, we have considered certain basic elements, both as to rate of return and as to elements that could be considered legitimate components of a rate base, without, however, going into a full scale rate hearing to determine the exact amount of these elements. We feel justified in this instance in using this procedure because of the very nature of the problem confronting us, with the time element involved, the emergency nature of the temporary increase, and the fact that the motivating cause for the increase is beyond the direct control of either the Company or the Commission. The answer herein, as we have determined it, was reached after consideration of all the elements involved, and having in mind that the end result to be fair to all concerned must lie in a zone of reasonableness."

The temporary gas rate adjustment proposed by the Company in its temporary rider to Tariff, Colo. PUC No. 5, will increase the cost of gas to its customers as follows:

1. All rates for residential and commercial natural gas service shall be increased per hundred cubic feet used per month . . . . . \$0.0036
2. All rates for interruptible industrial natural gas service shall be increased per thousand cubic feet used per month . . . . . \$0.030

The rates on file and affected hereby are identified as follows:

1. Residential and Commercial Natural Gas Service  
Colo. PUC No. 5, First Revised Sheet No. 4  
Colo. PUC No. 5, First Revised Sheet No. 5  
Colo. PUC No. 5, First Revised Sheet No. 6
2. Interruptible Industrial Natural Gas Service  
Colo. PUC No. 5, Second Revised Sheet No. 7  
Colo. PUC No. 5, Second Revised Sheet No. 10  
Colo. PUC No. 5, Second Revised Sheet No. 11  
Colo. PUC No. 5, Second Revised Sheet No. 12  
Colo. PUC No. 5, Second Revised Sheet No. 13  
Colo. PUC No. 5, First Revised Sheet No. 19

Special Contract: Colo. PUC No. 5, Joseph L. Wetts.

Since it is our intent to lift the suspension on the above temporary rider, it will not be necessary for the Company to refile a new rider. All that is required is to change the effective date from January 1, 1954 to the new effective date to be set by the Commission herein.

After reviewing all of the evidence, the Commission believes that the tariff containing the emergency gas rate adjustments, as proposed in the temporary rider filed with the Commission, and as set forth above, is just and reasonable, non-discriminatory, and non-preferential, and should be permitted to become effective, as in the Findings and Order hereinafter set forth.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the Commission has jurisdiction of the Pueblo Gas and Fuel Company, and of the tariff of said Company involved in the instant matter.

That the temporary rider designated as "Second Revised Sheet No. 20," to said Company's tariff, Colo. PUC No. 5, is just and reasonable, and is non-discriminatory and non-preferential.

That the suspension of said temporary rider should be lifted and said proposed temporary gas rate adjustment be allowed to go into effect on January 9, 1954, by inserting on said temporary rider the above effective date, and giving as the authority for said insertion, the Decision Number, Docket Number, and effective date of the Order herein.

That the Pueblo Gas and Fuel Company should be ordered to pass on to its customers their proportionate share of any refund due to said customers as a result of a final settlement of the gas rates in the Federal Power Commission's Docket No. G-2260.

That the motion of John H. Marsalis on the question of jurisdiction should be denied.

That this Commission should retain jurisdiction of this matter, to make such further orders, or order, as may be necessary in the premises.

### O R D E R

#### THE COMMISSION ORDERS:

That the temporary gas rate adjustment contained in the temporary rider, designated as "Second Revised Sheet No. 20, Pueblo Gas and Fuel Company Tariff, Colo. PUC No. 5," is hereby declared to be just and reasonable, non-discriminatory, and non-preferential.

That the suspension of the temporary rider designated as "Second Revised Sheet No. 20 to the Pueblo Gas and Fuel Company Tariff, Colo. PUC No. 5," be, and it hereby is, lifted, and the proposed rates therein be, and they are hereby, permitted to become effective on January 9, 1954, by inserting on said Revised Sheet No. 20 the new effective date, and showing as authority for said insertion, the Decision Number, Docket Number, and effective date of the Order herein.

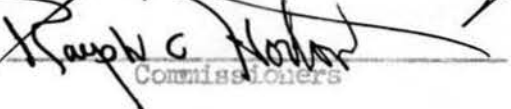
That the Pueblo Gas and Fuel Company be, and it hereby is, ordered to pass on to its customers their proportionate share of any refund due to said customers as a result of the final settlement of the gas rates in the Federal Power Commission Docket No. G-2260, in a manner to be later approved by this Commission.

That the motion of John H. Marsalis on the question of jurisdiction of this Commission be, and it hereby is, denied.

That this Commission hereby retains jurisdiction of this matter, to make such further order, or orders, as may be necessary in the premises.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 8th day of January, 1954.

DMW

( S E A L )

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE INVESTIGATION AND SUSPENSION OF )  
TEMPORARY RIDER, ORIGINAL SHEET NO. )  
16 AND ORIGINAL SHEET NO. 17 OF )  
PUC TARIFF NO. 4 OF THE GREELEY )  
GAS COMPANY, GREELEY, COLORADO. )  
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INVESTIGATION AND SUSPENSION  
DOCKET NO. 363

-----  
January 8, 1954  
-----

Appearances: Lee, Bryans, Kelly and Stans-  
field, Esqs., Denver, Colo-  
rado, by  
Ralph Sargent, Jr., Esq.,  
Denver, Colorado, for  
Greeley Gas Company;  
J. M. McNulty and  
W. George Denny, Jr.,  
Denver, Colorado, for  
the Commission.

S T A T E M E N T

By the Commission:

On December 30, 1953, Greeley Gas Company, hereinafter sometimes called the "Company," by its President, Gerald L. Schlessman, filed with the Commission, pursuant to Section 17 of the Public Utilities Act and the Rules of Practice and Procedure of the Commission in such case made and provided, a temporary gas rate adjustment, being a temporary rider designated as "Original Sheet No. 16 and Original Sheet No. 17," as a part of its Tariff, Colo. PUC No. 4, to become effective on January 1, 1954, and at the same time petitioned the Commission that it be permitted to put in force and effect said temporary gas rate adjustment as of said date to affect all of its customers supplied with natural gas purchased by the Company for re-sale from Colorado-Wyoming Gas Company.

Authority for filing said temporary rider was granted by the Commission by Authority No. 13793, of December 30, 1953.

By Decision No. 41830 in the instant matter, the effective date

of the proposed temporary rider was suspended, and the matters contained in said temporary rider were set for hearing before the Commission at ten o'clock A. M., January 6, 1954, in the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado. Notice of said hearing was given to all parties in interest. Hearing was held in the instant matter on January 6, 1954, and evidence was heard in behalf of the Company. No one appeared at the hearing in opposition to the proposed temporary gas rate adjustment by the Company.

At the conclusion of the hearing, the Commission took the matter under advisement.

The Company is an operating public utility, engaged in the purchase, distribution, and sale of natural gas in the State of Colorado. The Company purchases gas for re-sale and distribution in the City of Greeley and other towns and communities in Weld County, Colorado, from Colorado-Wyoming Gas Company, a pipeline company, which pipeline company purchases its gas from Colorado Interstate Gas Company. Greeley Gas Company also purchases natural gas at the well-head from various fields in Rio Blanco and Moffat Counties, Colorado, and transmits such gas for ultimate distribution in the Town of Craig and in the area immediately adjacent thereto. For operating purposes, the Company is divided into the Greeley District and the Craig District.

Greeley Gas Company is a public utility, as defined in the Public Utilities Act, and tariffs covering its natural gas rates and charges are on file with this Commission. The temporary gas rate adjustment which the Company proposes to place in effect in the instant matter is filed as a temporary rider to the Company's Tariff, Colo. PUC No. 4, now on file with the Commission.

The gas rate adjustment sought by the Greeley Gas Company herein has been precipitated by the increase in rates of Colorado Interstate Gas Company for gas furnished for re-sale to Greeley Gas Company's pipeline supplier, Colorado-Wyoming Gas Company, and the increase in rates of Colorado-Wyoming Gas Company for gas furnished for re-sale to Greeley Gas

Company, which rates under order of the Federal Power Commission are to become effective January 1, 1954. Both Colorado-Wyoming Gas Company and Colorado Interstate Gas Company are subject to the jurisdiction of the Federal Power Commission.

On September 2, 1953, in FPC Docket No. G-2260, Colorado Interstate Gas Company tendered to the Federal Power Commission for filing, pursuant to Section 4 of the Natural Gas Act, to take effect on October 3, 1953, a proposed system-wide increase in its rates and charges for all gas sold for re-sale subject to the jurisdiction of the Federal Power Commission, including natural gas furnished for re-sale to Colorado-Wyoming Gas Company, Greeley Gas Company's pipeline supplier. By order issued September 28, 1953, the Federal Power Commission set said matter for hearing on January 12, 1954, and at the same time suspended the effective date of the proposed changes in rates and charges until March 3, 1954. On December 22, 1953, the Federal Power Commission amended its order issued September 28, 1953 in said matter, and rescinded the original suspension of the proposed increase in the rates and charges of Colorado Interstate, and ordered that the same be suspended and their use deferred until January 1, 1954, instead of March 3, 1954.

On September 2, 1953, in FPC Docket No. G-2261, Colorado-Wyoming Gas Company tendered to the Federal Power Commission for filing a proposed increase in its rates and charges for gas sold for re-sale subject to the jurisdiction of the Federal Power Commission, including natural gas furnished for re-sale to Greeley Gas Company. Said increase proposed by Colorado-Wyoming Gas Company was based in part on the anticipated increase in its gas purchase costs resulting from the increase filing proposed by Colorado Interstate in FPC Docket No. G-2260. By order issued September 28, 1953, the matter of the proposed increase in the rates and charges of Colorado-Wyoming was set down for hearing before the Federal Power Commission on January 20, 1954, and the effective date of said proposed changes in rates and charges was suspended until March 3, 1954. By letter dated December 22, 1953 (introduced as Exhibit 1 in this proceeding), Colorado-Wyoming Gas Company tendered for filing with the Federal Power Commission

its Third Revised Sheet No. 4 to its FPC Original Tariff Volume No. 1, which contained revised proposed rates and charges negotiated with the staff of the Federal Power Commission in settlement of its rate proceedings in FPC Docket No. G-2261. In said revised filing Colorado-Wyoming stated that the proposed rates were predicated upon the proposed increased rates of Colorado Interstate to become effective on January 1, 1954, and if the Federal Power Commission in FPC Docket No. G-2260, after hearing, should direct Colorado Interstate to sell gas to Colorado-Wyoming at a rate lower than the proposed increased rates to be effective January 1, 1954, that Colorado-Wyoming would file new schedules with the Federal Power Commission to reflect such lower rates, and would refund to its customers, which include Greeley Gas Company, the difference between the rates reflected on its Third Revised Sheet No. 4 and any lower rates prescribed by the Federal Power Commission. On December 29, 1953, the Federal Power Commission accepted for filing Colorado-Wyoming's Third Revised Sheet No. 4 to be effective January 1, 1954, in settlement of the rate proceedings in FPC Docket No. G-2261, upon the terms set forth in Colorado-Wyoming's letter to the Federal Power Commission, dated December 22, 1953, and by letter dated December 29, 1953 (which letter was introduced as Exhibit No. 2 in the instant proceeding), Colorado-Wyoming advised the Greeley Gas Company that the new increased rates reflected on its Third Revised Sheet No. 4 would become effective January 1, 1954.

Mr. Homer S. Lanning, Treasurer of Greeley Gas Company, testified at the hearing that the increase in the cost of gas purchased by Greeley Gas Company for re-sale from Colorado-Wyoming Gas Company is estimated to be \$55,500 on an annual basis. By the temporary gas rate adjustment proposed in the instant matter, the Greeley Gas Company expects to recover or to increase its revenues in an amount which is approximately equivalent to 50% of the estimated increase in the cost of purchased gas to the Company. The rate adjustment proposed will affect only customers of the Company furnished with natural gas purchased by the Company from Colorado-Wyoming Gas Company.

Mr. Lanning presented figures at the hearing for the twelve month period ended December 31, 1953 (using eleven months actual book figures and estimating the figures for the Month of December), with respect to the results of the operations of the Greeley District of the Company for said period. The net operating revenue of the Greeley District for said period is \$79,560. Such revenue, when related to the total property, plant and equipment at December 31, 1953 in the amount of \$1,141,545, less book depreciation of \$228,582, plus working capital (1/6 of twelve-month operating expenses exclusive of taxes and depreciation) in the amount of \$95,000, and materials and supplies in the amount of \$39,628, shows a return of 7.5%. If the company were to absorb or to bear 100% of the increased cost of gas, the indicated return of the Company on a pro forma basis for the twelve-month period ending December 31, 1953, would be 5.0%. If the Company absorbs 50% of the increased cost of gas, as contemplated by the instant petition, the indicated return is 6.3%.

The temporary gas rate adjustment sought by the Company by the temporary rider to its Tariff, Colo. PUC No. 4 will increase the cost of gas to customers of the Company in the Greeley District as follows:

1. All rates for residential and commercial natural gas service rendered to customers supplied with natural gas purchased from the Colorado-Wyoming Gas Company shall be increased per hundred cubic feet used per month . . . . . \$0.0018

The rate on file and affected hereby is identified as follows: Colorado PUC No. 4 - Second Revised Sheet #3. Also Industrial Contract: Hackett and Walters Baking Company.

2. All rates for interruptible natural gas service rendered to customers under special contracts supplied with natural gas purchased from the Colorado-Wyoming Gas Company shall be increased per hundred cubic feet used per month . . . . . \$0.001

The contracts on file and affected hereby are identified as follows:

Greeley Building	12th Street School
Shanks Feed Store	High School
Weld County Garage	Garnsey and Wheeler
Kiley the Cleaner	Tribune Newspaper
Colorado State College	4th Street School
Elk's Lodge	Eaton High School
Hammonds Implement	Erickson's Greenhouse
Weld County Rest Home	
Weld County Hospital	

Also Special Contracts for Industrial Gas Service ---  
Summer-time only:

Northern Colorado Alfalfa Milling Company.  
Mead Dehydrating Company.

Under the proposal of the Company, the temporary gas rate adjustment shall remain in force and effect until final determination of the rates of Colorado Interstate and Colorado-Wyoming is made by the Federal Power Commission at which time said adjustment shall be reviewed, new rate schedules filed, and as to any monies refunded to Greeley Gas Company resulting from application of the rates for natural gas as finally allowed by the Federal Power Commission fifty per cent (50% thereof shall be subject to refund to the customers of the Company in a manner to be approved by this Commission.

The total increase in revenues resulting from the proposed temporary gas rate adjustment will be an amount which is approximately equivalent to fifty per cent (50%) of the estimated increase in the cost of gas to the Company.

After a review of all of the evidence, the Commission believes that the tariff containing the emergency gas rate adjustment as proposed in the temporary rider filed herein to the Company's Tariff, Colo. PUC No. 4, is just and reasonable, and is non-discriminatory and non-preferential, and should be permitted to become effective as in the Findings and Order hereinafter set forth.

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

##### THE COMMISSION FINDS:

That the Commission has jurisdiction of Greeley Gas Company, and of the tariffs of said Company involved in the instant matter.

That the temporary rider designated as "Original Sheet No. 16 and Original Sheet No. 17," to said Company's Tariff, Colo. PUC No. 4, is just and reasonable, and is non-discriminatory and non-preferential.

That the suspension of said temporary rider should be lifted and said proposed temporary gas rate adjustment be allowed to go into effect, provided that the effective date of said temporary rider should be changed from January 1, 1954, to be effective on meters read on and after February 1, 1954.

That the Greeley Gas Company should be ordered to pass on to its customers their proportionate share of any refund due to said customers as a result of the final settlement of the gas rates in FPC Docket No. 2260 and FPC Docket No. 2261.

That this Commission should retain jurisdiction of this matter, to make such further order, or orders, as may be necessary in the premises.

O R D E R

THE COMMISSION ORDERS:

That the temporary gas rate adjustment contained in the temporary rider, designated as "Original Sheet No. 16 and Original Sheet No. 17" to Greeley Gas Company's Tariff, Colo. PUC No. 4, is hereby declared to be just and reasonable and non-discriminatory and non-preferential.

That the suspension of the temporary rider designated as "Original Sheet No. 16 and Original Sheet No. 17" to Greeley Gas Company's Tariff, Colo. PUC No. 4, be, and it hereby is, lifted, and the proposed rates therein be, and are hereby, permitted to become effective on meters read on and after February 1, 1954.

That the Greeley Gas Company be, and it hereby is, ordered to pass on to its customers their proportionate share of any refund due to said customers as a result of the final settlement of the gas rates in FPC Docket No. 2260 and FPC Docket No. 2261, in the manner to be later approved by this Commission.

That this Commission hereby retains jurisdiction of this matter, to make such further order, or orders, as may be necessary in the premises.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Hinchell*  
*Robert C. Kealey*  
*Ralph B. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 8th day of January, 1954.

( S E A L )

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  
DISCONTINUE ITS PASSENGER TRAINS  
NOS. 3 AND 4 WITHIN COLORADO.  
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}  
}  
}  
}  
}  
} APPLICATION NO. 12689

-----  
January 8, 1954  
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S T A T E M E N T

By the Commission:

On December 9, 1953, The Atchison, Topeka and Santa Fe Railway Company, by its attorneys, Grant, Shafreth & Toll, 730 Equitable Building, Denver, Colorado, filed its application requesting authority to discontinue the operation of its passenger trains Nos. 3 and 4 within the State of Colorado, effective January 10, 1954.

Pursuant to Rule No. 6 of this Commission's Rules and Regulations Pertaining to Railroads Operating in the State of Colorado, under which rule the instant application was made, appropriate notices of the proposed change were posted by the Railroad Company at affected stations, namely: Holly, Granada, Lamar, Las Animas, La Junta, Thatcher, Heshone and Trinidad, all within the State of Colorado. As a part of said notice was the following:

"The proposed changes in service are the discontinuance of passenger trains Nos. 3 and 4 between Newton, Kansas, and Belen, New Mexico, including all points within the State of Colorado. Thereafter, Trains Nos. 123 and 124 will have scheduled stops and flag stops at all stations in Colorado at which Trains Nos. 3 and 4 now have such stops.

"Any person desiring to protest the proposed action as stated above, shall file a written protest with the Public Utilities Commission of the State of Colorado, State Office Building, Denver, Colorado, at least ten (10) days prior to the effective date of said change in service."

No protests have been received by the Commission in this matter.

It appears from the instant application, that the proposed discontinuance of Trains 3 and 4 within Colorado is a part of a large program of train consolidation within the Santa Fe system; that in the interests of increased operating economy and efficiency certain rescheduling of trains is under way to overcome current passenger losses. The proposed discontinuance of Trains 3 and 4 within Colorado will result from a rerouting of these trains between Newton, Kansas, and Belen, New Mexico, so that after January 10, 1954, they will be run between these two points via applicant's southern main line extending through southeastern Kansas, western Oklahoma, northwestern Texas, and eastern New Mexico. Trains Nos. 3 and 4 will replace applicant's local Trains Nos. 105 and 106 which now run between Newton, Kansas, and Albuquerque, New Mexico, on applicant's southern main line and which will be discontinued on January 10, 1954. Unless Trains 3 and 4 are thus rerouted, applicant's southern main line between Newton, Kansas, and Belen, New Mexico, would be left with inadequate local passenger, mail, and express service after the discontinuance of Trains Nos. 105 and 106; whereas, the rerouting of Trains Nos. 3 and 4, as proposed, would not deprive applicant's northern main line through Colorado between Newton, Kansas, and Belen, New Mexico, of adequate local passenger, mail, and express service.

Trains Nos. 3 and 4 operate daily in both directions between Chicago, Illinois, and Los Angeles, California. They pass through Colorado on applicant's northern main line extending from the Colorado-Kansas state line east of Holly through La Junta to the Colorado-New Mexico state line south of Trinidad, serving the following communities in Colorado: Holly, Lamar, Las Animas, La Junta and Trinidad.

Applicant explains in the current application that in recent years, passenger business handled by Trains 3-4 and 105-106, has declined to the point where continuance of all four of these trains as now routed and operated is no longer justified. Analysis of a year's operation of said trains, for the twelve-month period ending August 31, 1953, indicates a direct out-of-pocket loss to applicant in the amount of \$2,171,910.00 attributable to the operation of the four trains. Of this net direct loss, \$641,222.00 was attributable to

the operation of Trains 105 and 106, which will be entirely discontinued, and \$170,523.00 represented that portion of the net loss from the operation of Trains 3 and 4 attributable to their operation within Colorado.

With the discontinuance of Trains Nos. 3 and 4, it is proposed to handle this business on Trains Nos. 123 and 124. The following table will indicate the effect of this change in service:

Discontinue Trains Nos. 3 and 4, Substitute Nos. 123 and 124

	WEST		Mile Post	EAST	
	#3	#123		#4	#124
Holly	S 7:16 P	5:21 A	468.8	S 8:14 A	7:55 P
Lamar	S 8:01 P	S 5:50 A		S 7:34 A	S 7:31 P
Las Animas	S 8:48 P	S 6:30 A		S 6:55 A	S 6:59 P
La Junta	S 9:35 P	S 6:55 A		S 6:30 A	S 6:40 P
Trinidad	S 11:55 P	S 8:43 A		S 4:00 A	S 4:20 P
Weston	12:30 A	9:14 A	651.8	3:15 A	3:42 P
Miles			183.0		
Time	5 hrs. 14 Min.	3 hrs. 53 Min.		4 hrs. 59 Min.	4 hrs. 13 Min.
Diff.		1 hrs. 21 Min.			36 Min.
Av. Speed	35.0	47.3		36.8	43.5
Flag Steps					
Thatcher	f 11:00 P	8:01 A		-	-

It can be seen that present service consists of both an early morning and an evening train in each direction. With the proposed discontinuance of No. 3, the westward evening service will be removed, and discontinuance of No. 4, would take off the eastward morning service. In the current proposal the remaining service would be performed by Trains Nos. 123 and 124 by adding a stop at Holly to the schedule of these trains and would also include all regular and flag stops as made by trains Nos. 3 and 4 to render both inter-state and intrastate service at all stations in the state where stops are made by Trains Nos. 3 and 4.

It appears that Trains Nos. 3 and 4 are no longer well patronized by the traveling public within Colorado. A study of the present schedules reveals that the following trains now serve this portion of the state:

(Westward service on odd-numbered trains, eastward service on even-numbered)

No. 3 & 4	California Limited	} Step only at La Junta, Colorado.
7 & 8	Fast Mail Express	
17 & 18	The Super Chief	
19 & 20	The Chief	
21 & 22	El Capitan	
123 & 124	The Grand Canyon	

There is also the fact that the communities in Colorado served by Trains 3 and 4 are on or adjacent to U. S. Highway 50 between the Colorado-Kansas state line and La Junta; U. S. Highway 350 between La Junta and Trinidad; and U. S. Highway 85-87 between Trinidad and the Colorado-New Mexico state line, which highways substantially parallel applicant's track. These communities are served by bus lines which schedule numerous buses per day, in both directions, in interstate and intrastate service.

While it might have appeared significant that no protests were filed with the Commission in this matter, it now becomes apparent that there is no shortage of passenger services in this area and that adequate and certainly alternate facilities will be available.

Applicant will also continue its present bus-truck service between Lamar, Colorado, and Dodge City, Kansas, which renders local passenger, mail and express service daily in both directions between Lamar and the Kansas-Colorado line and intermediate stations.

The Commission is cognizant of the continuing decline in passenger revenue. Although no protests were received in this matter, the Commission has made its own investigation to determine that no public hardship should result from the proposed change. It is only natural to assume also that the elimination of the out-of-pocket loss of \$170,523.00, attributable to the operation of these trains, will tend toward a more wholesome operation of the remainder of the system.

In the instant matter, applicant has agreed to schedule its Trains Nos. 123 and 124 to make both regular and flag stops and render the same service at all stations in the state where stops are now made by Trains Nos. 3 and 4.

## FINDINGS

### THE COMMISSION FINDS:

1. That convenience and necessity of the general public do not require the continued operation of Trains Nos. 3 and 4 for the reason that alternate facilities are readily available.
2. That no showing of necessity is before the Commission to justify the current out-of-pocket loss by the maintenance of these trains.
3. That the above and foregoing Statement should be made a part of these Findings, by reference.
4. That a certificate of public convenience and necessity should issue for the discontinuance of Trains Nos. 3 and 4.
5. That jurisdiction should be retained by the Commission to enter such further order or orders as may be necessary.

## ORDER

### THE COMMISSION ORDERS:

That applicant, The Atchison, Topeka and Santa Fe Railway Company should be, and it is hereby, authorized to discontinue operation of its Passenger Trains Nos. 3 and 4 in Colorado between the Kansas and New Mexico State Lines, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That the discontinuance of Trains Nos. 3 and 4 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 jurisdiction of the instant matter is hereby retained by the Commission to enter such further order, or orders, as it may deem necessary.

That this Order shall become effective January 10, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Huchell  
Robert C. Johnson  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of January, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
GEORGE H. AND GERALDINE ANDERSON,  
GARDEN CITY, KANSAS, DOING BUSINESS  
AS "STATE LINE OIL COMPANY," FOR A  
PRIVATE CARRIER PERMIT.  
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}  
} APPLICATION NO. 12668-PP  
}  
}

-----  
January 11, 1954  
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Appearances: Barry & Hupp, Esqs., Denver,  
Colorado, for applicants;  
Robert D. Means, Esq., Denver,  
Colorado, and  
Phillip G. Burney, Esq., Denver,  
Colorado, for Barlew's Service,  
Inc.;  
Marion F. Jones, Esq., Denver,  
Colorado, for R. B. "Dick"  
Wilson, Inc., Ward Transport,  
Inc., Greendyke Transport, Inc.,  
and Cellett Tank Lines.

S T A T E M E N T

By the Commission:

As limited by the testimony offered at the hearing in Denver,  
Colorado, on December 9, 1953, applicants herein seek authority to  
operate as a Class "B" private carrier by motor vehicle for hire, for  
the transportation of petroleum and petroleum products in bulk in tank  
trucks, from La Junta, Colorado, to all points and places in that portion  
of Colorado lying east of U. S. Highway No. 85 and south of U. S. Highway  
No. 34.

George H. Anderson, one of the applicants herein, testified that  
he is presently operating a group of filling stations in Kansas, buying  
and selling petroleum products to the public; that he has a bulk dis-  
tributing plant at Tribune, Kansas, from which he supplies his outlets  
or filling stations. Under his present plan, he hopes to establish a line  
of filling stations in southeastern Colorado, and possibly build bulk

stations at Lamar and Limon. He will purchase his gasoline, distillate, etc., from the Gulf Oil Company at La Junta, Colorado. It appears that the Gulf Oil Company has a company policy that it pays transportation charges to the bulk plants of its distributors, making it impossible for applicant to operate as a commercial carrier. Witness stated that he will only haul petroleum products for the Gulf Oil Company to be delivered to his bulk plants and stations located in southeastern Colorado. The witness contends that he endeavored to purchase his supplies, gasoline, etc., at the pipeline terminal at La Junta, thereby deducting transportation charges. This is against the policy of the Gulf Oil Company, which company refuses to change its policy.

G. F. McWilliams, of Denver, Colorado, General Sales Manager of Gulf Oil Company, corroborated generally the testimony of applicant as to the sales policy of his company, and further stated that his company is giving to applicants an exclusive franchise for distribution of its products in southeastern Colorado, the area being substantially the same as the territory asked for in the instant application. Witness McWilliams stated that, in his judgment, common carriers cannot adequately take care of this situation, and that he did not believe the service offered by common carriers is feasible. He further stated that his company needs the proposed service of applicants, and he was here supporting the instant application.

Applicant Anderson's testimony further discloses that he has five tank trucks in his overall operation and plans to use tanks of a capacity of 5,240 gallons. The evidence further discloses that applicant is financially responsible, and has had considerable experience in this type of operation. In concluding his testimony, applicant stated that in his judgment his project of entering Colorado to sell petroleum products would not be feasible if he is not permitted to haul his own products.

H. B. Ward, of Ward Transport, Inc., who operates under Certificate of Public Convenience and Necessity No. 1497, stated he operates 38 complete units, and while he has statewide authority, he particularly specializes in

handling gasoline and distillate in southern Colorado. He states he has ample equipment and is ready, able and willing to take care of all hauls of petroleum products, especially in Colorado, and sees no need for additional petroleum carriers. He stated that he has presently enough equipment based in southern Colorado to take care of all gasoline consumers in this area.

A. L. Hamilton, of Greendyke Transport, Inc., who operates Certificate of Public Convenience and Necessity No. 1873, and maintains terminals at Denver, Pueblo, Lamar, La Junta and Rocky Ford, testified his company has an investment of approximately a quarter of a million dollars in oil-carrying equipment, and vigorously protested the granting of the instant application, stating his company has statewide authority to deliver petroleum products throughout Colorado, and that at present they have idle equipment and he sees no need for additional authority to transport petroleum products in southeastern Colorado.

C. A. Nelson, Manager of Collett Tank Lines, operating under Certificate of Public Convenience and Necessity No. 1494, D. S. Ene, Traffic Manager for R. B. "Dick" Wilson, Inc., who operates under PUC-1515, and J. W. West, Vice-President and General Manager of Barlew's Service, Inc., corroborated, generally, the testimony of witnesses Hamilton and Ward, and a summary of their testimony would not materially add to this Statement.

In the judgment of the Commission, the record fails to disclose any dispute of the adequacy of existing common carriers for the movement of petroleum and petroleum products in southeastern Colorado. Therefore, it appears that the only question involved is: "whether the granting of the authority sought will, or will not, tend to impair the efficiency of the common carrier service of Barlew's Service, Inc., R. B. "Dick" Wilson, Inc., Ward Transport, Inc., Greendyke Transport, Inc., and Collett Tank Lines." The record, in our judgment, does not disclose that the granting of a private carrier permit will in any way tend to impair the efficiency of the service of said carriers in the future. In fact, the evidence did disclose that the service offered by the granting of the permit would be feasible, and that the common carrier service is not adjustable to the transportation problems of applicants or the Gulf Oil Company.

Heretofore, we have had occasion to point out that if the service furnished by common carriers is inadequate, permit should issue. If service is adequate, then permit should not issue where it also appears that the issuance of permit will tend to impair the efficiency of the service of common carriers with whom the permittee will compete.

In Application No. 4216-PP-B, Decision No. 13149, we, among other things, said:

"Section 3, Chapter 120, Session Laws of 1931, as amended, provides:

" 'No application for permit, nor for any extension, or enlargement of an existing permit, shall be granted by the Commission until after a hearing, nor shall any such permit, nor any extension or enlargement thereof, be granted, if the Commission shall be of the opinion that the proposed operation of any such private carrier will impair the efficient public service of any authorized motor vehicle common carrier or carriers then adequately serving the same territory over the same general highway route or routes.'

"For some time, it has been apparent to the Commission that certain common carriers who regularly appear in opposition to the granting of applications for authority to operate as contract carriers (said permits, under our Act, being known as 'Private Carrier Permits') have thought it sufficient to show in opposition to granting permit that they are equipped to handle all business in the territory, and they have construed the words 'Impair the efficient public service of any authorized motor vehicle common carrier' to mean 'to diminish, or to deprive them of possibility of increasing, their income.' However, the possible gain in or loss of revenue by carriers and adequacy of their existing service are not the sole questions involved. What we want to know is, 'Will the existing motor vehicle common carrier operation be so affected by the proposed new operation that it will not be able to continue its efficient service to the public?' Its revenue may be diminished and its adequate efficient service still be continued, or the returns from the business may be diminished by competition to the point where the carrier no longer may be able to buy necessary equipment or to adequately maintain the equipment then operated or to maintain docks and other facilities or to hire employees to properly serve the public, or the operation, although adequate and efficient, may be conducted at a loss and additional revenue may be needed to continue or to improve service to the public.

\* \* \* \* \*

"If it appears that the territory is being adequately served, it does not necessarily follow that application must be denied, but then it becomes necessary that the Commission find that the 'Proposed operation of any such private carrier will not impair the efficient public service of any authorized motor vehicle carrier or carriers then adequately serving' the territory in which the applicant seeks to operate before permit will issue. At this stage, the applicant's right to issuance of permit depends upon establishment of certain negative facts as a basis for a negative finding of fact by the Commission, proof of which negative facts is almost impossible for applicant to furnish, as the requisite knowledge thereof, obviously, is exclusively in the possession of protesting competing common carriers. They, only, know how, and, to what extent, if at all, the proposed operation of applicant will impair their ability to serve the public. The practical difficulties of applicant proving that a proposed operation by private carrier will not impair the ability of a competing common carrier to serve the public, or, if there is an impairment, the extent thereof, are too obvious to require discussion.

"We conclude, then, that if applicant is unable to show that existing common carrier service is inadequate, or the evidence discloses that service is adequate, then, unless it is within the power of the applicant to prove the facts establishing the negative allegation relied upon (non-impairment of efficient public service) it would appear, as a practical proposition, that protestant, where it has peculiar knowledge upon the question of the extent of the impairment -- such knowledge not being shared by applicant -- should be required to assume the burden of evidence upon that point."

### F I N D I N G S

#### THE COMMISSION FINDS:

That it does not appear from the record that the proposed operation of applicants will tend to impair the efficiency of common carriers now serving the area applicants propose to serve, and that permit, as herein-after limited, should issue for the reasons heretofore set forth in our Statement, which, by reference, is made a part of these Findings.

### O R D E R

#### THE COMMISSION ORDERS:

That George H. and Geraldine Anderson, of Garden City, Kansas, doing business as "State Line Oil Company," be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for

the transportation of petroleum and petroleum products in bulk in tank trucks only from La Junta, Colorado, to all points and places in that portion of Colorado lying east of U. S. Highway No. 85 and south of U. S. Highway No. 34, for one customer only, viz: Gulf Oil Company, and permittees will not be permitted to add customers unless formally authorized so to do by the Commission.

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

That this order is the permit herein provided for, but it shall not become effective until applicants have filed a statement of their customer, 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.

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 11th day of January, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RUSSELL JESS AND WALTER H.  
PRITCHETT,

Complainants,

vs.

THE VALLEY COOPERATIVE  
TELEPHONE COMPANY,

Defendant.

CASE NO. 5063

-----  
January 11, 1954  
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Appearances: Frank A. Bruno, Esq., Denver,  
Colorado, for Complainants.

S T A T E M E N T

By the Commission:

The above-styled Complaint was filed with the Commission on  
August 10, 1953.

The Commission is now in receipt of a communication from Frank  
A. Bruno, attorney for Complainants, stating that Defendant has installed  
and is rendering service to Complainants.

Inasmuch as the matters and things complained of in the instant  
proceedings have been satisfied,

F I N D I N G S

THE COMMISSION FINDS:

That said complaint should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That the above-styled case should be, and the same hereby is,  
dismissed.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Keeler*  
*John H. Keeler*  
*Ralph C. Johnson*  
Commissioners.

Dated at Denver, Colorado,  
this 11th day of January, 1954.

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, COLO- )  
RADO. )  
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PERMIT NO. B-3413

-----  
January 15, 1954  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-3413 be further suspended for six months from January 15, 1954.

F I 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 further suspend his operations under Permit No. B-3413 until July 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

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

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LEE B. LEWIS, 3243 CURTIS ST., )  
DENVER 5, COLORADO. )  
-----

PERMIT NO. B-4144

-----  
January 15, 1954  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-4144 be suspended for six months from January 8, 1954.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Lee B. Lewis, Denver, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-4144 until July 8, 1954.

That unless said Lee B. Lewis, 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. Lincoln*  
*Joseph C. F. [illegible]*  
*Richard C. Horton*  
-----  
Commissioners.

Dated at Denver, Colorado,  
this 15th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROBERT G. STEWART, BOX 947, )  
LYONS, COLORADO. )  
-----

PERMIT NO. B-4618

-----  
January 15, 1954  
-----

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-4618 be suspended for six months from December 17, 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 G. Stewart, Lyons, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-4618 until June 17, 1954.

That unless said Robert G. Stewart, Lyons, 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*  
*W. C. Peterson*  
-----

Commissioners.

Dated at Denver, Colorado,  
this 15th day of January, 1954.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
W. M. GAYLOR, CRESTED BUTTE, )  
COLORADO. )  
-----

APPLICATION NO. 12240

-----  
January 15, 1954  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from Marion F. Jones, Esq., Denver, Colorado, Attorney for the applicant, requesting that his authority granted by Decision No. 40241 in Application No. 12240 be suspended for six months from January 7, 1954.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

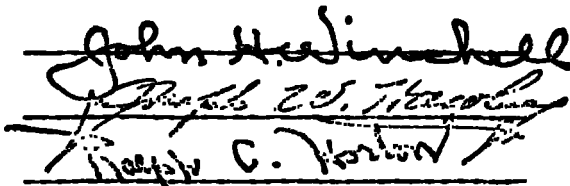
O R D E R

THE COMMISSION ORDERS:

That W. M. Gaylor, Crested Butte, Colorado, be, and he is hereby, authorized to suspend his operations under authority granted by Decision No. 40241 in Application No. 12240 until July 7, 1954.

That unless said W. M. Gaylor, Crested Butte, Colorado, shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said authority, file insurance and otherwise comply with all rules and regulations of the Commission applicable to said application, said application, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 15th day of January, 1954.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE INVESTIGATION AND SUSPENSION OF )  
TEMPORARY RIDER, ORIGINAL SHEETS )  
NOS. 34 AND 34A, OF PUC TARIFF NO. )  
3 GAS, OF PUBLIC SERVICE COMPANY )  
OF COLORADO. )

INVESTIGATION AND SUSPENSION  
DOCKET NO. 361

January 8, 1954

Appearances: Lee, Bryans, Kelly and Stens-  
field, Esqs., Denver, Colorado,  
by  
Edgar A. Stansfield, Esq.,  
Denver, Colorado, and  
Ralph Sargent, Jr., Esq.,  
Denver, Colorado, for  
Public Service Company  
of Colorado;  
Leonard M. Campbell, Esq.,  
Denver, Colorado, for  
Colorado Municipal League,  
the City of Fort Collins,  
Colorado, and pro se;  
John M. Sayre, Esq., Boulder,  
Colorado, for the City  
of Boulder, Colorado;  
John C. Banks, Esq., Denver,  
Colorado, and  
Malcom D. Crawford, Esq.,  
Denver, Colorado, for the  
City and County of Denver,  
Colorado;  
William T. Secor, Esq.,  
J. M. McNulty, and  
W. George Denny, Jr., Denver,  
Colorado, for the Commission.

S T A T E M E N T

By the Commission:

By Decision No. 41845, of date January 7, 1954, the Commission authorized Public Service Company of Colorado to file a new temporary rider to its Tariff, Colo. PUC No. 3-Gas, designed so that the Company will absorb 16-2/3% of the estimated increase to it of the cost of gas purchased by said Company from Colorado-Wyoming Gas Company and Colorado Interstate Gas Company, based on the 1954 estimates, said rider to become effective on January 9, 1954, upon 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 this Commission. Reference is made to the Findings and Statement in said Decision No. 41845 for a full discussion of the issues involved. The rider referred to was filed by said Company on January 7, 1954, so that, under the provisions of said Decision No. 41845, the rates covered by said rider will become effective on January 9, 1954.

During the proceedings upon which said Decision No. 41845 was based, Mr. John M. Sayre, Esq., representing the City of Boulder, Colorado, moved that the Commission dismiss the petition filed in the instant matter as to said City of Boulder, Colorado, upon the basis that Boulder is a home-rule City and this Commission has no jurisdiction as to the regulation of rates in home-rule cities.

Leonard M. Campbell, Esq., appearing at the hearing on behalf of Colorado Municipal League, did not attack the jurisdiction of the Commission so far as it relates to member cities of the League, but also appeared as an individual rate payer in Denver on his own behalf and specifically appeared for the home-rule City of Fort Collins, Colorado. Mr. Campbell filed written protest on behalf of the Municipal League on the ground that the proposed gas rate increase was excessive and discriminatory as between gas and electric customers and moved to dismiss the application, to deny the proposed rate increase, or in the event the increase be granted, the order be conditioned upon a refund to the customers of such part of the increase as the Company is able to absorb after a proper determination thereof is made at a full rate hearing and a review of all the pertinent facts. On behalf of the City of Fort Collins and himself as an individual rate payer in the City and County of Denver, he moved that the instant application be dismissed or denied as it applies to customers of Public Service Company of Colorado in the home-rule Cities of Denver and Fort Collins, Colorado.

By its Order in said Decision No. 41845, the motions of John M. Sayre, Esq., and Leonard M. Campbell, Esq., were denied.

On January 8, 1954, Petition for Rehearing and Review was filed on behalf of the Colorado Municipal League, the home-rule City of Ft. Collins, Colorado, and Leonard M. Campbell individually as a rate payer.

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

##### THE COMMISSION FINDS:

The Commission has reviewed the evidence adduced at said hearing and has carefully considered the Petition for Rehearing and Review herein and every allegation hereof and is of the opinion and finds that said Petition for Rehearing and Review should be denied.

#### O R D E R

##### THE COMMISSION ORDERS:

That Petition for Rehearing and Review filed herein as aforesaid be, and the same is hereby, denied.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Wheeler  
Joseph C. Hahon  
Ralph C. Hahon  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: APPLICATION OF RATES ON )  
HEAVY COMMODITIES AS PUBLISHED )  
IN SECTION NO. 5, VERSUS SEC- )  
TIONS 1 AND 3, OF MOTOR TRUCK )  
COMMON CARRIERS' ASSOCIATION, )  
AGENT, LOCAL AND JOINT COMMODITY )  
FREIGHT TARIFF NO. 12, COLO. )  
P.U.C. NO. 6. )  
-----

CASE NO. 1585

-----  
January 12, 1954  
-----

S T A T E M E N T

By the Commission:

On March 29, 1943, Decision No. 30153, the Commission prescribed rates, rules and regulations for the transportation of machinery, materials, supplies and equipment incidental to or used in the construction, operation and maintenance of facilities for the development and production of natural gas and petroleum products between points in the counties of Routt, Mesa, Garfield, Moffat and Rio Blanco in the State of Colorado. The rates, rules and regulations were prescribed as an exception to the rates, rules and regulations previously prescribed on movements of heavy commodities and published in Section 5 of Motor Truck Common Carriers' Association, Agent, Freight Tariff No. 12, Colo. P.U.C. No. 6.

This action was the result of a hearing held in connection with an application from C. C. Watson and M. R. Watson, doing business as Watson Truck Line of Craig, Colorado.

On February 14, 1952, Decision No. 38124, the Commission ordered the rates, rules and regulations prescribed in Decision 30153 cancelled and in lieu thereof prescribed new rates, rules and regulations for application state-wide, in connection with shipments of machinery, equipment, materials and supplies used in or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission

and distribution of natural gas and petroleum and their products and by-products, and machinery, materials, equipment and supplies used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines including the stringing and picking up thereto.

This action was the result of a hearing held in connection with an application from Walter Utzinger, doing business as J. J. Stanton Transportation Company, Craig, Colorado, and supported by A. J. Fregeau, representing Weicker Transfer and Storage Company and the Colorado Warehouse and Transfermen's Association, Denver, Colorado, Max Dawson, representing Dawson and Corbett, Rawlins, Wyoming, and Pete Wallace, representing L. C. Jones, Oklahoma City, Oklahoma.

On November 24, 1953, in Investigation and Suspension Docket No. 354, Decision No. 41594, the Commission prescribed increases in the rates and charges covering "Special Service", "Transportation Over Other Than Improved Roads", "Exclusive Use of Vehicles", and the distance scale of rates for distances 50 miles and less, to minimum weights of 10,000, 15,000 and 20,000 pounds. Also cancellation of distance rates subject to a minimum weight of 30,000 pounds.

The rates and charges and rules and regulations referred to herein were prescribed as exceptions to the rates, rules and regulations previously prescribed on heavy commodities.

Many of the commodities originally named as heavy commodities (and still in effect), also fall in the category of oil field materials and supplies, for example, iron or steel pipe.

This situation has brought forth the following letter of complaint.

"

PLAINS EXPLORATION COMPANY  
525 University Building  
Denver 2, Colorado

December 30, 1953

Public Utilities Commission,  
State Office Building,  
Denver, Colorado.

Gentlemen:

I am in receipt of an invoice from L. E. Whitlock Truck Service, Inc., No. C-3019, for the hauling of 210 jts. 6501.2 ft. of 5 1/2" OD 15.5# seamless casing weighing 106,353 lbs. This casing was hauled on

December 9, 1953, from the C. F. & I. Mill at Pueblo, a distance of 244 miles to our yard at Sterling, Colorado. We were charged a rate of \$1.02 per 100 lbs. making a total bill of \$1,117.34. I had been previously advised by the Southwest Supply Company, agents, for the C.F. & I. Mill, that their rates for hauling pipe, as of November 20, 1953, were as follows:

- (1) The railroad freight rate from Pueblo to Sterling is \$0.6678.
- (2) The truck rate by either Weicker or Whitlock is \$0.62 per cwt.

Upon receipt of this information, I immediately contacted Mr. Whitlock, and he advised me that he had no choice in the matter and that he must charge the rate set for him by the Public Utilities Commission, which was \$1.02 cwt. I talked to both Mr. R. M. Burk, of the Southwest Supply Co., and Mr. R. E. Metzger, of the C.F. & I. Mill, and I learned that the Weicker Truck Lines not only had hauled, but were hauling considerable pipe from the Mill to Northeastern Colorado at a rate of \$0.64 per cwt. Upon further investigation, I understand that there is considerable confusion over this entire matter. If both Whitlock and Weickers are common carriers, then the rate to be charged the public should be the same for all common carriers.

I have advised Mr. Whitlock that we will not pay this invoice, and I am entering a formal protest with your Commission requesting that a uniform rate be established for common carriers on these tubular goods within the state from the C. F. & I. Mill.

Will you please advise me your disposition on this matter just as soon as possible.

Very truly yours,

PLAINS EXPLORATION COMPANY

Russell H. Volk

President. "

The classification rating on seamless casing is 5th class subject to a minimum weight of 26,000 pounds on movements from Pueblo to Sterling.

The 5th class rate from Pueblo to Sterling via the Weicker Transfer and Storage Company and the Northeastern Motor Freight, Inc., is 71 cents per 100 pounds as published in Section 1 of U.T.C.C.A. Tariff No. 12, Colo. P.U.C. No. 6. Under the first part of Section 5 of said tariff the rate is 64 cents per 100 pounds subject to a minimum weight of 40,000 pounds and under the exception to the rates in Section 5 the rate is \$1.02 per 100 pounds subject to a minimum weight of 20,000 pounds.

Call and demand carriers transporting commodities under the class rates in Section 1 in competition with scheduled line-haul common carriers are required to assess and collect rates and charges which shall be not less than twenty (20) per cent more than those of the scheduled line-haul carriers.

Another matter which has given the rate department of the Commission considerable concern is the application of the rates in Section 3 (cement, brick, etc.) versus the application of the rates in the exception to Section 5.

### FINDINGS

THE COMMISSION FINDS, That:

Under the prevailing circumstances and conditions, the Commission should reopen Case No. 1585 and institute a general investigation as the application of the class rates in Section 1 versus the rates in Section 5 and the rates in the exception to Section 5; the application of the rates in Section 3 versus the rates in the Exception to Section 5, and the reasonableness of the charges resulting from the application of said rates in said sections. Also the operations of the scheduled line-haul carriers versus the operations of the call and demand carriers where said carriers have both call and demand and scheduled line-haul certificates or permits. The proposed changes which have been filed to become effective February 2, 1954 should be postponed pending the disposal of the matters and things involved in this investigation.

### ORDER

THE COMMISSION ORDERS, That:

- 1 - Case No. 1585 be, and the same is hereby reopened for further hearing.
- 2 - The statement and findings be and they are hereby made a part hereof.
- 3 - The further hearing shall cover the matters and things set forth in the findings.
- 4 - This proceeding is hereby assigned for hearing before the Commission beginning at 10:00 A.M. January 28, 1954, in the hearing room of the Commission, 300 State Office Building, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Hinchell*  
*Ralph C. Hinchell*  
*Ralph C. Hinchell*  
Commissioners

Dated at Denver, Colorado  
this 12th day of January, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF  
MARTIN LEY, ROUTE 1, BOX A,  
LA SALLE, COLORADO.  
-----

} PERMIT NO. C-28976  
CASE NO. 67341-INS.

-----  
January 12, 1954  
-----

S T A T E M E N T

By the Commission:

On December 9, 1953, in Case No. 67341-Ins., the Commission entered its order and decision, revoking Permit No. C-28976 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that the required insurance is on file with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That revocation order entered by the Commission in Case No. 67341-Ins., should be vacated and set aside, and Permit No. C-28976 restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-28976 should be, and the same hereby is, reinstated, as of December 9, 1953, revocation order entered by the Commission in Case No. 67341-Ins. on that date being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Hunsicker*  
*Robert C. Jordan*  
Commissioners.

Dated at Denver, Colorado,  
this 12th day of January, 1954.  
ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

JOHN H. RIEGEL, DOING BUSINESS AS )  
"JOHN H. RIEGEL USED CARS," BOX 1004, )  
AMARILLO, TEXAS. )  
\_\_\_\_\_ )

PERMIT NO. C-27737

\_\_\_\_\_  
January 18, 1954  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

\_\_\_\_\_  
John H. Riegel, dba "John H. Riegel Used Cars"

requesting that Permit No. C-27737 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-27737, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
John H. Riegel, dba "John H. Riegel Used Cars" be,

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Wineshell  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

JOSEPH R. FLACK, DOING BUSINESS AS )  
"WHITE CAP DISTRIBUTING CO., 1570 )  
SOUTH DAVID, CASPER, WYOMING. )  
\_\_\_\_\_ )

PERMIT NO. C-29776

\_\_\_\_\_  
January 18, 1954  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

\_\_\_\_\_ Joseph R. Flack, dba "White Cap Distributing Co." \_\_\_\_\_

requesting that Permit No. C-29776 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS: :

That Permit No. C-29776, heretofore issued to \_\_\_\_\_

\_\_\_\_\_ Joseph R. Flack, dba "White Cap Distributing Co." \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective January 8, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
Joseph C. Flack  
Joseph C. Flack  
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
NATIONAL SALES CO., DOING BUSINESS AS)  
"DRUG MERCHANDISERS," 2134 LAWRENCE )  
STREET, DENVER 2, COLORADO. )  
\_\_\_\_\_ )

PERMIT NO. C-20956

\_\_\_\_\_  
January 18, 1954  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

National Sales Co., dba "Drug Merchandisers"

requesting that Permit No. C-20956 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-20956, heretofore issued to \_\_\_\_\_

National Sales Co., dba "Drug Merchandisers" be,

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Finchell  
Robert E. H. H. H. H. H.  
W. C. H. H. H. H. H.  
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ORIN McCLURE, 1123 SO. FEDERAL, )  
DENVER 19, COLORADO. )

PERMIT NO. C-29506

January 18, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Orin McClure

requesting that Permit No. C-29506 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29506, heretofore issued to \_\_\_\_\_

Orin McClure

be,

and the same is hereby, declared cancelled effective January 6, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchell*  
*Philip C. Horton*  
*Philip C. Horton*  
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 1954.

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ARCH J. CHISHOLM, JR., FT. GARLAND, )  
COLORADO. )

**PERMIT NO. C-28958**

**January 18, 1954**

# STATEMENT

**By the Commission:**

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

**Arch J. Chisholm, Jr.**

**requesting that Permit No. C-28958 be cancelled.**

## FINDINGS

### THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-28958, heretofore issued to

Arch J. Chisholm, Jr.

**be,**

**and the same is hereby, declared cancelled effective January 8, 1954.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

John H. Winchell  
~~Joseph C. Winchell~~  
~~Ralph C. Winchell~~  
 Commissioners

**Dated at Denver, Colorado,**

**this 18th day of January, 1954.**

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
W. A. COLLINSWORTH, 6405 W. JEFFER- )  
SON, DENVER 14, COLORADO. )

**PERMIT NO. C-28882**

January 18, 1954

## STATEMENT

**By the Commission:**

**The Commission is in receipt of a communication from** \_\_\_\_\_

W. A. Collinsworth

**requesting that Permit No. C-28882 be cancelled.**

## FINDINGS

### **THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

**That Permit No. C-28882** , heretofore issued to \_\_\_\_\_

W. E. Collinsworth \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective January 7, 1954.

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

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

**Dated at Denver, Colorado,**

**this 18th day of January , 195 4.**

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
GEORGE E. EDMONDSON, KREMMLING, )  
COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-28721

-----  
January 18, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
George E. Edmondson  
requesting that Permit No. C-28721 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-28721, heretofore issued to \_\_\_\_\_  
George E. Edmondson \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective January 8, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Lincoln  
Robert E. H. H. H.  
Robert C. H. H.  
Commissioners

Dated at Denver, Colorado,  
this 18th day of January, 1954.

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
NED QUINTANA, BOX 104, LA JARA, )  
COLORADO. )

**PERMIT NO. C-28494**

**January 18, 1954**

**STATEMENT**

**By the Commission:**

**The Commission is in receipt of a communication from** \_\_\_\_\_

**Ned Quintana**

**requesting that Permit No. C-28494 be cancelled.**

## FINDINGS

### **THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:** 4

**That Permit No. C-28494 , heretofore issued to**

Ned Quintana \_\_\_\_\_ be,

**and the same is hereby, declared cancelled effective December 17, 1953.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

John H. Winchell  
 Ralph C. Norton  
 Commissioners

**Dated at Denver, Colorado,**

this 18th day of January, 1954.

m1s

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
EMMETT W. PIERRE, MT. MORRISON, )  
COLORADO. )

**PERMIT NO. C-28621**

**January 18, 1954**

## STATEMENT

**By the Commission:**

**The Commission is in receipt of a communication from** \_\_\_\_\_

**Emmett W. Pierre**

**requesting that Permit No. C-28621 be cancelled.**

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-28621, heretofore issued to \_\_\_\_\_

**Emmett W. Pierre** \_\_\_\_\_ be,

**and the same is hereby, declared cancelled effective January 1, 1954.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

*John McLinahall*  
*Joseph C. T. [unclear]*  
*Ralph C. Norton*  
Commissioners

**Dated at Denver, Colorado,**

**this 18th day of January, 1954.**

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
KENNETH PIPER, BOX 263, SILT, )  
COLORADO. )

**PERMIT NO. C-25138**

**January 18, 1954**

## STATEMENT

**By the Commission:**

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

## Kenneth Piper

**requesting that Permit No. C-25138 be cancelled.**

## FINDINGS

### **THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-25138, heretofore issued to

**Kenneth Piper** **be,**

**and the same is hereby, declared cancelled effective January 8, 1954.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

John H. Hinchell  
 J. B. C. Hinchell  
 J. C. Hinchell  
 Commissioners

**Dated at Denver, Colorado,**

**this 18th day of January , 1954.**

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
NICHOLSON MANUFACTURING, INC., 2540 )  
EAST 3RD AVENUE, DENVER 6, COLORADO. )  
\_\_\_\_\_ )

PERMIT NO. C-25134

\_\_\_\_\_  
January 18, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

\_\_\_\_\_  
Nicholson Manufacturing, Inc.

requesting that Permit No. C-25134 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

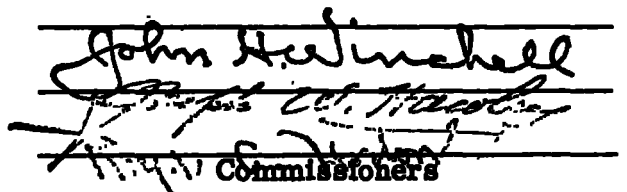
THE COMMISSION ORDERS:

That Permit No. C-25134, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Nicholson Manufacturing, Inc. be,

and the same is hereby, declared cancelled effective January 8, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
CHAS. LILEY, SR. & WM. B. & LOUIS C. )  
LILEY, DOING BUSINESS AS "BLACK )  
DIAMOND COAL CO.," 2950 WEST 42ND )  
DENVER 11, COLORADO. )  
-----)

PERMIT NO. C-216

-----  
January 18, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Chas. Liley, Sr. & Wm. B. & Louis C. Liley, dba "Black Diamond Coal Co."  
requesting that Permit No. C-216 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-216, heretofore issued to \_\_\_\_\_  
Chas. Liley, Sr. & Wm. B. & Louis C. Liley, dba "Black Diamond Coal Co." be,  
and the same is hereby, declared cancelled effective January 1, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
Joseph C. Thornton  
Joseph C. Thornton  
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 1954.

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
W. F. TUTTLE, 1210 MAIDEN ST., )  
VERNON, TEXAS. )

PERMIT NO. C-18586

**January 18, 1954**

## STATEMENT

**By the Commission:**

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

W. F. Tuttle

**requesting that Permit No. C-18586 be cancelled.**

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:** 4

**That Permit No. C-18586 , heretofore issued to**

W. F. Tuttle

**be,**

**and the same is hereby, declared cancelled effective December 14, 1953.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

John McInchell  
Ralph C. Norton  
Commissioners

**Dated at Denver, Colorado,**

**this 18th day of January, 1954.**

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
GLEN EDWARD RILEY, BOX 342, LUSK, )  
WYOMING. )

**PERMIT NO. C-24672**

**January 18, 1954**

## STATEMENT

**By the Commission:**

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

**Glen Edward Riley**

**requesting that Permit No. C-24672 be cancelled.**

## FINDINGS

### THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

**That Permit No. C-24672 , heretofore issued to**

Glen Edward Riley \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective January 8, 1954.

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

Robert H. Dinchell  
~~Robert H. Dinchell~~  
 Robert C. Hordern  
 Commissioners

**Dated at Denver, Colorado,**

**this 18th day of January, 1954.**

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ELECTRIC CENTER, INC., 119 SO. )  
TEJON, COLORADO SPRINGS, COLORADO. )  
\_\_\_\_\_ )

PERMIT NO. C-23729

\_\_\_\_\_  
January 18, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Electric Center, Inc.

requesting that Permit No. C-23729 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-23729, heretofore issued to \_\_\_\_\_  
Electric Center, Inc. \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective January 8, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
Ralph C. Norton  
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 1954.

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

**ALBERT HOWEY, MOTOR ROUTE #3,  
COLORADO SPRINGS, COLORADO.**

PERMIT NO. C-20157

**January 18, 1954**

## STATEMENT

**By the Commission:**

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

**Albert Howey**

**requesting that Permit No. C-20157 be cancelled.**

## FINDINGS

## THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:** 4

**That Permit No. C-20157** , heretofore issued to

**Albert Howey**

**be,**

**and the same is hereby, declared cancelled effective November 27, 1951.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

Robert H. Winchell  
 Joseph C. Norton  
 Commissioners

**Dated at Denver, Colorado,**

**this 18th day of January, 1954.**

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
PACIFIC LUMBER COMPANY, 46TH & )  
BRIGHTON BOULEVARD, DENVER 16, )  
COLORADO. )  
\_\_\_\_\_ )

PERMIT NO. C-17217

\_\_\_\_\_  
January 18, 1954  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

\_\_\_\_\_ Pacific Lumber Company \_\_\_\_\_

requesting that Permit No. C-17217 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

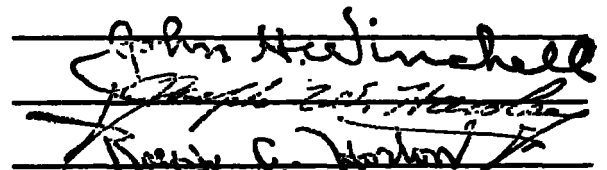
THE COMMISSION ORDERS:

That Permit No. C-17217, heretofore issued to \_\_\_\_\_

\_\_\_\_\_ Pacific Lumber Company \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective January 8, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 1954.

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
MAX ROELLE, LIMON, COLORADO. )

**PERMIT NO. C-7186**

**January 18, 1954**

## STATEMENT

**By the Commission:**

**The Commission is in receipt of a communication from** \_\_\_\_\_

**Max Roelle**

**requesting that Permit No. C-7186 be cancelled.**

## FINDINGS

### THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

**That Permit No. C-7186 , heretofore issued to**

Max Roelle be,

and the same is hereby, declared cancelled effective January 8, 1954.

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

James H. Winchell  
Joseph C. Norton  
Commissioners

**Dated at Denver, Colorado,**

**this 18th day of January , 1954.**

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
SAM BAUGUESS, KIOWA, COLORADO. )

PERMIT NO. C-15782

January 18, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Sam Bauguess

requesting that Permit No. C-15782 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-15782, heretofore issued to \_\_\_\_\_

Sam Bauguess \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective January 8, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Mahan*  
*Philip C. H. H. H.*  
*Philip C. H. H. H.*  
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
PALMER & CO., CEDAREEDGE, )  
COLORADO. )  
-----

PUC. NO. 2348-I

-----  
January 18, 1954  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Palmer & Co., Cedaredge, Colorado, requesting that Certificate of Public Convenience and Necessity No. 2348-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. 2348-I, heretofore issued to Palmer & Co., Cedaredge, Colorado, be, and the same is hereby, declared cancelled effective January 8, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Commissioners.

Dated at Denver, Colorado,  
this 18th day of January, 1954.

mls

original

(Decision No. 41879)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ABNER G. BAKER, DOING BUSINESS AS )  
"AB'S TRUCK LINE," DIXON, WYOMING, )  
FOR AUTHORITY TO TRANSFER PUC NO. )  
1210 TO RAY HUME, DOING BUSINESS AS )  
"RAY HUME TRUCKING," BOX 531, RANGE- )  
LY, COLORADO. )  
----- )

APPLICATION NO. 12726-Transfer

-----  
January 13, 1954  
-----

S T A T E M E N T

By the Commission:

By Decision No. 11268, of date January 19, 1938, M. B. Kelley, Slater, Colorado, was granted a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, for the transportation of:

farm products, including livestock, from point to point within a twenty-mile radius of Slater and from points in said area to Craig and Steamboat Springs, with a back-haul of farm supplies to residents in the described area,

said operating rights being designated "PUC No. 1210."

By Decision No. 16033, of date October 15, 1940, as amended by Decision No. 16173, of date November 14, 1940, said PUC No. 1210 was extended to include the right to serve the area described as:

starting at a point on the Colorado-Wyoming Boundary which would be the east intersection of applicant's present authorized twenty-mile radius; following that twenty-mile radius to the range line between Ranges 88-West and 89-West; thence south to the township line between Township 8-North and Township 9-North; thence east to the range line between Range 83-West and 84-West; thence north to the Colorado-Wyoming State Boundary Line; thence west to the point of beginning,

certificate-holder, by the same decisions (No. 16033, as amended by No. 16173), transferring to W. L. Jones that portion of said PUC No. 1210 which authorized;

transportation of livestock and wool only from his territory, as extended, to points named in original order, which points are Craig and Steamboat Springs, Colorado.

Pursuant to authority contained in Decision No. 34755, of date May 1, 1950, Merton Beryl Kelley, Slater, Colorado, transferred PUC Nos. 1210 and 1210-I to Abner G. Baker, doing business as "Ab's Truck Line," Dixon, Wyoming, who, by the instant application, seeks authority to transfer PUC No. 1210 to Ray Hume, doing business as "Ray Hume Trucking," Rangely, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said certificate; that transferee, pecuniarily and otherwise, is able, willing, and qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said application for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

#### FINDINGS

##### THE COMMISSION FINDS:

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

#### ORDER

##### THE COMMISSION ORDERS:

That Abner G. Baker, doing business as "Ab's Truck Line," Dixon, Wyoming, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1210 to Ray Hume, doing business as "Ray Hume Trucking," Rangely, 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 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

John H. Hinchell

Ralph C. Hordon  
Commissioners.

Dated at Denver, Colorado,  
this 13th day of January, 1954.

ea

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
HAROLD M. VOAKE, 920 PRATT STREET, )  
LONGMONT, COLORADO. )

**PERMIT NO. C-30335**

**'January 18, 1954**

## STATEMENT

**By the Commission:**

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

Harold M. Voake

**requesting that Permit No. C-30335 be cancelled.**

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:** !

That Permit No. C-30335, heretofore issued to

Harold M. Voake

**be,**

and the same is hereby, declared cancelled effective January 8, 1954.

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

~~John H. Lincoln~~  
~~Rep. 25. 1880~~  
~~Ralph C. Horner~~  
Commissioners

**Dated at Denver, Colorado,**

**this 18th day of January , 195 4.**

**mls**

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
CECIL R. STEVENS, BOX 67, BOONE, )  
COLORADO. )

PERMIT NO. C-30177

**January 18, 1954**

## STATEMENT

**By the Commission:**

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

**Cecil R. Stevens**

**requesting that Permit No. C-30177 be cancelled.**

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:** :

That Permit No. C-30177, heretofore issued to

**Cecil R. Stevens**

be,

**and the same is hereby, declared cancelled effective December 31, 1953.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

John H. W. Smith  
Ralph C. Horton  
Commissioners

**Dated at Denver, Colorado,**

**this 18th day of January , 1954.**

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
SEYMOUR PACKING CO., 609 QUINCY,  
TOPEKA, KANSAS.

PERMIT NO. C-30696

January 18, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Seymour Packing Co.

requesting that Permit No. C-30696 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30696, heretofore issued to \_\_\_\_\_

Seymour Packing Co. \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective January 1, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Lincoln*  
*Prop. Est. Hearing*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 1954.

mls

Original

(Decision No. 41883)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

IN THE MATTER OF THE APPLICATION OF }  
JAMES DE GEORGE, DOING BUSINESS AS }  
"THE CITY TRANSFER AND STORAGE COM- }  
PANY", 801 WALNUT STREET, DENVER, }  
COLORADO, FOR AN EXTENSION OF PER- }  
MIT NUMBER B-4015. }

APPLICATION NO. 12651-PP  
EXTENSION

-----  
January 13, 1954  
-----

S T A T E M E N T

By the Commission:

On September 29, 1953, the above-styled application was filed with the Commission, and was set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, January 21, 1954, at 10:00 o'clock A. M., due notice of said setting being forwarded to all parties in interest.

On January 11, 1954, Attorney for Applicant requested the Commission to dismiss said application.

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 hearing in the above-styled application, set for January 21, 1954, should be, and the same hereby is vacated.

That Application No. 12651-PP Extension should be, and the same hereby is, dismissed, at the request of Attorney for Applicant.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Wheeler  
Joseph C. McCool  
Ralph C. Hartman  
Commissioners

Dated at Denver, Colorado,  
this 13th day of January, 1954.

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

-----  
January 18, 1954  
-----

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-4521 be suspended for six months from January 13, 1954.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That C. V. Caldwell, Englewood, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-4521 until July 13, 1954.

That unless said C. V. Caldwell, Englewood, 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. Hinchell*  
*Joseph C. Hinchell*  
*Joseph C. Hinchell*

Commissioners.

Dated at Denver, Colorado,  
this 18th day of January, 1954.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF	)	
CLYDE A. BRONCUCIA, 4492 JASON STREET,	)	
DENVER, COLORADO, FOR A CLASS "B"	)	<u>APPLICATION NO. 12698-PP</u>
PERMIT TO OPERATE AS A PRIVATE CAR-	)	
RIER BY MOTOR VEHICLE FOR HIRE.	)	
-----	)	

-----  
January 15, 1954  
-----

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 northern Colorado coal fields to Denver; to Valmont Plant of Public Service Company located near Boulder; Great Western Sugar and Kumer-Empson Company plants within a 50-mile radius of Denver, and to Rocky Mountain Arsenal located northeast of Denver, Colorado.

Said application was regularly set for hearing at 330 State Office Building, Denver, Colorado, on January 13, 1954, at ten o'clock A. M., with due notice to all interested parties.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing, whereupon the files were made a part of the record and 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 Clyde A. Broncucia, of 4492 Jason Street, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

Sand, gravel and other road-surfacing materials 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 northern Colorado coal fields to Denver; to Valmont Plant of Public Service Company located near Boulder; Great Western Sugar and Kumer-Empson Company plants within a 50-mile radius of Denver, and to Rocky Mountain Arsenal located northeast 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. Wheeler*  
*Ralph C. Johnson*  
Commissioners.

Dated at Denver, Colorado,  
this 15th day of January, 1954.  
ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
ALFRED RAEI, 912 WEST 9TH AVENUE, )	
DENVER, COLORADO, FOR AN EXTENSION )	<u>APPLICATION NO. 12700-PP-Extension</u>
OF PERMIT NO. E-3401. )	
----- )	

-----  
January 15, 1954  
-----

Appearances: Marie Rael, Denver, Colorado,  
for applicant.

S T A T E M E N T

By the Commission:

By Decision No. 34332, of date March 3, 1950, Alfred Rael was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

Sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of 50 miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; and coal from mines in the northern Colorado coal fields to Denver, Colorado.

By the instant application, applicant seeks an extension to said authority, to include:

Transportation of coal from the northern Colorado coal fields to Valmont Plant of Public Service Company located near Boulder; to Great Western Sugar Company and Kumer-Empson Company Plants located within a 50-mile radius of Denver, and to Rocky Mountain Arsenal located northeast of Denver; also transportation of coal from mines in the northern Colorado coal fields to Greeley and Longmont, Colorado.

Said application for extension, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at 330 State Office Building, Denver, Colorado, on January 13, 1954, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

Marie Rael, appearing for applicant, testified that she is the wife of applicant who is now hauling coal between the northern Colorado coal fields and the Valmont Plant of Public Service Company near Boulder under temporary authority, and who seeks authority to haul to the other points mentioned in the application. He owns a 1953 4-ton Reo Truck with dump body, has had twelve years experience in the trucking business, and has a net worth of \$20,000.

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 which he will compete.

### 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 Alfred Rael, of 912 West 9th Avenue, Denver, Colorado, should be, and he is hereby; authorized to extend operations under Permit No. B-3401 to include transportation of:

Coal from the northern Colorado coal fields to Valmont Plant of Public Service Company located near Boulder; to Great Western Sugar Company and Kumer-Empson Company Plants located within a 50-mile radius of Denver, and to Rocky Mountain Arsenal, located northeast of Denver; also, transportation of coal from mines in the northern Colorado coal fields to Greeley and Longmont, 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

*John H. Hinchell*

*Ralph C. Johnson*

*Ralph C. Johnson*  
Commissioners.

Dated at Denver, Colorado,  
this 15th day of January, 1954.

ea

original

(Decision No. 41887)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GLENN BEKINS, STANLEY H. BEKINS, )  
CLAUDE BEKINS, FRED BEKINS, AND )  
BRUCE BEKINS, CO-PARTNERS, DOING )  
BUSINESS AS "BEKINS MOVING & STOR- )  
AGE CO.," 1411 ARAPAHOE STREET, )  
DENVER, COLORADO, FOR AUTHORITY TO )  
TRANSFER PUC NO. 338 AND PUC NO. )  
338-I TO BEKINS VAN & STORAGE CO., )  
A COLORADO CORPORATION, 1411 ARAP- )  
AHOE STREET, DENVER, COLORADO. )  
----- )

APPLICATION NO. 12656--Transfer  
SUPPLEMENTAL ORDER

-----  
January 15, 1954  
-----

Appearances: Lucien W. Shaw, Esq.,  
Los Angeles, California,  
for applicants.

S T A T E M E N T

By the Commission:

By Decision No. 41569, of date November 18, 1953, transfer requested herein by the above-styled application was authorized.

By Decision No. 41627, of date November 30, 1953, applicants herein were allowed additional time, and until February 1, 1954, within which to file Acceptance of Transfer required to be filed by them by Decision No. 41569.

The Commission is now in receipt of "Motion of Applicants to Extend Effective Period of Order," filed in behalf of applicants, by their attorney, Lucien W. Shaw.

F I N D I N G S

THE COMMISSION FINDS:

That said motion should be granted.

O R D E R

THE COMMISSION ORDERS:

That applicants in the above-styled application should be, and they hereby are, allowed additional time, and until February 23, 1954,

within which to file Acceptance of Transfer required to be filed by them  
by Decision No. 41569.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hinchell

John C. Hinchell

Ralph C. Hinchell  
Commissioners.

Dated at Denver, Colorado,  
this 15th day of January, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE INCREASE IN BUS FARES BETWEEN  
ENGLEWOOD, COLORADO, AND FORT  
LOGAN, COLORADO; ALSO BETWEEN  
POINTS AND PLACES WITHIN ENGLE-  
WOOD, COLORADO, (INCLUDING AREA  
OUTSIDE OF BUT IMMEDIATELY AD-  
JACENT TO ENGLEWOOD) LAKEWOOD,  
COLORADO AND WESTWOOD, COLORADO.

INVESTIGATION AND SUSPENSION  
DOCKET NO. 348

RE PROPOSED CURTAILMENT OF BUS  
SCHEDULES AFTER 7:00 P. M. IN  
LAKEWOOD, COLORADO, AND AFTER  
6:30 P. M. IN WESTWOOD, COLORADO,  
MONDAY THROUGH SATURDAY (EXCLUD-  
ING SUNDAYS AND HOLIDAYS, VIZ:  
NEW YEARS DAY, DECORATION DAY,  
INDEPENDENCE DAY, LABOR DAY,  
THANKSGIVING DAY AND CHRISTMAS  
DAY.

INVESTIGATION AND SUSPENSION  
DOCKET NO. 359

RE ELIMINATION OF SUNDAY AND  
HOLIDAY BUS SERVICE IN WESTWOOD  
AND LAKEWOOD, COLORADO, BY  
JULIUS BUSSARD. (HOLIDAYS ARE  
NEW YEARS DAY, DECORATION DAY,  
INDEPENDENCE DAY, LABOR DAY,  
THANKSGIVING DAY AND CHRISTMAS  
DAY.

APPLICATION NO. 12693

January 15, 1954

Appearances: Julius Bussard, for Bussard  
Bus Co., 3395 South Lincoln  
Street, Englewood, Colorado;  
Bernard P. O'Kane, Esq., for  
Lakewood Chamber of Commerce,  
P. O. Box 7483, Lakewood,  
Colorado;  
T. S. Wood, Wm. M. Brayden, and  
Samuel J. Philippon, Denver,  
Colorado, for the Commission.

S T A T E M E N T

By the Commission:

In Investigation and Suspension Docket No. 359, Decision  
No. 41611, the Commission, upon complaint, issued an order suspending

time schedules filed by Julius Bussard wherein he proposed to reduce the week-day bus service after 6:30 P. M. in Westwood and after 7:00 P. M. in Lakewood, and assigned same for hearing on December 29, 1953.

In Application No. 12693, Julius Bussard petitioned the Commission for authority to discontinue entirely the bus service in Westwood and Lakewood on Sundays and Holidays. This matter was assigned for hearing at the same time as Investigation and Suspension Docket No. 359, viz: December 29, 1953.

Both of the above matters were heard as assigned, and at the conclusion of the hearing were taken under advisement by the Commission.

In Investigation and Suspension Docket No. 348, Decision Nos. 40145 and 40829, the Commission, upon complaint, issued orders suspending schedules filed by Julius Bussard wherein he proposed to increase the bus fares in Englewood, Westwood, Lakewood and between Englewood and Fort Logan, from 12 cents per adult passenger or four (4) tokens for 45 cents to 15 cents per adult passenger, and children five (5) years of age and under twelve (12) years of age, including school children twelve (12) years of age and under nineteen (19) years of age on days that school is in session between the hours of 7:00 A. M. and 5:00 P. M. from eight (8) cents or six (6) tokens for 45 cents per child to ten (10) cents per child. This matter was assigned for hearing on July 8, 1953, and was heard at that time and taken under advisement.

At the hearing on July 8, 1953, Mr. Bussard requested that his proposed fares be changed to thirteen (13) cents or two (2) tokens for twenty-five (25) cents per adult passenger and continue the children fare of eight (8) cents or six (6) tokens for 45 cents for a test period of 60 days.

By its order dated July 8, 1953, Decision No. 40842, the Commission authorized Julius Bussard to increase the involved fares to thirteen (13) cents or two (2) tokens for twenty-five (25) cents per adult passenger for the period July 9, 1953, to and including September 10, 1953, or thereafter until a further order of the Commission.

On December 30, 1953, the Commission assigned this matter (I. & S. 348) for further hearing on January 11, 1954. The hearing was held as assigned and taken under advisement.

At the hearing on December 29, 1953 of the issues involved in I. & S. No. 359 and Application No. 12693, Witness Bussard introduced as evidence exhibits that show for the year 1953, except the last eight (8) days in December, the total revenue from the Lakewood operation was \$21,866.64, the total miles traveled was 108,240, which resulted in an average revenue of 20.2 cents per mile. The Westwood operation produced \$15,208.80; bus miles traveled, 71,324, and revenue of 21.3 cents per bus mile.

For the period November 23 to December 23, 1953, inclusive, an exhibit shows that the revenue from the Lakewood operation, before 7:30 P. M., \$1,795.42, the bus miles traveled was 6,597, resulting in 27.2 cents per bus mile. The revenue after 7:30 P. M. was \$140.20, bus miles traveled 2,177, and 6.4 cents per bus mile.

For the same period, the Westwood operation produced \$1,229.43, and traveled 4,135½ miles before 7:30 P. M., which resulted in an average of 29.7 cents per bus mile. After 7:30 P. M. the revenue was \$124.68, the bus miles traveled 1,780½, and the average bus mile revenue was seven (7) cents.

For this same period on the Lakewood operation, another exhibit shows that from 7:30 P. M. to 12:30 A. M. there were 1,121 passengers for 341 trips, or an average of 3.29 passengers per trip. In Westwood there were 997 passengers for 341 trips, or an average of 2.92 passengers per trip.

Witness Robert Clark, Manager, Lakewood Chamber of Commerce, protestant, testified to the effect that the bus service as a whole as now operated was not adequate to take care of the needs of the community.

Witness Philipponne, Cost Analyst for the Commission, testified that he had made an overall check of Bussard's books of account which revealed that for the period January 1, 1953 to November 30, 1953, inclusive,

the net profit was \$8,550.12, which said profit was produced by a gain on the sale of capital assets in the amount of \$8,689.66 and \$9.68 from vending machines.

In other words, without the gain on capital assets, the operation would have shown a loss.

At the January 11, 1954 hearing (I. & S. 348), Julius Bussard introduced in evidence a statement showing the income and expenses on his bus operations in Englewood, Lakewood, Westwood and Aurora, for the period January 1, 1953 to November 30, 1953. The total revenue from regular bus runs is shown as \$105,396.55, the bus miles traveled 486,323 miles, and the average bus mile revenue as 21.67 cents. The revenue from charter, rented buses, school buses, race track buses, and fair-ground buses is shown as \$27,511.17, the bus miles traveled 39,736 miles, and the average revenue per bus mile 69.23 cents. The exhibit shows the total bus miles traveled was 526,059 miles, and the average revenue was 25.26 cents per bus-mile. The expense for this same period is shown as \$133,499.78, which results in an average cost of 25.38 cents per bus-mile.

Witness Bussard also introduced in evidence a copy of a letter from the City of Englewood by J. L. Barron, City Clerk, addressed to this Commission, stating that the City Council of the City of Englewood, at their regular meeting on December 4, 1953, unanimously approved the following fares for Julius Bussard, viz:

Adults 15¢ or four tokens for 55¢;  
Children and school fares between the  
hours 7:00 A. M. and 5:00 P. M. each 10¢  
or two tokens for 15¢.

He also stated that on Saturday, January 9, 1954, he had a meeting with the President of the Chamber of Commerce of Lakewood and two representatives of said Chamber, and they agreed with the above proposed fares, and the following time schedules, viz:

LAKEWOOD

Monday thru Friday

6:00 A. M.  
Every 30 minutes  
until  
3:00 P. M.  
Every 20 minutes  
until  
6:00 P. M.  
then  
6:30 P. M.  
7:00 P. M.  
8:00 P. M.  
10:00 P. M.  
12:00 Midnight

Saturday

6:00 A. M.  
Every 30 minutes  
until  
7:00 P. M.  
Then  
8:00 P. M.  
10:00 P. M.  
12:00 Midnight

Sunday & \*Holidays

8:00 A. M.  
10:00 A. M.  
12:00 Noon  
2:00 P. M.  
4:00 P. M.  
6:00 P. M.  
8:00 P. M.  
10:00 P. M.  
12:00 Midnight

WESTWOOD

Monday thru Saturday

6:00 A. M.  
Every 30 minutes until  
7:00 P. M.  
Then  
9:00 P. M.  
11:00 P. M.

Sunday & \*Holidays

7:00 A. M.  
9:00 A. M.  
11:00 A. M.  
1:00 P. M.  
3:00 P. M.  
5:00 P. M.  
7:00 P. M.  
9:00 P. M.  
11:00 P. M.

\*Holidays: New Years, Memorial Day (May 30),  
Independence Day (July 4),  
Labor Day, Thanksgiving Day  
and Christmas.

On January 12, 1954, the Commission received a letter from Mr. Bernard P. O'Kane, President, Lakewood Chamber of Commerce, confirming Mr. Bussard's statement. The letter from Mr. O'Kane contained the following qualification:

"The Lakewood Chamber of Commerce hereby reserves the right to ask for increase of service or change or routing at any time in the future, pending complete survey and investigation of their service, that is now being conducted."

It goes without saying, that it is the legal right of a person, company, organization, or the public, to file a complaint on any matter wherein it is alleged a public utility is violating any of the provisions of the Public Utilities Act. The modified fares and time schedules now under consideration represent a difference in the issues covered by

Investigation and Suspension Docket Nos. 348, 359, and Application No. 12693, and inasmuch as there is an agreement among the interested parties, and the undisputed facts of the financial need of Bussard, it appears that the proposals now before us should be authorized and prescribed. Provided, however, the childrens' fare should not exceed eight (8) cents or two (2) tokens for fifteen (15) cents, the same as authorized the Denver Tramway Corporation.

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

##### THE COMMISSION FINDS, That:

1. The fares proposed in Item No. 32-C, Supplement No. 8 to Julius Bussard Passenger Tariff No. 6-B, Colo. P. U. C. No. 13, and suspended by the Commission in Investigation and Suspension Docket No. 348, viz: 15 cents per adult passenger, and 10 cents per child six years of age and under twelve years of age, including school children twelve years of age and under nineteen years of age on days that schools are in session between the hours of 7:00 A. M. and 5:00 P. M., between Englewood and Fort Logan; between points in Englewood (including area outside of but immediately adjacent to Englewood); between points in Lakewood and Westwood, have not been justified. Provided, however, a fare of 15 cents or 4 tokens for 55 cents per adult passenger, and 8 cents or 2 tokens for 15 cents for children six years of age and under 12 years of age, including school children 12 years of age and under nineteen years of age on days that schools are in session between the hours of 7:00 A. M. and 5:00 P. M. in the above referred to communities will be just and reasonable.

2. The time schedules proposed by Julius Bussard in his Time Schedule No. 50, in Lakewood and Westwood, and suspended by the Commission in Investigation and Suspension Docket No. 359 have not been justified.

3. The petition of Julius Bussard in Application No. 12693, requesting authority to eliminate the Sunday and Holiday Schedules in Lakewood and Westwood should be denied.

4. The following time schedules should be established, viz:

LAKEWOOD

<u>Monday thru Friday</u>	<u>Saturday</u>	<u>Sunday and *Holidays</u>
6:00 A. M.		8:00 A. M.
Every 30 minutes until	6:00 A. M.	10:00 A. M.
3:00 P. M.	Every 30 minutes until	12:00 Noon
Every 20 minutes until	7:00 P. M. - Then	2:00 P. M.
6:00 P. M. - Then	8:00 P. M.	4:00 P. M.
6:30 P. M.	10:00 P. M.	6:00 P. M.
7:00 P. M.	12:00 Midnight	8:00 P. M.
8:00 P. M.		10:00 P. M.
10:00 P. M.		12:00 Midnight
12:00 Midnight		

WESTWOOD

<u>Monday thru Saturday</u>	<u>Sunday and *Holidays</u>
6:00 A. M.	7:00 A. M.
Every 30 minutes until	9:00 A. M.
7:00 P. M. - Then	11:00 A. M.
9:00 P. M.	1:00 P. M.
11:00 P. M.	3:00 P. M.
	5:00 P. M.
	7:00 P. M.
	9:00 P. M.
	11:00 P. M.

\*Holidays: New Years Day, Memorial Day (May 30), Independence Day (July 4), Labor Day, Thanksgiving Day and Christmas Day.

5. An order should be entered requiring the cancellation of the suspended schedules which have herein been found not justified, and denying the request contained in the petition covered by Application No. 12693, and discontinuing the proceedings, without prejudice to the establishment of the fares and time schedules contained herein on one day's filing and posting as required by law.

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. Julius Bussard be, and he is hereby, notified and required to cancel the fares and time schedules which have been herein found not justified, on or before January 20, 1954, 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 these proceedings be discontinued.

4. The petition covered by Application No. 12693 be, and the same is hereby, denied.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
John H. Hunschell  
Joseph C. Hawley  
Ralph C. Gordon  
Commissioners.

Dated at Denver, Colorado,  
this 15th day of January, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
N. K. HOSKINSON, OAK CREEK, COLO- )  
RADO, FOR AUTHORITY TO LEASE PUC NO. )  
1720 TO HUGH B. BROWN, DOING BUSI- )  
NESS AS "YAMPA TRUCK LINE," STEAM- )  
BOAT SPRINGS, COLORADO. )  
-----

APPLICATION NO. 12395-Lease  
SUPPLEMENTAL ORDER

-----  
January 18, 1954  
-----

S T A T E M E N T

By the Commission:

On June 2, 1953, by Decision No. 40686, the Commission approved Lease Agreement, of date May 15, 1953, between N. K. Hoskinson, Oak Creek, Colorado, and Hugh B. Brown, doing business as "Yampa Truck Line," Steamboat Springs, Colorado, of PUC No. 1720, from May 15, 1953, to May 15, 1954, conditioned as shown in said agreement.

The Commission is now in receipt of a communication from said Hugh B. Brown and N. K. Hoskinson, requesting that said lease be terminated immediately.

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 the lease of PUC No. 1720, of date May 15, 1953, from N. K. Hoskinson, Oak Creek, Colorado, to Hugh B. Brown, doing business as "Yampa Truck Line," Steamboat Springs, Colorado, heretofore approved by Decision No. 40686, of date June 2, 1953, should be, and the same hereby is, terminated.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Huchel

Philip L. Hawley

Joseph C. Hinton  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
DARELL W. BLAIR, 1085 WEST )  
HAMPDEN AVENUE, ENGLEWOOD, )  
COLORADO. )

PERMIT NO. B-3778

January 22, 1954

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-3778 be suspended for six months from January 15, 1954.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Darell W. Blair, Englewood, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-3778 until July 15, 1954.

That unless said Darell W. Blair, Englewood, 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*  
*Ralph C. Horton*  
Commissioners.

Dated at Denver, Colorado,  
this 22nd day of January, 1954.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF ) GEORGE H. AND GERALDINE ANDERSON, ) GARDEN CITY, KANSAS, DOING BUSINESS ) AS "STATE LINE OIL COMPANY," FOR A ) PRIVATE CARRIER PERMIT. ) ----- )	APPLICATION NO. 12668-PP SUPPLEMENTAL ORDER
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January 19, 1954  
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Appearances: Barry & Hupp, Esqs., Denver,  
Colorado, for applicants;  
Robert D. Means, Esq., Denver,  
Colorado, and  
Philip G. Burney, Esq., Denver,  
Colorado, for Barlow's Service,  
Inc.;  
Marion F. Jones, Esq., Denver,  
Colorado, for R. B. "Dick"  
Wilson, Inc., Ward Transport,  
Inc., Groendyke Transport,  
Inc., and Collett Tank Lines.

S T A T E M E N T

By the Commission:

By Decision No. 41850, of date January 11, 1954, George H. and Geraldine Anderson, doing business as "State Line Oil Company," of Garden City, Kansas, were authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

petroleum and petroleum products in bulk in tank trucks only from La Junta, Colorado, to all points and places in that portion of Colorado lying east of U. S. Highway No. 85 and south of U. S. Highway No. 34, for one customer only, viz: Gulf Oil Company, and permittees will not be permitted to add customers unless formally authorized so to do by the Commission.

The attorney for protestants called the attention of the Commission to the fact that the above-mentioned order does not comply with the evidence presented at the hearing as the authority was not restricted for delivery to bulk plants and stations of applicant. A review of the evidence discloses that this is correct, and it was called to the attention of the attorney for applicants, who agreed thereto.

## FINDINGS

### THE COMMISSION FINDS:

That Decision No. 41850 should be amended, as provided in the Order following.

## ORDER

### THE COMMISSION ORDERS:

That Decision No. 41850, of date January 11, 1954, should be, and the same is hereby, amended nunc pro tunc, as of said January 11, 1954, by striking the first paragraph of said Order, and inserting in lieu thereof the following paragraph, so that the first paragraph of said Order, as amended, shall read:

"That George H. and Geraldine Anderson, of Garden City, Kansas, doing business as "State Line Oil Company," be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of petroleum and petroleum products in bulk in tank trucks only from La Junta, Colorado, to all points and places in that portion of Colorado lying east of U. S. Highway No. 85 and south of U. S. Highway No. 34, for one customer only, viz: Gulf Oil Company, for delivery to bulk plants and stations of applicants, and permittees will not be permitted to add customers unless formally authorized so to do by the Commission."

That, except as herein amended, said Decision No. 41850 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winters*

*Joseph W. Hooten*

*Ralph C. Nelson*

Commissioners.

Dated at Denver, Colorado,  
this 19th day of January, 1954.

ea

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, ) APPLICATION NO. 12676-Extension  
COLORADO, FOR AUTHORITY TO EXTEND )  
OPERATIONS UNDER PUC NO. 2371. )  
----- )

-----  
January 19, 1954  
-----

Appearances: John H. Lewis, Esq., Denver,  
Colorado, for applicant;  
L. C. LaBorde, Hugo, Colorado,  
pro se;  
J. H. McCorkle, Karval, Colo-  
rado, pro se;  
Dee Wann, Simla, Colorado,  
pro se;  
Ralph Kinkade, Simla, Colo-  
rado, pro se;  
Harold Dreier, Genoa, Colo-  
rado, pro se.

S T A T E M E N T

By the Commission:

On August 25, 1953, George Vancil, doing business as "Vancil Truck Line," Deertrail, Colorado, filed application for an extension of his authority under PUC No. 2371.

After due notice to all parties in interest, said application was set for hearing, and heard, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, December 17, 1953, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, L. C. LaBorde, Hugo, Colorado (PUC No. 990), Harold Dreier, Genoa, Colorado (PUC No. 898), J. H. McCorkle, Karval, Colorado (PUC No. 1634), Dee Wann, Simla, Colorado (PUC No. 775), and Ralph Kinkade, Simla, Colorado (PUC No. 1368), appeared in protest.

Each of the protestants declared at the hearing that the application which was being heard did not correspond to the copy of the application which accompanied the Notice of Hearing they had received.

Upon further examination, it appeared, and counsel for applicant admitted that the 151 mimeographed copies of the application which were submitted to the Commission to accompany the Notices of Hearing sent to interested parties, through error, did not conform with the application filed on August 25, 1953.

The protestants joined in a motion that the application be denied upon the grounds that through improper notice of the authority being sought, they were unprepared to properly protest.

Counsel for applicant asked that the motion be taken under advisement, and that he be permitted to present his testimony in support of the application.

Thereupon, testimony was presented in support of the application.

Harold Dreier, Ralph Kinkade, Dee Wann, L. C. LaBorde, and J. H. McCorkle testified in protest to the granting of the authority sought.

After careful consideration of the extension of authority sought, as described in the copies of the application served upon interested parties, with the extension of authority sought in the application filed August 25, 1953, the Commission is of the opinion that the motion of protestants should be granted, and that the application should be denied.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the instant application, for the reasons set forth in the Statement preceding, which is made a part hereof, by reference, should be denied.

### O R D E R

#### THE COMMISSION ORDERS:

That the above-styled application should be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hinchell

Ralph C. Gordon

Ralph C. Gordon  
Commissioners.

Dated at Denver, Colorado,  
this 19th day of January, 1954.

ea

original

(Decision No. 41893)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
ROBERT J. BUFFINGTON, STEAMBOAT  
SPRINGS, COLORADO, FOR AUTHORITY  
TO TRANSFER PERMIT NO. B-2486 TO  
DONALD HUTTON, STEAMBOAT SPRINGS,  
COLORADO.  
-----

APPLICATION NO. 12670-PP-Transfer

IN THE MATTER OF THE APPLICATION OF  
ROBERT J. BUFFINGTON, STEAMBOAT  
SPRINGS, COLORADO, FOR AUTHORITY  
TO TRANSFER PERMIT NO. B-2502 TO  
DONALD HUTTON, STEAMBOAT SPRINGS,  
COLORADO.  
-----

APPLICATION NO. 12671-PP-Transfer

-----  
January 19, 1954  
-----

Appearances: J. G. Houston, Jr., Esq.,  
Steamboat Springs, Colorado,  
for applicants.

S T A T E M E N T

By the Commission:

The above-styled applications, upon motion of counsel representing applicants herein, were heard on a consolidated record at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, December 11, 1953, at ten o'clock A. M., after due notice to all parties in interest, and at the conclusion of the evidence, the matters were taken under advisement.

Robert J. Buffington, Steamboat Springs, Colorado, presently is the owner of Permit No. B-2486, being the right to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

dairy products to and from farms and ranches located in the Yampa Valley between Yampa and Steamboat Springs, from and to the Weeks Creamery at Steamboat Springs; empty milk cans from the creamery at Steamboat Springs to farms and ranches in that portion of the Yampa Valley above described,

said operating rights having been granted by the Commission in Decision No. 14066, of date September 25, 1939, and acquired by Robert J. Buffington pursuant to authority contained in Decision No. 41230, of date September 14, 1953.

Said Robert J. Buffington is presently the owner of Permit No. B-2502, being the right to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

dairy products from and to farms and ranches located in that part of the Yampa Valley between Steamboat Springs and Cary Ranch and farms and ranches located in that part of the Elk River Valley lying between Clark and Steamboat Springs, also farms and ranches between Brookston and Mad Creek, to and from the Weeks Creamery at Steamboat Springs; empty milk cans from the Weeks Creamery to the milk producers residing within the area described (Decision No. 14067),

said operating rights having been acquired by Robert J. Buffington pursuant to authority contained in Decision No. 41231, of date September 14, 1953.

By the instant applications, said Robert J. Buffington seeks authority to transfer Permits Nos. B-2486 and B-2502 to Donald Hutton, Steamboat Springs, Colorado.

At the hearing, Robert J. Buffington testified that he operated under Permits Nos. B-2486 and B-2502 until he agreed to transfer them to Donald Hutton; that it was in the public interest that the transfer be approved, since Mr. Hutton was in a better position to render adequate service to the milk-producers of the area than was transferor; that he had become rather heavily in debt through the operation of these authorities; that he had agreed with his creditors to apply the proceeds from the sale of the authorities and his equity in his truck to the payment of his debts, and to pay out the balance in monthly payments from his earnings as a "saw man" with a construction company; that Hutton has been operating the authorities since November 1, under a letter of temporary authority issued by this Commission; that the agreed purchase price was \$100.00 for each permit; that no equipment was being transferred.

Donald Hutton, Steamboat Springs, Colorado, testified that he is the transferee herein; that he has agreed to pay \$100.00 for each permit, upon approval of the transfer by this Commission; that the \$200.00 has been garnisheed by Buffington's creditors, but has not yet been paid; that he is now hauling milk for eight milk producers, and that two more producers will use his services when the transfer is completed; that his net worth is \$1500.00; that he is the owner of a 1950 G. M. C. three-fourths-ton stake body truck. He offered for the record a petition filed by eight milk producers and the operator of one milk-processing plant. The petition indicated that the signers felt that the transfer was in the public interest.

No one appeared to protest the transfer, and those creditors who were present indicated that the settlement of Mr. Buffington's debts which had been arranged was probably the best possible, under the circumstances.

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

It appears to the Commission that it is in the public interest -- particularly of the milk-producers of the area involved -- that the transfer be approved.

### 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.

### O R D E R

#### THE COMMISSION ORDERS:

That Robert J. Buffington, Steamboat Springs, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permits Nos. B-2486 (being the operating rights granted by Decision No. 14066) and B-2502 (being the operating rights granted by Decision No. 14067) to Donald Hutton, Steamboat Springs, Colorado.

That said transfers shall become effective only if and when, but not before, said transferor 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 this 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 operations under said permits up to the time of transfer of said permits, and 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 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. Hinchell*

*Ralph C. Hinkley*

*Ralph C. Hinkley*  
Commissioners.

Dated at Denver, Colorado,  
this 19th day of January, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
R. A. BETHKE, DOING BUSINESS AS )  
"BETHKE TRUCK LINES," GILCREST, )  
COLORADO, FOR AUTHORITY TO EXTEND )  
OPERATIONS UNDER PERMIT NO. A-519. )  
-----

APPLICATION NO. 3356-PP-AB

-----  
January 19, 1954  
-----

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

S T A T E M E N T

By the Commission:

Inasmuch as the Commission has been informed that applicant  
does not desire to prosecute the above-styled application,

F I N D I N G S

THE COMMISSION FINDS:

That said application should be dismissed.

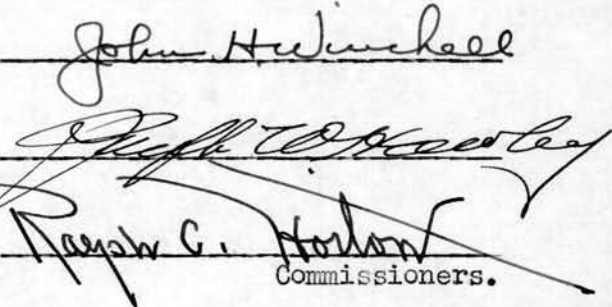
O R D E R

THE COMMISSION ORDERS:

That the above-styled application should be, and the same  
hereby is, dismissed.

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 19th day of January, 1954.

mls

original

(Decision No. 41895)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CARL LIND, DOING BUSINESS AS "GLOBE )  
MOVING AND STORAGE," 3654 MARION )  
STREET, DENVER, COLORADO, FOR AN )  
EXTENSION OF PUC NO. 334 TO MAIN- )  
TAIN AN OFFICE IN THE CITY OF )  
ENGLEWOOD, COLORADO. )

APPLICATION NO. 12701-Extension

-----  
IN THE MATTER OF THE APPLICATION OF )  
THE R. J. BEAR TRANSFER AND STORAGE )  
COMPANY, BOX 235, ENGLEWOOD, COLO- )  
RADO, FOR AN EXTENSION OF PUC NO. )  
415 TO MAINTAIN AN OFFICE IN OR )  
NEAR THE CITY OF ENGLEWOOD, COLO- )  
RADO. )

APPLICATION NO. 12702-Extension

-----  
January 19, 1954  
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Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for applicants;  
H. D. Hicks, Denver, Colorado,  
for Weicker Transfer and  
Storage Company.

S T A T E M E N T

By the Commission:

The above-styled applications were regularly set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, January 14, 1954, at ten o'clock A. M., at which time and place counsel for applicants moved to consolidate said matters for hearing. There being no objection, the motion was granted, and said applications were heard on a consolidated record, and the matters taken under advisement.

Carl L. Lind testified that he is doing business as "Globe Moving & Storage," under authority granted by PUC Nos. 334 and 334-I, with his principal place of business, office, and warehouse at 3654 Marion Street, Denver, Colorado; that he has a branch office and warehouse at 4126 South Acoma Street, Englewood, Colorado; that he has forty storage accounts in Englewood; that he has been operating a branch office in

Englewood for the last five years; that it is more convenient and more economical for his Englewood customers to receive service from Englewood, rather than paying for the time for a van and crew to come from Northeast Denver and return to Northeast Denver; that during the past year he had 417 jobs --- representing about ten per cent of his business -- from his Englewood Office; that he conducts the Englewood portion of the operation under the trade name "Englewood Transfer Company;" that he wishes to continue the Englewood portion of the operation under that name; that only one other household goods mover has an office and warehouse in Englewood, viz., R. J. Bear Transfer and Storage Company; that the growth of population in Englewood requires the services of both; that he plans no other office in the suburbs of Denver.

S. L. Howell, 1301 West Hampden Street, Englewood, Colorado, testified that he is the President of the R. J. Bear Transfer and Storage Company, with its main office and warehouse at 1931 West 32nd Avenue, Denver, Colorado, and a branch office at 1301 West Hampden (just outside the City Limits of Englewood, Colorado), and a warehouse in Englewood, Colorado; that he has operated a branch office near Englewood in a warehouse in Englewood since 1936; that last year approximately 300 of his jobs originated from the Englewood Office; that these represented approximately fifty per cent of his business. He concurred in the testimony of Mr. Lind that the growth of population in Englewood required the services of both Mr. Lind's operation and his own operation.

No one appeared to protest the extensions applied for.

It did not appear to the Commission that the ability of any other common carriers to render service would be impaired by the granting of the instant applications.

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

##### THE COMMISSION FINDS:

That public convenience and necessity require the extended motor

vehicle common carrier operations of applicants herein, as set forth in the Order following, and that certificates of public convenience and necessity should issue therefor.

O R D E R

THE COMMISSION ORDERS:

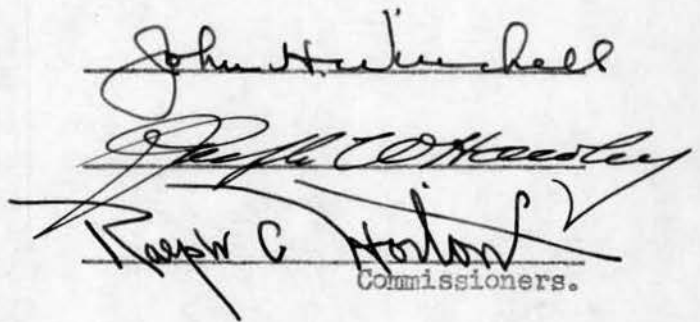
That public convenience and necessity require the establishment of an office in the City of Englewood, Colorado, by Carl Lind, doing business as "Englewood Transfer Company," for the conduct of operations under PUC Nos. 334 and 334-I, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That said Carl Lind shall, not later than June 1, 1954, conduct the Englewood portion of his operation under the trade-name of "Globe Moving and Storage."

That public convenience and necessity require the establishment of an office in or near the City of Englewood, Colorado, by R. J. Bear Transfer and Storage Company, for the conduct of operations under PUC No. 415, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

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 19th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FREDERICK A. BETHKE, ROSINA A. )  
BETHKE, AND E. BONABEL BETHKE, CO- )  
PARTNERS, DOING BUSINESS AS "BETHKE ) APPLICATION NO. 12703-Extension  
MILK LINES," GILCREST, COLORADO, )  
FOR AN EXTENSION OF PUC NO. 557. )  
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-----  
January 19, 1954  
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Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for applicants.

S T A T E M E N T

By the Commission:

The above-styled 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, January 14, 1954, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Frederick A. Bethke testified that he is one of the three co-partners, doing business as "Bethke Milk Lines," Gilcrest, Colorado, under authority granted by PUC No. 557; that they have been operating tank trucks since 1948; that they now own and operate one 2,000 gallon and one 2,500-gallon tank truck; that the 2,500 gallon tank truck is a stainless tank, and is the only one of the tanks to be used in the proposed extended operation; that they propose to haul bulk vinegar in tank trucks for the Speas Company, of Denver; that he has made a survey, and found that in other areas, viz., in the State of Wisconsin, the same stainless tanks are used for the transportation of milk and vinegar; that the tanks are cleaned by steaming before changing from one product to the other; that the Denver Health Department has given its approval to this joint use of the stainless tank truck; that he has already transported personally,

under his Permit No. A-519, eight loads for Speas Company, by leasing the tank from Bethke Milk Lines; that the Speas Company desires to do business with a common carrier, and has requested applicants to seek extension of their authority.

Paul L. Egerstrom, 2521 South Bellaire Street, Denver, Colorado, testified that he is the Manager of the Denver Plant of the Speas Company; that the Speas Company operates twenty-seven different plants in the United States, where it produces vinegar; that it has customers at the point named in this extension, and needs Bethke's services to transport vinegar in tank trucks; that it ships vinegar in railroad tank cars of 9,000-gallons capacity, but that is too large a quantity for some of its customers to receive during their seasonal operations; that the transportation in the 2,500-gallon stainless tank truck would better serve its customers; that the Speas Company owns a wooden railroad tank car; that it has lost, from leakage, in making shipments in this car, and that no claims are allowed by the railroads; that, if this extension is not allowed, it will become necessary for them to purchase their own tank trucks; that in seasonal operations of their customers, excess vinegar deteriorates, causing loss to the customers; that vinegar shipped in barrel lots is costly; that they need, and would use, the services of Bethke Milk Lines, if this extension is granted.

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

It did not appear to the Commission that the ability of any other common carrier to render service would be impaired by the granting of the instant application.

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

##### THE COMMISSION FINDS:

That public convenience and necessity require the extended motor vehicle common carrier service of applicants herein, for the transportation of vinegar, in bulk, in tank trucks, between Denver, Colorado, on the one hand, and, on the other, Pueblo, Grand Junction, Fort Collins, Longmont, and

Brighton, Colorado, over irregular routes, 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 extended motor vehicle common carrier call and demand transportation service of applicants herein, under PUC No. 557, for the transportation of vinegar, in bulk, in tank trucks, between Denver, Colorado, on the one hand, and, on the other, Pueblo, Grand Junction, Fort Collins, Longmont, and Brighton, Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Churchill

Ralph W. Hawley

Ralph C. Hawley  
Commissioners.

Dated at Denver, Colorado,  
this 19th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

PAUL G. ZIMMERMAN,

Complainant,

vs.

L. O. LIGHT & SONS, and  
HAROLD McCUNE,

Defendants.

CASE NO. 5059  
ORDER DENYING MOTION

January 19, 1954

Appearances: Barry and Hupp, Esqs.,  
Denver, Colorado, for  
Complainant;  
Allen, Lynch & Rouse, Esqs.,  
Denver, Colorado, for  
Defendants.

S T A T E M E N T

By the Commission:

Under date of June 1, 1953, Paul G. Zimmerman, Burlington, Colorado, the holder of PUC No. 961, filed his complaint against L. O. Light and Sons, PUC Nos. 1178 and 1407, and Private Carrier Permit No. 1148, and one Harold McCune, with no authority from this Commission, charging that "since a year ago last February," said defendants or respondents have operated a trucking service in and around Burlington, Colorado, wherein said McCune has operated under the authority of Light to the detriment of Complainant Zimmerman, in violation of Rule 16 of the Rules and Regulations Governing Common Carriers by Motor Vehicle for Hire, effective January 1, 1951.

No hearing was set upon said complaint for the reason that prior thereto, to-wit: on April 8, 1953, Louis J. Carter, Supervisor of Complaint and Investigation Division of the Commission, submitted a report to the Commission on the operations under the certificates and permit of L. O., LaVerne, Wayne and Jimmie Light, doing business as "L. O. Light & Sons," Lamar, Colorado; that by Decision No. 40332, of date April 24, 1953, the Commission, on its own motion, ordered an investigation of such operations, as a result of which full hearing was had before the Commission as to such operations on May 5, 1953, and on October 30, 1953, by Decision No. 41436, the Commission found that in the operation of PUC Nos. 1178 and 1407, and Private Carrier Permit No. B-1148, said L. O. Light & Sons had violated Rules 14, 16 and 34 of the Rules and Regulations Governing Common Carriers by Motor Vehicle, effective January 1, 1951, and Rules 12, 14, 18 and 19 of the Rules and Regulations Governing Private Carriers by Motor Vehicle, effective June 15, 1950, in the particulars set forth in the Statement in said Decision No. 41436, and the Commission ordered that said certificates and permit be revoked and cancelled, provided that in lieu of said revocation respondents might, if they so desired, pay to the Commission on or before November 15, 1953, for the use of the State of Colorado, the sum of \$150.00. Such payment was made by respondents in lieu of said revocation.

On December 17, 1953, said Defendants, L. O. Light & Sons, filed a Motion to Dismiss Case No. 5059 on the ground that the violation alleged in the Complaint is one of the violations charged in Case No. 5053, being the case in which Decision No. 41436, supra, was issued on October 30, 1953.

This Motion was granted by our Decision No. 41838, of date January 6, 1954, and said Case was dismissed.

On January 15, 1954, Complainant Zimmerman filed herein his Motion to set aside Decision No. 41838 dismissing his Complaint.

The investigation, resulting in the hearing on May 5, 1953, developed the fact that McCune was one of several truck operators who were operating under the Light authorities in violation of Rule 16 of our Common Carrier Rules, and Rule 14 of our Private Carrier Rules. While the leases concerning which evidence was given usually showed the consideration on a loaded mile basis, the investigation showed that the operations under these leases were on a percentage basis in violation of Rule 14 of our Common Carrier Rules. This investigation continued up to the date of the hearing on May 5, 1953, and that part of the period designated in the Complaint herein "since a year ago last February" to May 5, 1953. The period between the latter date and the filing of the Zimmerman Complaint on June 1, 1953, was not covered by the evidence.

The original Complaint simply alleged that Light and McCune "since a year ago last February" had operated a trucking service wherein McCune operated under Light's authority in violation of Common Carrier Rule No. 16 to the detriment of Zimmerman. The Complaint was deficient in that it covered a long period of time and no specific violations were alleged. As indicated by the evidence at the hearing, this had been a continuing violation by Light up to May 5, 1953, and partly because of this operation, Light's authorities were ordered cancelled and revoked by Decision No. 41436. In the instant Motion of Zimmerman, he states that the leases he now complains of were made and executed between Light and McCune on May 26, 1953, twenty-one days subsequent to the time of hearing in Case No. 5053, but prior to the date of Decision No. 41436 on October 30, 1953, wherein the operations of Light were reviewed and the penalty imposed. This Decision No. 41436 in effect cleaned the slate up to that date and imposed the penalty for violation by Light, both of said Rule 16 and other Rules of the Commission.

The Commission can see no reason for setting aside this Decision No. 41838, of January 6, 1954, dismissing the instant Complaint. Any evidence that might be offered at a rehearing would be cumulative and

the violations, if any, by Light and McCune on May 26, 1953, added to those shown prior to that date, would not have changed the result announced in Decision No. 41436, nor can we see where any benefit would accrue to Zimmerman by further prosecution of the instant case. The evidence as to violations of said Rule 16 by Light and McCune prior to May 5, 1953, being similar to the now alleged violations on May 26, 1953, has been heard and considered by the Commission and the penalty imposed. PUC No. 1178 has been transferred to C. M. Sullivan, doing business as "Sully's Transfer," and there are applications pending for the transfer of PUC No. 1407 and Private Carrier Permit No. 1148 to T. L. Tucker. In the event of favorable action on the latter application for transfer, Light will have no further authority in Zimmerman's area. If the purpose of Zimmerman in insisting on a hearing is to remove Light as a competitor that purpose will be effected should the pending application for transfer to Tucker be granted, and should the transferees violate the rules of the Commission in the future, Zimmerman will be at liberty to file a new Complaint should he be so advised.

The Commission has carefully considered Zimmerman's Motion to set aside Decision No. 41838, and finds no error in its former proceedings on the Light authorities and no reason for sustaining the Motion.

An interesting side light is pointed out by defendants in their answer to the Zimmerman motion to set aside said Decision No. 41838. The original complaint was dated May 25, 1953, and verified by complainant on that date. Complainant's motion alleges that "the leases complained of in this complaint were made and executed between the defendants on May 26, 1953." Obviously, when complainant signed and verified his complaint on May 25, he was not complaining of a lease to be executed on the following day.

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

##### THE COMMISSION FINDS:

That the Motion of Paul G. Zimmerman to set aside Decision No. 41838, filed January 15, 1954, should be denied.

O R D E R

THE COMMISSION ORDERS:

That the Motion of Paul G. Zimmerman to set aside Decision No. 41838, filed herein on January 15, 1954, is hereby denied.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hinchell

Ralph C. Hinton

Ralph C. Hinton  
Commissioners.

Dated at Denver, Colorado,  
this 19th day of January, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE OPERATIONS OF MODERN AIR	)	
SERVICE, INC., GREELEY, COLORADO,	)	
BY AIRPLANE, UNDER CERTIFICATE	)	<u>APPLICATION NO. 8907</u>
OF PUBLIC CONVENIENCE AND NEC-	)	<u>SUPPLEMENTAL ORDER</u>
CESSITY GRANTED BY DECISION	)	
NO. 29796.	)	
-----	)	

-----  
January 19, 1954  
-----

S T A T E M E N T

By the Commission:

Inasmuch as the Commission is in receipt of a communication from W. A. Coomes, President of Modern Air Service, Inc., regarding the apparent intention to abandon a certificate of public convenience and necessity, in which Mr. Coomes states as follows:

"It is requested that our Permit Decision No. 29796 be dropped from your records. Due to no business, I can see no reason to continue in the charter business."

(Signed) W. A. Coomes, President."

F I N D I N G S

THE COMMISSION FINDS:

That said certificate should be cancelled.

O R D E R

THE COMMISSION ORDERS:

That certificate of public convenience and necessity heretofore granted Modern Air Service, Inc., under authority granted by Decision No. 29796, under date of January 21, 1948, in Application No. 8907, should be, and the same hereby is, cancelled and revoked as of this date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Lusk*  
*Philip J. [unclear]*  
*Joseph C. [unclear]*  
Commissioners.

Dated at Denver, Colorado,  
this 19th day of January, 1954.

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 DRIVE, )  
ENGLEWOOD, COLORADO, FOR AUTHORITY )  
TO TRANSFER PERMIT NO. B-4657 TO )  
WILLIAM R. STIRN, 3801 SOUTH SANTA )  
FE DRIVE, ENGLEWOOD, COLORADO. )  
-----

APPLICATION NO. 12733-PP-Transfer

-----  
January 20, 1954.  
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S T A T E M E N T

By the Commission:

By Decision No. 40876, of date July 14, 1953, Robert E. Elmore and William R. Stirn, co-partners, Englewood, Colorado, were 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 fifty 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 fifty miles of said jobs, excluding service in Boulder, Clear Creek, and Gilpin Counties,

said operating rights being designated "Permit No. B-4657."

By the instant application, said permit-holders seek authority to transfer said Permit No. B-4657 to William R. Stirn, Englewood, Colorado, said Robert E. Elmore being desirous of withdrawing from said partnership.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is qualified and

able to carry on the operations, 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 Robert E. Elmore and William R. Stirn, co-partners, Englewood, Colorado, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to Permit No. E-4657 -- being the operating rights granted by Decision No. 40876 -- to William R. Stirn, Englewood, Colorado, said Robert E. Elmore being hereby authorized to withdraw from said partnership.

That transfer herein authorized is subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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 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 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 regula-

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

This Order is made a part of the permit authorized to be transferred.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,  
this 20th day of January, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GRANT G. GIFFORD, SILVERTON, COLO- )  
RADO, FOR AUTHORITY TO MORTGAGE PUC )  
NO. 1081 TO THE CITIZENS STATE BANK )  
OF OURAY, OURAY, COLORADO. )  
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APPLICATION NO. 12732-Mortgage

-----  
January 20, 1954.  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to mortgage PUC No. 1081, issued to him by this Commission, together with certain equipment and other property owned by him, to The Citizens State Bank of Ouray, Ouray, Colorado, to secure payment of the sum of Six Thousand Dollars (\$6,000.00), in accordance with the terms and conditions set forth in Chattel Mortgage, of date October 10, 1953, executed by said Grant G. Gifford, payable to The Citizens State Bank of Ouray, Ouray, Colorado, said Mortgage, by reference, being made a part hereof.

F I N D I N G S

THE COMMISSION FINDS:

That authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Grant G. Gifford, Silverton, Colorado, should be, and he hereby is, authorized to mortgage all his right, title, and interest in and to PUC No. 1081, together with certain equipment and other property owned by him, to The Citizens State Bank of Ouray, Colorado, to secure payment of the sum of Six Thousand Dollars (\$6,000.00), as set forth in the Statement preceding, which, by reference, is 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

John H. Hinchell

Robert C. Hinchell

Ralph C. Hinchell  
Commissioners

Dated at Denver, Colorado,  
this 20th day of January, 1954.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: VARIOUS CHANGES IN RATES, )  
RULES AND REGULATIONS, NORTH )  
PARK TRANSPORTATION COMPANY, )  
INC., WALDEN, COLORADO. )  
-----

CASE NO. 1585

-----  
January 22d, 1954  
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S T A T E M E N T

By the Commission:

The North Park Transportation Company, Inc., filed with the Commission under the provisions of Rule 18, paragraph C-(1)-(A) schedules of new individual rates, rules and regulations to become effective January 15, 1954, as per Exhibit "A" attached hereto.

The operating authority of the North Park Transportation Company, Inc., P.U.C. No. 1600, reads as follows:

"Transportation of freight, excluding, however, household goods, and heavy machinery requiring special equipment, but not excluding emigrant moveables, from point to point within Jackson County, Colorado, and all other points and places in the State of Colorado. Between all points in Colorado and the Colorado State boundary lines where all highways cross same in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935."

Decision No. 36626 transfer from P.U.C. No. 51 and 51-I (Formerly P.U.C. 1475 and I) and consolidated herewith: "Transportation of general commodities, on schedule, between Fort Collins, Colorado, and Walden, Colorado, via Colorado 14 and that portion of said certificate which authorizes service between Denver, Colorado, and points in Jackson County, Colorado, via U.S. Highway No. 40 to its junction with Colorado Highway No. 125; thence via Colorado Highway No. 125 to Walden, Colorado."

Decision No. 36626, extended to: "Transportation of general commodities between Denver, Colorado, and Walden, Colorado, and North Park points it is authorized to serve via U.S. Highway No. 40 to its junction with Colorado Highway No. 14; thence on Colorado Highway No. 14 to Walden, Colorado, serving the points on Colorado Highway No. 14 between its junction with U.S. Highway No. 40 and Walden, Colorado."

For the past several years, commencing with 1949 the North Park Transportation Company, Inc., has endeavored to maintain the same class rates

and exceptions on intrastate traffic as applies on interstate traffic. Here-  
tofore, the carriers' interstate/<sup>rates</sup>rules and regulations have been published  
through the Rocky Mountain Tariff Bureau and the intrastate rates, etc.,  
through the Motor Truck Common Carriers' Association and it was found impossible  
to maintain the same basis of rates through the two separate publications.  
To overcome this situation and to avoid discrimination on any given shipment  
or against any shipper, as to whether or not the movement would be interstate  
or intrastate, the choice being at the discretion of the carrier in a majority  
of cases, the North Park Transportation Company, Inc., has published and filed  
with the Interstate Commerce Commission a schedule of rates, rules and reg-  
ulations applicable to traffic moving via interstate routes on its lines, and the  
proposal now before this Commission is to make these same rates, rules and  
regulations applicable, also, on intrastate traffic, thereby providing the  
same benefits and privileges to its customers on intrastate traffic as they  
presently enjoy when shipments are transported via interstate routes.

With the improvements recently completed by the State Highway Depart-  
ment on Highway No. 125, and the further prospects of having this highway oiled  
from the junction near Granby, Colorado, to the summit of Willow Creek Pass  
opens to the carrier two routes to handle intrastate traffic - one via Willow  
Creek Pass - the other via Muddy Pass - could afford the patrons of the North  
Park Transportation Company faster service from Denver than via Laramie, Wyoming.

The North Park Transportation Company further advises they have placed  
this proposal in the hands of some two hundred shippers, and as of the date of  
this order, no objections have been received by this Commission.

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

##### THE COMMISSION FINDS:

That, the statement and Exhibit "A" attached hereto, should be made  
a part hereof; that, the proposed changes as set forth in Exhibit "A" should  
be authorized and an order be entered prescribing same.

#### O R D E R

##### THE COMMISSION ORDERS:

1 - That the statement and findings be and are hereby made a part  
hereof.

2 - That this order shall become effective forthwith.

3 - That the rates, rules, regulations and provisions as set forth in Exhibit "A" attached hereto and made a part hereof, which are presently effective on interstate traffic shall also become effective *nunc pro tunc*, as of January 15, 1954 on Colorado intrastate traffic to the extent of the authority granted in certificate of public convenience and necessity No. 1600, and further, said rates, rules, regulations and provisions shall be the prescribed rates, rules, regulations and provisions of the Commission.

4 - All motor vehicle common carriers as they are affected by the changes prescribed 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 January 15, 1954, all affected motor vehicle common carriers shall cease and desist from demanding, charging and collecting rates and charges which are greater or less than those herein prescribed.

7 - On and after January 15, 1954, all private carriers by motor vehicle, operating in competition with any motor vehicle common carriers, affected by this order, 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 and liabilities applicable to a motor vehicle common carrier.

9 - That the order entered in Case No. 1535 on February 5, 1936, as since amended, shall continue in force and effect until a further order of the Commission.

10 - That jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Dated at Denver, Colorado

this 22d day of January, 1954.

hs

*John H. Hinchell*  
*Ralph B. Harkin*

EXHIBIT "A"

EXCEPTIONS TO LTL RATINGS OF THE CURRENT CLASSIFICATION

<u>Item No.</u>	<u>Article</u>	<u>Class</u>
	CARRIERS, Second-Hand, Empty Returned (Used Packages), Subject to Notes 1 and 2, viz:	
	Bags.	
	Barrels.	
	Blocks or Braces (Wooden), viz:	
	Cable Reel.	
	Bottles.	
	Boxes, fibreboard, KD or folded flat, with or without inside fillers.	
	Carboys.	
	Carriers, Bakery Goods, Wheeled.	
	Carriers, Seed.	
	Casks.	
	Cores.	
	Cylinders, Acid, Ammonia, Glycerine or Gas.	
	Demi Johns.	
1	Drums.	
	Hogsheds.	1/2 of 4
	Jugs.	
	Kegs.	
	Pallets, Platforms or Skids, for lift trucks, iron, steel or wood, separate or combined, without bodies or enclosures, standing ends, sides, stakes or standards, or with bodies, enclosures, standing ends, sides, stakes or standards, KD, folded or removed and secured to pallet.	
	Punchons.	
	Quicksilver Flasks, iron or steel.	
	Reels.	
	Skids, iron, steel or wooden, NOS.	
	Tierces.	
	Vans (other than lift), knocked down or folded, including pads, or wrapping for packing.	

NOTE 1: When empty carriers (used packages) which have moved at the full tariff rate when filled, are offered for shipment at the rating published herein, they must be returned over the same route, to the same point of origin, and to the original consignor of the filled carriers; otherwise, the agent will apply the rating for new or second-hand carriers, not returned, as the case may be.

NOTE 2: Seed packets originally included in seed carriers may be left in carrier and will be subject to the same rate as applies on empty carriers returned.

Refer to page 28 for explanation of abbreviations and symbols not explained on this page.

EXCEPTION TO LTL RATINGS OF THE CURRENT CLASSIFICATION (Except as Noted)

Item No.	ARTICLE	Class
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EMIGRANT MOVABLES, as described below:

Second-hand (used) household or personal effects such as clothing, furniture or furnishings for residence with not to exceed one piano; second-hand (used) machinery or other items incident to the operation of a farm or ranch, including livestock, live animals and poultry, in coops. (See Note.)

2	Unrated, S. U. ....	1
	When all articles except live animals and livestock are crated, R.D. ....	2

NOTE: Ratings contained in this item will apply only on shipments moving under rates based on a minimum weight of 5,000 pounds.

ENGINES, INTERNAL COMBUSTION, NOI: (See Notes 1 & 2)

LTL .....	2
Subject to a minimum weight of 24,000 pounds ....	45

NOTE 1: Ratings apply on Engines and Accessories, Attachments or related parts pertaining thereto attached to the engines or enclosed in the same package for installation with attachment to the engine shipped in the same container.

3	NOTE 2: The released valuation provisions named in items 61243 thru 61246, inclusive, of the current classification, will not apply.
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		Columns	
		A	B
HOUSEHOLD GOODS OR PERSONAL EFFECTS, as described in note 1 below and subject to the provisions of notes 2, 3, 4, 5 and 6 below:			
4	Released to value not exceeding 10 cents per lb.	1	3T1
	Released to value exceeding 10 cents per pound but not exceeding 20 cents per pound .....	1 1/4	3 1/4
	Released to value exceeding 20 cents per pound but not exceeding 50 cents per pound .....	1 1/2	3 1/2 T1
	Released to value exceeding 50 cents per pound but not exceeding \$2.00 per pound	D1	4T1
	Released to value exceeding \$2.00 per pound but not exceeding \$5.00 per pound .....	3T1	5T1

Column A Ratings apply when articles are packed in accordance with the packing requirements applicable to "Household Goods" as shown in current classification. Column A Ratings apply upon both single-line and joint-line traffic.

Column B Ratings apply when articles are not packed in accordance with packing requirements applicable to "Household Goods" as shown in current classification.

Column B Ratings apply upon single-line traffic only. (See also note 4)

Refer to page 28 for explanation of abbreviations and symbols not explained on this page.

EXCEPTIONS TO RULES OF THE CURRENT CLASSIFICATION

Item No.	Articles	Class
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NOTE 1: Ratings on Household Goods apply only on second-hand (used) Household Goods or Personal Effects such as clothing, furniture or furnishings for residences with not to exceed one piano. Ratings do not apply on articles specifically named in Rule 3 of the Current Classification nor on goods shipped for sale or speculation.

4  
(Continued)

NOTE 2: If consignor declines to release each article in the shipment to a value not exceeding \$5.00 per pound, the shipment will not be accepted. The released value which shall be deemed to relate to each article separately and not to the shipment as a whole, must be entered on shipping order and bill of lading in the following form:

"The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding \_\_\_\_\_ per pound."

NOTE 3: All charges must be prepaid except the shipments of student's personal effects and luggage moving from educational institutions may be shipped collect.

NOTE 4: Where shipments of Household Goods move over the lines of two or more carriers, such shipments must be fully crated or packed.

NOTE 5: Refrigerators, Mechanical, must have refrigerating or compressor units fastened securely in position with hold-down bolts.

NOTE 6: The ratings provided for in this item will not include pick-up or delivery service as provided for in item 26. Pick-up and/or delivery service, as provided for in item 26 will be rendered upon such shipments when specifically requested by the consignor and/or the consignee and such service when rendered will be charged for at the rates set out below:

- |                                      |                       |
|--------------------------------------|-----------------------|
| (A) For pick-up service .....        | 32 cents per 100 lbs. |
| Subject to a minimum charge of ..... | 53 cents              |
| (B) For delivery service .....       | 26 cents per 100 lbs. |
| Subject to a minimum charge of ..... | 53 cents.             |

PAINT AND PAINT MATERIAL, Viz:

	Dressing or Blacking, Automobile Top, liquid.	
	Oil, Linseed.	
	Oils, Paint Compounded NOI.	
5	Paint, Lacquer, or Varnish increasing, reducing, removing or thinning compounds, NOI.	4
	Paint, Lacquer or Varnish Solvents, NOI.	
	Paints, Aluminum, Bronze or Gold, LI. OIL.	
	Turpentine, spirits of, or Wood Turpentine.	

Refer to pages 28 for explanation of abbreviations and symbols not explained on this page.

EXCEPTIONS TO RULES OF THE CURRENT CLASSIFICATION

Item  
No.

ADVANCE CHARGES (Exception to Rule 3 of the Current Classification)

Advances will be accepted for collection from the consignee at destination of the shipment upon the following items of accrued charges, subject to note 1 below:

- 6                      Advance Freight Charges                      Sacking and Crating Charges  
                         Handling and Drayage Charges                      Storage Charges.

NOTE 1: Carrier will not be liable for such advance charges unless, and until, collection thereof has been made.

LOADING OR UNLOADING OF HEAVY OR BULKY ARTICLES (Exception to Rule 21 of the Current Classification).

1. Where an article (or articles) in a single container or shipping form tendered, weighs 500 pounds or more, or if the greatest dimension exceeds 3 feet or greatest and intermediate dimension each exceeds 4 feet, loading or unloading shall be performed by the shipper or consignee, as the case may be, subject to the exception provided below.

EXCEPTION: The provisions of Paragraph 1 will not apply if such article (or articles), weighing less than 500 pounds:

(A) Exceeds 3 feet but does not exceed 22 feet in its greatest dimension and does not exceed 2 feet in any other dimension, or

- 7                      (B) If it does not exceed 10 feet in its greatest dimension and does not exceed 5 feet in its intermediate dimension and does not exceed 1 foot in its least dimension.

2. IF REQUESTED, CARRIER WILL UNDERTAKE, in behalf of the shipper or consignee, as the case may be, to employ additional help or additional equipment. No charge will be made for labor performed by the driver, but the following charges will be made:

(A) Where the carrier provides additional help without additional equipment, the charge will be:

(1) \$2.00 per hour or fraction thereof for each additional employee from 3:00 A.M. to 6:00 P.M., except Sunday or legal holidays.

(2) \$3.00 per hour or fraction thereof for each additional employee for all other time, except as provided in sub-paragraph (A) (1).

(B) Where the carrier provides additional help and additional equipment, or additional equipment without additional help, for loading or unloading trucks, the charge will be:

(1) \$6.74 per hour or fraction thereof from 3:00 A.M. to 6:00 P.M., except Sunday or legal holidays.

(2) \$10.12 per hour or fraction thereof for all other time, except as provided in sub-paragraph (B) (1).

NOTE 1: The time for which the additional charges will be made as provided in this rule will be computed from the time of the arrival of the vehicle at the place of pick-up or delivery until the shipment is loaded or unloaded, as the case may be.

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EXCEPTIONS TO RULES OF THE CURRENT CLASSIFICATION

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Item  
No.

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MARKING OR TAGGING SHIPMENTS (Exception to Rule 6, Section 6  
of the Current Classification)

- 8 A shipment that fully occupies the visible capacity of a truck or trailer, or that weighs 6,000 pounds or more, or if weighing less than 6,000 pounds, is declared by shipper as weighing 6,000 pounds and so charged for by carrier at LTL or any quantity rates, when shipped from one station, in or on one truck or trailer, in one day, by one shipper, for delivery to one consignee at one destination need not be marked.

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MINIMUM CHARGE (Exception to Rule 12 of the Current Classification)

- 9 Except as otherwise provided in the tariff, the minimum charge for a single shipment, from one consignor to one consignee, on one bill of lading, to one point of delivery, will be the charge applicable for 100 pounds at the 4th class rate or the commodity rate applicable, whichever is lower, but in no case less than \$2.00. NOTE: Where combination of rates is used, the minimum charge as provided herein shall apply to each factor of such combination of rates.

---

MIXED VOLUME OR MIXED TRUCKLOAD SHIPMENTS (Exception to Sec. 3(B) and Sec. 4 of Rule 13 of the Current Classification).

- (1) Except as otherwise provided, when a number of different articles, for which ratings or rates are provided when in straight volume or truckload shipments, are shipped at one time by one consignor to one consignee and destination, in a mixed volume or truckload shipment, they will be charged at the straight volume or truckload rate (not mixed volume or truckload rate) applicable to the highest classed or rated article contained in such a mixed shipment and the volume or truckload minimum weight will be the highest provided for any article in the shipment.
- 10 (2) Subject to the conditions of paragraph (1) above, when the aggregate charge upon the entire shipment is made lower by considering the articles as if they were divided into two or more separate volume or truckload shipments, the shipment will be charged accordingly.
- (3) When the aggregate charge upon the entire shipment is less on basis of volume or truckload rate and minimum volume or truckload weight (actual or authorized estimated weight to be charged for if in excess of the minimum weight) for one or more of the articles and on basis of actual or authorized estimated weight at less-than-truckload rate or rates for the other article or articles, the shipment will be charged for accordingly.
- (4) If a lower charge would result under the application of paragraphs (1), (2) or (3) of this item, than under the provisions for a specific volume or truckload mixture, such lower charge will apply.
- (5) The provisions of this item will not apply upon articles for which volume or truckload ratings or rates are not provided nor upon shipments of livestock.

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Refer to page 28 for explanation of abbreviations and symbols not explained on this page.

Item  
No.

EXCEPTIONS TO RULES OF THE CURRENT CLASSIFICATION

PACKING REQUIREMENTS (Exception to Sec. 1(A) and Sec. 6(A) of Rule 5 of the current classification)

Except as provided in paragraphs (A) and (B) below, or except as otherwise specifically provided in connection with individual rate items, the less-than-truck-load (LTL) class and commodity rates in this tariff are subject to the packing requirements of the current classification.

(A) Articles moving on less-than-truck-load (LTL) Class Rates, when not packed in accordance with the provisions of the current classification, will be assessed rates 100 per cent higher than the class rate which would be applicable were the articles packed in the manner provided for in connection with the highest less-than-truck-load ratings accorded such article in the current classification.

11

(B) Articles moving on less-than-truck-load (LTL) commodity rates, or on less-than-truck-load (LTL) class rates which are exceptions to the ratings of the current classification shown in this tariff, when not packed in the manner provided for in connection with the less-than-truck-load (LTL) ratings accorded such article in the current classification, will be assessed rates 100 per cent higher than the commodity rate, or the exception class rate, which would be applicable were the article so packed.

NOTE 1: When a commodity offered for shipment is packed in such a manner as to be accorded the same, or a lower, rating in the current classification than if packed as required in the commodity item herein from which the rate is applied, the commodity as packed will be accorded the commodity rate named herein.

Item

APPLICATION OF RATES - Rules and Regulations

The ratings, rules, regulations, estimated weights, shipping and packing requirements, allowances and privileges, or other provisions or conditions shown in this tariff, abrogate and supersede those in the current classification which conflict therewith.

12

When the rates or ratings in this tariff are silent as to rules, regulations, estimated weights, shipping and packing requirements, allowances and privileges or other provisions or conditions, the rates or ratings which are prescribed herein shall be subject to the terms, including estimated weights, shipping and packing requirements or other provisions or conditions prescribed therefor in connection with the ratings in the current classification.

EXPLANATION OF INDENTIONS

13

Where any part of the description of any article herein is found set away from the left margin in a position subordinate to the text preceding it, the description is to be read with its context and particularly with the preceding heading or headings; the effect of its position upon the meaning of a description should be carefully observed.

Refer to page 28 for explanation of abbreviations and symbols not explained on this page.

Item No.	APPLICATION OF RATES - Rules and Regulations
-------------	----------------------------------------------

PARTIALLY PREPAID SHIPMENTS

- 14 No shipment will be accepted on a partially prepaid basis.

APPLICATION OF COMMODITY RATES

- 15 Commodity rates named in this tariff are specific and must not be applied to analogous articles.

APPLICATION OF RATES IN SECTION 2

- 16 The rates in Section 2 are specific commodity rates and do not alternate with rates in other sections of the tariff. See application of that section.

APPLICATION OF RATES SUBJECT TO DIFFERENT MINIMUM WEIGHTS

- 17 If the charges based on the higher minimum weight and subject to the lesser rate are lower than the charges accruing under the rate applicable at the actual weight, the lower charges will apply.

DEFINITION OF THE TERM "Denver Zone, Colorado"

The term "Denver Zone, Colorado" wherever used in this tariff includes Denver, Colorado and the following additional points in the State of Colorado:  
(Applies only when shipments move in truck load lots.)

	<u>Point</u>	<u>Point</u>
	Aurora	Fort Logan
	Buckley Field	Golden
	Englewood	Littleton
18	Fitzsimons General Hospital	Louviers

Point  
Lowry Air Base  
Morrison  
Remaco  
Rocky Mountain Arsenal

\* Where the phrase "Denver Zone" is used herein, on Colorado intrastate traffic, the rates will apply from Denver, Colorado only.

MILEAGES

- 19 The actual mileage traveled via the shortest practical route shall be used.

In computing mileages the following will govern in the disposition of fractions:

Fractions of less than 1/2 mile omit,  
Fractions of 1/2 mile or greater, increase to next whole mile.

Refer to page 28 for explanation of abbreviations and symbols not explained on this page.

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APPLICATION OF RATES

---

Item  
No.

Rules and Regulations

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DEFINITION OF THE TERM "CARRIER'S FREIGHT TERMINAL"

- 20        The term "Carrier's Freight Terminal", as used in this tariff, means the freight depot or freight station of the carrier at which freight shipments are ordinarily loaded or unloaded.
- 

DEFINITION OF THE TERMS "LTL" OR "LESS-THAN-TRUCKLOAD"

- 21        A "Less-than-truckload" or "LTL" shipment is one which moves under a Class or Commodity rate which is not made subject to a stated minimum weight.
- 

DEFINITION OF VOLUME RATES

- 22        Volume rates are those rates which are made subject to a stated minimum weight.
- 

STRAIGHT OR MIXED VOLUME SHIPMENTS

- 23        Commodities embraced in the same item may be shipped in straight or mixed volume shipments, unless otherwise provided in the item.
- 

CARRIERS' AGENTS NOT TO ACT AS AGENTS FOR SHIPPERS OR CONSIGNEES

- 24        Carrier's agents must not act as agents of shippers or consignees for the assembling or distribution of freight.
- 

PICK-UP AND DELIVERY SERVICE

- 25        Except where otherwise specifically provided herein, the rates named in this tariff include pick-up and delivery service as defined in paragraphs 1 and 2 below, subject to the provisions of paragraphs 3, 4 and 5 below.

1. The term "pick-up" as used in this tariff means the service of the carrier, or the carrier's agent in calling for and collecting freight from a platform, doorway, or shipping room directly accessible to the highway vehicle of the carrier, or its agent, at a factory, residence, store, warehouse, or other place of business.

2. The term "Delivery" as used in this tariff means the service of the carrier, or the carrier's agent, in transporting freight to a platform, doorway or receiving room directly accessible to the highway vehicle of the carrier, or its agent, at a factory, residence, store, warehouse, or other place of business.

3. The "Pick-up" and "Delivery" service defined herein does not include removal from, or delivery to, basements or floors which are not directly accessible to the highway vehicle of the carrier, or its agent, nor does it include packing, unpacking, erecting, dismantling, inspection of property, or other similar services.

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Refer to page 28 for explanation of abbreviations and symbols not explained on this page.

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APPLICATION OF RATES

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Item No.	Rules and Regulations
25 (Continued)	<p>4. When requested to do so by the consignor, the carrier will perform "pick-up" service from locations not covered by the provisions of paragraph 1 at an additional charge of seven cents per 100 pounds, subject to a minimum charge of thirty-two cents per shipment.</p> <p>5. When requested to do so by the consignee, the carrier will perform "delivery" service to locations not covered by the provisions of paragraph 2 at an additional charge of seven cents per 100 pounds, subject to a minimum charge of thirty-two cents per shipment.</p>

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MINIMUM RATE FOR PICK-UP AND/OR DELIVERY SERVICES

1. The minimum rate under which pick-up and/or delivery services as provided in item 26 will be performed upon rates as designated in paragraph 2 herein is 55 cents per 100 pounds.
- 26      2. Except as otherwise provided in connection with designated rates in Sections 1, 2 and 3 of this tariff, the provisions of this item are applicable to (A) any-quantity and LTL class and commodity rates and to (B) all rates which are subject to minimum weight requirements of 10,000 pounds or less.
3. Where no such minimum rate is published in the tariff, the minimum rate when such pick-up and/or delivery services are performed is 55 cents per 100 pounds.
- 

STORAGE (Subject to Note 1)

Notice shall be sent or given to the consignee, or to the party entitled to receive such notice, by the carrier's agent in writing, or as otherwise agreed to in writing between the carrier and the consignee within twenty-four hours (one day) after the arrival of the shipment and billing at destination, such notice to specify the point of shipment and commodity. The placing of a postal-card, or other written notice, in the United States Mail, addressed to the consignee, or to the party entitled to such notice, will establish notice of arrival. Beginning at the first 7:00 o'clock A.M., following such notice, free storage will be allowed as indicated in (1) and (2) below.

- 27      (1) On shipments weighing less than 15,000 pounds, 48 hours free storage will be allowed.
- (2) On shipments weighing 15,000 pounds or more, 24 hours free storage will be allowed.

In all cases where any part of a shipment has been removed by the consignee prior to the sending or giving of the required notice, such removal shall be considered as notice of arrival.

After the lapse of such free storage time shipments may, at the option of the carrier, be removed to and stored in a public or licensed warehouse at the expense of the owner, and there held at the owner's risk and without liability on the part of the carrier, subject to a lien for all freight and other lawful charges of companies in whose possession they remain; otherwise, if the shipment be retained by the carrier, the following storage charges will be assessed.

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Refer to page 28 for explanation of abbreviations and symbols not explained on this page.

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APPLICATION OF RATES

---

Item

No.

Rules and Regulations

---

Storage Charges:

One cent per 100 lbs. for each day following the expiration of the free storage time, subject to a minimum charge of 37 cents.

27

Continued

NOTE 1: In computing time, Sundays or Legal Holidays, (National, state or municipal), but not half-holidays, will be excluded. When a legal holiday falls on Sunday, the following Monday will be excluded.

---

ROADSIDE DELIVERIES

28

No road side deliveries will be made.

---

RETURN DELIVERY

29

If a shipment is once tendered for delivery, and such delivery cannot be accomplished through no fault of the carrier, the shipment will be returned to the carrier's freight terminal. The consignee will be notified in accordance with the provisions of item 27 and the provisions of item 27 will then apply. No further tender will be made by the carrier unless specifically requested by the consignee. In the event that further tender of the shipment is specifically requested by the consignee, delivery will be made subject to a charge of 23 cents per 100 pounds, and a minimum charge of 100 cents per shipment, for the delivery or for the tender of delivery in the event that such further delivery cannot be accomplished.

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APPLICATION OF RATES AT INTERMEDIATE POINTS (See Exception 1)

Section 1 - Class Rates applicable from or to intermediate points.

30

From or to any point not named in the class-rate section of this tariff which is intermediate to a point from or to which class rates are published herein through such unnamed point, apply from or to such unnamed point the class rate published here in from or to the next more distant point.

Section 2 - Commodity Rates applicable from intermediate points.

(A) Subject to the provisions of Notes 1, 2 and 3 below, from any point of origin from which a volume commodity rate on a given article to a given destination and via a given route is not named in this tariff which point is intermediate to a point from which a volume commodity rate on said article is published in this tariff via a route through the intermediate point over which such volume commodity rate applies to the same destination, apply from such intermediate point to such destination and via such route the volume commodity rate in this tariff on said article from the next point beyond from which a volume commodity rate is published herein on that article to the same destination via the same route.

- - - - -

Refer to page 28 for explanation of abbreviations and symbols not explained on this page. #10

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APPLICATION OF RATES

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Item	
No.	Rules and Regulations

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NOTE 1 - When by reason of branch or diverging lines there are two or more "next beyond" points, apply the volume commodity rate from the next point beyond (in this tariff) which on that article to the same destination via the same route results in the lower charge.

NOTE 2 - If the class rate on the same article via the same route from the intermediate point produces a lower charge than would result from applying the volume commodity rate under this item such volume commodity rate will not apply.

NOTE 3 - If there is in any other tariff a commodity rate (not made by use of an intermediate point rule) published for account of the same carrier or carriers on the same articles from the considered intermediate points applicable to the same destination over the same route, the provisions of this rule will not be applied from such intermediate point.

30  
(Continued)

(B) Subject to the provisions of Notes 1, 2 and 3 below, from any point of origin from which a less-than-truckload commodity rate on a given article to a given destination and via a given route is not named in this tariff which point is intermediate to a point from which a less-than-truckload commodity rate on said article is published in this tariff via a route through the intermediate point over which such less-than-truckload commodity rate applies to the same destination, apply from such intermediate point to such destination and via such route the less-than-truckload commodity rate in this tariff on said article from the next point beyond from which a less-than-truckload commodity rate is published herein on that article to the same destination via the same route.

NOTE 1 - When by reason of branch or diverging lines there are two or more "next beyond" points, apply the less-than-truckload commodity rate from the next point beyond (in this tariff) which on that article to the same destination via the same route results in the lower charge.

NOTE 2 - If the class rate on the same article via the same route from the intermediate point produces a lower charge than would result from applying the less-than-truckload commodity rate under this item, such less-than-Truckload commodity rate will not apply.

NOTE 3 - If there is in any other tariff a commodity rate (not made by use of an intermediate point rule) published for account of the same carrier or carriers on the same article from the considered intermediate point, applicable to the same destination over the same route, the provisions of this rule will not be applied for such intermediate point.

Section 3 - Commodity Rates Applicable to Intermediate Points.

(A) Subject to the provisions of Notes 1, 2 and 3 below, to any point of destination to which a volume commodity rate on a given article from a given point of origin and via a given route is not named in this tariff, which point is intermediate to a point to which a volume commodity rate on said article is published in this tariff via a route through the intermediate point over which such volume commodity rate applies from the same point of origin, apply to such intermediate point from such point of origin and via such route the volume commodity rate in this tariff on said article to the next point beyond to which a volume commodity rate is published here in on that article from the same point of origin via the same route.

Refer to page 23 for explanation of abbreviations and symbols not explained on this page.

APPLICATION OF RATES

Item  
No. Rules and Regulations

NOTE 1 - When by reason of branch or diverging lines there are two or more "next beyond" points, apply the volume commodity rate to the next point beyond (in this tariff) which on that article from the same point of origin via the same route results in the lower charge.

NOTE 2 - If the class rate on the same article via the same route to the intermediate point produces a lower charge than would result from applying the volume commodity rate under this item, such volume commodity rate will not apply.

NOTE 3 - If there is <sup>in</sup> any other tariff a commodity rate (not made by use of an intermediate point rule) published for account of the same carrier or carriers on the same article to the considered intermediate point, applicable from the same origin over the same route, the provisions of this rule will not be applied to such intermediate point.

30  
(Continued)

(B) Subject to the provisions of Notes 1, 2 and 3 below, to any point of destination to which a less-than-truckload commodity rate on a given article from a given point of origin and via a given route is <sup>not</sup> named in this tariff, which point is intermediate to a point to which a less-than-truckload commodity rate on said article is published in this tariff via a route through the intermediate point over which such less-than-truckload commodity rate applies from the same point of origin, apply to such intermediate point from such point of origin and via such route the less-than-truckload commodity rate in this tariff on said article to the next point beyond to which a less-than-truckload commodity rate is published herein on that article from the same point of origin via the same route.

NOTE 1 - When by reason of branch or diverging lines there are two or more "next beyond" points, apply the less-than-truckload commodity rate to the next point beyond (in this tariff) which on that article from the same point of origin via the same route results in the lower charge.

NOTE 2 - If the class rate on the same article via the same route to the intermediate point produces a lower charge than would result from applying the less-than-truckload commodity rate under this item, such less-than-truckload commodity rate will not apply.

NOTE 3 - If there is in any other tariff a commodity rate (not made by use of an intermediate point rule) published for account of the same carrier or carriers on the same article to the considered intermediate point, applicable from the same origin over the same route, the provisions of this rule will not be applied to such intermediate point.

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Refer to page 28 for explanation of abbreviations and symbols not explained on this page.

Item No.	APPLICATION OF RATES Rules and Regulations
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30  
(Continued)

EXCEPTION 1: Except as may otherwise be provided herein, when a lower commodity rate on a higher minimum weight is named from or to a more distant point, such commodity rate will apply at an intermediate point even though there may be a higher rate on a lower minimum weight named from or to the intermediate point.

#### PACKING AND TEMPERATURE OF MEATS

31

Meats, Fresh, NOI, in carcasses, or part carcasses, must have been cooled to a temperature not higher than 40 degrees fahrenheit before being tendered to carrier, and so certified on bill of lading; shipments under 5,000 pounds, when not packed in outside containers, must have each piece completely and securely wrapped.

#### PROTECTION OF SHIPMENTS FROM DAMAGE BY HEAT OR COLD

32

Except as otherwise provided in individual items, rates named in this tariff include the cost of protecting shipments from damage by heat or cold, providing that the shipper states specifically on the bill of lading that such protection is required.

#### RECONSIGNMENT BEFORE SHIPMENT HAS LEFT CARRIER'S TERMINAL

33

When request is made for reconsignment before shipment has left carrier's terminal at origin and where such reconsignment is effected by carrier at point of origin by returning shipment to shipper's place of business, or relinquishing the shipment at carrier's terminal to shipper or another carrier, or delivering the shipment to another motor carrier, a charge of 15 cents per one hundred pounds, or fraction thereof, subject to a minimum charge of one dollar and six cents (1.06) will be made.

#### SHIPMENTS OF FRESH FRUITS AND FRESH VEGETABLES

34

Except as otherwise specifically provided, rates and ratings in this tariff named as applicable upon fresh fruits and fresh vegetables will not apply upon shipments of frozen fruits and frozen vegetables.

#### CERTIFICATE WITH EMPTY CONTAINERS RETURNED:

35

The following certificate shall be submitted by the consignor or consignee with each shipment of empty containers returned, viz:

"This is to certify that the filled containers which are being returned empty were received by North Park Transportation Company," or "The destination of the empty containers is a point from which the filled containers moved by North Park Transportation Company."

Refer to page 28 for explanation of abbreviations and symbols not explained on this page.

APPLICATION OF RATES	
Item No	DESCRIPTION OF COMMODITIES FOR WHICH SPECIFIC REFERENCE IS PROVIDED IN INDIVIDUAL RATE ITEMS

CANNED OR PRESERVED FOODSTUFFS (not cold pack nor frozen):

Bread, Brown, Date and Nut or  
Pumpnickel.  
Buttermilk (not casein), NOS.  
Chili Peppers, Ground.  
Cider or Apple Juice.  
Cider Syrup (Boiled Cider)  
Fish, cooked, pickled or preserved  
with or without fruit or vegetable  
ingredients.  
Fish Roe, cooked, pickled or pre-  
served.  
Fruit, canned or preserved, in juice  
or syrup, or in liquid other than  
brine or alcoholic liquor; Crushed  
Fruit; Fruit Butter, Jam, Jellies  
or pulps.  
Fruit, drained.  
Honey, comb, granulated or strained.  
Juice, citrus Fruit, other than  
frozen.  
Juice Grape, pineapple or prune.  
Juice, fruit, artificial or  
natural, NOI.  
Macaroni, Noodles, Spaghetti or  
Vermicelli, prepared with cheese,  
meat or vegetables.  
MEATS, cooked, cured or preserved,  
with or without vegetable, milk,  
egg or fruit ingredients, NOS.  
Milk, condensed or evaporated,  
liquid or paste.  
Milk (not malted), powdered or flaked,  
NOS.  
Mince Meat, NOS.  
Molasses, other than blackstrap.  
Mushrooms, canned or preserved in  
liquid.  
Oil, Olive or salad.  
Olives.  
Peanut Butter (peanut paste).  
Pectin, fruit or vegetable.  
Pie Preparations (fruit, in syrup or  
in paste form compounded with  
flour or sugar, and flavored).  
Pulp, vegetable.  
Pudding.  
Rice, in sacks.  
Rice, cereal and fruit combined.  
Rice and Milk, combined.  
Sandwich Spreads, NOI, NOS.  
Sauerkraut Brine or Sauerkraut Juice.  
Soups, including broths or chowders.

Syrup, Viz:  
Coloring, burnt sugar (caramel).  
Corn, unmixed (Glucose).  
Flavoring or fruit.  
Malt or malted, not medicated.  
Syrup, not medicated, NOI.  
Table Sauces, NOI, including catsup.  
prepared horseradish, prepared  
mustard, pepper sauce or  
salad dressing, NOS.  
Vegetables, canned or preserved,  
including canned corn; Hominy;  
Mush; Oats; Pimento Juice;  
Pimentos; Pork and Beans;  
Rice; Scrapple; Tomato  
Juice, paste, pulp or puree;  
Tomatoes; Vegetable Juices,  
NOI: or Wheat; but not  
including dried or evaporated  
vegetables.  
Vinegar.  
Welsh Rarebit.  
Clam Juice  
Cocoanut, prepared.

## APPLICATION OF RATES

Item No.	DESCRIPTION OF COMMODITIES FOR WHICH SPECIFIC REFERENCE IS PROVIDED IN INDIVIDUAL RATE ITEMS
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## GROCERIES OR GROCERS' SUPPLIES:

Bags, paper.  
 Baking soda.  
 Beverages, cereal, non-intoxicating.  
 Bird Food or Seed.  
 Bird Gravel or Sand.  
 Bleach Assistant Compounds, NOI.  
 Bluing, laundry.  
 Borax (Sodium Borate)  
 Candy, Chocolate, Confectionery, or related articles as described under that heading in the current classification.  
 Cereal Food Preparations, as described under that heading in the current classification.  
 Cleaning, Scouring or Washing Compounds, NOI.  
 Extracts, NOS.  
 Feed, animal or poultry, as described under that heading in the current classification.  
 Floor Sweeping Compound, not disinfectant.  
 Flour or Meal, NOS.  
 Foodstuffs, Beverages or Beverage Preparations, viz:  
   Baking Powder.  
   Beverage Preparations, NOI, Dry,  
   Beverages, flavored or phosphated, NOI, not including extracts, syrups, nor alcoholic liquors.  
   Bread making compounds, NOI, other than prepared flour, edible flour, NOI, baking powder or yeast, and including compounds such as gluten developers, yeast foods and dough improvers.  
   Cocoa.  
   Coffee or Coffee Substitutes.  
   Dessert Preparations, such as ice cream, jelly, pie, NOS. or pudding preparations, NOI.

## Foodstuffs, beverages or beverage preparations, viz: (continued)

Fish, dried, salted or smoked.  
 Gelatine, NOS.  
 Macaroni, Noodles, Spaghetti or vermicelli, other than prepared with cheese, meat or vegetables.  
 Malt, crushed, malt syrup or liquid malt extracts, beverage preparations.  
 Malt or milk and chocolate or cocoa combined, beverage preparation.  
 Milk beverage made of condensed, evaporated or sterilized milk, liquid, flavored or malted.  
 Milk Beverage, chocolate flavored, liquid.  
 Mustard, ground, or mustard meal.  
 Rice, other than in sacks.  
 Sago or tapioca.  
 Salt.  
 Sal-soda.  
 Sauerkraut.  
 Sugar.  
 Tea or Tea Dust.  
 Yeast, Dry.  
 Fruit Jars, NOS.  
 Fruits, dried or evaporated.  
 Hops.  
 Insecticides, NOS.  
 Jelly Glasses or jelly tumblers, with or without their equipment of covers or tops.  
 Matches.  
 Nuts, edible, as described under that heading in the current classification.  
 Oil, cooking, NOS.  
 Paper, wrapping.  
 Paraffine wax.  
 Pickles, NOI.  
 Pop Corn, not popped.  
 Relishes, NOS.  
 Soap.  
 Spices, NOS.  
 Starch.  
 Vegetables, dried or evaporated.

For Rates, See Item 47

Refer to page 28 for explanation of abbreviations and symbols not explained on this page.

# SECTION 1

## CLASS RATES

Where rates are published in Section 2, the rates named in this section on the same commodity from and to the same points, will not apply.

If the charge accruing under Section 3 of this tariff is lower than the charge accruing under this section on the same shipment, the charge accruing under Section 3, whichever is lower, will apply.

### SECTION 1 - CLASS RATES

Between Denver Zone and	Colorado	Class Rates in Cents per 100 Pounds					
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>45</u>	<u>5</u>
Cowdrey	Colorado	201	173	139	110	104	104
Walden	Colorado	201	173	139	110	104	104
Between Fort Collins and	Colorado						
	Colorado						
Cowdrey	Colorado	165	138	116	90	81	81
Walden	Colorado	165	138	116	90	81	81

# SECTION 2

## NON-ALTERNATING COMMODITY RATES

When rates are published in this section on the commodity transported from point of origin to destination, rates named in this section will apply regardless of rates between the same points, published in other sections of this tariff.

### COMMODITY RATES IN CENTS PER 100 POUNDS (E) - SECTION 2

Item No.	Articles	From (E)	To (E)	Rates in Cents Per		
		Point	Point	<u>5 Gal.</u>	<u>8 Gal.</u>	<u>10 gal.</u>
38	Cream or Milk in Shipping Cans.					
	NOTE 1: Rates include re- turn of em- ty contain- ers.					
	NOTE 2: Rates named in this item to Denver Zone and Ft. Collins, are not subject to the provisions of item 27.					
		Cowdrey, Colo.	Denver Zone, Colo.	99	155	187
		Walden, Colo.	Ft. Collins, Colo.	72	106	123

(E) Except as noted. Refer to page 28 for explanation of abbreviations and symbols not explained on this page.

SECTION 2 - Commodity Rates in Cents per 100 Pounds (E)

<u>Item</u> <u>No.</u>	<u>Articles</u>	<u>From (E)</u>	<u>To (E)</u>	<u>Rate</u>
39	Ice Cream	Ft. Collins, Colo.	Walden, Colo.	80 cents per 5 gallon container.

SECTION 3

MISCELLANEOUS COMMODITY RATES

Where rates are published in Section 2, the rates named in this section on the same commodity from and to the same points, will not apply.

If the charge accruing under Section 1 of this tariff is lower than the charge accruing under this section on the same shipment, the charge accruing under Section 1, whichever is lower, will apply.

SECTION 3 - Commodity Rates in Cents Per 100 Pounds

<u>Item</u> <u>No.</u>	<u>Articles</u>	<u>From (E)</u>	<u>To (E)</u>	<u>RATES</u>	
				<u>LTL</u>	<u>Minimum Weight</u>
40	Bakery Goods, as described under that heading in the current classification.	Denver, Colo.	Walden, Colo.	107	
41	Beer	Denver Zone, Colo.	Walden, Colo.	107	
		Ft. Collins, Colo.	Walden, Colo.	87	

(E) Except as noted.

Refer to page 28 for explanation of abbreviations and symbols not explained on this page.

SECTION 3 - COMMODITY RATES IN CENTS PER 100 POUNDS

Item No.	Articles	From (E)	To (E)	Rates	
				LTL	Minimum Weight
42	Canned or Preserved Foodstuffs (not cold pack nor frozen) as described in item 190.	Denver Zone, Colo.	Walden, Colo.	110	<u>5M</u> 95

43	Cement	Ft. Collins, Colo.	Plants in Jackson Co., Colo.		<u>20M</u> 40
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Dairy Products, viz:

44	Milk or Cream, in fibre-board or pulpboard bottles or cans not exceeding two quarts in capacity.	Denver, Colo.	Walden, Colo.	173	
		Ft. Collins, Colo.		133	

45	Feed, Animal or Poultry, as described under that heading in the current classification.	Denver, Colo.	Walden, Colo.		<u>10M</u> <u>20M</u> 51 47 37 33 39 35
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Gases, Compressed, viz:

46	Acetylene.				
	Anhydrous Ammonia.				
	Carbon Dioxide.				
	Carbon Dioxide-Oxygen Mixture or Dental (Nitrous Oxide)				
	Coal or Nitrogen.				
	Dichlorodl. Fluoromethane.				
	Dimethyl.				
	Ether				
	Ethylene Chlorohydrate				
	Ethylene Dichloride				
	Helium.				
	Hydrocarbon, NOI.				
	Hydrogen.	Between Denver Zone, Colo.	and Cowdrey, Colo.)	132	
	Liquefied Chlorine.		Walden, Colo.)		
	Methyl Chloride.				
	Oxygen.	Ft. Collins, Colo.	Cowdrey, Colo.)	106	
	Sulphur Dioxide.		Walden, Colo.)		
	Gas, Petroleum, Liquefied, NOI, in Steel Cylinders or Metal Drums.				

Item No.	Articles	From (I)	To (I)	Rates	
				LTL	Minimum Weight
47	Groceries and Grocers Supplies, as described in item 37	Denver, Colo.	Cowdrey and Ft. Collins, Colo.	110	<u>5M</u> 95
		Walden, Colo.		90	

(E) & (I) Except as noted.

Refer to page 28 for explanation of abbreviations and symbols not explained on this page.

SECTION 3 -- COMMODITY RATES IN CENTS PER 100 POUNDS

Item No.	Articles	From (1)	To (1)	Rates	
				LTL	Min. Wt.
	Liquors, Alcoholic, viz:				
48	Wine, NOI released to a value not exceeding 75 cents per gallon.	Denver, Colo.	Walden, Colo.	110	
					<u>5M 10M</u>
	Petroleum or Petroleum Products, including compounded oils or greases having a				
	petroleum base, as described under that heading in the current classification.	Denver Zone, Colo.	Cowdrey, Colo.	110	95 81
49			Walden, Colo.	110	95 81
	Tractors, Farm.	<u>Between</u>	<u>And</u>		
	NOTE: Rates named in this item will apply only when tractors are loaded and unloaded under their own power.				
50		Denver, Colo.	Cowdrey, Colo.)		
			Walden, Colo.)	114	
		Ft. Collins, Colo.	Cowdrey, Colo.)	90	
			Walden, Co o. )		

SECTION 4

Rates, Rules and Regulations Governing the Transportation of Heavy Commodities, as named in this section, apply only in connection with irregular route operations.

SECTION NO. 4 - HEAVY COMMODITIES

Rules & Regulations governing the movements of heavy commodities named herein.  
APPLICATION OF RATES:

- 51 (A) 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. The pick-up and delivery service referred to herein shall include the truck and driver used in over-the-road transportation.
- (B) 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. 52.

(1) Except as noted.

Refer to page 28 for explanation of abbreviations and symbols not explained on this page.

# SECTION NO. 4 - HEAVY COMMODITIES

## Rules and Regulations Governing the Movements of Heavy Commodities Named Herein

Item  
No.

### 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 is required in loading and unloading shipments.

Rate per Hour

52	3 Tons and under .....	\$3.50
	5 Tons and over 3 Tons .....	4.00
	Winch Truck (including driver) .....	4.50
	Tractor and High-Bed Semi (including driver) .....	5.00
	Tractor and Low-bed Semi (including driver) .....	7.50
	Crane, gas powered, mounted on truck (including one driver and operator) .....	10.00
	Trailer (Two Wheel) .....	1.50

EXTRA LABOR will be subject to Item No. 35, Paragraph (A), (1) (2) and subject to Note 1, therein.

Any fractional part of an hour shall be computed on the basis of a quarter of an hour.

### SPECIAL PERMITS:

53	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.
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For rates to apply on shipments of 10,000 to 30,000 pounds on the following commodities, see item No. 73 in this Section.

Item  
No.

### COMMODITIES

54	Articles, heavy, not otherwise specified, weighing 10,000 pounds or more in a single piece, or the component parts of which, when assembled, weigh not less than 10,000 pounds and the density of which will exceed 20 pounds per cubic foot.
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55	Boilers, heating or power, wrought, or wrought and cast combined. 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.
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The weight of insulating material and asbestos cement must not exceed 15% of weight upon which charges are assessed.

Refer to Page 28 for explanation of abbreviations and symbols not explained on this page.

SECTION NO. 4 - HEAVY COMMODITIES

For rates to apply on shipments of 10,000 to 30,000 pounds on the following commodities. See Item No. 73 in this Section.

Item

No.

COMMODITIES

Outfits, viz:

Bridge Builders', Contractors' or Graders', as described under that heading in the current classification, supplements thereto and reissues thereof.

56

Oil, water or gas well outfits or supplies as described under that heading in the current classification, supplements thereto and reissues thereof.

57

Cable, Electric, or Wire Rope or Strand.

58

Culverts, See Item No. 69, Exception No. 2.

Electrical Appliances, viz:

59

Transformers, Motors, Generators or Generators and Engines combined. Power Pumps.

60

Implements, grading and road making. See item no. 69, Exception No. 2.

Machinery and Machines or Parts  
Thereof:

61

Asphalt or Cement Mixing.  
Bakery.  
Bottling.  
Bulldozers (See Item 72  
Exception No. 1.  
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.

Mining, Ore, Milling or Smelting.

Pile Drivers.

Power Pump.

Printing.

Screens, Coal, Gravel, Sand or  
Stone.

Shoe or Shoe Repairing.

Stokers.

Tractors (See Item No. 72 Ex-  
ception No. 1)

Trenching Machines.

Well Boring or Drilling Machines.

62

Machinery, NOS.

63

Pipe, viz: Concrete, Iron or Steel.

Refer to Page 28 for explanation of abbreviations and symbols not explained on this page.

SECTION NO. 4 - HEAVY COMMODITIES

For rates to apply on shipments of 10,000 to 30,000 pounds on the following commodities, See Item No. 73 in this Section.

Item No.	COMMODITIES
64	Piling, viz: Cement, Concrete, or Steel.
65	Shovels, Power.
66	Snow Plow Attachments.
67	Tanks, iron, steel, or wood, apply the bulky article provision as shown in Item No. 69.
68	Structural Iron or Steel, including plate girders and stringers.

Articles, bulky, not otherwise specified.

Bulky articles not otherwise specified, in one piece or the component parts of which, when assembled, in one piece weighs not less than 10,000 pounds, shall be charged for on the following basis:

69 When the density of the article is 10 pounds or over per cubic foot and less than 20 pounds per cubic foot apply 120% of the rates published in this section.

When the density of the article is 5 pounds or over per cubic foot and less than 10 pounds per cubic foot apply 150% of the rates published in this section.

When the density of the article is less than 5 pounds per cubic foot apply 175% of the rates published in this section.

70 Pole line construction material, as described under the heading pole line construction material in the current classification, supplements thereto and reissues thereof.

Poles, telephone or electric, cement, concrete, iron or steel. (See Item Number 72 exception Number 4).

71 Reinforcement, concrete or plaster, iron or steel.

Exception No. 1:

On bulldozers and/or tractors apply Column 4 rates. Subject to a minimum weight of 15,000 pounds.

72 Exception No. 2:

On graders and parts, road patrols, paving finishers, gravel bins and conveyors, in straight or mixed shipments, and on culverts, in straight shipments apply the following ratings and minimum weights:

- - - -

Refer to page 28 for explanation of abbreviations and symbols not explained on this page.

# SECTION NO. 4 - HEAVY COMMODITIES

For rates to apply on shipments of 10,000 pounds to 30,000 pounds on the following commodities, see Item No. 73 in this Section.

Item No.	COMMODITIES
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Exception No. 2 (Continued):

	Column	Minimum Weight
72	1	15,000 Pounds
	2	20,000 Pounds
	3	30,000 Pounds

(Continued)

Exception No. 3:

On airplanes and parts, with wings detached, and building sheet metal work as specified under the heading building sheet metal work in current classification, supplements thereto and reissues thereof apply Column 1 rates, subject to a minimum weight of 15,000 pounds.

Exception No. 4:

On poles, telephone or electric, cement, concrete, iron or steel, apply column 1 rates, subject to a minimum weight of 10,000 pounds.

Item No.	RATES ARE IN CENTS PER 100 POUNDS		Column			
	DISTANCE - MILES		1 10M	2 15M	3 20M	4 30M
	10 and under		19	17	15	14
	15 and over	10	20	19	15	14
	20 and over	15	21	20	17	15
	25 and over	20	24	21	20	19
	30 and over	25	25	23	21	19
	35 and over	30	30	25	23	21
	40 and over	35	31	26	24	21
	45 and over	40	34	31	26	24
	50 and over	45	35	32	26	25
	55 and over	50	39	34	31	26
	60 and over	55	40	35	32	30
	65 and over	60	42	39	34	31
73	70 and over	65	44	40	35	32
	75 and over	70	46	42	39	34
	80 and over	75	51	45	40	36
	85 and over	80	52	46	41	36
	90 and over	85	54	50	42	39
	95 and over	90	56	51	45	41
	100 and over	95	59	54	46	42
	110 and over	100	64	57	52	45
	120 and over	110	69	62	55	50
	130 and over	120	73	65	57	54
	140 and over	130	77	70	62	56
	150 and over	140	81	75	65	59
	160 and over	150	86	77	70	62
	170 and over	160	91	81	73	65
	180 and over	170	96	86	76	69
	190 and over	180	100	90	80	73
	200 and over	190	105	96	84	76
	210 and over	200	110	99	88	79
	220 and over	210	116	102	92	83
	230 and over	220	120	108	96	86
	240 and over	230	124	112	100	90
	250 and over	240	130	117	102	92
	260 and over	250	133	120	106	96
	270 and over	260	138	124	111	100

Refer to page 28 for explanation of abbreviations and symbols not explained on this page.

SECTION NO. 4 - HEAVY COMMODITIES

Item No.	RATES ARE IN CENTS PER 100 POUNDS			
DISTANCE - MILES	Column			
	1 10M	2 15M	3 20M	4 30M
280 and over 270	142	130	114	102
290 and over 280	147	132	118	106
300 and over 290	152	136	121	110
320 and over 300	160	144	128	116
340 and over 320	166	149	132	118
360 and over 340	173	156	139	124
380 and over 360	180	162	144	131
400 and over 380	187	168	149	135
420 and over 400	194	174	153	140
440 and over 420	200	179	157	144
460 and over 440	208	186	163	150
480 and over 460	215	193	169	155
500 and over 480	221	199	175	161
520 and over 500	229	206	179	166
540 and over 520	235	211	184	171
560 and over 540	242	217	190	175
580 and over 560	250	224	196	180
600 and over 580	256	231	201	187
620 and over 600	264	237	207	191
640 and over 620	271	242	211	196
660 and over 640	277	249	217	200
680 and over 660	285	255	222	207
700 and over 680	292	263	229	212

73  
(Continued)

SECTION NO. 5

Rates as Provided in this Section  
will apply on livestock, all kinds.  
Rates are in cents per 100 pounds (unless otherwise stated)

Item No.	SECTION NO. 5 - COMMODITY RATES
	Commodities in the Same Item may be shipped in straight or mixed truck loads, unless otherwise provided.

Livestock, all kinds, except sheep, calves (weighing 400 pounds or less each), show or racing stock.

74 Shipments of sheep, calves (weighing 400 pounds or less each) show or racing stock will be 15 percent higher (greater) than the rates on other livestock. (See conversion table on pages 26 and 27 hereof.

When less-than-truckload shipments are combined and loaded at one place, the rate applicable to the total weight of the combined shipments will be charged.

When less-than-truckload shipments are combined, but loaded at different places, the rate applicable to the total weight of the shipments, plus \$2.00 for each pick-up, will be charged.

Refer to page 28 for explanation of abbreviations and symbols not explained on this page.

## SECTION NO. 5 - COMMODITY RATES

Item No.	TO	Denver, Colorado		
		Minimum Weight		
		10,000 Pounds	14,000 Pounds	18,000 Pounds
From (See Note 1)		RATES		
Points in Jackson County, Colo., within two miles of State Highways No. 14, 125 or 127 .....		54	53	52
Points in Jackson County, Colo., exceeding two miles but not exceeding five miles from State Highways No. 14, 125 or 127 .....		56	55	54
Points in Jackson County, Colo., exceeding five miles but not exceeding ten miles from state highways No. 14, 125 or 127 .....		58	57	56

NOTE 1: L.T.L. Rate will apply  
from Walden, Colorado only at  
92 cents per hundred pounds,  
subject to a minimum charge  
per shipment of \$12.50.

When specific rates are not shown in  
this item apply the mileage scale of  
rates shown in this section.

## LIVESTOCK

RATES ARE IN CENTS PER 100 POUNDS APPLY ON LIVESTOCK, ALL KINDS, EXCEPT  
SHEEP, CALVES (Weighing 400 Pounds or Less Each), SHOW OR RACING STOCK

FOR RATES ON SHEEP, CALVES (Weighing 400 Pounds or Less each), show and  
Racing Stock see the conversion table on pages 26 and 27 of this tariff.

Scale of Rates					Scale of Rates				
Min. Wt. Pounds					Min. Wt. Pounds				
Miles	LTL	10M	16M	18M	Miles	LTL	10M	16M	18M
5	34	10	9	8	210	104	79	68	64
10	35	14	13	10	220	109	82	72	66
15	38	16	14	12	230	113	83	75	69
20	39	18	17	14	240	117	85	79	71
25	40	21	18	15	250	121	88	83	74
30	43	23	20	17	260	126	92	87	76
35	44	25	21	18	270	130	98	91	79
40	46	26	22	19	280	134	101	95	82
45	47	27	23	20	290	138	105	99	85
50	49	29	25	21	300	142	109	103	88
55	51	30	26	22	310	146	113	107	91
60	52	31	27	24	320	150	117	111	93

When exact distance is not shown, use next greater distance.

Refer to page 28 for explanation of abbreviations and symbols not explained  
on this page.

# SECTION NO. 5 - LIVESTOCK

Scale of Rates					Scale of Rates				
Min. Wt. Pounds					Min. Wt. Pounds				
Miles	LTL	10M	16M	18M	Miles	LTL	10M	16M	18M
65	56	33	29	25	330	153	121	114	96
70	57	34	30	27	340	157	125	117	99
75	59	35	31	29	350	161	126	121	102
80	60	36	33	30	360	165	127	125	105
85	61	39	34	31	370	169	129	127	107
90	62	40	35	32	380	173	130	129	109
95	65	42	36	33	390	177	134	131	112
100	68	43	38	34	400	181	135	134	115
110	70	44	40	36	410	185	139	137	118
120	73	47	43	39	420	189	142	139	120
130	75	49	46	42	430	192	144	142	123
140	78	55	48	44	440	209	148	144	125
150	81	56	51	46	450	213	151	147	128
160	83	59	53	49	475	224	157	150	131
170	86	62	56	52	500	234	165	153	134
180	90	66	59	55	525	244	173	161	137
190	96	70	61	58	550	255	181	169	140
200	100	75	64	61	575	263	191	177	143
					600	273	196	185	146

## SECTION NO. 5 - CONVERSION TABLE

The rates in cents per 100 pounds to apply on shipments of sheep, calves (weighing 400 pounds or less), and show or racing stock will be 15% greater than those provided in this section for application on shipments of other livestock subject to a minimum increase of 2 cents per 100 pounds. (See below for conversion table of rates).

When Mileage Rate is	Rate on Sheep, Calves and Show or Racing Stock will be:	When Mileage Rate is	Rate on Sheep, Calves and Show or Racing Stock will be:	When Mileage Rate is	Rate on Sheep, Calves and Show or Racing Stock will be:	When Mileage Rate is	Rate on Sheep, Calves and Show or Racing Stock will be:
2 1/2	4 1/2	26	30	50	58	74	85
3	5	27	31	51	59	75	86
4	6	28	32	52	60	76	87
5	7	29	33	53	61	77	89
6	8	30	35	54	62	78	90
7	9	31	36	55	63	79	91
8	10	32	37	56	64	80	92
9	11	33	38	57	66	81	93
10	12	34	39	58	67	82	94
11	13	35	40	59	68	83	95
12	14	36	41	60	69	84	97
13	15	37	43	61	70	85	98

Refer to page 28 for explanation of abbreviations and symbols not explained on this page.

When Mileage Rate is	Rate on Sheep, Calves & Show or Racing Stock will be:	When Mileage Rate is	Rate on Sheep, Calves & Show or Racing Stock will be:	When Mileage Rate is	Rate on Sheep, Calves & Show or Racing Stock will be:	When Mileage Rate is	Rate on Sheep, Calves & Show or Racing Stock will be:
14	16	38	44	62	71	86	99
15	17	39	45	63	72	87	100
16	18	40	46	64	74	88	101
17	20	41	47	65	75	89	102
18	21	42	48	66	76	90	104
19	22	43	49	67	77	91	105
20	23	44	51	68	78	92	106
21	24	45	52	69	79	93	107
22	25	46	53	70	81	94	108
23	26	47	54	71	82	95	109
24	28	48	55	72	83	96	110
25	29	49	56	73	84	97	112
98	113	128	147	158	182	188	216
99	114	129	148	159	183	189	217
100	115	130	150	160	184	190	219
101	116	131	151	161	185	191	220
102	117	132	152	162	186	192	221
103	118	133	153	163	187	193	222
104	120	134	154	164	189	194	223
105	121	135	155	165	190	195	224
106	122	136	156	166	191	196	225
107	123	137	158	167	192	197	227
108	124	138	159	168	193	198	228
109	125	139	160	169	194	199	229
110	127	140	161	170	196	200	230
111	128	141	162	171	197	201	231
112	129	142	163	172	198	202	232
113	130	143	164	173	199	203	233
114	131	144	166	174	200	204	235
115	132	145	167	175	201	205	236
116	133	146	168	176	202	206	237
117	135	147	169	177	204	207	238
118	136	148	170	178	205	208	239
119	137	149	171	179	206	209	240
120	138	150	173	180	207	210	242
121	139	151	174	181	208	211	243
122	140	152	175	182	209		
123	141	153	176	183	210		
124	143	154	177	184	212		
125	144	155	178	185	213		
126	145	156	179	186	214		
127	146	157	181	187	215		

Refer to page 28 for explanation of abbreviations and symbols not explained on this page.

# EXPLANATION OF ABBREVIATIONS AND SYMBOLS

ABBREVIATION OR SYMBOL	EXPLANATION	ABBREVIATION OR SYMBOL	EXPLANATION
A.M.....	Before noon.....	Min.....	Minimum
C.O.D.....	Collect on Delivery.....	NOI.....	Not otherwise more specifically described in the current classification.
Co.....	Company.....	No.....	Number
Colo.....	Colorado.....	NOS.....	Numbers
Conc.....	Concluded.....	NOS.....	Not otherwise specified in the same item or in any other commodity item in this tariff naming rates on the same articles, subject to the same minimum weight, from and to the same points.
Cont.....	Continued.....		
Ft.....	Fort.....		
FF.....	Folded Flat.....		
Gal.....	Gallon.		
I.C.C.....	Interstate Commerce Commission		
KD .....	Knocked Down.		
Lbs.....	Pounds.		
LTL.....	Less-than-truckload.		
M .....	Thousand Pounds.		
MF .....	Motor Freight		
		PM.....	Afternoon.
		SU.....	Set Up.
		VIZ.....	Namely.
		WT.....	Weight.
		Wyo.....	Wyoming
1/2 of 4 ...	One Half of Fourth Class Rate	.....	No change in rate.
3 1/4 .....	Three and one fourth times first class rate		
¢ .....	Cents	&.....	And
% .....	Per Cent	\$.....	Dollars.
(AD) .....	Addition.		
(c) .....	Change resulting in neither an increase nor a reduction.		
(A) .....	Increase.		
(R) .....	Reduction.		

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF	)	
MC KINLEY SHANNON AND EVON MELONEY,	)	
CO-PARTNERS, DOING BUSINESS AS	)	
"SHANNON AND MELONEY," RUSHVILLE,	)	<u>PUC NO. 2467-I-Transfer</u>
NEBRASKA, FOR AUTHORITY TO TRANSFER	)	
INTERSTATE OPERATING RIGHTS TO	)	
MC KINLEY SHANNON, RUSHVILLE,	)	
NEBRASKA.	)	
-----	)	

-----  
January 20, 1954  
-----

S T A T E M E N T

By the Commission:

Heretofore, McKinley Shannon and Evon Meloney, co-partners, doing business as "Shannon and Meloney," Rushville, Nebraska, were authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as common carriers by motor vehicle, in interstate commerce, and PUC No. 2467-I issued to them.

Said certificate-holders now seek authority to transfer said operating rights to McKinley Shannon, Rushville, Nebraska, said Evon Meloney being desirous of withdrawing from said partnership.

The records and files of the Commission fail to disclose any reason why said transfer should not be authorized.

F I N D I N G S

THE COMMISSION FINDS:

That authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That McKinley Shannon and Evon Meloney, co-partners, doing business as "Shannon and Meloney," Rushville, Nebraska, should be, and

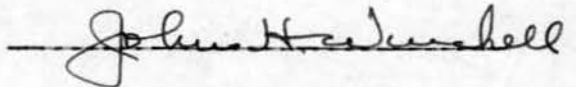
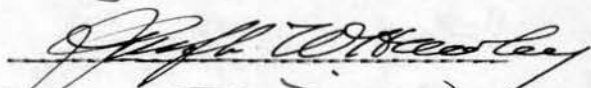
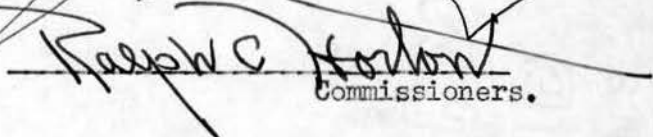
they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 2467-I to McKinley Shannon, Rushville, Nebraska, said Evon Meloney being hereby authorized to withdraw from said partnership.

That transfer herein authorized is subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, and subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 20th day of January, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
YALE B. CHAPIN, ELIZABETH, COLORADO )  
 )  
 )  
 )  
 )  
\_\_\_\_\_ )

PERMIT NO. C-18214

\_\_\_\_\_  
January 28, 1954  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Yale B. Chapin,  
\_\_\_\_\_  
requesting that Permit No. C-18214 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-18214, heretofore issued to \_\_\_\_\_  
Yale B. Chapin, \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective January 19, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Charles J. MacInchell*  
*James C. Hawley*  
*Ralph C. Hudson*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 195 4.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
NICKIE ROCCHIO, DOING BUSINESS AS )  
"ANNEX COAL COMPANY," 323 EAST 2ND )  
STREET, FLORENCE, COLORADO )  
----- )

PERMIT NO. C-12992

-----  
January 28, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Nickie Rocchio, doing business as "Annex Coal Co."  
requesting that Permit No. C-12992 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-12992, heretofore issued to \_\_\_\_\_  
Nickie Rocchio, d/b/a Annex Coal Co. be,  
and the same is hereby, declared cancelled effective January 13, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

C. Ross Hestlin  
Joseph C. Hestlin  
Ralph C. Hestlin  
Commissioners

Dated at Denver, Colorado,

this 28th day of Jan., 195 4.

ea

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
GEO. F. ALLEN & WALTER P. WEISS, d/b/a  
METAL PRODUCTS CO., 501 W. COLORADO )  
AVE., COLORADO SPRINGS, COLORADO )  
)  
)  
\_\_\_\_\_)

**PERMIT NO. C-3991**

**January 28, 1954**

## STATEMENT

**By the Commission:**

The Commission is in receipt of a communication from \_\_\_\_\_  
Geo. E. Allen & Walter P. Weiss, d/b/a Metal Products Co.,  
requesting that Permit No. C-3991 be cancelled.

## FINDINGS

### THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:** !

That Permit No. C-3991, heretofore issued to \_\_\_\_\_  
Geo. E. Allen & Walter P. Weiss, d/b/a Metal Products Co., \_\_\_\_\_ be,  
 and the same is hereby, declared cancelled effective June 30, 1953.

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

*E. C. Finchell*  
*Joseph E. Hurdley*  
*Ralph C. Horton*  
Commissioners

**Dated at Denver, Colorado,**

**this 28th day of Jan. , 1954.**

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
FRANK H. HEHEMANN, DOING BUSINESS AS )  
DENVER BARBER & BEAUTY SUPPLY CO. )  
828 NORTH PIEDRAS ST., EL PASO, TEXAS )  
-----)

PERMIT NO. C-4033

-----  
January 28, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Frank H. Hehemann, d/b/a Denver Barber & Beauty Supply Co.,  
requesting that Permit No. C-4033 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-4033, heretofore issued to \_\_\_\_\_  
Frank H. Hehemann, d/b/a Denver Barber & Beauty Supply Co., be,  
and the same is hereby, declared cancelled effective January 15, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. McNeill*  
*Thos. C. McNeill*  
*Ralph G. McNeill*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 28th day of Jan., 195 4.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
J. C. BUNCH, 2012 DELWOOD AVENUE, )  
DURANGO, COLORADO )  
\_\_\_\_\_ )

PERMIT NO. C-4104

\_\_\_\_\_  
January 28, 1954  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

J. C. Bunch,

requesting that Permit No. C-4104 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-4104, heretofore issued to \_\_\_\_\_

J. C. Bunch, \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective January 15, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Hinchell*  
*Ralph C. Horton*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 28th day of Jan., 195 4.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

EDWIN S. STEEL, 1327 H STREET,  
SALIDA, COLORADO

PERMIT NO. C-11230

January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Edwin S. Steel,  
requesting that Permit No. C-11230 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-11230, heretofore issued to \_\_\_\_\_  
Edwin S. Steel, \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective January 15, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchell*  
*Ralph C. Heston*  
Commissioners

Dated at Denver, Colorado,

this 28th day of Jan., 1954.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
W. PULEC, DOING BUSINESS AS \*PULEC )  
TRUCK SERVICE, 905 WEST WALNUT ST., )  
SALINA, KANSAS. )  
\_\_\_\_\_ )

PERMIT NO. C- 17772

\_\_\_\_\_  
January 28, 1954  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
W. Pulec, doing business as "Pulec Truck Service,"  
\_\_\_\_\_  
requesting that Permit No. C-17772 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-17772, heretofore issued to \_\_\_\_\_  
W. Pulec, d/b/a Pulec Truck Service, \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective January 15, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Linnahall  
Joseph C. H. H. H.  
Joseph C. H. H. H.  
Commissioners

Dated at Denver, Colorado,

this 28th day of Jan., 195 4.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
DANDEE MFG. CO. INC., FIRST & MAIN, )  
GUYMON, OKLAHOMA. )

PERMIT NO. C-19444

January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Dandee Mfg. Co. Inc.,  
requesting that Permit No. C-19444 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-19444, heretofore issued to \_\_\_\_\_  
Dandee Mfg. Co. Inc., \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective December 15, 1953.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

C. Gordon Smith  
George C. H. H. H. H.  
Ray C. Horton  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
CHARLES HOPSON, BETHUNE, COLORADO. )

PERMIT NO. C-31595

January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Charles Hopson,  
requesting that Permit No. C-31595 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-31595, heretofore issued to \_\_\_\_\_  
Charles Hopson, \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective January 13, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John MacInnes*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,

this 28th day of Jan., 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
E. D. MARTIN, DOING BUSINESS AS )  
"MARTIN SHEET METAL SHOP" 118 N. )  
CASCADE AVE., MONTROSE, COLORADO )  
\_\_\_\_\_ )

PERMIT NO. C-31075

\_\_\_\_\_  
January 28, 1954  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

E. D. Martin, d/b/a Martin Sheet Metal Shop,  
requesting that Permit No. C-31075 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-31075, heretofore issued to \_\_\_\_\_  
E. D. Martin, d/b/a Martin Sheet Metal Shop, be,  
and the same is hereby, declared cancelled effective January 15, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 21st day of Jan., 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
LE ROY DUKE, DOING BUSINESS AS )  
"DUKE(S RADIO & ELECTRONIC SUPPLY, )  
3449 WEST CENTER, DENVER 19, COLORADO )

PERMIT NO. C-30978

January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
LeRoy Duke, d/b/a Duke's Radio & Electronic Supply,  
requesting that Permit No. C-30978 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30978, heretofore issued to \_\_\_\_\_  
LeRoy Duke, d/b/a Duke's Radio & Electronic Supply, \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective January 12, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Robert H. Lincoln*  
*James C. H. H. H.*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,

this 21st day of Jan., 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
H.C. McNITT, WASHINGTON, KANSAS. )

PERMIT NO. C-31145

January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

H. C. McNitt,

requesting that Permit No. C-31145 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-31145, heretofore issued to \_\_\_\_\_

H. C. McNitt, \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective January 15, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hines  
Joseph C. Hines  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 28th day of Jan., 1954.

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
MAURICE ESLINGER, 2769 SOUTH BANNOCK )  
STREET, ENGLEWOOD, COLORADO )

PERMIT NO. C-30611

**January 28, 1954**

# STATEMENT

**By the Commission:**

The Commission is in receipt of a communication from \_\_\_\_\_  
Maurice Eslinger,  
 \_\_\_\_\_  
 requesting that Permit No. C-30611 be cancelled.

## FINDINGS

## THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-30611, heretofore issued to \_\_\_\_\_  
Maurice Eslinger \_\_\_\_\_ be,  
 and the same is hereby, declared cancelled effective December 16, 1953.

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

James McLaughlin  
J. Edgar Hoover  
Joseph C. Horan  
Commissioners

**Dated at Denver, Colorado,**

**this 28th day of Jan. , 1954.**

\*\*\*\*\*

**PERMIT NO. C-30549**

STATEMENT

**The Commission is in receipt of a communication from** \_\_\_\_\_

**requesting that Permit No. C-30549 be cancelled.**

**That the request should be granted.**

That Permit No. C-30549, heretofore issued to

**and the same is hereby, declared cancelled effective January 13, 1954.**

John H. Winchell  
Joseph C. Horton  
Commissioners

ed.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
LUIS PAZ, RT 1, BOX 159, LA JARA, )  
COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-30202

-----  
January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Luis Paz,

requesting that Permit No. C-30202 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30202, heretofore issued to \_\_\_\_\_

Luis Paz, be,

and the same is hereby, declared cancelled effective January 15, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Lincoln  
Joseph C. Horton  
Joseph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 28th day of Jan., 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
RICHARD M. KELLY AND KEITH & WM. J. )  
TALLEY, DOING BUSINESS AS "A-1 PAINT )  
COMPANY, 4771 Elizabeth, Denver 16, )  
COLORADO. )  
-----)

PERMIT NO. C-30529

-----  
January 28, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Richard M. Kelly and Keith & Wm. J. Talley, d/b/a A-1 Paint Company,  
requesting that Permit No. C-30529 be cancelled.

FINDINGS

THE COMMISSION FINDS:

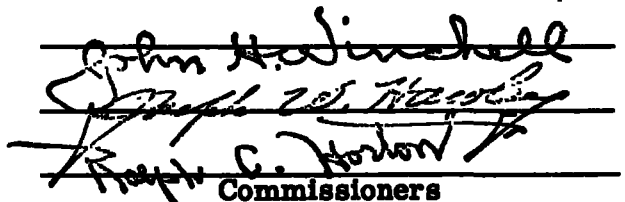
That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30529, heretofore issued to \_\_\_\_\_  
Richard M. Kelly and Keith & Wm. J. Talley, d/b/a A-1 Paint Company, \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective January 15, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 28th day of Jan., 195 4.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
GEORGE LAUDERBACK AND WILLIS WAITE, )  
DOING BUSINESS AS "L & W TANK )  
CLEANING SERVICE, PADRONI, COLORADO. )  
\_\_\_\_\_ )

PERMIT NO. C-30198

\_\_\_\_\_  
January 28, 1954  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
George Lauderback and Willis Waite,  
requesting that Permit No. C-30198 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30198, heretofore issued to \_\_\_\_\_  
George Lauderback and Willis Waite, \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective January 7, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Finchell*  
*Ralph C. Norton*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 28th day of Jan., 195 4.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
JIMMY MEDINA, RT. 2 BOX 84, ALAMOSA, )  
COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-30074

-----  
January 28, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Jimmy Medina,  
requesting that Permit No. C-30074 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30074, heretofore issued to \_\_\_\_\_  
Jimmy Medina, be,  
and the same is hereby, declared cancelled effective January 15, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Lincoln  
Joseph C. H. H. H.  
Joseph C. H. H.  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 195 4.

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
JOE M. PERINO, 1972 WEST 3RD AVE., )  
DURANGO, COLORADO )

PERMIT NO. C-30041

**January 28, 1954**

## STATEMENT

**By the Commission:**

**The Commission is in receipt of a communication from** \_\_\_\_\_

**Joe M. Perino,**

requesting that Permit No. C-30041 be cancelled.

## FINDINGS

### THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

**That Permit No.** \_\_\_\_\_, **heretofore issued to** \_\_\_\_\_

Joe M. Perino, be.

**and the same is hereby, declared cancelled effective January 15, 1954.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

*Ralph C. Hudson*  
Commissioners

**Dated at Denver, Colorado,**

this 28th day of Jan. , 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
R. J. MOORE & GENE C. MOORE, DOING )  
BUSINESS AS "AQUA SOFT WATER SERVICE," )  
746 BIRCH STREET, DENVER 20, COLORADO )  
\_\_\_\_\_ )

PERMIT NO. C-29929

\_\_\_\_\_  
January 28, 1954  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
R. J. Moore & Gene C. Moore, d/b/a Aqua Soft Water Service,  
\_\_\_\_\_ requesting that Permit No. C-29929 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29929, heretofore issued to \_\_\_\_\_  
R. J. Moore & Gene C. Moore, d/b/a Aqua Soft Water Service, \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective January 1, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*James H. McInchell*  
*Joseph C. Macomber*  
*Ralph C. Horton*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 28th day of Jan., 195 4.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
HOLLIS E. ROACH & DUANE D. ZABKA, )  
4525 MILWAUKEE STREET, DENVER 16, )  
COLORADO. )  
\_\_\_\_\_ )

PERMIT NO. C-29606

\_\_\_\_\_  
January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Hollis E. Roach & Duane D. Zabka,  
\_\_\_\_\_ requesting that Permit No. C-29606 be cancelled.

FINDINGS

THE COMMISSION FINDS:

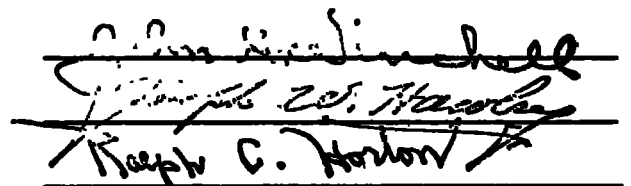
That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29606, heretofore issued to \_\_\_\_\_  
Hollis E. Roach & Duane D. Zabka, \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective December 14, 1953.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 28th day of Jan., 1954.

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
WALTER C. MACKEY, RT 4, LAS ANIMAS, )  
COLORADO. )

PERMIT NO. C-29479

**January 28, 1954**

## STATEMENT

**By the Commission:**

The Commission is in receipt of a communication from \_\_\_\_\_  
Walter C. Mackey,  
 \_\_\_\_\_  
 requesting that Permit No. C-29479 be cancelled.

## FINDINGS

## THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-29479, heretofore issued to \_\_\_\_\_  
Walter C. Mackey, \_\_\_\_\_ be,  
 and the same is hereby, declared cancelled effective January 15, 1954.

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

*John W. Lincoln*  
*Sept 20, 1894*  
*Reph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 28th day of Jan., 1954.  
ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
FRANK WALLACE KULLMAN, DOING BUSINESS  
AS "EVERGREEN ELECTRIC SERVICE," )  
DOUBLE HEADER RANCH, STAR ROUTE, )  
MORRISON, COLORADO. )  
-----

PERMIT NO. C-29028

-----  
January 28, 1954  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Frank Wallace Kullman, d/b/a Evergreen Electric Service,  
requesting that Permit No. C-29028 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29028, heretofore issued to \_\_\_\_\_  
Frank Wallace Kullman, d/b/a Evergreen Electric Service, be,  
and the same is hereby, declared cancelled effective January 15, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Lincoln*  
*Joseph C. Harrison*  
*Harold C. Norton*  
Commissioners

Dated at Denver, Colorado,

this 28th day of Jan., 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
GIBSON MANUFACTURING CORPORATION, )  
EAST 9TH AVENUE, LONGMONT, COLORADO. )  
\_\_\_\_\_) )  
\_\_\_\_\_)

PERMIT NO. C-19550

\_\_\_\_\_  
January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Gibson Manufacturing Corporation

requesting that Permit No. C-19550 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-19550, heretofore issued to \_\_\_\_\_

Gibson Manufacturing Corporation be,

and the same is hereby, declared cancelled effective January 15, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

James H. Marshall  
Joseph C. Roberts  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

nls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
JACK HORN, HOTCHKISS, COLORADO. )

PERMIT NO. C-20173

January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Jack Horn

requesting that Permit No. C-20173 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-20173, heretofore issued to \_\_\_\_\_

Jack Horn

be,

and the same is hereby, declared cancelled effective January 6, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winkler*  
*Ralph E. Gordon*

Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

als

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
JOSEPH F. DELUCA, 1004 F. STREET, )  
SALIDA, COLORADO. )

**PERMIT NO. C-21267**

**January 28, 1954**

**STATEMENT**

**By the Commission:**

**The Commission is in receipt of a communication from** \_\_\_\_\_

**Joseph F. DeLuca**

**requesting that Permit No. C-21267 be cancelled.**

## **FINDINGS**

## THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

**That Permit No. C-21267** , heretofore issued to \_\_\_\_\_

**Joseph F. DeLuca** \_\_\_\_\_ **be,**

**and the same is hereby, declared cancelled effective January 14, 1954.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

John H. Lincoln  
Joseph C. Haddon  
Commissioners

**Dated at Denver, Colorado,**

this 28th day of January, 1954.

also

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ELBERT W. HOGUE, 1445 GRAND AVENUE, )  
CANON CITY, COLORADO. )

**PERMIT NO. C-21945**

**January 28, 1954**

## STATEMENT

**By the Commission:**

**The Commission is in receipt of a communication from** \_\_\_\_\_

**Elbert W. Hogue**

**requesting that Permit No. C-21945 be cancelled.**

## FINDINGS

## THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

**That Permit No. C-21945**, heretofore issued to \_\_\_\_\_

**Elbert W. Hogue** \_\_\_\_\_ **be,**

and the same is hereby, declared cancelled effective **January 15, 1954.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

John McInchell  
Ralph C. Horton  
Commissioners

**Dated at Denver, Colorado,**

this 28th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ERNEST ALLISON, DOING BUSINESS AS )  
"ENID HIDE & WOOL," 1525 CHERRY, )  
GOODLAND, KANSAS. )  
----- )

PERMIT NO. C-21191

-----  
January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Ernest Allison, dba "Enid Hide & Wool,"  
requesting that Permit No. C-21191 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-21191, heretofore issued to \_\_\_\_\_  
Ernest Allison, dba "Enid Hide & Wool," be,  
and the same is hereby, declared cancelled effective January 12, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
Ralph C. Hudson  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

EDWARD J. HRUBY, 4226 BARKER  
AVENUE, OMAHA, NEBRASKA.

PERMIT NO. C-24048

January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Edward J. Hruby

requesting that Permit No. C-24048 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-24048, heretofore issued to \_\_\_\_\_

Edward J. Hruby

be,

and the same is hereby, declared cancelled effective January 15, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchell*  
*Joseph C. Macdonald*  
*Ralph C. Hubbard*  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ROY E. BIGLEY, PEETZ, COLORADO. )

PERMIT NO. C-24995

January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Roy E. Bigley

requesting that Permit No. C-24995 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-24995, heretofore issued to \_\_\_\_\_

Roy E. Bigley \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective January 15, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Mitchell*  
*Ralph C. Hurd*  
*Ralph G. Hurd*

Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

LON INGRAM, 3039 SOUTH BANNOCK,  
ENGLEWOOD, COLORADO.

PERMIT NO. C-25172

January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Lon Ingram

requesting that Permit No. C-25172 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-25172, heretofore issued to \_\_\_\_\_

Lon Ingram

be,

and the same is hereby, declared cancelled effective January 1, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Marshall*  
*Ralph C. Norton*  
*Ralph C. Norton*  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
CARL O. JOHNSON, DOING BUSINESS AS )  
"JOHNSON & JOHNSON HEATING CO.," )  
4931 WEST 38TH AVENUE, DENVER 12, )  
COLORADO. )  
-----)

PERMIT NO. C-25623

-----  
January 28, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Carl O. Johnson, dba "Johnson & Johnson Heating Co."

requesting that Permit No. C-25623 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-25623, heretofore issued to \_\_\_\_\_

Carl O. Johnson, dba "Johnson & Johnson Heating Co." be,

and the same is hereby, declared cancelled effective January 15, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. W. H. H. H.  
Ralph C. H. H. H.  
Ralph C. H. H. H.  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

LEAMON S. NALL, BOX 24, RAINBOW  
BOULEVARD, SALIDA, COLORADO.

PERMIT NO. C-25380

January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Leamon S. Nall

requesting that Permit No. C-25380 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-25380, heretofore issued to \_\_\_\_\_

Leamon S. Nall \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective January 15, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Lincoln  
Reep C. Horton  
Reep C. Horton  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

JAMES A. MOON, ROUTE 1, BOX 210, )  
DENVER, COLORADO. )

PERMIT NO. C-27273

January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

James A. Moon

requesting that Permit No. C-27273 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-27273, heretofore issued to \_\_\_\_\_

James A. Moon \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective January 11, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Marshall*  
*Ralph C. Horton*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 195 4.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

WALTER L. & THOMAS W. CROW, DOING )  
BUSINESS AS "LONGMONT HATCHERY," )  
LONGMONT, COLORADO. )

PERMIT NO. C-28067

January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Walter L. & Thomas W. Crow, dba "Longmont Hatchery"

requesting that Permit No. C-28067 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-28067, heretofore issued to \_\_\_\_\_

Walter L. & Thomas W. Crow, dba "Longmont Hatchery"

be,

and the same is hereby, declared cancelled effective January 9, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 28th day of January, 1954.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

FRANK HERMINGHOUSE, DOING BUSINESS )  
AS "LINCOLN PARK AUTO SALES," 1520 )  
CHESTNUT, CANON CITY, COLORADO. )  
----- )

PERMIT NO. C-28485

-----  
January 28, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Frank Herminghouse, dba "Lincoln Park Auto Sales,"

requesting that Permit No. C-28485 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-28485, heretofore issued to \_\_\_\_\_

Frank Herminghouse, dba "Lincoln Park Auto Sales" be,

and the same is hereby, declared cancelled effective January 15, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Lincoln  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
M. G. FRAKER, ROUTE 3, BOX 139, )  
GREELEY, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-28603

-----  
January 28, 1954  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

M. G. Fraker

requesting that Permit No. C-28603 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-28603, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
M. G. Fraker be,

and the same is hereby, declared cancelled effective January 5, 1954;

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchell*  
*Joseph C. Hecox*  
*Ralph C. Norton*

Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
STEEL CITY MOTOR CO., 840 PLYMOUTH )  
BUILDING, MINNEAPOLIS, MINNESOTA. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-28703

-----  
January 28, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Steel City Motor Co.

requesting that Permit No. C-28703 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-28703, heretofore issued to \_\_\_\_\_

Steel City Motor Co. \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective January 15, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Lincoln*  
*Ralph C. Horton*  
*Ralph C. Horton*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

BUNGALOW TELEVISION, INC., 5834 )  
MONTVIEW BOULEVARD, DENVER 7, )  
COLORADO. )  
----- )

PERMIT NO. C-28741

-----  
January 28, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Bungalow Television, Inc.,

requesting that Permit No. C-28741 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-28741, heretofore issued to \_\_\_\_\_

Bungalow Television, Inc.,

be,

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 28th day of Jan., 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

DELMER MILLER, 608 RUSSELL, SCOTT  
CITY, KANSAS.

PERMIT NO. C-28893

January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Delmer Miller,

requesting that Permit No. C-28893 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-28893, heretofore issued to \_\_\_\_\_

Delmer Miller, \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective January 15, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 28th day of Jan., 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
CHARLES, WILLIAM AND LOUIS LILEY, )  
DOING BUSINESS AS "CHARLES LILEY & )  
SONS," LAFAYETTE, COLORADO. )  
----- )

PERMIT NO. C-3436

-----  
January 28, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Charles, William and Louis Liley, d/b/a Charles Liley & Sons,  
requesting that Permit No. C-3436 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-3436, heretofore issued to \_\_\_\_\_  
Charles, William and Louis Liley, d/b/a Charles Liley & Sons, \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective January 1, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Lincoln  
Joseph C. Heston  
Ralph C. Heston  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
HERMAN DETERT, 1112 - 11TH STREET, )  
DENVER 4, COLORADO )

PERMIT NO. C-1898

January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Herman Detert,

requesting that Permit No. C-1898 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-1898, heretofore issued to \_\_\_\_\_

Herman Detert,

be,

and the same is hereby, declared cancelled effective January 8, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchell*  
*Wm. C. H. H. H. H.*  
*Ralph C. H. H. H.*

Commissioners

Dated at Denver, Colorado,

this 28th day of Jan., 195 4.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
KANSAS CITY AUTOMOBILE AUCTION )  
CO. INC., 1900 TRUMAN ROAD, ) PUC NO. 2417-I  
KANSAS CITY, MISSOURI. )  
----- )

-----  
January 28, 1954  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Kansas City Automobile Auction Co. Inc., requesting that Certificate  
of Public Convenience and Necessity No. 2417-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. 2417-I heretofore issued to Kansas  
City Automobile Auction Co. Inc., be, and the same is hereby, declared  
cancelled effective January 5, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Hines*  
*Joseph W. Hines*  
*Ralph C. Hines*

-----  
Commissioners.

Dated at Denver, Colorado,  
this 28<sup>th</sup> day of January, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
GLEN T. GALUTIA, 1440 NO. NEVADA, )  
COLORADO SPRINGS, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-23369

-----  
January 28, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

\_\_\_\_\_  
Glen T. Galutia

requesting that Permit No. C-23369 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-23369, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Glen T. Galutia be,

and the same is hereby, declared cancelled effective January 19, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchell*  
\_\_\_\_\_  
*Ralph C. Norton*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
E. & E. PRODUCE CO., 135 PACIFIC )  
AVENUE, SALT LAKE CITY 1, UTAH. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-24129

-----  
January 28, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
E. & E. Produce Co.

requesting that Permit No. C-24129 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-24129, heretofore issued to \_\_\_\_\_  
E. & E. Produce Co. \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective January 19, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hinchell  
Joseph C. Hinchell  
Ralph C. Hinchell  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
BERNARD H. BLANKENSHIP, 2313 FIELD, )  
FT. WORTH, TEXAS. )  
----- )

PERMIT NO. C-17674

-----  
January 28, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

\_\_\_\_\_  
Bernard H. Blankenship

requesting that Permit No. C-17674 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-17674, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Bernard H. Blankenship be,

and the same is hereby, declared cancelled effective January 19, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
John H. Finchell  
\_\_\_\_\_  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ERNEST LANCE, KIM, COLORADO. )

PERMIT NO. C-19159

January 28, 1954

## STATEMENT

**By the Commission:**

The Commission is in receipt of a communication from \_\_\_\_\_

Ernest Lance

requesting that Permit No. C-19159 be cancelled.

## FINDINGS

### **THE COMMISSION FINDS:**

That the request should be granted.

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-19159, heretofore issued to \_\_\_\_\_

Ernest Lance be,

and the same is hereby, declared cancelled effective January 19, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
 Messrs W. H. H. H.  
 Messrs C. H. H. H.  
 Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
PAUL FRITZLER, DEERTRAIL, COLORADO. )

)  
) PERMIT NO. C-14902  
)  
)  
)  
-----)

-----  
January 28, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Paul Fritzler

requesting that Permit No. C-14902 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-14902, heretofore issued to \_\_\_\_\_

Paul Fritzler \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective January 19, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Vinchell*  
*Joseph C. Hecox*  
*Ralph C. Horton*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

GEORGE CLARK, WM. G. HARRIS, FRANK )  
SMITH & GEO. PRESKAR, JR., DOING )  
BUSINESS AS "GREEN CANON COAL CO.," )  
AGUILAR, COLORADO )  
-----)

PERMIT NO. C-13754

-----  
January 28, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
George Clark, Wm. G. Harris, Frank Smith & Geo. Preskar, Jr., d/b/a Green Canon Coal Co.,  
requesting that Permit No. C-13754 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-13754, heretofore issued to \_\_\_\_\_  
George Clark, Wm. G. Harris, Frank Smith & Geo. Preskar, Jr., d/b/a Green Canon Coal Co., be,  
and the same is hereby, declared cancelled effective January 19, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 28th day of Jan., 195 4.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
EPPY WINE CO. CORP., 206 SO. UNION )  
AVE., PUEBLO, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-8382

-----  
January 28, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Eppy Wine Co. Corp.,  
requesting that Permit No. C-8382 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-8382, heretofore issued to \_\_\_\_\_  
Eppy Wine Co. Corp., \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective January 19, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 28th day of Jan., 195 4.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
K. DAVID POTTENGER, ELBERT, COLORADO )

PERMIT NO. C-4482

January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
K. David Pottenger,  
requesting that Permit No. C-4482 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-4482, heretofore issued to \_\_\_\_\_  
K. David Pottenger, \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective January 18, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John MacInchell  
Joseph C. Horton  
Joseph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 28th day of Jan., 195 4.

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
THE SOUTHEAST COLORADO POWER ASSOC-  
IATION, LA JUNTA, COLORADO, FOR  
CERTIFICATE OF PUBLIC CONVENIENCE  
AND NECESSITY.

January 21, 195

S T A T E M E N T

By the Commission:

The files of the Commission reveal that the above-entitled matter was set for hearing on Thursday, November 21, 1946, and that the hearing was vacated prior to said date, to be reset at a later date.

On August 25, 1947, the Commission, by letter, made inquiry of the applicant as to its desires in this matter, to determine whether or not to reset the application or if it should be dismissed. The files of the Commission fail to show that this inquiry by the Commission was ever answered.

Since no action has been taken on this matter, we believe at this time that this application should be dismissed without prejudice.

## FINDINGS

THE COMMISSION FINDS:

That the above-entitled application should be dismissed without prejudice.

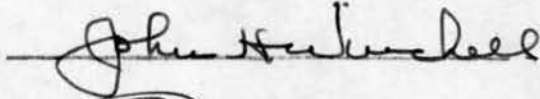
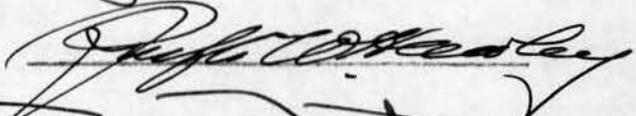
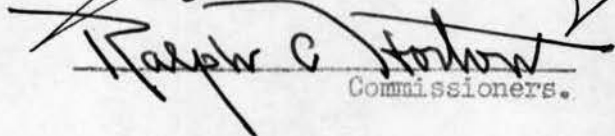
O R D E R

THE COMMISSION ORDERS:

That the above-entitled application, being Application No. 7982 on the Commission's docket, be, and it hereby is, dismissed without prejudice.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 21st day of January, 1954.

ea

original

(Decision No. 41957)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
GEORGE MC JUNKIN, IGNACIO, COLO- )	APPLICATION NO. 12587
RADO, FOR A CERTIFICATE OF PUBLIC )	SUPPLEMENTAL ORDER
CONVENIENCE AND NECESSITY. )	
----- )	

-----  
January 21, 1954  
-----

Appearances: LaVerne H. McKelvey, Esq.,  
Durango, Colorado, and  
R. Franklin McKelvey, Esq.,  
Durango, Colorado, for  
applicant;  
James Brown, Esq., Farmington,  
New Mexico, for Ferguson  
Trucking Company;  
T. A. White, Esq., Denver,  
Colorado, for Rio Grande  
Motor Way, Inc.;  
E. B. Evans, Esq., Denver,  
Colorado, for Durango  
Moving and Storage Company.

S T A T E M E N T

By the Commission:

By Decision No. 41530, of date November 16, 1953, George  
McJunkin, Ignacio, Colorado, in the above-styled application, was  
granted a certificate of public convenience and necessity.

The Commission is now in receipt of a communication from  
R. Franklin McKelvey, Esq., in behalf of applicant, requesting that  
applicant be granted the right to operate under the firm name and style  
of "McJunkin Construction Company."

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 George McJunkin, Ignacio, Colorado, should be, and he

hereby is, authorized to operate under the firm name and style of "McJunkin Construction Company," in the conduct of his operations under certificate of public convenience and necessity granted by Decision No. 41530, of date November 16, 1953.

This Order shall become effective nunc pro tunc, as of November 16, 1953.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Lusk  
John C. Hawley  
Ralph C. Harlow  
Commissioners.

Dated at Denver, Colorado,  
this 21st day of January, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
M. E. BENNETT, ROUTE 4, LONGMONT, }  
COLORADO, FOR A CLASS "B" PERMIT TO }  
OPERATE AS A PRIVATE CARRIER BY }  
MOTOR VEHICLE FOR HIRE. }  
-----

APPLICATION NO. 12710-PP

-----  
January 22, 1954.  
-----

Appearances: M. E. Bennett, Longmont, 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 coal within a radius of fifty miles of Longmont, Colorado; sand, gravel, dirt, and other road-surfacing materials, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Boulder, Colorado, January 20, 1954, 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 one year of experience in the trucking business, and has been working for a construction company which has suggested that he obtain the permit requested. He owns a 1949 G.M.C. two-ton truck, with dump body, and his net worth is \$2,000.00.

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 M. E. Bennett, Longmont, 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 coal within a radius of fifty miles of Longmont, Colorado; 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 fifty 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 fifty miles of said jobs, excluding service in Boulder, Clear Creek, and Gilpin Counties.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. McInnis  
Robert T. McInnis  
Ralph C. McInnis  
Commissioners

Dated at Denver, Colorado,  
this 22nd day of January, 1954.

HW

(Decision No. 41959)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MIKE GLENN, ROUTE 1, BOULDER, COLO- )  
RADO, FOR A CLASS "B" PERMIT TO OP- )  
ERATE AS A PRIVATE CARRIER BY MOTOR )  
VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 12713-PP

-----  
January 22, 1954.  
-----

Appearances: Mike Glenn, Boulder, 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 fifty 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 fifty miles of said jobs, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in northern Colorado coal fields to Valmont Plant of Public Service Company, located near Boulder; Kurer-Empson and Great Western Sugar Company Plants within a fifty-mile radius of Boulder, and to Rocky Mountain Arsenal, located northeast of Denver, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Boulder, Colorado, January 20, 1954, 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 a maintenance worker for the Valmont Plant of the Public Service Company, near Boulder, and has been requested to obtain the authority sought by the Superintendent of said Company. He will continue his present work, but his son will drive the truck, and most of the transportation will be the hauling of coal from northern Colorado coal fields to the Valmont Plant, although he wishes authority to serve the other points named in his application. He owns a 1951 G.M.C. two-ton truck with dump body, and his net worth is \$2,500.00.

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 sought to be served by applicant.

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 the authority sought should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Mike Glenn, Boulder, 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 fifty 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 fifty miles of said jobs, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coalfields to Valmont Plant of Public Service Company, located near Boulder, Colorado; Kumer-Empson and Great Western Sugar Company Plants within a fifty-mile radius of Boulder, and to Rocky Mountain Arsenal, located northeast of Denver, Colorado.

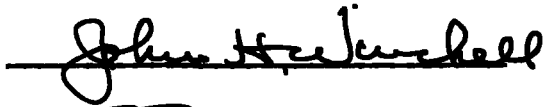

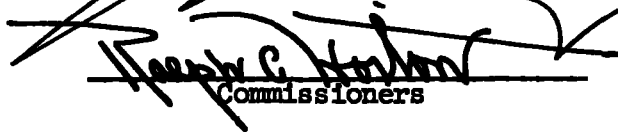
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 22nd day of January, 1954.

(Decision No. 41960)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
WOODROW METHENEY, BOX 181, ERIE, }  
COLORADO, FOR AN EXTENSION OF }  
PERMIT NO. B-4492. }

APPLICATION NO. 12716-PP-Extension

-----  
January 22, 1954.  
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Appearances: Woodrow Metheney, Erie,  
Colorado, pro se;  
Virgil H. Reynolds, Esq.,  
Boulder, Colorado,  
for Shepherd's Truck  
Service, Pherson  
Trucking Company.

S T A T E M E N T

By the Commission:

Woodrow Metheney, Erie, Colorado, is the owner of Private  
Carrier Permit No. B-4492, authorizing the transportation of:

sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service to building construction jobs located within the area served by Hodgson Transfer and in Jackson County, Colorado, and excluding service in Boulder, Clear Creek, and Gilpin Counties, but including the right to serve the Atomic Energy Commission Plant, northwest of Denver, Colorado; coal from mines in the northern Colorado coal fields to Denver; to Valmont Plant of Public Service Company, near Boulder, Colorado; to plants of Great Western Sugar Company and Kuer-Empson Company within a radius of fifty miles of Erie, Colorado; and to Rocky Mountain Arsenal, northeast of Denver, Colorado.

By the instant application, he seeks an extension of said Permit No. B-4492 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 fifty 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 fifty miles of said jobs, excluding service in Clear Creek and Gilpin Counties, Colorado.

In effect, the instant application would permit operations in Boulder County, which were excluded in the Order granting the original permit.

Applicant testified that he has been operating under his permit for the past three years. He has done some work for contractors in Boulder County, including Lowdermilk and Selander, his operations for the latter being under an emergency letter. For a period of three weeks, he operated under an emergency letter from Shepherd's Truck Service. In his opinion, there were not sufficient authorized carriers in Boulder County to properly care for the jobs offered. He produced no customer-witnesses, and admitted that he had received no requests for the proposed service. He owns a 1951 Ford Truck with dump body, and his net worth is \$2,000.

In protest, Robert O. Shepherd, co-owner of PUC No. 509 (Shepherd's Trucking Service), testified that his company has been able to supply the biggest part of the demand for the service proposed. There is but one road construction project in Boulder County, being the road leading to the Rocky Flats Plant. This project is about completed, and there is no other project in sight. He has ample equipment to furnish all the service requested by any contractor in Boulder County, a list of his equipment being on file.

Raymond L. Pherson, operator of PUC No. 2510 (Pherson Trucking Company), testified that his company has ample equipment to take care of all requests for the proposed service. A list of his equipment is on file with the Commission, and he substantiated the testimony of Shepherd as to the lack of any road projects in sight in Boulder County.

The Commission has often held that, when an applicant seeks private carrier authority in an area already served by common carriers and produces no customer witnesses, and when certificated carriers vigorously protest the granting of such an application, showing they

have ample equipment and are able to handle all the business in their certificated areas, such an application should be denied.

For failure of applicant to produce customer-witnesses, and in view of the protests of certificated carriers serving the same area, the Commission is of the opinion that the instant application should be denied.

### F I N D I N G S

#### THE COMMISSION FINDS:

That said application should be denied.

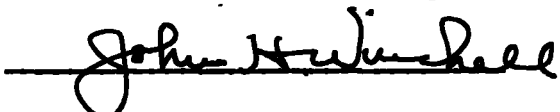

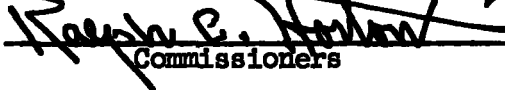
### O R D E R

#### THE COMMISSION ORDERS:

That the above-styled application should be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 22nd day of January, 1954.

mw

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. LAND, 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

SUPPLEMENTAL ORDER

January 22, 1954.

Appearances: Barry and Hupp, Esqs., Denver,  
Colorado, for Colorado Milk  
Transport, Inc.;  
Loyal Kaplan, Esq., Denver,  
Colorado, and  
Marion F. Jones, Esq., Denver,  
Colorado, for Bethke  
Truck Lines and Ed Mapes;  
V. G. Garnett, Denver, Colo-  
rado, for Colorado Rapid  
Transit Company;  
R. T. Wiggins, Fort Collins,  
Colorado, pro se;  
Gordon Walker, Fort Collins,  
Colorado, pro se;  
Alvin L. Miller, Fort Collins,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

On July 29, 1953, this Commission entered its order in the above  
matters (Decision No. 41034), authorizing the transfer of certificates and

permits of various milk haulers to Colorado Milk Transport, Inc., as follows:

<u>Transferors</u>	<u>FUC Authority Numbers</u>
Edward D. Martin )	FUC Nos. 528, 1323
Maxine V. Martin )	Permit No. A-704
Alexander Naeb )	FUC Nos. 452, 527, 1925, 2329
Fred Rein, Jr. )	FUC No. 454
Edna B. Leist )	FUC No. 422
William R. Leist )	FUC No. 1632
L. C. Austin )	FUC No. 467
Alex Laubhan, Jr. )	FUC No. 375, Permit No. A-626
Fred A. Laubhan )	Permit No. A-674
Donald G. Cameron )	Permit No. A-793
Charles M. Cameron )	FUC No. 913
Lawrence C. Henkel )	
Mary Ella Lang )	
W. L. Lang )	

The application, pursuant to which said Order was entered, requested that the Commission consolidate all previously existing authority into one, and that all duplicating authorities be cancelled. A request was also made to convert any private carrier permits not overlapped by common carrier authority into certificates of public convenience and necessity. On Page 7 of the aforementioned decision, the Commission found that such consolidation and conversion should be made.

The Commission found and ordered in said Decision that Colorado Milk Transport, Inc., the transferee, should be required to file a late-filed exhibit in this proceeding,

"definitely describing the area certificates to be served under the new certificate",

which exhibit was to be used as the basis for an Order definitely clarifying the operating rights of transferee and fixing the boundaries of the area authorized to be served under the new consolidated certificate, which has been assigned "FUC No. 375."

Pursuant to Finding No. 7 of said decision, Colorado Milk Transport, Inc., filed an application, setting forth a word description of the new consolidated authority, together with a map as a late-filed exhibit, showing the proposed boundaries of the new authority.

Hearing was held in Denver, Colorado, pursuant to notice sent,

and Kenneth Martin, President of Colorado Milk Transport, Inc., testified regarding the background of the application. He stated that in order to straighten the authority lines describing the outside boundary of the territory and to clarify the commodity description and the destination points that there had been some new territory added, some old territory had been abandoned, and a complete and general re-description of commodities and destinations had been proposed.

Mr. Louis J. Carter, head of the Commission's Enforcement Division, testified that he had examined the application, the word description of the new territory as proposed, and the map showing the boundaries. He stated that from an enforcement standpoint, it was very desirable that the authority be simplified as had been suggested by Colorado Milk Transport, Inc. He stated that in the past the authorities of the predecessors of Colorado Milk Transport, Inc. had been described by metes and bounds, some by circles, radiuses, section lines, highways, and lines parallel to highways, which was further complicated by a theory of a right to serve abutting owners. He stated that it was desirable not only for the Commission, but for the public, to know definitely the rights authorized by the certificates. The new authority has been assigned "PUC No. 375," by the Commission, and the description contained in this Order will be the new authority under that number.

Various protestants appeared at the hearing and objected to any grant of new authority which would compete with their authorities, and several amendments were made by Colorado Milk Transport, and agreed upon by protestants, and after the Commission had allowed the amendments, as hereinafter set out in the Order, all of said protests were withdrawn. Those appearing at the hearing, and who later withdrew their protests, are Bethke Truck Lines, Ed Mapes, R. T. Wiggins, Gordon Walker, and Alvin L. Miller. No one else appeared at the hearing.

The Commission has long been aware of the difficulties of interpreting, policing, and enforcing the various authorities operated by

the individuals who were the predecessors of Colorado Milk Transport, Inc. It is desirable, and in the public interest, that all such difficulties be eliminated so far as possible, and we believe that the proposal submitted by Colorado Milk Transport, as amended to satisfy protestants, will do this. The addition of some new sections and the abandonment of some portions of the territory previously served will not affect the company's operations at the present time, and the new boundary lines follow very closely the outer boundaries of the old certificates which were consolidated. The new commodity description merely conforms to previous practice of the milk haulers, and eliminates some confusion in the description of the type of farm supplies which the milk carriers have in the past hauled from the dairies to their customers.

In the original transfer proceeding, it was brought out during the testimony that V. G. Garnett and E. V. Garnett had a mortgage on Permit No. A-626, formerly owned by Cameron Brothers, which they were willing to release, insofar as the milk authority under that permit was concerned. Mr. Garnett appeared at the hearing on January 15, 1954, and suggested that the Commission's Order be clarified to show that no release of the mortgage was intended as to the balance of Permit No. A-626, and his suggestion was agreed to by counsel for Colorado Milk Transport, Inc.

The Commission therefore makes the following Findings and Order:

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

##### THE COMMISSION FINDS:

1. That the proposed new description of the authority contained under PUC No. 375, recited hereinafter in this Order, is in compliance with the Order of this Commission in Decision No. 41034, and adequately and clearly shows such authority after giving effect to all transfers, cancellations, consolidations, and conversions authorized and effected by this Commission in Decision No. 41034.
2. That the description of authority contained in PUC No. 375 hereinafter contained should be confirmed and approved by this Commission.
3. That the mortgage previously held by V. G. Garnett and E. V.

Garnett on Permit No. A-626 has been and is released, insofar as all milk authority under said permit which has been heretofore transferred to Colorado Milk Transport, Inc.

4. That nothing in said Decision No. 41034 should be construed to mean that the Garnett mortgage on the Cameron authority is released, except as to that portion of Permit No. A-626 which was transferred to Colorado Milk Transport, Inc.

#### O R D E R

##### THE COMMISSION ORDERS:

1. That the authority contained in PUC No. 375 from and after the date of this Order shall be as follows:

Transportation of milk, cream, and dairy products in bulk or in cans, with return of empty cans, rejected supplies and farm supplies incidental to the preparation of milk and cream for transportation, after the milk and cream are produced, between all points in the following-described territory, and from all points in said territory, to Denver and a five-mile radius thereof, said territory being described as follows:

Beginning at the intersection of Alameda Avenue and Yosemite Street on the City Limits of Denver; thence east along said Alameda Avenue approximately eight miles to the southeast corner of Section 11, Township 4-South, Range 66-West; thence north approximately 13 miles to the Southeast corner of Section 2, Township 2-South, Range 66-West; thence east approximately 12 miles to the Southeast corner of Section 2, Township 2-South, Range 64-West; thence north approximately 22 miles to the Northeast corner of Section 23, Township 3-North, Range 64-West; thence west approximately 5 miles to the Southwest corner of Section 18, Township 3-North, Range 64-West; thence north approximately 11 miles to the Southeast corner of Section 24, Township 5-North, Range 65-West; thence west approximately 10 miles to the Southwest corner of Section 21, Township 5-North, Range 66-West; thence north approximately 3 miles to the Northeast corner of Section 8, Township 5-North, Range 66-West; thence west approximately 5 miles to the Northwest corner of Section 10, Township 5-North, Range 67-West; thence north approximately 20 miles to the northeast corner of Section 33, Township 9-North, Range 67-West; thence west approximately 15 miles to the northwest corner of Section 31, Township 9-North, Range 69-West; thence south approximately 20 miles to the southwest corner of Section 6, Township 5-North, Range 69-West;

thence west 1 mile to the northwest corner of Section 12, Township 5-North, Range 70-West; thence south approximately 11 miles to the Southwest corner of Section 36, Township 4-North, Range 69-West; thence west approximately 6 miles to the Northwest corner of Section 1, Township 3-North, Range 70-West; thence south approximately 24 miles to the Northwest corner of Section 1, Township 2-South, Range 71-West; thence east approximately 2 miles to the Northwest corner of Section 5, Township 2-South, Range 70-West; thence south approximately 17 miles to the Southwest corner of Section 29, Township 4-South, Range 70-West; thence east approximately 13½ miles to the Denver City Limits; thence along the Denver City Limits to the point of beginning; provided, however, that as to service which predecessors of Colorado Milk Transport, Inc. were not authorized to perform prior to July 29, 1953, any grant of new authority contained herein shall be restricted against transportation which would be competitive with the authority issued in PUC Nos. 1425, 1595, 2346, 1722, or 557, owned by Bethke Milk Lines, a co-partnership, on January 15, 1954.

2. The mortgage held by V. G. Garnett and E. V. Garnett on Permit No. A-626 is released and dissolved as to that portion of said permit transferred to Colorado Milk Transport, Inc., by Decision No. 41034 of this Commission.

3. Nothing in this decision, or in Decision No. 41034, shall be construed to mean that the mortgage made by Cameron Brothers to V. G. Garnett and E. V. Garnett, to secure their note in the sum of \$23,200.00, is released, except as to that portion of the authority under Permit No. A-626 which, under Decision No. 41034, has been transferred to Colorado Milk Transport, Inc.

4. Colorado Milk Transport, Inc., shall file within a reasonable time, as a late-filed exhibit herein, an official map of the new territory as authorized and described in this Order.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Hinchel*  
*Ralph C. Gordon*  
Ralph C. Gordon  
Commissioners

Dated at Denver, Colorado,  
this 22nd day of January, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
EDGAR REIGEL, BOULDER DALE COTTAGE )	
COURT, EAST ARAPAHOE, BOULDER, )	APPLICATION NO. 12717-PP
COLORADO, FOR A CLASS "B" PERMIT )	
TO OPERATE AS A PRIVATE CARRIER BY )	
MOTOR VEHICLE FOR HIRE. )	
----- )	

-----  
January 22, 1954  
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Appearances: Edgar Reigel, Boulder,  
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 coal from mines in the northern Colorado coal fields to the Valmont Plant of Public Service Company located near Boulder, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Boulder, Colorado, January 20, 1954, 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 employed at the Valmont Plant of Public Service Company of Colorado near Boulder, and has been requested by the Superintendent of said company to file the instant application. He has had fifteen years experience in the trucking business, owns a 1953 Chevrolet 1½-ton dump truck, and his net worth is \$2,500.00.

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 Edgar Reigel, Boulder, 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 coal from mines in the northern Colorado coal fields to the Valmont Plant of Public Service Company located near Boulder, 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. Winchell*

*Joseph C. Winchell*

*Joseph C. Winchell*  
Commissioners.

Dated at Denver, Colorado,  
this 22nd day of January, 1954.  
ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
ROY SACK, 1010 COREY STREET, LONG- )	
MONT, COLORADO, FOR A CLASS "B" )	<u>APPLICATION NO. 12718-PP</u>
PERMIT TO OPERATE AS A PRIVATE )	
CARRIER BY MOTOR VEHICLE FOR HIRE. )	
----- )	

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January 22, 1954  
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Appearances: Roy Sack, Longmont, 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<sup>1</sup> private carrier by motor vehicle for hire, for the transportation of coal from the northern Colorado coal fields to Valmont Plant of Public Service Company located near Boulder; Great Western Sugar Company and Kumer-Empson Plants located within a 50-mile radius of Longmont, and to Rocky Mountain Arsenal northeast of Denver, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Boulder, Colorado, January 20, 1954, 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 been trucking for himself under a commercial permit for the past twelve years. His equipment consists of one 1952 Chevrolet 2-ton dump truck, and his net worth is \$5,000.00. He has been requested to obtain the permit sought by the Superintendent of the Valmont Plant of Public Service Company located near Boulder.

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 Roy Sack, Longmont, 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 coal from the northern Colorado coal fields to Valmont Plant of Public Service Company located near Boulder; Great Western Sugar Company and Kuner-Empson Plants located within a 50-mile radius of Longmont, and to Rocky Mountain Arsenal northeast of Denver, Colorado.

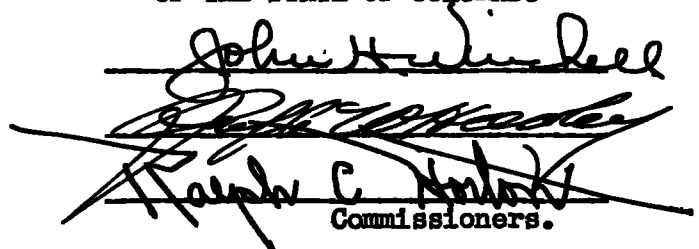
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 22nd day of January, 1954.  
ea

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
CARLOS CASTRO, JR., 2104 EAST 12TH )  
STREET, PUEBLO, COLORADO. )

**PERMIT NO. C-25407**

January 28, 1954

**STATEMENT**

**By the Commission:**

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

**Carlos Castro**

**requesting that Permit No. C-25407 be cancelled.**

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-25407, heretofore issued to \_\_\_\_\_

**Carlos Castro** **be.**

**and the same is hereby, declared cancelled effective      January 20, 1954.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

*Ralph C. Horton*  
\_\_\_\_\_  
**Commissioners**

**Dated at Denver, Colorado,**

this 28th day of January, 1954.

213

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
J. T. EASLEY, DOING BUSINESS AS )  
"EASLEY OIL CO.," 8TH & KLM AVENUE, )  
ROCKY FORD, COLORADO. )  
----- )

PERMIT NO. C-9643

-----  
January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

J. T. Easley, dba "Easley Oil Co."

requesting that Permit No. C-9643 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-9643, heretofore issued to \_\_\_\_\_

J. T. Easley, dba "Easley Oil Co.," be,

and the same is hereby, declared cancelled effective January 20, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Marshall*  
*Ralph C. Horton*

\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

als

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

EDITH K. BRIDGES, ADMINISTRATRIX,  
ESTATE OF B. E. BRIDGES CO., 1703  
MAIN STREET, GOODLAND, KANSAS.

PERMIT NO. C-2193

January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Edith K. Bridges, Administratrix, Estate of B. E. Bridges Co.

requesting that Permit No. C-2193 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-2193, heretofore issued to \_\_\_\_\_

Edith K. Bridges, Administratrix, Estate of B. E. Bridges Co. be,

and the same is hereby, declared cancelled effective January 20, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Marshall*  
*Joseph C. Hurd*  
*Joseph C. Hurd*

Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
BYRNE F. HORN, DOING BUSINESS AS )  
"SPUD NUT SHOP," 3651 HIGH COURT, )  
WHEATRIDGE, COLORADO. )  
----- )

PERMIT NO. C-30958

-----  
January 28, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Byrne F. Horn, dba "Spud Nut Shop,"

requesting that Permit No. C-30958 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30958, heretofore issued to \_\_\_\_\_

Byrne F. Horn, dba "Spud Nut Shop," be,

and the same is hereby, declared cancelled effective January 20, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
Ralph C. Havel  
Ralph C. Havel  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
A. J. SIANI, DOING BUSINESS AS )  
"NEOPOLITAN PIZZA CO., 1533 GLEN )  
AYR DRIVE, LAKEWOOD, COLORADO. )  
\_\_\_\_\_ )

PERMIT NO. C-31328

\_\_\_\_\_  
January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

A. J. Siani, dba "Neopolitan Pizza Co."

requesting that Permit No. C-31328 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-31328, heretofore issued to \_\_\_\_\_

A. J. Siani, dba "Neopolitan Pizza Co."

be,

and the same is hereby, declared cancelled effective December 30, 1953.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 28th day of January, 1954.

als

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
McCOY-SKAGGS CO. INC., 200 MILITARY )  
AVENUE, DODGE CITY, KANSAS. )

**PERMIT NO. C-30678**

**January 28, 1954**

## STATEMENT

**By the Commission:**

The Commission is in receipt of a communication from \_\_\_\_\_  
McCoy-Skaggs Co. Inc.

requesting that Permit No. C-30678 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:** i

That Permit No. C-30678, heretofore issued to McCoy-Slaggs Co. Inc. be,  
and the same is hereby, declared cancelled effective January 20, 1954.

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

~~John H. Linchell~~  
~~Joseph C. H. H. H.~~  
~~Ralph C. Norton~~  
Commissioners

**Dated at Denver, Colorado,**

**this 28th day of January, 1954.**

218

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
JOE S. TAPIA, STARKVILLE, COLORADO. )

PERMIT NO. C-30637

January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Joe S. Tapia

requesting that Permit No. C-30637 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30637, heretofore issued to \_\_\_\_\_

Joe S. Tapia

be,

and the same is hereby, declared cancelled effective January 17, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 28th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
JAMES W. & EUGENE W. KELLY, DOING )  
BUSINESS AS "KELLY'S SAWMILL," BOX 51, )  
SILT, COLORADO. )  
\_\_\_\_\_ )

PERMIT NO. C-27706

\_\_\_\_\_  
January 28, 1954  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
James W. & Eugene W. Kelly, dba "Kelly's Sawmill,"  
requesting that Permit No. C-27706 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-27706, heretofore issued to \_\_\_\_\_  
James W. & Eugene W. Kelly, dba "Kelly's Sawmill" be,  
and the same is hereby, declared cancelled effective January 9, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 28th day of January, 1954.

als

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
FLOYD S. WALN, HOLYOKE, COLORADO. )

PERMIT NO. C-26456

January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Floyd S. Waln

requesting that Permit No. C-26456 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-26456, heretofore issued to \_\_\_\_\_

Floyd S. Waln be,

and the same is hereby, declared cancelled effective January 20, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
Ralph C. Hurd  
Ralph C. Hurd

Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

als

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
PLATT ROGERS, INC., 29TH & COURT )  
STREET, PUEBLO, COLORADO. )

**PERMIT NO. C-15379**

**January 28, 1954**

## STATEMENT

**By the Commission:**

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

## Platt Rogers, Inc.

**requesting that Permit No. C-15379 be cancelled.**

## **FINDINGS**

### **THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-15379, heretofore issued to

**Platt Rogers, Inc.**

**and the same is hereby, declared cancelled effective January 20, 1954.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

John H. Winchell  
~~Ralph C. Boston~~  
~~Ralph C. Boston~~  
 Commissioners

**Dated at Denver, Colorado,**

this 28th day of January, 1954.

118

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
GEO. A. FINK, 143 NO. McKINLEY, FT. )  
COLLINS, COLORADO. )

**PERMIT NO. C-8940**

**January 28th, 1954**

## STATEMENT

**By the Commission:**

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

**Geo. A. Fink**

**requesting that Permit No. C-8940 be cancelled.**

## FINDINGS

### THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-8940, heretofore issued to

**Geo. A. Fink**

**be,**

**and the same is hereby, declared cancelled effective January 20, 1954.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

~~John H. Winchell~~  
~~Ralph C. Horner~~  
~~Ralph C. Horner~~  
Commissioners

**Dated at Denver, Colorado,**

this 28th day of January, 1954.

nlc

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
DAVID E. & BRUCE E. WATKINS, DOING )  
BUSINESS AS "HOME FURNITURE CO.," )  
321 SOUTH UNION, PUEBLO, COLORADO. )  
\_\_\_\_\_) )  
\_\_\_\_\_)

PERMIT NO. C-3775

\_\_\_\_\_  
January 28, 1954  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

David E. & Bruce E. Watkins, dba "Home Furniture Co."

requesting that Permit No. C-3775 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-3775, heretofore issued to \_\_\_\_\_

David E. & Bruce E. Watkins, dba "Home Furniture Co." be,

and the same is hereby, declared cancelled effective January 20, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
Ralph C. Haddock  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

als

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
WILLIAM JOHN YUNIKAR, ROUTE I, BOX )  
59, SELIDA, COLORADO. )

**PERMIT NO. C-28760**

**January 28, 1954**

## STATEMENT

**By the Commission:**

The Commission is in receipt of a communication from William John Yunikar

**requesting that Permit No. C-28760 be cancelled.**

## FINDINGS

### THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-28760, heretofore issued to \_\_\_\_\_  
William John Yawick be,

and the same is hereby, declared cancelled effective **January 2, 1954.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

~~John H. Winchell~~  
~~Ralph C. Host~~  
~~Ralph C. Host~~  
Commissioners

**Dated at Denver, Colorado,**

**this 28th day of January , 1954.**

nl

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
PATRICK McKANNAN, PLATONVILLE, )  
COLORADO. )

**PERMIT NO. C-30072**

**January 28, 1954**

## STATEMENT

**By the Commission:**

**The Commission is in receipt of a communication from** \_\_\_\_\_

**Patrick McKarnan**

**requesting that Permit No. C-30072 be cancelled.**

## FINDINGS

### THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-30072, heretofore issued to \_\_\_\_\_

**Patrick McKaman** be,

**and the same is hereby, declared cancelled effective January 19, 1954.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

~~John MacInchell~~  
~~Joseph C. Haver~~  
~~Joseph C. Haver~~  
Commissioners

**Dated at Denver, Colorado,**

**this 28th day of January, 1954.**

218

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
JOE B. CHACON, BOX 760,  
MONTE VISTA, COLORADO.

PERMIT NO. C-30481

January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

Joe B. Chacon

requesting that Permit No. C-30481 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30481, heretofore issued to

Joe B. Chacon

be,

and the same is hereby, declared cancelled effective

January 19, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winkler*  
*Ralph C. Hark*  
*Ralph C. Hark*  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
C. A. SWANSON & SONS, MALVERN, IOWA. )

PERMIT NO. C-30786

January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

C. A. Swanson & Sons

requesting that Permit No. C-30786 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30786, heretofore issued to \_\_\_\_\_

C. A. Swanson & Sons \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective January 19, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. McInchell*  
*Ralph C. Gordon*  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

als

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ALFRED P. LEFEBRE, MANASSA, COLORADO.)

PERMIT NO. C-31549

January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Alfred P. Lefebre

requesting that Permit No. C-31549 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-31549, heretofore issued to \_\_\_\_\_

Alfred P. Lefebre be,

and the same is hereby, declared cancelled effective January 7, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
Charles C. Hawley  
Ralph C. Gordon  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

als

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
VERN & RAY COLARD, LYONS, COLORADO. )

PERMIT NO. C-24784

January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Vern & Ray Colard

requesting that Permit No. C-24784 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-24784, heretofore issued to \_\_\_\_\_

Vern & Ray Colard

be,

and the same is hereby, declared cancelled effective January 19, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Finchell  
Charles C. Macdonald  
Ralph C. Norton  
Commissioners

Dated at Denver, Colorado,

this 28th day of January, 1954.

als

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

C. P. VIOLES, ECKLEY, COLORADO )

PERMIT NO. B-4687-I )

January 28, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

C. P. Voiles,

requesting that Permit No. B-4687-I be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4687-I, heretofore issued to \_\_\_\_\_

C. P. Voiles,

be,

and the same is hereby, declared cancelled effective January 20, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Mitchell*  
*Joseph C. H. H. H. H.*  
*Joseph C. H. H. H.*  
Commissioners

Dated at Denver, Colorado,

this 28th day of Jan., 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WARD L. & DEL W. JENSEN DOING )  
BUSINESS AS "WARD L. JENSEN & ) PUC NO. 2665-I  
SON, RICHFIELD, UTAH. )  
----- )

-----  
January 28, 1954  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Ward L. & Del W. Jensen, doing business as "Ward L. Jensen & Son,"  
Richfield, Utah, requesting that Certificate of Public Convenience  
and Necessity No. 2665-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-2665-I, heretofore issued to  
Ward L. & Del W. Jensen, doing business as "Ward L. Jensen & Son,"  
Richfield, Utah, be, and the same is hereby, declared cancelled  
effective January 15, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
*John McInchell*  
*Ralph C. Horton*  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of January, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ED KITCHEN, MASONVILLE, COLORADO, )  
FOR AUTHORITY TO TRANSFER PERMIT ) APPLICATION NO. 12714-PP-Transfer  
NO. A-1968 TO NORRIS KITCHEN, )  
MASONVILLE ROUTE, LOVELAND, COLORADO. )  
----- )

-----  
January 25, 1954  
-----

Appearances: Norris Kitchen, Loveland,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

By Decision No. 10452, of date August 4, 1937, Ed Kitchen,  
Masonville, Colorado was authorized to operate as a Class "A" private  
carrier by motor vehicle for hire for the transportation of:

farm products, excluding livestock, from points  
within a radius of 7 miles of Masonville to Love-  
land, Fort Collins and Denver, Colorado, and for  
the transportation of concentrates for the Mason-  
ville Mines, Inc., from said company's property  
near Masonville to the Golden Cyle mill near  
Colorado Springs,

said operating rights being known as "Permit No. A-1968."

By the instant application, said permit-holder seeks auth-  
ority to transfer Permit No. A-1968 to Norris Kitchen, Loveland, Colorado.

Said application, pursuant to prior setting, after appropriate  
notice to all parties in interest, was heard at the Court House, Boulder,  
Colorado, January 20, 1954, at ten o'clock A. M., and, at the conclusion  
of the evidence, the matter was taken under advisement.

At the hearing, Norris Kitchen, transferee, testified that said  
permit is owned by his father, Ed Kitchen, who has now retired and turned  
over the business to the son.

Witness has been interested in the operation under said permit with his father and the greater part of the operation has consisted of the transportation of grain.

There was no monetary consideration for the transfer. Transferor is now in Arizona and could not appear at the hearing, but witness produced the following letter from transferor, which was made a part of the record:

"To Whom it May Concern:

"This is to certify that I the undersigned will abide by anything my son Norris Kitchen says about this permit.

Respectfully

Ed Kitchen  
921 S. 28 Ave.  
Phoenix, Ariz."

### 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, against said permit.

### O R D E R

#### THE COMMISSION ORDERS:

That Ed Kitchen, Masonville, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to Permit No. A-1968 — being the operating rights granted by Decision No. 10452 — to Norris Kitchen, Loveland, 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.

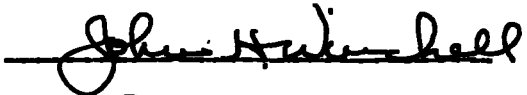

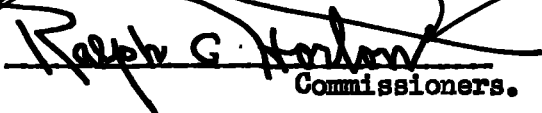
Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

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 twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of January, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CALVIN E. ECHTERNACHT AND NORRIS G. )  
ECHTERNACHT, A PARTNERSHIP, DOING )  
BUSINESS AS ECHTERNACHT POULTRY FARM, ) APPLICATION NO. 12712-Amended  
BOULDER, COLORADO, FOR A CERTIFICATE )  
OF PUBLIC CONVENIENCE AND NECESSITY. )  
-----)

-----  
January 25, 1954  
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Appearances: Harold G. Douglas, Esq.,  
Boulder, Colorado,  
for applicants.

S T A T E M E N T

By the Commission:

The above-named applicants filed with the Commission their application to operate as a common carrier by motor vehicle for hire, of a special express service for the transportation of poultry from various points in eastern Colorado to poultry processing plants in Cheraw, Greeley, Denver, and Longmont, Colorado, and to other poultry processing plants as they may be established.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Boulder, Colorado, January 20, 1954, at ten o'clock A. M., and, at the conclusion of the evidence, the matter was taken under advisement.

Norris G. Echternacht, who, in company with his father, Calvin E. Echternacht, operate the Echternacht Poultry Farm north and east of Boulder, testified that the partners own the farm they operate and have had 14 years experience in raising and marketing poultry, mostly turkeys, and the net worth of the partners is \$20,000.00. They own a 1947 International tractor with 32-foot Timpt trailer.

This trailer is equipped with a turkey rack with 120 compartments, is 5 decks high, and has a capacity of 1,200 tom turkeys or 1,800 hens. The partners have formerly operated under a commercial permit, but the marketing conditions have changed in such a manner as to necessitate another form of transportation. Up to three years ago, a processing plant at Berthoud and a processing plant at Longmont had taken care of most of their turkey crop. The plant at Berthoud has been closed and the Longmont plant will not purchase and cannot process the constantly increasing crop of turkeys from this territory. Outside buyers are not coming in as heretofore. Applicants raise and market approximately 10,000 turkeys annually and the operation is becoming less seasonal because of the development of freezing plants and storage facilities. At present, there are processing plants at Cheraw, Greeley, Denver, and Longmont, Colorado, and because of the increase in turkey raising, there will probably be other poultry processing plants established in the area. Applicants have received requests from other turkey growers and from the processing plants mentioned for the service they now proposed, and recently handled two hauls from Trinidad to Longmont and one load from Rocky Ford to Longmont under their commercial permit. They have also hauled five loads of their own turkeys to the Cheraw processing plant. Requests have been received for additional service, which they could not furnish without the authority requested.

Howard H. Guthrie, a poultry raiser located northeast of Boulder, who has been in the business for 16 years, testified that every fall he ships his turkeys to the markets, but has encountered increasing difficulties during the past few years. Outside buyers do not come often and there has been a change in the marketing habits which require transportation by special equipment and by experienced men who understand the poultry business. This business is increasing rapidly in the Boulder area.

The Longmont Plant is offered more poultry than it can handle and there is a definite need for the service requested.

W. F. McQuigg and Lloyd W. Lynch stated to the Commission that they would corroborate the testimony of Mr. Guthrie should they be called as witnesses, but, as their testimony would be cumulative and there was no protest, these witnesses were not sworn.

It did not appear that the proposed service of applicants will impair the efficiency of any common carrier motor vehicle 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 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 Calvin E. Echternacht and Norris G. Echternacht, a partnership; doing business as "Echternacht Poultry Farm," Boulder, Colorado, for the transportation of poultry from various points in eastern Colorado to poultry processing plants in Cheraw, Greeley, Denver, and Longmont, Colorado, and to other poultry processing plants as they may be established, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Linsell

Ralph C. Norton  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of January, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN B. COLE, 1922 GROVE STREET, )  
BOULDER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )  
----- )

APPLICATION NO. 12724-PP

-----  
January 25, 1954  
-----

Appearances: John B. Cole, Boulder,  
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 50-mile radius 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; to Valmont Plant of Public Service Company located near Boulder; Great Western Sugar Company and Kumer-Empson Company Plants within a 50-mile radius of Boulder, and to Rocky Mountain Arsenal northeast of Denver, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Boulder, Colorado, January 20, 1954, 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 been hauling coal from the northern Colorado coal fields to Valmont Plant near Boulder under temporary authority for the past two weeks. His equipment consists of a 1954 Chevrolet 2-ton dump truck and his net worth is \$5,000.00. He has been requested to obtain authority to continue his coal haul by the Superintendent of the Valmont Plant and wishes the other authority requested for service to any contractors who may wish to employ him, although he has no present request for such service.

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 John B. Cole, Boulder, 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; to Valmont

Plant of Public Service Company located near Boulder; Great Western Sugar Company and Kumer-Empson Company Plants within a 50-mile radius of Boulder and to Rocky Mountain Arsenal northeast 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.

(S E A L)

ATTEST: A TRUE COPY

\_\_\_\_\_  
Secretary.

Dated at Denver, Colorado,  
this 25th day of January, 1954.

ea

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Wheeler  
Ralph C. Gordon  
Commissioners.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
H. W. TANNER, ROUTE NO. 3, LONGMONT, )  
COLORADO, FOR A PUC COMMON CARRIER ) APPLICATION NO. 12719  
CERTIFICATE TO OPERATE AS A COMMON )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
----- )

-----  
January 26, 1954  
-----

Appearances: George C. Pomainville, Esq.,  
Longmont, Colorado, for  
applicant;  
Virgil H. Reynolds, Esq.,  
Boulder, Colorado, for  
Reynolds and Brotzman,  
Colorado Milk Transport,  
Inc., Pherson Trucking Co.,  
Shepherds Trucking Service,  
and Cameron Brothers;  
Barry and Hupp, Esqs., Denver,  
Colorado, for Colorado Milk  
Transport, Inc.

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 hay and farm products (excluding livestock), both in intrastate and interstate commerce, to and from points in Colorado, from and to points within a radius of 35 miles of the points where U. S. Highway 287 intersects Fourth Avenue in the City of Longmont, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Boulder, Colorado, January 20, 1954, at ten o'clock A. M., and, at the conclusion of the evidence, the matter was taken under advisement.

When the application was called up for hearing, counsel for applicant requested an amendment of his application so that the same might read for the the transportation of hay and grain only. The amendment

was granted and the protests of Colorado Milk Transport, Inc., and Cameron Brothers were withdrawn.

Applicant testified that he has been hauling hay and some corn from the area within a 35-mile radius of Longmont to markets outside said area under temporary authority. During the past five months, he has hauled 830 tons of hay and grain and has devoted his entire time to the operation. He owns a 1953 Chevrolet truck with 3-ton Fruehauf trailer and his net worth is \$17,917.50 (Exhibit No. 1). He has requests for service from many farmers and business places, including the St. Vrain Mill at Longmont and one Ernest Peterson of the same place. The area he seeks to serve is not adequately served at the present time and a need exists for his proposed service. Certificated carriers who are authorized to haul hay and grain are not interested in such transportation and concentrate on livestock hauling. In his opinion, there is ample business within the area he seeks to serve to keep any carrier interested in such transportation busy at all times. No witnesses appeared in support of the application.

Ray L. Pherson, operator of PUC No. 2510, testified in opposition. He has authority to transport general commodities within the area applied for and has ample equipment, a list of which is on file. While he stated that he was able and willing to answer any requests for service, he admitted that, while the area involved is a rich farming country and produces much hay and grain, during the past year his company has hauled but five loads of corn and one load of hay. The main operation of his company is the transportation of ore from Jamestown to Valmont.

The testimony shows that the only common carrier who appeared in protest has very little interest in the transportation of hay and grain in this rich farming area that applicant seeks to serve. The Commission is satisfied that the granting of the instant application will not impair the service offered by this common carrier or any other common carrier authorized to transport hay and grain in the area applied for.

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 H. W. Tanner, Longmont, Colorado, for the transportation of hay and grain, both in intrastate and interstate commerce, to and from points in Colorado, from and to points within a radius of 35 miles of the point where U. S. Highway 287 intersects Fourth Avenue in the City of Longmont, Colorado, the interstate operating rights herein granted being subject to the Federal Motor Carrier Act of 1935, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

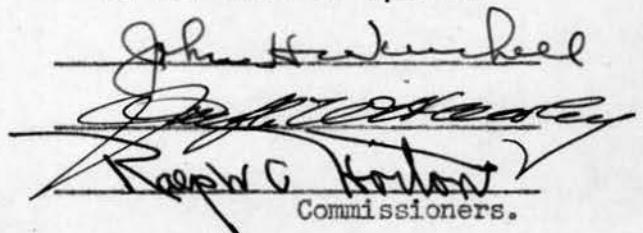
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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 26th day of January, 1954.  
ea

original

(Decision No. 41988)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF	)	
BERNARD TODMAN, FIRESTONE, COLORADO,	)	<u>APPLICATION NO. 12720-PP-Extension</u>
FOR AN EXTENSION OF PERMIT NUMBER	)	
B-4511.	)	
-----	)	

-----  
January 26, 1954  
-----

Appearances: Bernard Todman, Firestone,  
Colorado, pro se;  
Pete Marcantonio, Frederick,  
Colorado, pro se;  
Joe A. Sarmiento, Frederick,  
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-4511 to include the right to transport coal from mines in the northern Colorado coal fields to points within a radius of 50 miles of Firestone, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Boulder, Colorado, January 20, 1954, 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 been operating under his permit since April 1952, most of his operation consisting of hauling from points within a 10-mile radius of Firestone, Colorado, to Denver, Colorado. He now wishes an extension to include such transportation to points within a radius of 50 miles of Firestone. He owns a 1948 GMC 2½-ton dump truck, a 1948 International 2½-ton dump truck, and his net worth is \$2,000.00.

Pete Marcantonio, owner of PUC No. 872, and Joe A. Sarmiento, owner of PUC No. 1012, testified that they were supplying the needs of

customers for coal in Firestone, Frederick and Dacono, and objected to any extension of applicant's authority to permit him to serve such points. Applicant agreed that any authority issued under the instant application should exclude service into Firestone, Frederick and Dacono.

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 as hereinafter limited.

#### O R D E R

##### THE COMMISSION ORDERS:

That Bernard Todman, Firestone, Colorado, should be, and he is hereby, authorized to extend operations under Permit No. B-4511 to include the transportation of coal from mines in the northern Colorado coal fields to points within a radius of 50 miles of Firestone, Colorado, excluding service into Firestone, Frederick and Dacono.

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

John H. Winchell

Ralph W. Keeler

Ralph C. Horton  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of January, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WM. J. VAN DER WEGE, ROUTE 2, )  
BOX 160, ARVADA, COLORADO. )  
-----

PERMIT NO. B-3585

-----  
January 28, 1954  
-----

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-3585 be suspended for six months from February 1, 1954.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Wm. J. Van Der Wege, Arvada, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-3585 until August 1, 1954.

That unless said Wm. J. Van Der Wege, Arvada, 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*  
*Ralph C. Horton*  
\_\_\_\_\_  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of January, 1954.  
mls

original

(Decision No. 41990)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
PETE KEISER AND G. A. KEISER, CO- )  
PARTNERS, DOING BUSINESS AS "GREELEY )  
TRUCK LINE," 2227 8TH AVENUE, GREELEY, )  
COLORADO, FOR AUTHORITY TO TRANSFER )  
PUC NO. 774 AND PUC NO. 774-I TO )  
G. A. KEISER, DOING BUSINESS AS )  
"GREELEY TRUCK LINE," ROUTE 1, BOX 180, )  
LA SALLE, COLORADO. )  
----- )

APPLICATION NO. 12737-Transfer

-----  
January 27, 1954  
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S T A T E M E N T.

By the Commission:

By the above-styled application, Pete Keiser and G. A. Keiser, co-partners, doing business as "Greeley Truck Line," Greeley, Colorado, owners and operators of PUC Nos. 774 and 774-I, seek authority to transfer said operating rights to G. A. Keiser, doing business as "Greeley Truck Line," La Salle, Colorado, PUC Nos. 774 and 774-I being the right to operate as a common carrier by motor vehicle, for the transportation of:

livestock from point to point in the territory within a radius of 15 miles of Kersey; livestock from auction sales pavilions in and about Greeley, over Highway No. 85 from Greeley to Denver, and from Denver over U. S. Highway No. 85 to points within a radius of 15 miles of Kersey; freight, in interstate commerce, only, between all points in the State of Colorado and the Colorado State Boundary Line, where all highways cross same, interstate operating rights being subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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 is to be transferred to account of transferee; that transferee, pecuniarily and otherwise, is qualified, willing, and able to carry on the operation, and it does not

appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating 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 Pete Keiser and G. A. Keiser, co-partners, doing business as "Greeley Truck Line," Greeley, Colorado, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC Nos. 774 and 774-I - with authority as set forth in the preceding Statement, which is made a part hereof by reference - to G. A. Keiser, doing business as "Greeley Truck Line," La Salle, Colorado, said Pete Keiser being hereby authorized to withdraw from said partnership.

That transfer herein authorized is subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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 certificates 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 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.

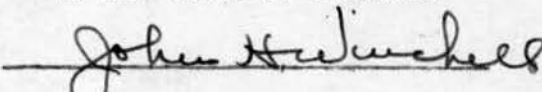
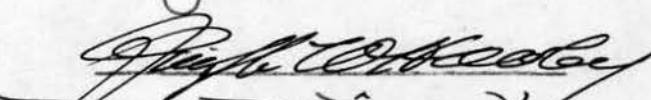
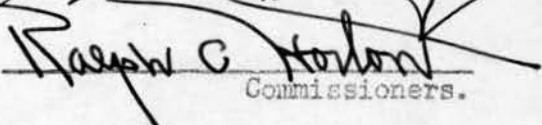
The right of transferee to operate under this order shall depend upon the prior filing by transferors of delinquent reports, if any, covering their operations under said certificates up to the time of the transfer of said certificates, and the payment by them or transferee of all unpaid ton-mile tax.

That transfer of interstate operating rights herein authorized is subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of January, 1954.

ea

original

(Decision No. 41991)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WILLIAM T. SAUER AND GEORGE H. )  
SAUER, CO-PARTNERS, DOING BUSINESS )  
AS "SAUER BROS.," ROUTE 3, BOX 379, )  
GREELEY, COLORADO, FOR AUTHORITY TO )  
TRANSFER PERMIT NO. B-965 TO WILLIAM )  
T. SAUER, ROUTE 3, BOX 44B, GREELEY, )  
COLORADO. )  
----- )

APPLICATION NO. 12738-PP-Transfer

-----  
January 27, 1954  
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S T A T E M E N T

By the Commission:

By Decision No. 6533, of date July 3, 1935, C. F. Drescher and H. G. Drescher, doing business as "Drescher Brothers," Greeley, Colorado, were granted a Class "B" permit to operate as a private carrier by motor vehicle for hire, for the transportation of:

farm products, only, during seasonal movements thereof, from the farms in various farming districts of the State of Colorado, to the respective railroad shipping points or nearest market in said districts,

said operating rights being designated "Permit No. B-965."

Pursuant to authority contained in Decision No. 33373, of date August 31, 1949, said permit-holders transferred said Permit No. B-965 to C. F. Drescher, who, pursuant to authority contained in Decision No. 35834, of date December 29, 1950, transferred said operating rights to William T. Sauer and George H. Sauer, co-partners, doing business as "Sauer Brothers," Greeley, Colorado, who, by the instant application, seek authority to transfer Permit No. B-965 to William T. Sauer, Greeley, Colorado, said George H. Sauer being desirous of withdrawing from said partnership.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is able, willing, and qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said 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 William T. Sauer and George H. Sauer, co-partners, doing business as "Sauer Brothers," Greeley, Colorado, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to Permit No. B-965 --- being the operating rights granted by Decision No. 6533 --- to William T. Sauer, Greeley, Colorado, said George H. Sauer being hereby authorized to withdraw from said partnership.

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 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 transferors of delinquent reports, if any, covering their operations under said permit up to the time of transfer of said permit, and the payment by them or transferee of all unpaid ton-mile tax.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Lusk  
Robert C. Horton  
Robert C. Horton  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of January, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE CLASS RATES BETWEEN DENVER, )  
COLORADO, ON THE ONE HAND, AND )  
WATKINS, BENNETT AND STRASBURG, )  
COLORADO, ON THE OTHER HAND, IN )  
CONNECTION WITH THE OPERATION OF )  
G. BARNHILL, DOING BUSINESS AS )  
BARNHILL TRUCK LINE, RAMAH, )  
COLORADO. )

INVESTIGATION AND SUSPENSION  
DOCKET NO. 360

-----  
January 27, 1954  
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Appearances - Gratton Barnhill, Pro Se.  
E. B. Evans, Esq., for Ed Tuxhorn, doing  
business as Byers-Denver Truck Line.  
William Brayden and Sam Philippone,  
for the Commission.

S T A T E M E N T

By the Commission:

The Motor Truck Common Carriers' Association, as Agent, for and on behalf of G. Barnhill, doing business as Barnhill Truck Line, published in its Local and Joint Freight Tariff No. 12, Colo. P.U.C. No. 6, on 8th revised page 108-A, 11th revised page 116 and 22d revised page 117, index 1031, 4241 and 4613, the following schedule of new individual class rates to become effective with December 17, 1953:

Rates in Cents per 100 pounds

Between					Denver, Colorado									
					MINIMUM WEIGHT									
And	L. T. L.				5,000 Pounds				10,000 Pounds				Route No.	
	1st	2nd	3rd	4th	1st	2nd	3rd	4th	1st	2nd	3rd	4th		
Bennett	70	60	50	38	51	42	36	27	33	27	23	17	116	
Stras- burg	74	63	51	41	53	45	38	28	34	28	24	18	116	
Watkins	64	53	45	35	47	39	33	25	28	25	20	16	116	

ROUTE 116 - Designates G. Barnhill, doing business as Barnhill Truck Line.

reasonableness of any of the rates in question.

It would therefore appear that but one conclusion can be drawn, and that is, that any differential in rates between the two truck lines serving Bennett, Strasburg and Watkins would be to the detriment of the carrier, with the higher rate and to the benefit of the carrier with the lower rate, and after considering this fact, the Commission is of the opinion that the rates to these three points should be on the same basis. In accomplishing such an adjustment, it will be necessary to adjust the rates to Byers, in order that the relationship at Byers is not out of line with the other rates, including Peoria and Deertrail, points beyond Byers, on U.S. Highway No. 40-287.

### F I N D I N G S

THE COMMISSION FINDS, That:

1 - The proposed less-than-truckload rates have been justified.

2 - The proposed rates, subject to minimum weights of 5,000 pounds and 10,000 pounds, have not been justified. Provided, however, the following rates in cents per 100 pounds will be just and reasonable, viz:

Between		<u>Rates in Cents per 100 pounds</u>											
		<u>Denver, Colorado</u>											
and	<u>L. T. L.</u>	<u>MINIMUM WEIGHT</u>											
		<u>5,000 Pounds</u>								<u>10,000 Pounds</u>			
		<u>1st</u>	<u>2nd</u>	<u>3rd</u>	<u>4th</u>	<u>1st</u>	<u>2nd</u>	<u>3rd</u>	<u>4th</u>	<u>1st</u>	<u>2nd</u>	<u>3rd</u>	<u>4th</u>
Watkins	64	53	45	35	54	45	38	29	32	29	23	18	
Bennett	70	60	50	38	59	48	41	31	38	31	26	20	
Stras- burg	74	63	51	41	61	52	44	32	39	32	28	21	

3 - In order that the rates between Denver and Byers will not be out of line, relatively, the following rates in cents per 100 pounds between the two points should be established:

Between		<u>Denver, Colorado</u>											
		<u>MINIMUM WEIGHT</u>											
and	<u>L. T. L.</u>	<u>5,000 Pounds</u>								<u>10,000 Pounds</u>			
		<u>1st</u>	<u>2nd</u>	<u>3d</u>	<u>4th</u>	<u>1st</u>	<u>2nd</u>	<u>3d</u>	<u>4th</u>	<u>1st</u>	<u>2nd</u>	<u>3d</u>	<u>4th</u>
Byers	77	65	53	42	64	55	45	35	40	35	29	21	

Under date of December 11, 1953, Decision No. 41687, the Commission, upon its own motion, without formal pleading, found the public might be injuriously affected and postponed the effective date of said schedules for a period of 120 days or until April 15, 1954, unless otherwise ordered, and assigned the matter for hearing on January 14, 1954, at 10:00 o'clock A.M. at Denver, Colorado.

The hearing was heard as scheduled and on completion was taken under advisement.

The three towns in question, Bennett, Strasburg and Watkins, are served by both the Barnhill Truck Line and the Byers-Denver Truck Line, and in order for either of these carriers to participate in the traffic moving to or from these stations, their rates must of a necessity be on a parity. In order for Mr. Barnhill to accomplish this end, he proposed the reduction of his Distance Scale of Class Rates by fifteen (15) per cent, which resulted in the same rates on less-than-truckload traffic. However, on shipments subject to minimum weights of 5 or 10,000 pounds, his proposed rates were lower than those presently published by the Byers-Denver Truck Line.

The Byers-Denver Truck Line sought and received permission from the Commission to publish rates subject to minimum weights of 5 and 10,000 pounds by reducing the less-than-truckload rates 5 cents on shipments of 5,000 pounds and 10 cents on shipments of 10,000 pounds. However, this action was taken prior to the existing competitive situation between Messrs. Tuxhorn and Barnhill.

Mr. Barnhill stated he would be willing to increase his proposed rates to the three stations by 15 per cent, provided, the Byers-Denver Truck Line would do likewise. But, if he were the only one to increase his rates, he would be excluded from participation in any traffic moving to or from these three stations because of his higher rates. Mr. Ed Tuxhorn of the Byers-Denver Truck Line, on the other hand, testified that if the proposed rates were permitted to go into effect, he would be excluded from handling any traffic moving in quantities of 5 or 10,000 pounds, because of his higher rates. Witness Tuxhorn stated further he did not feel that he could increase his rates as suggested by Mr. Barnhill for the reason that firms with "C" Permits are presently making deliveries with their own trucks, and any increase in rates would only encourage further loss of traffic. Neither party testified relative to the

4 - The rates from and to Denver, to and from Byers should not be higher than the rates from and to Denver to and from points beyond Byers where Byers would be an intermediate point.

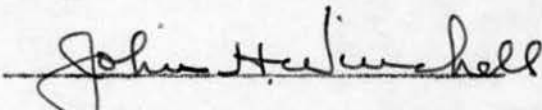
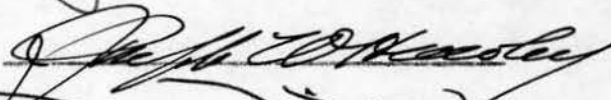
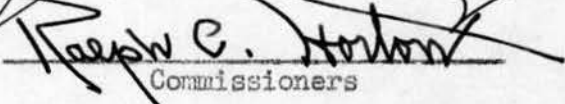
5 - An order should be entered requiring the cancellation of the suspended schedules which have herein been found not justified and discontinuing the proceeding without prejudice to the establishment of the rates in conformity with the views expressed herein, on one day's notice as required by law and the rules and regulations of the Commission.

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 made a part hereof.
- 3 - The respondents herein be, and they are hereby notified and required to cancel the proposed schedules which have been herein found not justified, on or before February 5, 1954, upon notice to this Commission and to the general public by not less than one days' 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

  
  
  
Commissioners

Dated at Denver, Colorado

this 27th day of January, 1954.

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )	
JAMES BURROUS AND HERMAN GINTHER, )	<u>PERMIT NO. C-24823</u>
12TH AND BRIDGE, BRIGHTON, COLO- )	<u>CASE NO. 67831-INS.</u>
RADO. )	
----- )	

-----  
January 27, 1954  
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S T A T E M E N T

By the Commission:

On January 13, 1954, in Case No. 67831-Ins., Permit No. C-24823 was revoked by the Commission for failure of respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made.

F I N D I N G S

THE COMMISSION FINDS:

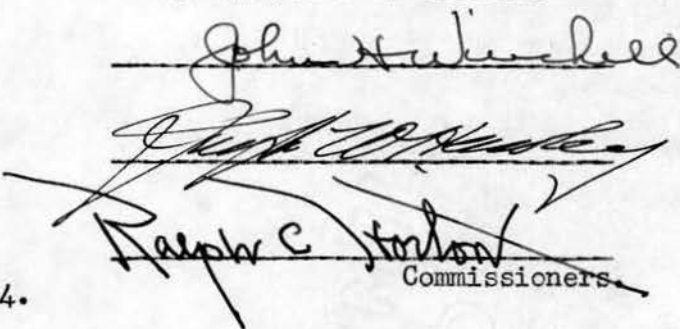
That Permit No. C-24823 should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-24823 should be, and the same hereby is, reinstated, as of January 13, 1954, revocation order entered by the Commission on that date in Case No. 67831-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 27th day of January, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF	)	
O. H. HARDY, DOING BUSINESS AS	)	<u>PERMIT NO. C-15259</u>
"WALSH OIL COMPANY," WALSH,	)	<u>CASE NO. 67662-INS.</u>
COLORADO.	)	
-----	)	

-----  
January 27, 1954  
-----

S T A T E M E N T

By the Commission:

On January 13, 1954, in the above-styled case, Permit No. C-15259 was revoked by the Commission, for failure of respondent herein to keep effective insurance on file.

Inasmuch as proper insurance filing has now been made,

F I N D I N G S

THE COMMISSION FINDS:

That Permit No. C-15259 should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-15259 should be, and the same hereby is, reinstated, as of January 13, 1954, revocation order entered by the Commission on that date in Case No. 67662-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell

Joseph C. Hinkle

Ralph C. Horton  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of January, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CITIZENS UTILITIES COMPANY FOR A )  
CERTIFICATE OF CONVENIENCE AND )  
NECESSITY TO EXERCISE FRANCHISE )  
RIGHTS IN THE TOWN OF CROWLEY, )  
CROWLEY COUNTY, COLORADO, FOR THE )  
PURCHASE, MANUFACTURE, TRANSMISSION, )  
DISTRIBUTION AND SALE OF GAS, )  
EITHER NATURAL, ARTIFICIAL OR MIXED, )  
IN SAID TOWN, AND FOR THE DISTRIBUTION )  
AND SALE OF GAS IN THE AREA )  
CONTIGUOUS TO SAID TOWN. )  
-----

APPLICATION NO. 12706

-----  
January 27, 1954  
-----

Appearances: Lawrence Thulemeyer of  
Thulemeyer & Stewart, Esqs.,  
La Junta, Colorado, for  
applicant;  
W. George Denny, Jr., Denver,  
Colorado, and  
J. M. McNulty, Denver, Colo-  
rado, for the Commission.

S T A T E M E N T

By the Commission:

This is an application by the Citizens Utilities Company of La Junta, Colorado, for a certificate of public convenience and necessity seeking authority from this Commission to exercise franchise rights granted by the Town Council of the Town of Crowley, Crowley County, Colorado, in and by Ordinance No. 32, as well as the right to distribute and sell gas in the area immediately contiguous to said town and along the gas transmission line of applicant supplying gas to said town.

After due notice to all interested parties, the matter was set for hearing, and heard, on January 21, 1954, at ten o'clock A. M., at 330 State Office Building, Denver, Colorado, and then taken under advisement by the Commission.

Applicant is a Delaware Corporation authorized to do business in the State of Colorado and a certified copy of its articles of incor-

poration, together with all amendments thereto, have previously been filed with this Commission in Application No. 10630.

Applicant is a public utility, as defined in Section 3, Chapter 137, 1935 Colorado Statutes Annotated, and is now, and for many years past, has been engaged in the business of the purchase, transmission, distribution, and sale of natural gas in the Counties of Crowley, Otero, and Bent, located in the southeast section of Colorado. The principal Colorado office of the Company is located in La Junta, Colorado.

Testimony at the hearing revealed that, on the 6th of October, 1953, Ordinance No. 32 of the Town of Crowley, entitled: "An Ordinance granting certain franchises and rights to Citizens Utilities Company, its successors and assigns, in the Town of Crowley, in the State of Colorado," was duly passed and adopted by the Town Council of said Town. The Company accepted the franchise by letter dated October 16, 1953. Copies of the above Ordinance and the letter of acceptance were filed at the hearing in the instant matter as Exhibit "A".

Further testimony revealed that the Company has not been rendering gas service to the Town of Crowley prior to the passage of the Ordinance, but, subsequent to said passage, began construction of a gas transmission lateral from the Town of Ordway to Crowley and the construction of a gas distribution system in the Town of Crowley. Gas service was instituted in the Town upon the completion of the distribution and transmission system and the Company filed with this Commission the rates under which it proposes to render said service.

Introduced at the hearing as Exhibit "C" was an estimate of the cost of the facilities that would be used in rendering service in the area covered by the certificate sought herein, for the next twenty-five years, being the period of time that the franchise covers. This estimate amounts to \$66,000 and this figure will be used by the Commission as a basis for the charge for the issuance of the certificate sought herein, but will not be binding upon the Commission in any subsequent investigation where valu-

ation may be an issue. Also introduced at the hearing was Exhibit "B", map of the proposed transmission and distribution system showing the size of the pipe and the location thereof. It was estimated by the witness that the population in the area requested in the certificate is approximately 500 people of which approximately 300 reside in the Town of Crowley. The witness for the Company stated that there would be approximately 45 customers located along the transmission line between Ordway and Crowley and, therefore, requested that the certificate cover the area adjacent to said transmission line.

There are not other gas public utilities operating in the Town of Crowley, or in the area contiguous thereto. No one appeared at the hearing in opposition to the granting of the authority sought. A written statement was filed with the Commission, signed by Mr. W. E. Wilson, Mayor of the Town of Crowley, stating, in effect, that the Town consents to the granting of the application herein.

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

##### THE COMMISSION FINDS:

That the above Statement, by reference, be made a part hereof.

That the authority sought should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That the present and future public convenience and necessity require, and will require, the exercise by applicant of the franchise rights granted to it by the Town Council of the Town of Crowley, Crowley County, Colorado, in and by Ordinance No. 32, of October 6, 1953, a copy of which was introduced at the hearing herein as "Exhibit "A", and which, by reference, is made a part hereof, to supply gas service to the inhabitants of the Town of Crowley, Crowley County, Colorado, and to the residents in the area contiguous to said Town, and along the gas transmission line between the Towns of Ordway and Crowley, and this order shall be taken, deemed, and

held to be a certificate of public convenience and necessity therefor.

That applicant shall odorize all gas in its mains supplying gas to the area covered by this certificate.

That applicant shall install, operate and maintain its gas distribution system and supply service in the areas heretofore designated in accordance with the rate schedules, rules and regulations, service connections and main extension policy as are now or hereafter in effect and on file with the Commission; its books and accounts shall be maintained in agreement with the Uniform Classification of Accounts; its practices as to testing of meters, consumers' deposits, operations, records of meters and complaints shall be in compliance with the Commission's requirements.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winkler

Ralph C. Horton  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of January, 1954.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CITIZENS UTILITIES COMPANY FOR A )  
CERTIFICATE OF CONVENIENCE AND NEC- )  
CESSITY TO EXERCISE FRANCHISE RIGHTS )  
IN THE TOWN OF SWINK, OTERO COUNTY, )  
COLORADO, FOR THE PURCHASE, MANU- )  
FACTURE, TRANSMISSION, DISTRIBUTION )  
AND SALE OF GAS, EITHER NATURAL, )  
ARTIFICIAL OR MIXED, IN SAID TOWN, )  
AND FOR THE DISTRIBUTION AND SALE )  
OF GAS IN THE AREA CONTIGUOUS TO )  
SAID TOWN. )  
----- )

APPLICATION NO. 12708

-----  
January 28, 1954  
-----

Appearances: Lawrence Thulemeyer, Esq.,  
of Thulemeyer & Stewart,  
La Junta, Colorado, for  
applicant;  
W. Geo. Denny, Jr., Denver,  
Colorado, and  
J. M. McNulty, Denver, Colo-  
rado, for the Commission.

S T A T E M E N T

By the Commission:

This is an application by the Citizens Utilities Company,  
of La Junta, Colorado, for a certificate of public convenience and  
necessity, seeking authority from this Commission to exercise franchise  
rights granted by the Town Council of the Town of Swink, Otero County,  
Colorado, in and by Ordinance No. 72, as well as the right to distribute  
and sell gas in the area immediately contiguous to said town.

The matter was set for hearing, after due notice to all  
interested parties, and heard on January 21, 1954, at ten o'clock A. M.,  
330 State Office Building, Denver, Colorado, and then taken under  
advisement by the Commission.

Applicant is a Delaware corporation authorized to do business  
in the State of Colorado, and a certified copy of its Articles of Incor-  
poration, together with all amendments thereto, has previously been filed  
with this Commission in Application No. 10680.

Applicant is a public utility, as defined in Section 3, Chapter 137, 1935 Colorado Statutes Annotated, and is now, and for many years past has been engaged in the business of the purchase, transmission, distribution, and sale of natural gas in Crowley, Otero, and Bent Counties, located in the southeast section of Colorado. The principal Colorado office of the company is located in La Junta, Colorado.

Testimony at the hearing revealed that applicant has been serving gas to the Town of Swink under the terms and conditions of an unexpired franchise granted by Ordinance No. 60, of January 21, 1929, and under the authority of Certificates of Public Convenience and Necessity from this Commission granted by Decision No. 2348, of July 6, 1929, and the transfer thereof to applicant, as approved by this Commission by Decision No. 6845 of November 26, 1935. Since the transfer of the above-mentioned certificate to applicant, it has been rendering gas service to the inhabitants of the Town of Swink, and has also been rendering gas service to customers in the area contiguous to said town.

Further testimony at the hearing revealed that on August 3, 1953, Ordinance No. 72, entitled "An Ordinance granting certain franchises and rights to Citizens Utilities Company, its successors and assigns, in the Town of Swink, in the State of Colorado," was duly passed and adopted by the Town Council of the said Town and accepted by applicant on the 10th of August, 1953.

Introduced at the hearing in the instant matter as Exhibit "A" was a copy of the franchise, together with copies of the certificate as to the introduction, passage and signature by the Mayor of Ordinance No. 72, the acceptance by the Company of the Ordinance, by letter dated August 10, 1953. The franchise is for a period of twenty-five years.

The witness at the hearing estimated that the Company would probably spend \$8,500.00 in new capital investment in Swink and the contiguous area during the life of the franchise. He also estimated that there were approximately 600 people in the area of service requested in the instant application.

The Company proposes to use its existing gas facilities in supplying this service, and the estimate given above for new facilities would be for additional expansion in this area during the life of the franchise.

There are no other gas public utilities operating in the Town of Swink or in the area contiguous thereto. The Colorado Interstate Gas Company, the wholesale supplier of gas to applicant, has one direct sale customer, namely, the Holly Sugar Company, to which it sells gas direct from its transmission line. The Sugar Company is located just outside the city limits of Swink.

No one appeared at the hearing in opposition to the granting of the authority sought. A written statement was filed with the Commission, signed by Mr. G. E. Kimble, Mayor of the Town of Swink, consenting to the granting of the instant application.

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

##### THE COMMISSION FINDS:

That the above Statement, by reference, should be made a part hereof.

That the authority sought should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That the present and future public convenience and necessity require, and will require, the exercise by applicant of the franchise rights granted to it by the Town Council of the Town of Swink, Otero County, Colorado, in and by Ordinance No. 72 of August 3, 1953, a copy of which was introduced at the hearing herein as Exhibit "A" and which, by reference, is made a part hereof, to supply gas service to the inhabitants of the Town of Swink, Otero County, Colorado, and to residents in the area contiguous to said Town, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That applicant shall install, operate and maintain its gas distribution system and supply service in the areas heretofore designated

in accordance with the rate schedules, rules and regulations, service connections and main extension policy as are now or hereafter in effect and on file with the Commission; its books and accounts shall be maintained in agreement with the Uniform Classification of Accounts; its practices as to testing of meters, consumers' deposits, operations, records of meters and complaints shall be in compliance with the Commission's requirements.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winkler  
Joseph W. O'Keefe  
Ralph C. Norton  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of January, 1954.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CITIZENS UTILITIES COMPANY FOR A )  
CERTIFICATE OF CONVENIENCE AND NEC- )  
CESSITY TO EXERCISE FRANCHISE RIGHTS )  
IN THE CITY OF LAS ANIMAS, BENT )  
COUNTY, COLORADO, FOR THE PURCHASE, )  
MANUFACTURE, TRANSMISSION, DISTRI- )  
BUTION AND SALE OF GAS, EITHER )  
NATURAL, ARTIFICIAL OR MIXED, IN )  
SAID CITY, AND FOR THE DISTRIBUTION )  
AND SALE OF GAS IN THE AREA CON- )  
TIGUOUS TO SAID CITY. )  
----- )

APPLICATION NO. 12707

-----  
January 28, 1954  
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Appearances: Lawrence Thulemeyer, Esq.,  
Thulemeyer and Stewart,  
La Junta, Colorado, for  
applicant;  
W. Geo. Denny, Jr., Denver,  
Colorado, and  
J. M. McNulty, Denver, Colo-  
rado, for the Commission.

S T A T E M E N T

By the Commission:

This is an application by the Citizens Utilities Company, of La Junta, Colorado, for a certificate of public convenience and necessity, seeking authority from this Commission to exercise franchise rights granted by the City Council of the City of Las Animas, Bent County, Colorado, in and by Ordinance No. 322, as well as the right to distribute and sell gas in the area immediately contiguous to said City.

The matter was set for hearing, after due notice to all interested parties, and heard on January 21, 1954, at ten o'clock A. M., 330 State Office Building, Denver, Colorado, and then taken under advisement by the Commission.

Applicant is a Delaware corporation authorized to do business in the State of Colorado, and a certified copy of its Articles of Incorporation, together with all amendments thereto, has previously been filed with this Commission in Application No. 10680.

Applicant is a public utility, as defined in Section 3, Chapter 137, 1935 Colorado Statutes Annotated, and is now, and for many years past has been engaged in the business of the purchase, transmission, distribution, and sale of natural gas in Crowley, Otero, and Bent Counties, located in the southeast section of Colorado. The principal Colorado office of the Company is located in La Junta, Colorado.

Testimony at the hearing revealed that applicant has been serving gas to the City of Las Animas under the terms and conditions of an unexpired franchise granted by Ordinance No. 267, of April 2, 1929, and under the authority of Certificate of Public Convenience and Necessity from this Commission granted by Order of December 16, 1929, and the transfer thereof to applicant approved by this Commission by Decision No. 14835, of February 5, 1940. Since the transfer of the above-mentioned certificate to applicant, it has been rendering gas service to the inhabitants of the City of Las Animas, and has also been rendering gas service to the customers in the area contiguous to said City.

Further testimony at the hearing revealed that on September 8, 1953, Ordinance No. 322, of the City, entitled: "An Ordinance Granting Certain Franchises and Rights to Citizens Utilities Company, Its Successors and Assigns, in the City of Las Animas, in the State of Colorado" was duly passed and adopted by the City Council of said City, and accepted by applicant on September 18, 1953.

Introduced at the hearing in the instant matter as Exhibit "A" was a copy of the franchise, together with copies of the certificate as to the introduction, passage and signature by the Mayor of Ordinance No. 322, and the written acceptance by the Company of the Ordinance, by letter dated September 18, 1953. The franchise is for a period of twenty-five years.

The witness at the hearing estimated that the Company would probably spend \$50,500.00 in new capital investment in Las Animas, and in the area contiguous thereto during the life of the franchise. The figure

of \$50,500.00 will be used as the basis for a charge for the issuance of the certificate sought herein, but will not be binding upon the Commission in any subsequent investigation where valuation may be an issue. The witness estimated that there were approximately 4,000 people in the area requested in the certificate and approximately 3,500 of these live in the City of Las Animas. The Company proposes to use its existing gas facilities in supplying gas service and the estimate given above would be for new facilities for the expansion of business during the life of the franchise.

There are no other gas public utilities operating in the City of Las Animas or in the area contiguous thereto.

No one appeared at the hearing in opposition to the granting of the authority sought. The Commission has received a written consent to the granting of the instant application from Mr. Oakley Wade, Attorney for the City of Las Animas.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the above Statement, by reference, should be made a part hereof.

That the authority sought should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That the present and future public convenience and necessity require, and will require, the exercise by applicant of the franchise rights granted to it by the City Council of the City of Las Animas, Bent County, Colorado, in and by Ordinance No. 322 of September 8, 1953, a copy of which was introduced at the hearing herein as Exhibit "A", and which, by reference, is made a part hereof, to supply gas service to the inhabitants of the City of Las Animas, Bent County, Colorado, and to residents in the area contiguous to said City, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That applicant shall install, operate and maintain its gas distribution system and supply service in the areas heretofore designated in accordance with the rate schedules, rules and regulations, service connections and main extension policy as are now or hereafter in effect and on file with the Commission; its books and accounts shall be maintained in agreement with the Uniform Classification of Accounts; its practices as to testing of meters, consumers' deposits, operations, records of meters and complaints shall be in compliance with the Commission's requirements.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hinchell

John W. Hinchell

Ralph C. Hinchell  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of January, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
CLYDE BELL AND W. SAM ROGERS, CO- )	
PARTNERS, DOING BUSINESS AS "BELL )	
& ROGERS," CULBERTSON, NEBRASKA, )	<u>PUC NO. 2455-I-Transfer</u>
FOR AUTHORITY TO TRANSFER INTER- )	
STATE OPERATING RIGHTS TO CLYDE )	
BELL, CULBERTSON, NEBRASKA. )	
----- )	

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January 29, 1954  
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S T A T E M E N T

By the Commission:

Heretofore, Clyde Bell and W. Sam Rogers, co-partners, doing business as "Bell & Rogers," Culbertson, Nebraska, were authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle, in interstate commerce, and PUC No. 2455-I issued to them.

Said certificate-holders now seek authority to transfer said operating rights to Clyde Bell, W. Sam Rogers being desirous of withdrawing from said partnership.

The records and files of the Commission fail to disclose any reason why said request should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

That said transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

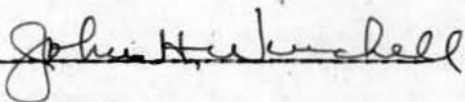
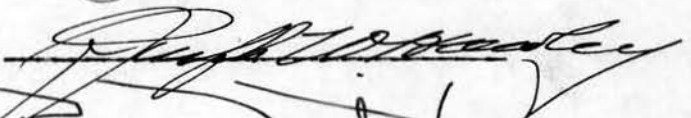
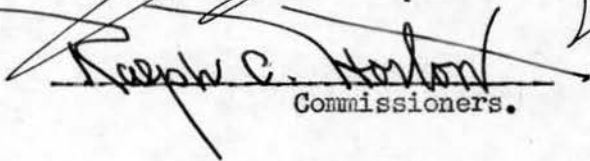
That Clyde Bell and W. Sam Rogers, co-partners, doing business as "Bell & Rogers," Culbertson, Nebraska, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 2455-I to Clyde Bell, Culbertson, Nebraska, said W. Sam Rogers being hereby authorized to withdraw from said partnership.

That transfer herein authorized is subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, and subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That road tax deposit of transferors shall be transferred and credited to account of transferee herein.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 29th day of January, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WAYNE JONES, DOING BUSINESS AS )  
"VERNOR'S GINGER ALE BOTTLING )  
COMPANY," 833 SANTA FE DRIVE, )  
DENVER, COLORADO. )  
-----)

PERMIT NO. C-12815  
CASE NO. 62268-INS.

-----  
January 29, 1954  
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S T A T E M E N T

By the Commission:

On September 10, 1952, in Case No. 62268-Ins., the Commission entered its order, revoking Permit No. C-12815 for failure of respondent to keep effective insurance on file with the Commission.

On September 15, 1952, proper insurance was filed by respondent.

Due to an oversight in the office of the Commission, revocation order entered in Case No. 62268-Ins. on September 10, 1952, was not set aside, as should have been done upon respondent's filing proper insurance.

It appears that thereafter respondent was required to pay a ten-dollar fee for reinstatement of said permit.

Inasmuch as proper insurance is on file covering operations under Permit No. C-12815,

F I N D I N G S

THE COMMISSION FINDS:

That revocation order entered by the Commission in Case No. 62268-Ins., on September 10, 1952, should be set aside, nunc pro tunc, as of said 10th day of September, 1952, and that the additional \$10.00 filing fee paid by respondent herein should be refunded to him.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-12815 should be, and the same hereby is, reinstated, nunc pro tunc, as of September 10, 1952, revocation order

entered by the Commission in Case No. 62268-Ins. on that date being hereby vacated, set aside, and held for naught, nunc pro tunc, as of September 10, 1952.

That the \$10.00 filing fee later paid by respondent herein for reinstatement of said Permit No. C-12815 shall be refunded to him.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Churchill  
George W. Hawley  
Ralph C. Horton  
Commissioners.

Dated at Denver, Colorado,  
this 29th day of January, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
HOWARD CRANDALL, HARLEY CRANDALL,  
HARVEY CRANDALL, AND A. E. CRANDALL,  
DOING BUSINESS AS "CRANDALL AND SONS,"  
WIGGINS, COLORADO, FOR AN EXTENSION  
OF CERTIFICATE NUMBER PUG-1920.

APPLICATION NO. 12699-Extension

IN THE MATTER OF THE APPLICATION OF  
HOWARD CRANDALL, HARLEY CRANDALL,  
HARVEY CRANDALL AND A. E. CRANDALL,  
DOING BUSINESS AS "CRANDALL AND SONS,"  
WIGGINS, COLORADO, FOR AN EXTENSION  
OF PERMIT NUMBER B-3791.

APPLICATION NO. 12704-PP-Extension

IN THE MATTER OF THE APPLICATION OF  
HOWARD CRANDALL, HARLEY CRANDALL,  
HARVEY CRANDALL, AND A. E. CRANDALL,  
DOING BUSINESS AS "CRANDALL AND SONS,"  
WIGGINS, COLORADO, FOR AN EXTENSION  
OF PERMIT NUMBER B-3809.

APPLICATION NO. 12705-PP-Extension

January 29, 1954

Appearances: Bruce Ownbey, Esq., Denver,  
Colorado, and  
Earl Greinetz, Esq., Denver,  
Colorado, for applicants;  
Marion E. Jones, Esq., Denver,  
Colorado, for Sorenson Truck  
Service, Doyle's House Moving,  
Simonson-Boyce House Moving;  
Harold D. Torgan, Esq., Denver,  
Colorado, for Duffy Storage  
and Moving Company;  
Graydon F. Dowis, Jr., Esq.,  
Sterling, Colorado, for  
Ziegler and McDowell House  
Movers;  
Edwin Welch, Wray, Colorado,  
pro se;  
William R. Brumfield, Ft. Morgan,  
Colorado, for Atwood Truck  
Line.

## S T A T E M E N T

### By the Commission:

By authority of Decision No. 30848, of date July 3, 1948, PUC-1920 issued to Alfred E. Crandall, Howard Crandall, Harvey Crandall, and Harley Crandall, co-partners, doing business as "A. E. Crandall & Sons," Wiggins, Colorado, authorizing:

the transportation or moving of buildings, including railroad cars and other structures, between points in that portion of Morgan County, Colorado, bounded as follows:

Commencing at the southwest corner of the said county, thence northward along the western boundary to the northwest corner of said county, thence southeasterly to Snyder, thence southwesterly to Brush, thence southeasterly to Gary, thence due south to the southern boundary of Morgan County, thence westwardly along the southern boundary of Morgan County to the southwest corner of said county, the point of beginning.

By authority of Decision No. 41170, of date September 9, 1953, said certificate owners acquired Private Carrier Permit No. B-3791, authorizing the transportation or moving of:

houses and buildings, and equipment and supplies necessarily incident thereto, between points in the area included in the Counties of Morgan and Washington, Colorado, and to and from the eastern half of Weld County and the eastern half of Adams County, Colorado.

By authority of Decision No. 41279, of date September 18, 1953, said certificate holders acquired Private Carrier Permit No. B-3809, authorizing the transportation of:

buildings between points within an area extending sixteen miles west, twenty miles east, ten miles north, and twenty miles south of Keenesburg, Colorado.

By the instant application, filed November 17, 1952, and as amended at the hearing, the owners of these authorities seek further authority to convert the private carrier permits to certificates of public convenience and necessity, consolidate same with PUC-1920, and extend said PUC-1920 to include the transportation of buildings and other structures, including box cars, from point to point within and to and from the following area:

A line drawn from Castle Rock due north through Windsor and thence to the Wyoming State Line, excluding Aurora; thence Clockwise on a 75-mile radius of Wiggins, Colorado.

Said applications, pursuant to prior setting, after appropriate notice to all parties in interest, was set for hearing at 330 State Office Building, Denver, Colorado, January 13, 1954, at ten o'clock A. M., and by consent of all parties in interest, were consolidated for hearing, heard, and taken under advisement.

When the amendments above referred to were allowed, Atwood Truck Line withdrew its protest.

A. E. Crandall, one of applicants, testified that the partners have been in the trucking business since 1941. A satisfactory financial statement and list of equipment are on file with the Commission. They are able to purchase additional equipment if necessary. The area served under Private Carrier Permit No. B-3791 covers all of Morgan County and a part of the area served under Private Carrier Permit No. B-3809, and there would be less confusion and bookkeeping were the permits consolidated with the certificate. They have had many requests for service outside the areas already served, by letter and telephone from persons who wanted to sell or move their buildings. One Burkhardt at Atwood, wanted to move two school houses from a point south and east of Atwood to a point 18 miles south and five or six miles east of Atwood in Washington County. Request had come to move a house in Atwood to a point one mile east of Sterling, the owner of the building having waited since September 26, 1953 for service by McDowell. One Ledbetter wanted a house moved from Sterling to a point in Logan County and another house from a point six miles north of Merino to a point four miles west of that town. Witness received a card from one Swedlund, who wanted a building moved from Peetz to a point half way between Atwood and Merino, but, after talking with witness, Swedlund traded off the building to another. Witness looked at one garage four miles east of Sterling which was to be moved to Sterling, but the job was referred to McDowell. One Stolt bought a house north of Otis that he wanted moved, and witness was called to bid because McDowell had advised that he could not

move the building until sometime later. One Patton wanted a house moved from a point two miles north of Sterling to his farm. One Snow and one Wheat wanted houses moved from one point to another in Sterling. Witness had investigated a proposed move of three houses for one Adler. Witness did not state how the building above referred to had been finally moved. He thought that Ziegler and McDowell had more house moving business than they could handle in their territory in the Sterling area. He stated that applicants have idle equipment at times, but admitted that they had over-bought equipment when they purchased their permits.

Witness identified Exhibit 1, a file of letters received from prospective customers, and Exhibit 2, consisting largely of written complaints on present service. He had asked some of those who had signed the letters to appear as witnesses, but no one appeared. He admitted that the letters in Exhibit 1 were largely in response to his advertisements in the Sterling papers and elsewhere, and those in Exhibit 2 largely the result of his personal solicitation. Following the past policy of the Commission, these so-called exhibits were permitted to be filed, but were not admitted in evidence due to objection of protestants on the ground that they were hearsay, and the parties who had signed the letters were not available for cross-examination.

Applicants agreed to an amendment of their application, restricting any transportation of box cars from point to point in the area they desire to serve, the amendment being allowed by the presiding Commissioner.

The only customer witness produced by applicants was one Robert Littler, a farmer residing near Sterling. He had occasion to investigate the possibility of moving seven buildings from a point south of Crook to a point one and one-half miles northwest of Sterling. He applied to McDowell for the service and was quoted a price on each building. McDowell moved one garage in the fall, but advised that because of the condition of the roads in the area, he could not move the other buildings until the ground froze up. Witness had a dead-line to meet and could not wait until cold

weather to move the buildings so tore them down and sold them to Crandall at a small profit, although he had expected to have them moved and used as rental properties.

The application was vigorously opposed by other common carriers having house moving authority in the area applied for.

Vincent P. Doyle, PUC-2075, has authority within a twenty-mile radius of Boulder. His equipment list is on file. His moving equipment has all the necessary accessories, such as timbers, etc. He had contacted Adler of Longmont, mentioned by Crandall, and quoted him a price for the moving job, but heard nothing further from him. Witness already has one competitor in his area, and the addition of any other carriers would result in more idle equipment. He has received no complaint as to his service.

Robert Boyce, of Pueblo, PUC-2100, is engaged solely in the house moving business and operates four complete units without any complaints. He opposes any new service into or from Denver or Castle Rock, and there is no lack of adequate service in that area.

James A. Duffy, General Manager of Duffy Storage and Moving Company, PUC-333, testified that his company operates in the area applied for and has equipment to move six or seven buildings at one time. All its equipment is not kept busy. It moves buildings on one day's notice, and has had no complaints. All personnel is experienced and gives specialized service. An additional carrier in the field would cut down Duffy business materially. If the application were granted, applicants would compete with Duffy in the Denver and Castle Rock areas, but Duffy's base of operations is at Denver, and he does not seek business in the Sterling area.

Melvin R. McDowell, of Ziegler and McDowell House Movers, Sterling, Colorado, PUC-1783, testified that he operates in the Sterling areas that applicants seek to serve. He has three complete moving outfits which are busy 35% of the time in the wintertime, and most of the time in the summer months. He had contracted to move the building of Swedlund, referred to by applicants as a prospective customer, and the buildings had been placed on timbers ready to move for six weeks awaiting more favorable

weather, but Swedlund finally decided to sell them to another. As to witness Littler, the buildings remaining, after McDowell moved the garage, could not be moved until the ground froze, as there was no road at all leading to the same. In support of this protest was offered Exhibit 3 (received in evidence without objection), being copies of the Sterling Advocate of various dates, containing applicants' advertisements in the following form:

"WANTED—Miscellaneous 40

"Wanted houses to move. Licensed, common carrier, careful, efficient service. We also buy houses to move. Write A. E. Crandall and Son. Wiggins, Colorado."

These were the advertisements that applicants admitted were the origin of various letters offered as Exhibits 1 and 2. It is a novel approach, to say the least, to advertise a common carrier service in an area in which an applicant has no authority, not advising of the lack of such authority in the advertisements, and offering the letters received in response of such advertisements as proof of public convenience and necessity.

Edwin Welch, Wray, Colorado, owner of PUC-1910, authorizing service in a part of the area sought to be served by applicants, testified that he has four complete moving outfits, is engaged in no other occupation, and could handle all the business offered to him. There have been no complaints on his service and he promptly complies with all requests for service. He stated that he already has four competitors in his certificated area, and there is no need for the service of another.

Here we have an application to convert two private carrier authorities into common carrier authorities, without a single customer witness testifying as to public convenience and necessity in any of the area covered by either permit, and the only excuse given by applicants is that the conversion would result in less confusion. And it is requested that any common carrier authority of applicants resulting from said conversion should be consolidated with PUC-1920, and the latter certificate then extended to include a wide expanse of territory. Not only is there no proof of public

convenience and necessity in the area covered by the permits, but only one witness, Robert Littler, is offered in support of the application for extension, and that witness resides in Ziegler and McDowell's certificated territory. McDowell had moved one of his buildings and quoted a price for moving the others from a location not accessible to roads, the move to be made when the weather conditions became more favorable. It is significant that not one of the writers of the letters in Exhibits 1 and 2 appeared in support of the application. The desire of applicants to extend their operation cannot be accepted as proof of public convenience and necessity, and such proof submitted is woefully inadequate. On the other hand, the proof of adequate service in the area sought to be served by applicants, offered by certificated carriers in that area, more than off-set the so-called proof offered by applicants. The application must be denied, for reasons set forth above.

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

##### THE COMMISSION FINDS:

That the three applications referred to in the caption hereof should be denied.

#### O R D E R

##### THE COMMISSION ORDERS:

That the above-styled applications should be, and the same hereby are, denied.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Huchell*  
*Ralph W. Kealey*  
*Ralph C. Horton*  
Commissioners.

Dated at Denver, Colorado,  
this 29th day of January, 1954.  
ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WILLIS D. BLACKFORD AND HAROLD L. )  
BLACKFORD, DOING BUSINESS AS "LOVE- )  
LAND CITY BUS," 116 SOUTH MONROE, )  
LOVELAND, COLORADO, FOR AUTHORITY )  
TO TRANSFER CERTIFICATE NUMBER PUC- )  
1808 TO ORVILLE H. CALHOON, DOING )  
BUSINESS AS "LOVELAND BUS COMPANY," )  
1015 EAST THIRD STREET, LOVELAND, )  
COLORADO. )

APPLICATION NO. 12715-Transfer

-----  
January 29, 1954  
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Appearances: Orville H. Calhoon, Loveland,  
Colorado, pro se;  
Ben H. Gregg, Loveland, Colo-  
rado, for First National  
Bank in Loveland.

S T A T E M E N T

By the Commission:

Pursuant to authority contained by former decisions of the Com-  
mission, Willis D. Blackford and Harold L. Blackford, co-partners, ac-  
quired certificate of public convenience and necessity originally granted  
to Julius Bussard by Decision No. 27015 to operate as a common carrier by  
motor vehicle for hire, on schedule, for the transportation of:

passengers by bus, in the City of Loveland,  
over the route described as: Beginning at  
the corner of West 4th Street to Colorado  
Avenue; thence north to West 8th Street;  
thence east to Grand Avenue; thence north  
to West 14th Street; thence east to Lincoln  
Avenue; thence south to East 4th Street;  
thence east to St. Louis Avenue; thence  
north to East 5th Street; thence west to  
Pierce Avenue; thence north to East 7th  
Street; thence west to Monroe Avenue;  
thence north to East 14th Street; thence  
west to Cleveland Avenue; thence south to  
point of origin,

said operating rights being designated as "PUC No. 1808."

Decision No. 35530, of date October 24, 1950, authorizing the

transfer to Willis D. Blackford and Harold L. Blackford, co-partners, recited that there were no outstanding unpaid operating obligations against the operation under said certificate. This decision was amended by Decision No. 35610, of date November 6, 1950, by the insertion of the following words in the Statement in Decision No. 35530, to-wit: "except a note and chattel mortgage of the original amount of \$4,000.00, with a balance of \$2,666.67 due and owing to G. D. Bussard."

By the instant application, Willis D. Blackford and Harold L. Blackford, doing business as "Loveland City Bus," Loveland, Colorado, seek authority to transfer the above described operating rights to Orville H. Calhoon, doing business as "Loveland Bus Company," Loveland, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Boulder, Colorado, January 20, 1954, at ten o'clock A. M., and, at the conclusion of the evidence, the matter was taken under advisement.

It appeared from the evidence that the transferors, Willis D. Blackford and Harold L. Blackford, left Loveland in the spring of 1953 and, in order to continue what was considered a necessary bus service in Loveland, the transferee, Orville H. Calhoon, began operations in the operation of the bus line in May 1953. When the Blackfords left Colorado, there was a balance of \$2,400.00 still due upon the note and chattel mortgage payable to G. D. Bussard and referred to in Decision No. 35610. This indebtedness now amounts to \$1,831.38 and is represented by the promissory note of Orville H. Calhoon payable to the order of G. D. Bussard and endorsed by the latter to the First National Bank in Loveland, Loveland, Colorado. Three busses which had been used in the operation had been repossessed and the mortgage referred to covers the three busses as well as PUC-1808.

All parties agreed that, in order to continue the operation of said bus line, it would be necessary that the former indebtedness of Calhoon to Bussard should be refinanced, as provided in the new note and mortgage.

All parties requested that PUC-1808 should be transferred to the said Orville H. Calhoon and that the proposed mortgage of the busses and certificate to G. D. Bussard, as above explained, should be approved.

### 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, and that the proposed mortgage of the busses and certificate, as set forth in the above and foregoing Statement, should be authorized and approved.

### O R D E R

#### THE COMMISSION ORDERS:

That Willis D. Blackford and Harold L. Blackford, doing business as "Loveland City Bus," Loveland, Colorado, be, and are hereby, authorized to transfer all their right, title, and interest in and to PUC-1808 -- being the operating rights granted by Decision No. 27015, of date May 31, 1946 -- to Orville H. Calhoon, doing business as "Loveland Bus Company," Loveland, Colorado.

That by reason of the fact that transferors have left the State of Colorado and their whereabouts are now unknown, the filing of their consent to such transfer be, and is hereby, waived, but Orville H. Calhoon be, and is hereby, required to file acceptance of transfer. 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 chattel mortgage, of date January 23, 1954, from Orville H. Calhoon to G. D. Bussard, securing the payment of a promissory note for the principal sum of \$1,831.38, payable in installments and covering the three busses, specifically described therein, and certificate of public convenience and necessity No. 1808, issued by this Commission, be, and the same is hereby, authorized and approved.

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 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 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

John H. Wheeler

Joseph W. Kealey

Ralph C. Gordon  
Commissioners.

Dated at Denver, Colorado,  
this 29th day of January, 1954.

mls

original

(Decision No. 42002)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE INVESTIGATION AND SUSPENSION OF )  
TEMPORARY RIDER, ORIGINAL SHEETS )  
NOS. 34 AND 34A, OF PUC TARIFF NO. )  
3-GAS, OF PUBLIC SERVICE COMPANY )  
OF COLORADO. )  
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INVESTIGATION AND SUSPENSION  
DOCKET NO. 361  
SUPPLEMENTAL ORDER

-----  
January 29, 1954  
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Appearances: Lee, Bryans, Kelly and Stans-  
field, Esqs., Denver, Colorado,  
by  
Edgar A. Stansfield, Esq.,  
Denver, Colorado, and  
Ralph Sargent, Jr., Esq.,  
Denver, Colorado, for Public  
Service Company of Colorado;  
Leonard M. Campbell, Esq.,  
Denver, Colorado, for Colo-  
rado Municipal League, the  
City of Fort Collins, Colo-  
rado, and pro se;  
John M. Sayre, Esq., Boulder,  
Colorado, for the City of  
Boulder, Colorado;  
John C. Banks, Esq., Denver,  
Colorado, and  
Malcolm D. Crawford, Esq.,  
Denver, Colorado, for the  
City and County of Denver,  
Colorado;  
William T. Secor, Esq.,  
J. M. McNulty, and  
W. George Denny, Jr., Denver,  
Colorado, for the Commission.

S T A T E M E N T

By the Commission:

On January 7, 1954, Decision No. 41845 was entered by this Com-  
mission in the above-styled matter.

On January 26, 1954, "Petition for Rehearing" was filed herein  
by John M. Sayre, City Attorney, for and on behalf of the City of Boulder,  
Colorado.

The Commission has reviewed the evidence adduced at the hearing

on said matter, and has carefully considered Petition for Rehearing filed herein, and each and every allegation thereof.

F I N D I N G S

THE COMMISSION FINDS:

That no useful purpose would be served by granting rehearing herein, and that said Petition for Rehearing should be denied.

O R D E R

THE COMMISSION ORDERS:

That Petition for Rehearing filed herein by John M. Sayre, City Attorney, for and on behalf of the City of Boulder, Colorado, on January 26, 1954, should be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Wheeler

Joseph C. Macomber

Ralph C. Norton  
Commissioners.

Dated at Denver, Colorado,  
this 29th day of January, 1954.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE INVESTIGATION AND SUSPENSION OF  
TEMPORARY RIDER, SECOND REVISED  
SHEET NO. 20 OF PUC NO. 5 OF THE  
PUEBLO GAS AND FUEL COMPANY.  
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INVESTIGATION AND SUSPENSION  
DOCKET NO. 362  
SUPPLEMENTAL ORDER

-----  
January 29, 1954  
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Appearances: Lee, Bryans, Kelly and Stans-  
field, Esqs., Denver, Colo-  
rado, by  
E. A. Stansfield, Esq., Denver,  
Colorado, and  
Ralph Sargent, Jr., Esq., Denver,  
Colorado, for Pueblo Gas and  
Fuel Company;  
John H. Marsalis, Esq., Pueblo,  
Colorado, for the City of  
Pueblo, Colorado;  
William T. Secor, Esqs.,  
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:

On January 8, 1954, Decision No. 41847 was entered by  
this Commission in the above-captioned matter.

On January 26, 1954, "Application for Rehearing" was  
filed herein by the City of Pueblo, Colorado, by John H. Marsalis,  
City Attorney.

The Commission has reviewed the evidence adduced at the  
hearing on said matter, and has carefully considered Application for  
Rehearing filed herein, and each and every allegation thereof.

F I N D I N G S

THE COMMISSION FINDS:

That no useful purpose would be served by granting rehearing  
herein, and that said Application for Rehearing should be denied.

O R D E R

THE COMMISSION ORDERS:

That Application for Rehearing filed in the above-styled matter by the City of Pueblo, Colorado, by John H. Marsalis, City Attorney, on January 26, 1954, should be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Wheeler

Joseph W. Keady

Ralph C. Horton

Commissioners.

Dated at Denver, Colorado,  
this 29th day of January, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
SOUTHERN COLORADO POWER COMPANY,  
PUEBLO, COLORADO, FOR A CERTIFICATE  
OF PUBLIC CONVENIENCE AND NECESSITY  
TO EXERCISE RIGHTS UNDER A FRAN-  
CHISE GRANTED TO IT BY THE CITY OF  
CANON CITY, IN FREMONT COUNTY,  
COLORADO.

APPLICATION NO. 12725

February 1, 1954

Appearances: J. W. Preston, Esq., Pueblo,  
Colorado, for applicant;  
W. George Denny, Jr.,  
C. L. Flower, and  
J. M. McNulty, Denver, Colo-  
rado, for the Commission.

S T A T E M E N T

By the Commission:

This is an application by the Southern Colorado Power Company of Pueblo, Colorado, for a certificate of public convenience and necessity, seeking authority from this Commission to exercise franchise rights granted by the City Council of the City of Canon City, Fremont County, Colorado, in and by Ordinance No. 9, Series of 1953, as well as the right to distribute and sell electricity in the area contiguous to said city.

The matter was set for hearing, and heard, after due notice to all interested parties, on January 26, 1954, at ten o'clock A. M., 330 State Office Building, Denver, Colorado, and then taken under advisement by the Commission.

Applicant is a Colorado corporation, organized and existing under and by virtue of the laws of the State of Colorado, and is duly authorized and empowered by its certificate of incorporation and the amendment thereto, among other things, to engage in the business of generating, transmitting and distributing electrical energy. A true and correct copy of the Articles

of Incorporation has previously been filed with this Commission in Application No. 8691 and a copy of the amendment to said Certificate of Incorporation has been previously filed in Application No. 12124.

Applicant is a public utility as defined in Section 3, Chapter 137, 1935 Colorado Statutes Annotated, and is now, and for many years past, has been engaged in the business of generating electrical energy by steam power plants located in Pueblo, in Pueblo County, and at Canon City in Fremont County, and at Rocky Ford in Otero County, and by a water hydro-plant, located at Skaguay in Teller County, all in the State of Colorado, and in the transmission and distribution of said electrical energy by means of integrated transmission and distribution lines in the Counties of Pueblo, Otero, Bent, Crowley, El Paso, Fremont, Teller and Custer in said State. The principal office of the Company is located in Pueblo, Colorado, and the Company maintains branch offices in several other towns in which it operates.

Testimony at the hearing revealed that applicant has been rendering electric service in the City of Canon City, which is a home-rule City operating under a charter adopted pursuant to the 20th Amendment to the Constitution of the State of Colorado, and the area contiguous thereto for many years past. Applicant has been operating in Canon City under the terms and conditions of a franchise that had not yet expired when the City Council, on December 7, 1953, passed an Ordinance submitting to the vote of the people a proposed new franchise authorizing the Company to supply service in Canon City for a period of twenty years from the effective date of said franchise. Said Ordinance was duly voted upon by the people and was passed by a vote of 657 in favor, and 6 votes against. The effective date of the new franchise is February 4, 1954, and, on said date, the prior franchise, under which applicant has been rendering service heretofore, will be cancelled. Introduced at the hearing as Exhibit "A" was a copy of the Ordinance, being Ordinance No. 9, Series of 1953 and, by reference, is made a part hereof.

Also introduced at the hearing as Exhibit "D" was a copy of the written acceptance of said franchise by the Southern Colorado Power Company.

Further testimony at the hearing revealed that the estimated population of Canon City, at the present time, is 6,619 and that the Company is serving 2,288 customers within the city limits of Canon City. It was also estimated by the witness that the rural population contiguous to the City was approximately 750, and that the Company was serving 204 customers in this contiguous area. The witness also stated that the Company has invested, at the present time, in the City of Canon City and contiguous territory, approximately \$1,507,000.00 and that applicant estimated an expenditure of approximately \$3,400,000.00 during the life of the franchise for additional facilities in said city. The figure of \$3,400,000.00 will be used as the basis for a charge for the issuance of the certificate sought herein, but will not be binding upon the Commission in any subsequent investigation where value may be an issue.

There are no other electric public utilities operating in the City of Canon City or in the area contiguous thereto, and no one appeared at the hearing in opposition to the granting of the authority sought. The Commission, on January 26, 1954, received a letter signed by Mr. J. W. Martin, Chairman of the Board of County Commissioners of Fremont County, in which he states, in effect, that the Board on behalf of the County of Fremont has no objection to the granting of the certificate and as a matter of policy the Board is in favor of the granting of said certificate, providing applicant meets all the requirements of this Commission.

### FINDINGS

#### THE COMMISSION FINDS:

That the above Statement, by reference, be made a part hereof.

That the authority sought should be granted.

O R D E R

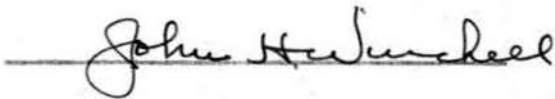
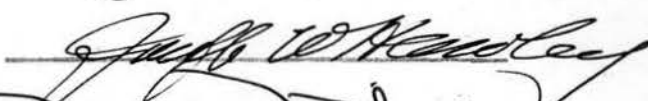
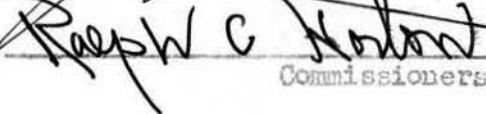
THE COMMISSION ORDERS:

That the present and future public convenience and necessity require, and will require, the exercise by applicant of the franchise rights granted to it by the City Council of the City of Canon City, Fremont County, Colorado, in and by Ordinance No. 9, Series of 1953, a copy of which was introduced at the hearing herein as Exhibit "A", and which, by reference, is made a part hereof, to supply electric service to the inhabitants of the City of Canon City, Fremont County, Colorado, and to the residents in the area contiguous to said city, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That applicant shall install, operate, and maintain its electric generation, transmission and distribution system and supply service in the areas heretofore designated, in accordance with the rate schedules, rules and regulations, service connections and main extension policy, as are now or hereafter in effect and on file with the Commission; its books and accounts shall be maintained in agreement with the Uniform System of Accounts; its practices as to testing of meters, consumers' deposits, operations, records of meters and complaints shall be in compliance with the Commission's requirements.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 1st day of February, 1954.

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. )  
----- )

INVESTIGATION AND SUSPENSION  
DOCKET NO. 352

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February 1, 1954  
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Appearances: Douglas McHendrie, Esq.,  
Denver, Colorado, for  
applicant;  
John A. Love, Esq., Colorado  
Springs, Colorado, for  
Reginald Sinclaire and  
John Paulk, Larkspur,  
Colorado;  
J. L. McNeill, Denver, Colo-  
rado, and  
J. M. McNulty, Denver, Colo-  
rado, for the Commission.

S T A T E M E N T

By the Commission:

On June 30, 1953, the Atchison, Topeka and Santa Fe Railway Company, by its attorneys, filed a petition under Rule No. 6 of this Commission's Rules and Regulations Pertaining to Railroads Operating in the State of Colorado, requesting permission and authority to close its agency station at Larkspur, Douglas County, Colorado, effective with the close of business on July 31, 1953, and to thereafter maintain Larkspur on the basis of a prepay station. Subsequent to the posting of appropriate public notice, the Commission received a protest petition bearing some forty signatures.

In Decision No. 41033, dated July 30, 1953, the proposed agency closing was suspended by the Commission for a period of one hundred twenty (120) days, or until November 28, 1953, unless otherwise ordered. In a later Decision No. 41603, dated November 25, 1953, the closing was

further suspended until January 27, 1954, to permit completion of a hearing scheduled by the Commission in the matter.

After notice to all interested parties, the hearing as scheduled for December 3, 1953, was held in the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, and the matter taken under advisement.

Mr. C. T. Herzog, of Pueblo, Colorado, trainmaster of the Colorado Division of applicant railroad, which division includes the Larkspur station, identified the following exhibits, all of which were admitted in evidence, to-wit:

1. Letter of The Denver and Rio Grande Western Railroad Company, dated May 12, 1953, indicating "No objection to the closing of this station."
2. Statement of Company revenue and expenses at Larkspur from January 1948, through October 1953.
3. Statement of D&RGW business to and from Larkspur, January 1, 1948 to October 31, 1953.
4. Statement showing revenue at Greenland, Non-Agency station, 1948 to October 31, 1953.
5. Statement showing revenue at Tomah, Non-Agency station, 1948 to October 31, 1953.
6. Statement of D&RGW business to and from Tomah and Greenland, Colorado, January 1, 1948 to October 31, 1953.
7. Statement of business to and from Larkspur (7 pages), 1948 through October, 1953.
8. Review of Western Union Messages handled at Larkspur (6 pages) 1948 through October 1953.
9. Bus schedules affecting Larkspur.
10. Truck schedules affecting Larkspur.
11. Statement of L.C.L. Shipments by Complainants, January 1, 1950 to October 31, 1953.
12. Review of Station records to show Inbound and Outbound L.C.L. shipments.

Other explanatory testimony of Mr. Herzog was generally as follows: Larkspur is located in a farming and ranching area 8.6 miles northerly from the Palmer Lake agency station; it was formerly on a main hard-surfaced roadway between Denver and Colorado Springs; the main highway

has been relocated and Larkspur is now located on Colorado Highway No. 393, transient trade has therefore declined; business needs of the local ranchers and the small local population of some 150 people do not indicate an immediate revival; that only minor agency services are now performed at Larkspur. The Larkspur station is located on Santa Fe trackage, being the most westerly of two main-line tracks through the town; southbound traffic of The Atchison, Topeka and Santa Fe Railway Company, Colorado & Southern, The Denver and Rio Grande Western and Missouri Pacific Railroad is handled on this trackage with north-bound movements being over the remaining or easterly track which is owned by The Denver & Rio Grande Western Railroad Company. A Rio Grande station in Larkspur was closed on March 27, 1948, and since that time Rio Grande business has been handled by the Santa Fe agent. With reference to Exhibit No. 3, it was shown that from January 1, 1948 to October 31, 1953, this Rio Grande business amounted to only one carload of cattle received in June 1948, no carloads forwarded, passenger business of \$5.26, and no L. C. L. freight forwarded or received. Exhibit No. 1 is the letter of The Denver & Rio Grande Western Railroad Company, indicating that company has "no objections to the closing of this station."

Mr. Herzog testified further that the current application is the result of the downward trend of business and the doubtful prospects of improvement at the Larkspur station. He cited the absence of any industry in the area as a source of revenue, stating that the livestock pens (two car capacity) would remain at Larkspur for the convenience of those shippers and that any telephone charges for the ordering or receipt of carload shipments through the nearby Castle Rock or Palmer Lake agents would be accepted by the railroad company. By Applicant's Exhibit No. 2, being the annual statements of the Larkspur station records, Mr. Herzog was able to show the decline of revenue and the continuation of fixed expenses, and which are summarized as follows, indicating an average net loss of some \$3,200.00 per year.

Date	REVENUE				EXPENSE		
	Freight	Pass.	Milk & Cream	Total	Salaries	Stat. Expense	Total
1948	\$2,391.00	243.00	\$6.00	\$2,640.00	\$4,665.35	\$ 88.85	\$4,754.20
1949	969.00	136.00	4.00	1,109.00	4,177.21	97.60	4,274.81
1950	1,204.00	93.00	83.00	1,380.00	3,506.42	101.75	3,608.17
1951	216.00	74.00	25.00	315.00	4,140.15	101.15	4,241.30
1952	26.00	51.00	18.00	95.00	3,856.19	101.47	3,957.66
1953	158.00	107.00	0.00	265.00	3,526.62	86.80	3,614.42
(10 Months)				5,804.00			24,450.56
					Net Loss -		18,646.56

Mr. Herzog also testified that the Larkspur agent handled the Rio Grande and Santa Fe business of two other non-agency stations, being Tomah at 5.3 miles north and Greenland at 3.4 miles south from Larkspur. In Exhibit No. 6 he showed there was no Rio Grande business to or from these stations from January 1, 1948 to October 31, 1953. In Exhibit No. 4, the Santa Fe business at Greenland appears as follows:

1948, one car received,	\$95.00 revenue
1952, 55 lbs. L.C.L. received,	2.00 revenue
1953, 6 cars forwarded,	1,173.00 revenue

Santa Fe business at Tomah is shown in Exhibit No. 5 as follows:

1948 through October 1953, and omitting 1952, there was no revenue.

In 1953--there was revenue of \$14,076, resulting from the receipt of 93 cars of cement and forwarding of two cars of rejected cement.

Mr. Herzog pointed out that the cement shipments were for the Colorado State Highway Department in connection with the previously mentioned relocation of the main U. S. Highway No. 85-87, and therefore not a continuing source of revenue.

While passenger business has only been a small item of income, Mr. Herzog explained that if this application be granted, it is contemplated to continue Larkspur as a flag stop. Reservations, ticket information, and arrangement to stop the trains may be secured by contacting either Castle Rock or Palmer Lake agents. Local tickets may also be secured on the train.

Since the Santa Fe truck line operating in this area does not have an authority for store-door service in Larkspur, the L. C. L. pickup and deliveries will continue to be made at the railroad station. Exhibit No. 10 indicates the other truck freight schedules serving Larkspur by the

Weicker Transfer & Storage Company. A daily service northbound through Larkspur at 1:00 P. M. Monday through Saturday, is shown with the notation that not less than twelve truck schedules are operated daily except Sunday over U. S. Highway 85-87 between Denver and Colorado Springs, and which can also serve Larkspur if required.

Exhibit No. 9 is the November 1953 schedule of Denver-Colorado Springs-Pueblo Bus line, indicating a southbound service to Colorado Springs through Larkspur at 1:28 A, 9:13 A, 12:43 P, 2:43 P, 6:08 P and 9:13 P. M. Northbound service to Denver is at 5:44 A, 9:17 A, 11:42 A, 2:52 P, 6:07 P, and 10:42 P. M.

Mr. Herzog testified further that prior to the filing of this application, the merchants in Larkspur were contacted and the only objections received were from the Phillips "66" Filling Station operator who had the railroad agent's business and from the local ranch manager employed by Mr. Reginald Sinclair. Following the posting of public notice of the proposed agent withdrawal, he received a copy of the previously mentioned protest petition.

Exhibit No. 11 was prepared to show the volume of L. C. L. shipments from January 1, 1950 to October 31, 1953, by Consignor or Consignee who signed the protest. In that period of three years and 10 months, 31 shipments were handled for 11 signers and yielded revenue of \$171.01. Data is also presented in Exhibit No. 8 to show the volume of Western Union Messages and revenue therefrom which is summarized as follows:

<u>Year</u>	<u>Msgs. Sent</u>	<u>Msgs. Rec'd</u>	<u>Revenue</u>
1948	107	26	\$130.17
1949	80	121	68.61
1950	37	148	39.72
1951	60	161	67.76
1952	26	74	33.18
10 Months 1953	27	40	29.92

Mr. John A. Love, as counsel for protestants Sinclair and Paulk, questioned various items of expense in Exhibit No. 2, particularly the variation in the agents' monthly salary; asked for comparison of Larkspur and Palmer Lake Station business; pointed out the absence of a

statement showing system revenue; indicated that interest of his clients was in the maintenance of Railway Express and Western Union service.

At the hearing, notice was given to the Commission that due to a recent heavy snowfall in the Larkspur area, Mrs. Mary Lou Nava would be unable to appear as representative of the protestants who had signed the complaint petition in this matter.

Other questioning by the Commission staff covered the protest items of the complaint signers as outlined in the suspension order of the Commission, namely: Future handling of Western Union messages. Handling of perishable Railway Express shipments. Handling of train orders for the other railroads using this trackage.

Added testimony in response to the above questioning was offered as follows by Mr. J. P. Spears, Pueblo, Colorado, Superintendent of the Colorado Division which includes the Larkspur territory: The Colorado division includes about 35 stations, approximately fifty percent are self-supporting. Palmer Lake is not fully self-supporting, but contrasted to Larkspur there is enough revenue to pay the agent's salary; it is now open 24 hours daily, being located at the top of the hill between Denver and Colorado Springs it is a more favorable location to stop trains and turn back helper locomotives. Variation of station agent salary is caused by extra expense of replacement agent during vacation time of regular agent. Due to the increasing use of diesel locomotives, there is a declining need for train orders, longer trains are being handled, resulting in a fewer number of trains with no delays for coal and water. In 1953, there were only six train orders issued. With reference to train orders for the other railroads: Missouri Pacific trains are operated by Rio Grande system which has no objection; no objections will be forthcoming from Colorado & Southern Railway because of joint operations with the Santa Fe. All trains are protected by the operation of an automatic-block signal system. The railroad company needs telegraph operators at other stations on the system so there will be no loss of work for the present agent. Regarding Western Union messages: Mr. Spears stated that if the agent is withdrawn from

Larkspur, the Santa Fe will accept and pay all telephone charges resulting from the receipt or forwarding of Western Union messages for residents of the Larkspur area. Similar telephone charges incidental to the ordering, billing, receipt or other handling of cars or carload shipments previously handled by the Larkspur agent will also be paid by Santa Fe.

Relative to questioning concerning Railway Express shipments, the following testimony was offered by Mr. W. B. Hart, Salt Lake City, Utah, Division Supervisor for the Intermountain Division of Railway Express Agency: Railway Express Agency does not object to closing of the Larkspur office. Revenues have been very low as indicated in his Exhibit No. 13, which is summarized as follows:

	<u>Year</u>	<u>Total Shipments</u>	<u>Monthly Average</u>	<u>Total Revenue</u>	<u>Monthly Average</u>	<u>Agent's Commission</u>
	1951	146	12	\$335.82	27.99	\$2.79
	1952	145	12	443.15	36.93	3.69
9 months	1953	96	11	299.16	33.24	3.32

That the agent's commissions, averaging some \$3.00 per month, is not a sufficient inducement to maintain a regular agent for express service only; that if the rail agent is removed, inbound express shipments to Larkspur will continue to be accepted on a prepaid basis, being set off by the Train express messenger on his order to stop the train, collect shipments will go to Castle Rock or Palmer Lake, according to the shipper's orders. In a like manner, the train messenger will accept outgoing C. O. D. shipments with the outgoing prepays being handled by the Castle Rock or Palmer Lake Agent. Under current Express Agency practices, all consignors of prepaid perishables are notified that the merchandise will be set off at owner's risk where there is no agent.

It appears from the record that for the past five years and ten months, operation of the Larkspur station has resulted in a steadily increasing loss, current revenue being \$18,646.56 less than the current out-of-pocket expense or some \$3,200 annual loss. With the current operating practices and under the continuous protection afforded by the automatic

block signal system, the 40-hour week service of an agent is not required for the safety or maintenance of train movements. While the Commission must be cognizant of financial losses to the carrier, there are also the other factors of maintaining sufficient service to avoid undue inconvenience and to meet the needs of the shipping and traveling public. In this instance, passenger traffic is practically non-existent; stockyard facilities and trackage will remain for car-load shipments; authorized motor truck service is currently available for L. C. L. shipments and the Railway Company will accept telephone charges resulting from receipt or forwarding of Western Union messages, ordering, billing, receipt or other handling of cars or carload shipments for residents of the Larkspur area. It appears then that withdrawal of the agent at Larkspur would not materially inconvenience the general public.

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

##### THE COMMISSION FINDS:

1. That safety and convenience of the general public do not require the maintenance of a regular agent at the Larkspur station.
2. That public necessity of the area will be served by the maintenance of carloading facilities, and arrangements to accept telephone charges for handling Western Union messages and carload shipments.
3. That the Commission cannot find a sufficient showing to justify continuation of an annual loss of some \$3,200 as occasioned by continued services of an agent at Larkspur, Colorado.
4. That the above and foregoing Statement should be made a part of these Findings, by reference.
5. That a certificate of public convenience and necessity should issue to authorize withdrawal of the Larkspur agent.
6. That jurisdiction should be retained by this Commission to enter such further order or orders as may be necessary.

#### O R D E R

##### THE COMMISSION ORDERS:

That Applicant, The Atchison, Topeka and Santa Fe Railway

Company should be, and it is hereby, authorized to close its Larkspur station as an agency station, to withdraw its agent thereat and discontinue maintenance of agency service at that point, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That reference shall be made to this decision in the tariff schedules showing the closing of said station as authority for such action.

That notice of this agency discontinuance be given 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 The Atchison, Topeka and Santa Fe Railway Company, at its Castle Rock and Palmer Lake stations, shall accept the telephone charges resulting from receipt or forwarding of Western Union messages, ordering, billing, receipt or other handling of cars or carload shipments for residents of the Larkspur area.

That this Order shall become effective twenty-one days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Wheeler

Joseph W. Kearley

Ralph C. Johnson  
Commissioners.

Dated at Denver, Colorado,  
this 1st day of February, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
L. O. LIGHT, LA VERNE LIGHT, WAYNE )  
LIGHT, AND JIMMIE LIGHT, DOING )  
BUSINESS AS "L. O. LIGHT & SONS," )  
BOX 740, LAMAR, COLORADO, FOR AUTH- )  
ORITY TO TRANSFER PERMIT NO. B-1148 )  
AND B-1148-I TO T. L. TUCKER, )  
SPRINGFIELD, COLORADO. )

APPLICATION NO. 12721-PP-Transfer

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IN THE MATTER OF THE APPLICATION OF )  
L. O. LIGHT, LA VERNE LIGHT, WAYNE )  
LIGHT, AND JIMMIE LIGHT, DOING )  
BUSINESS AS "L. O. LIGHT & SONS," )  
BOX 740, LAMAR, COLORADO, FOR AUTH- )  
ORITY TO TRANSFER CERTIFICATE NUMBER )  
PUC-1407 TO T. L. TUCKER, SPRING- )  
FIELD, COLORADO. )  
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APPLICATION NO. 12722-Transfer

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February 2, 1954  
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Appearances: Philip A. Rouse, Esq., Denver,  
Colorado, for Transferors  
and Transferees.

S T A T E M E N T

By the Commission:

On December 2, 1935, Fred Wayt was granted a Class "B" private carrier permit, authorizing transportation of interstate and intrastate freight, unrestricted (Permit No. B-1148 and B-1148-I).

Pursuant to authority contained in Decision No. 24476, of date May 5, 1945, as amended by Decision No. 25904, of date May 7, 1946, Helen C. Wayt, widow of Fred Wayt, was authorized to transfer Private Carrier Permit No. B-1148 to J. S. Wright.

On May 31, 1950, by Decision No. 34867, J. S. Wright was authorized to transfer said permit to L. O. Light, LaVerne Light, Wayne Light and Jimmie Light, doing business as "L. O. Light and Sons," who, by the instant application seek authority to transfer said operating rights to T. L. Tucker, Springfield, Colorado.

By Decision No. 17136, of date May 17, 1941, L. O. Light, Lamar, Colorado, was granted a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, for the transportation of:

livestock, specifically including cattle, sheep, hogs, horses, and mules, between points within that part of the State of Colorado which lies east of a line drawn north and south through Rocky Ford, without the right to pick up livestock in that part of Crowley County included in said area which lies west of a line drawn north and south through Sugar City, or within the area lying within a radius of thirty-five miles of Branson, Colorado, and from and to points in said area, to and from points in the State of Colorado,

said operating rights being known as "PUC No. 1407."

By Decision No. 34349, of date March 7, 1950, L. O. Light, was authorized to transfer said PUC No. 1407 to L. O. Light, LaVerne Light, Wayne Light and Jimmie Light, co-partners, doing business as "L. O. Light & Sons," Lamar, Colorado, who, by the instant application, seek authority to transfer said PUC-1407 to T. L. Tucker, Springfield, Colorado.

The two applications were regularly set for hearing, and heard, January 22, 1954, at 330 State Office Building, Denver, Colorado, and were taken under advisement.

At the hearing, Application Nos. 12721-PP and 12722 were consolidated for hearing, and it appeared that the consideration for the transfer of said permit and certificate is the sum of \$15,000.00, payable in cash upon authorization by this Commission of the transfer. It also appeared that there are no outstanding unpaid obligations against either the permit or the certificate, except current liabilities, and further, that the authorities have been operated continuously since their issuance. The ton-mile tax deposit is to be transferred to the account of transferee.

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

T. L. Tucker, the transferee herein, stated that he presently

owns Private Carrier Permit No. B-3241, with authority as follows:

Transportation of livestock, grain and broom corn between points within the territory described as:

Beginning at the NE corner of Twp. 31-S., Range 46-W; thence south 12 miles to the SE corner of Sec. 36, Twp. 32-S, R. 46-W; thence west 4 miles to the SE corner of Sec. 32, same township and range; thence south 4 miles to the SE corner of Sec. 20, Twp. 33-S, R. 46-W; thence west 11 miles to the NE corner of Sec. 28, Twp. 33-S, R. 48-W; thence south 5 miles to the SE corner of Sec. 16, Twp. 34-S, R. 48-W; thence west 1 mile; thence south and west to the point on the Colo-Okla line which intersects Sec. 17, Twp. 35-S, R. 48-W; thence west 13 miles along the Colo-Okla line to the SW corner of Sec. 7, Twp. 35-S, R. 50-W; thence north 8 miles to the NW corner of Sec. 6, Twp. 34-S, R. 50-W; thence east 8 miles to the NE corner of Sec. 5, Twp. 34-S, R. 49-W; thence north 6 miles to the NW corner of Sec. 4, Twp. 33-S, R. 49-W; thence east 9 miles to the NE corner of Sec. 2, Twp. 33-S, R. 48-W; thence north 12 miles to the NW corner of Sec. 1, Twp. 31-S, R. 48-W; thence east 13 miles to the point of beginning and from points in said area to markets and storage points at Springfield, Lamar, La Junta, Pueblo, and Denver, with back haul of coal from said points to farms in said area.

Transferee also owns Private Carrier Permits Nos. E-2114 and

E-2114-I, with authority as follows:

(a) Transportation, in intrastate commerce, of farm products (including livestock), farm machinery, farm supplies and used household goods and furniture, from farm to town, town to town, and town to farm within the area extending 25 miles south, 15 miles north, 25 miles west and 25 miles east of Springfield; (b) livestock from and to points in said area to and from Lamar, Vilas, Pritchett, Walsh, Pueblo, and Denver; (c) repossessed farm machinery from farms in Baca County to Springfield for the International Harvester Company and its agent at Springfield; and (d) the transportation in interstate commerce, of livestock from and to points in the above-described area to and from points in Kansas and from and to Lamar, Vilas, Pritchett, Walsh, Pueblo, and Denver, to and from points in Kansas, subject to the provisions of the Federal Motor Carrier Act of 1935.

Transferee stated that in the future he plans to operate these permits in conjunction with the permit and certificate he is purchasing from L. O. Light and Sons.

This presents a very serious problem of enforcement, and the

owns Private Carrier Permit No. B-3241, with authority as follows:

Transportation of livestock, grain and broom corn between points within the territory described as:

Beginning at the NE corner of Twp. 31-S., Range 46-W; thence south 12 miles to the SE corner of Sec. 36, Twp. 32-S, R. 46-W; thence west 4 miles to the SE corner of Sec. 32, same township and range; thence south 4 miles to the SE corner of Sec. 20, Twp. 33-S, R. 46-W; thence west 11 miles to the NE corner of Sec. 28, Twp. 33-S, R. 48-W; thence south 5 miles to the SE corner of Sec. 16, Twp. 34-S, R. 48-W; thence west 1 mile; thence south and west to the point on the Colo-Okla line which intersects Sec. 17, Twp. 35-S, R. 48-W; thence west 13 miles along the Colo-Okla line to the SW corner of Sec. 7, Twp. 35-S, R. 50-W; thence north 8 miles to the NW corner of Sec. 6, Twp. 34-S, R. 50-W; thence east 8 miles to the NE corner of Sec. 5, Twp. 34-S, R. 49-W; thence north 6 miles to the NW corner of Sec. 4, Twp. 33-S, R. 49-W; thence east 9 miles to the NE corner of Sec. 2, Twp. 33-S, R. 48-W; thence north 12 miles to the NW corner of Sec. 1, Twp. 31-S, R. 48-W; thence east 13 miles to the point of beginning and from points in said area to markets and storage points at Springfield, Lamar, La Junta, Pueblo, and Denver, with back haul of coal from said points to farms in said area.

Transferee also owns Private Carrier Permits Nos. E-2114 and B-2114-I, with authority as follows:

(a) Transportation, in intrastate commerce, of farm products (including livestock), farm machinery, farm supplies and used household goods and furniture, from farm to town, town to town, and town to farm within the area extending 25 miles south, 15 miles north, 25 miles west and 25 miles east of Springfield; (b) livestock from and to points in said area to and from Lamar, Vilas, Pritchett, Walsh, Pueblo, and Denver; (c) repossessed farm machinery from farms in Baca County to Springfield for the International Harvester Company and its agent at Springfield; and (d) the transportation in interstate commerce, of livestock from and to points in the above-described area to and from points in Kansas and from and to Lamar, Vilas, Pritchett, Walsh, Pueblo, and Denver, to and from points in Kansas, subject to the provisions of the Federal Motor Carrier Act of 1935.

Transferee stated that in the future he plans to operate these permits in conjunction with the permit and certificate he is purchasing from L. O. Light and Sons.

This presents a very serious problem of enforcement, and the

Commission is of the opinion that we should not permit overlapping private carrier authority over the authority authorized by the certificate of public convenience and necessity that applicant is acquiring. However, transferee stated for the record that he would consent to the elimination of all rights in his private carrier permits that overlap or duplicate the service under Certificate of Public Convenience and Necessity No. 1407.

### FINDINGS

#### THE COMMISSION FINDS:

That the proposed transfers are compatible with the public interest and should be authorized, subject to the elimination of the duplication or overlapping, as discussed in the Statement, which, by reference, is made a part of these Findings.

### ORDER

#### THE COMMISSION ORDERS:

1. That L. O. Light, LaVerne Light, Wayne Light and Jimmie Light, doing business as "L. O. Light and Sons," Box 740, Lamar, Colorado, be, and they hereby are, authorized to transfer all their right, title, and interest in and to Permit Nos. B-1148 and 1148-I to T. L. Tucker, Springfield, Colorado.

2. That L. O. Light, LaVerne Light, Wayne Light, and Jimmie Light, doing business as "L. O. Light and Sons," be, and they hereby are, authorized to transfer all their right, title, and interest in and to Certificate of Public Convenience and Necessity No. 1407 to T. L. Tucker, Springfield, Colorado.

3. That all duplication or overlapping authority in Private Carrier Permit Nos. B-1148, B-2114 and B-3241, with Certificate of Public Convenience and Necessity No. 1407 is hereby deleted from the above designated private carrier authorities.

That the ton-mile tax deposit of transferors under Permit Nos. B-1148 and B-1148-I and Certificate of Public Convenience and Necessity No. 1407 shall be transferred to the 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 and certificate 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 permit authorized to be transferred.

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, and the payment by them or transferee of all unpaid ton-mile tax.

That the interstate operating rights herein granted shall be subject to the Federal Motor Carrier Act of 1935.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
Jeff C. Macleay  
Ralph C. Gordon  
Commissioners.

Dated at Denver, Colorado,  
this 2nd day of February, 1954.  
mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF	)	
JAMES A. FLEMING AND MARY HELEN	)	
FLEMING, CO-PARTNERS, DOING BUSINESS	)	
AS "DENVER TRAILER SALES & SUPPLY	)	APPLICATION NO. 12729
CO.," 1740 SOUTH BROADWAY, DENVER,	)	
COLORADO, FOR A CERTIFICATE OF	)	
PUBLIC CONVENIENCE AND NECESSITY.	)	
-----	)	

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February 2, 1954  
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Appearances: James A. Fleming, Denver,  
Colorado, for applicants.

S T A T E M E N T

By the Commission:

Applicants herein seek a certificate of public convenience and necessity to operate as a common carrier by motor vehicle, for the transportation of house trailers anywhere in the State of 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, January 26, 1954, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, James A. Fleming testified that he is one of the co-partners applying for the authority herein sought; that his wife and co-partner has been engaged in the sale of trailers since 1932, and that he has been engaged in the business since 1938; that they presently hold a Commercial Carrier Permit for the transportation of trailers which they sell, but that they have many calls for the transportation of trailers from one trailer lot to another,

to all parts of the State; that in eighty per cent of the cases, the trailers are too large to be towed by a passenger car; that they employ presently nine people in their business, and that during the peak season, from March to October, they employ from eighteen to twenty people; that the trailer business is a fast-growing one, and that there is urgent need for additional authorities to transport trailers from point to point throughout the State for the convenience of workers who live in trailers and follow construction jobs from one part of the State to another; that the granting of this authority would not impair the ability of any other common carrier to render adequate service to the public; that the Description of Equipment filed with the application is correct; that the financial statement filed with the application was prepared under his direction, and truly represents the net worth of the co-partners.

Notices of hearing were sent to all certificate-holders with similar authority, and no one appeared to protest the granting of the authority sought.

It appears to the Commission from the testimony that public convenience and necessity require additional transporters of trailers, and that no common carriers now certificated would be injured to the extent that they would be unable to render adequate service to the public by the granting of the instant application.

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

##### THE COMMISSION FINDS:

That public convenience and necessity require the proposed motor vehicle common carrier call and demand transportation service of applicants herein, and that certificate of public convenience and necessity should issue therefor.

#### O R D E R

##### THE COMMISSION ORDERS:

That public convenience and necessity require the proposed motor vehicle common carrier transportation service of applicants herein,

on call and demand, for the towing of house trailers from point to point within the State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

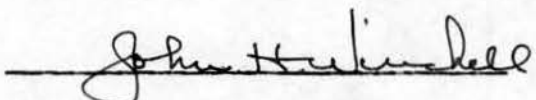
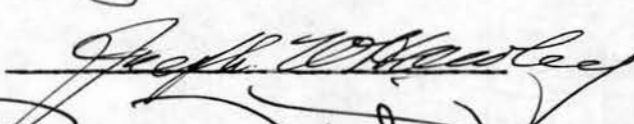

That applicants shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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

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

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 2nd day of February, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ABE DIAMOND, DOING BUSINESS AS )  
"ACME FAST EXPRESS LINES," 1622 )  
IRVING STREET, DENVER, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS A PRIVATE CARRIER BY MOTOR VE- )  
HICLE FOR HIRE. )  
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APPLICATION NO. 12730-PP

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February 3, 1954  
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Appearances: Abe Diamond, Denver, Colo-  
rado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of magazines between Denver and points within a radius of ten miles of Denver, for Busley Super Markets, only.

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, January 27, 1954, 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 the Acme Fast Express Line; that for the past year and one-half he has been transporting magazines to the Busley Super Markets, located in Denver, for the McCall Corporation and the Cuneo Press, of Chicago, Illinois; that the magazines are shipped directly to him; that he breaks up the packages and distributes them to the markets; that previously the Foster Truck Line distributed the magazines to the Busley Stores outside of Denver; that Foster Truck Line had ceased operations; that they had attempted to use the

Stewart Truck Line for distribution outside of Denver, but had found it unsatisfactory; that this was a specialized service; that the magazines arrived two or three days before the sale date, upon which they were to be placed on the counters, and that distribution had to be made to all of the markets within that time; that he was the owner of a one and one-half ton International 1951 Truck, with a van body; that his net worth was approximately \$10,000.00; that he had had many years experience in trucking operations, including eight years with Weicker Transfer and Storage Company; that the granting of this authority would not impair the services of any common carrier authorized to render service in the area, since the specialized service would require the Busley Markets to make arrangements to transport their own magazines, if this authority is denied.

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

It did not appear that the granting of the instant application would impair the service of any certificated common carrier operating in the territory sought to be served by applicant.

#### 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 Abe Diamond, doing business as "Acme Fast Express Lines," 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 magazines between Denver and points within a radius of ten miles of Denver, Colorado, for Busley Super Markets, 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. Hall  
Joseph W. Keweenaw  
Ralph G. Horton  
Commissioners.

Dated at Denver, Colorado,  
this 3rd day of February, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CLARENCE R. GOWER, 2760 WEST EVANS, )  
DENVER, COLORADO, FOR AN EXTENSION ) APPLICATION NO. 12696-PP-Extension  
OF PERMIT NO. B-4362. )  
-----

-----  
February 3, 1954  
-----

Appearances: H. D. Hicks, Denver, Colorado,  
for Weicker Transfer and  
Storage Company;  
Raymond B. Danks, Esq., Denver,  
Colorado, for Denver-Loveland  
Transportation Company, North-  
eastern Motor Freight Lines,  
and South Park Motor Lines.

S T A T E M E N T

By the Commission:

By the instant application, Clarence R. Gower, Denver, Colorado,  
seeks authority to extend operations under Permit No. B-4362 to include  
the right to transport canned goods for an additional customer, viz.,  
Stokes Canning Company.

Said application was regularly set for hearing at the Hearing  
Room of the Commission, 330 State Office Building, Denver, Colorado,  
January 26, 1954, at ten o'clock A. M., at which time and place applicant  
failed to appear, either in person or by counsel.

Thereupon, Raymond B. Danks, Attorney for protestants, moved to  
dismiss the application for lack of prosecution.

The motion was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That motion to dismiss for lack of prosecution should be granted.

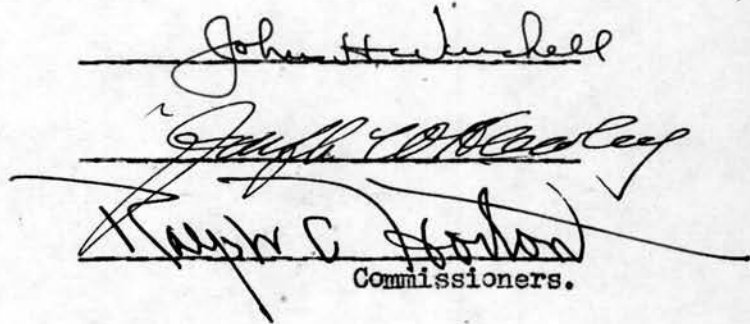
O R D E R

THE COMMISSION ORDERS:

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

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 3rd day of February, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CHARLES ELMER OWENS, 4406 MORRISON )  
ROAD, DENVER, COLORADO, FOR A CLASS )  
"B" PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 12728-PP

-----  
February 3, 1954  
-----

Appearances: Charles Elmer Owens, 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 fifty 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 fifty miles of said jobs, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, to Valmont Plant of Public Service Company, near Boulder, Colorado, to Rocky Mountain Arsenal, near Denver, and to the Great Western Sugar Company Plants within a radius of fifty miles of Denver; peat moss from peat bogs in Boulder and Gilpin Counties to points within the metropolitan area 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, January 26, 1954, 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 1951 Ford F-6 Truck; that he has had ten years experience in trucking operations; that his net worth is approximately \$10,000; that W. E. Evans, of Denver, Colorado, has entered into an oral agreement to employ his services in the transportation of coal, if this application is granted, and that McCoy and Jensen, of Denver, Colorado, have entered into an oral contract to employ his services in the transportation of peat moss, if the application is granted.

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

The financial responsibility and operating experience 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 operating in the territory sought to be served by applicant.

#### 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 Elmer Owens, 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 fifty 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 fifty miles of said jobs, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, to Valmont Plant of Public Service Company, near Boulder, Colorado, to Rocky Mountain

Arsenal, near Denver, and to the Great Western Sugar Company Plants within a radius of fifty miles of Denver; peat moss from peat bogs in Boulder and Gilpin Counties to points within the metropolitan area of Denver, Colorado.

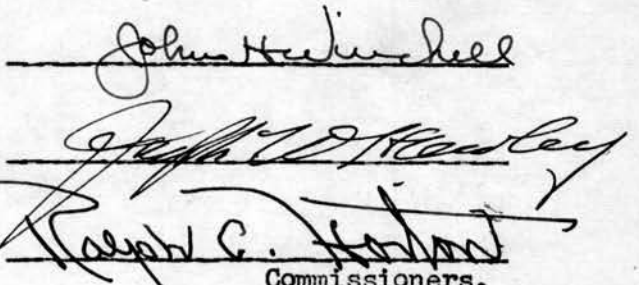
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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.

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 3rd day of February, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE OPERATIONS OF JIM ESKRIDGE,  
DOING BUSINESS AS "ESKRIDGE FLYING  
SERVICE," CRAIG, COLORADO, FOR AN  
ORDER AUTHORIZING TEMPORARY SUS-  
PENSION OF SERVICE OVER THAT  
PORTION OF HIS ROUTES BETWEEN  
CRAIG, COLORADO, AND GRAND JUNC-  
TION, COLORADO.

APPLICATION NO. 12731

February 2, 1954.

Appearances: Damon W. Waldhauser, Craig,  
Colorado, for applicant;  
W. F. Bridgeman, Denver,  
Colorado, for the  
Commission.

S T A T E M E N T

By the Commission:

On August 25, 1952, the Commission issued its Order (Decision No. 39224), authorizing the above-named applicant to operate as a common carrier by airplane, in intrastate and interstate commerce, on schedule, as follows :

"To the following towns located in the State of Colorado: Meeker, Craig, Rangely, Kremmling, Grand Junction, and Denver."

Service to all points was instituted immediately upon the granting of said certificate.

On January 12, 1954, the holder of this authority filed an application with this Commission, requesting authority to temporarily suspend service between the terminal points of Craig, Colorado, and Grand Junction, 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, January 27, 1954,

and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Damon W. Waldhauser, Craig, Colorado, Manager for applicant herein, testified that the demand for service between the two points named in the instant application was practically non-existent.

Investigation by the Commission's Aeronautics Inspector substantiates the testimony of Mr. Waldhauser.

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

##### THE COMMISSION FINDS:

That authority herein sought should be granted, and that applicant should be allowed to suspend service between the Towns of Craig, Colorado, and Grand Junction, Colorado, for a period of six months from February 2, 1954.

#### O R D E R

##### THE COMMISSION ORDERS:

That public convenience and necessity do not, at this time, require the continued operation by applicant, Jim Eskridge, doing business as "Eskridge Flying Service," Craig, Colorado, of a scheduled air transportation service between the points of Craig, Colorado, and Grand Junction, Colorado.

That applicant should be, and he hereby is, authorized to suspend service between the points of Craig, Colorado, and Grand Junction, Colorado, for a period of six months from February 2, 1954.

That applicant shall reinstate service between Craig, Colorado, and Grand Junction, Colorado, on or before the 2nd day of August, 1954. Failure to do so shall be considered an abandonment of this portion of applicant's certificate, and same shall be cancelled and revoked, unless applicant shall file a proper application with the Commission for an

extension of the temporary suspension herein authorized.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell

Jeffrey W. Hawley

Ralph C. Holton  
Commissioners

Dated at Denver, Colorado,  
this 2nd day of February, 1954.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE OPERATIONS OF MURRAY BLACK AND  
WALTER WOOD, CO-PARTNERS, DOING  
BUSINESS AS "FREMONT AIR SERVICE,"  
BOX 91, CANON CITY, COLORADO, BY  
AIRPLANE, UNDER CERTIFICATE OF  
PUBLIC CONVENIENCE AND NECESSITY  
GRANTED BY DECISION NO. 27759.

CASE NO. 5072  
ORDER TO SHOW CAUSE  
AND NOTICE OF HEARING

February 3, 1954.

S T A T E M E N T

By the Commission:

IT APPEARING TO THE COMMISSION, That, on March 15, 1947, Murray Black and Walter Wood, doing business as "Fremont Air Service," Canon City, Colorado, were authorized to operate as a common carrier, by airplane, in intrastate and interstate commerce, for the transportation of: passengers and property, not on schedule, but on call and demand, in irregular service, between all points in the State of Colorado,

certificate of public convenience and necessity issuing therefor (Decision No. 27759);

IT FURTHER APPEARING TO THE COMMISSION, That said Fremont Air Service has discontinued operations under said certificate, and, for a period in excess of six months, has failed and neglected to operate said common carrier service;

AND IT FURTHER APPEARING TO THE COMMISSION, That said certificate-holder has abandoned said operation;

F I N D I N G S

THE COMMISSION FINDS:

That a hearing should be had, to determine whether said certificate of public convenience and necessity should or should not be cancelled for failure to furnish service aforesaid, and on account of the abandonment thereof, and that said Fremont Air Service should be required to show cause

why said certificate of public convenience and necessity issued pursuant to Decision No. 27759 should not be cancelled.

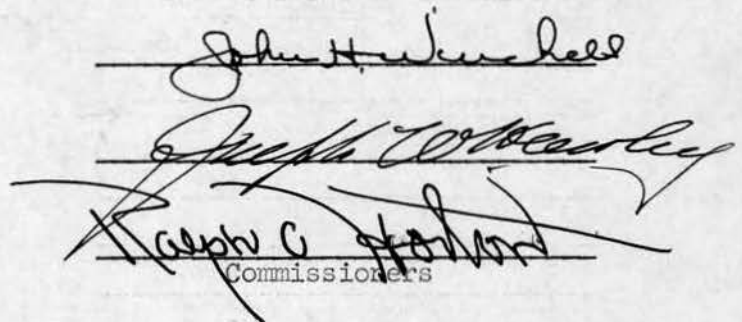
O R D E R

THE COMMISSION ORDERS:

That, upon the Commission's own motion, an investigation should be had of the operations of Fremont Air Service, under certificate of public convenience and necessity granted pursuant to authority granted in Decision No. 27759.

That said Fremont Air Service should be, and it hereby is, required to show cause, on or before the 24th day of February, 1954, why an Order should not be entered, cancelling, setting aside, and revoking said certificate of public convenience and necessity on account of failure of said Fremont Air Service to furnish service in the manner authorized and required under said certificate of public convenience and necessity, and said matter should be, and the same hereby is, set for hearing before the Commission, at ten o'clock A. M., February 24, 1954, at the Court House, Pueblo, Colorado.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 3rd day of February, 1954.

original

(Decision No. 42013)

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," DEFETRAIL, )  
COLORADO, FOR AUTHORITY TO EXTEND )  
OPERATIONS UNDER PUC NO. 2371. )  
-----

APPLICATION NO. 12676-Extension  
SUPPLEMENTAL ORDER

-----  
February 3, 1954.  
-----

Appearances: John H. Lewis, Esq., Denver,  
Colorado, for applicant;  
L. C. LaBorde, Hugo, Colorado,  
pro se;  
J. H. McCorkle, Karval, Colo-  
rado, pro se;  
Dee Wamm, Simla, Colorado,  
pro se;  
Ralph Kinkade, Simla, Colorado,  
pro se;  
Harold Dreier, Genoa, Colorado,  
pro se.

S T A T E M E N T

By the Commission:

On January 19, 1954, by Decision No. 41892, the Commission denied the above-styled application.

On January 28, 1954, "Petition for Rehearing" was filed herein by applicant, by Stockton, Linville, and Lewis, Esqs., by John H. Lewis, Esq.

The Commission has reviewed the evidence adduced at the hearing on said application, and has carefully considered Petition for Rehearing filed herein.

F I N D I N G S

THE COMMISSION FINDS:

That no useful purpose would be served by granting rehearing herein, and that said Petition for Rehearing should be denied.

O R D E R

THE COMMISSION ORDERS:

That Petition for Rehearing filed herein by John H. Lewis, Esq., in behalf of applicant, on January 28, 1954, should be, and the same hereby is, 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

Joseph C. Hawley

Ralph C. Horton  
Commissioner

Dated at Denver, Colorado,  
this 3rd day of February, 1954.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
RALPH L. FRESE, 865 3RD AVENUE, )  
GRAND JUNCTION, COLORADO. )

PERMIT NO. C-26703

February 9, 1954

## STATEMENT

By the Commission:

The Commission is in receipt of a communication from

Ralph L. Frese

requesting that Permit No. C-26703 be cancelled.

## FINDINGS

## THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-26703, heretofore issued to

Ralph L. Frese

be,

and the same is hereby, declared cancelled effective December 17, 1953.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
 Ralph C. Horton  
 Commissioners

Dated at Denver, Colorado,

this 9th day of February, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
BELL & SONS, INC., 181 VALLEJO, )  
DENVER 9, COLORADO. )

PERMIT NO. C-26643

February 9, 1954

## STATEMENT

**By the Commission:**

The Commission is in receipt of a communication from \_\_\_\_\_

Bell & Sons, Inc.

requesting that Permit No. C-26643 be cancelled.

## FINDINGS

## THE COMMISSION FINDS:

That the request should be granted.

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-26643, heretofore issued to

Bell & Sons, Inc. be,

and the same is hereby, declared cancelled effective January 1, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John B. Marshall  
Joseph W. Marshall  
Joseph C. Marshall Jr  
Commissioners

Dated at Denver, Colorado,

this 9th day of February, 1954.

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
GRANDON W. GODFREY, ROUTE 1, BOX 74, )  
LA JUNTA, COLORADO. )

**PERMIT NO. C-25534**

**February 9, 1954**

**STATEMENT**

**By the Commission:**

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

**Grandon W. Godfrey**

**requesting that Permit No. C-25534 be cancelled.**

## FINDINGS

### **THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-25534, heretofore issued to

**Grandon W. Godfrey**

**be,**

**and the same is hereby, declared cancelled effective January 3, 1954.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

John H. Lincoln  
Robert E. Hecox  
Robert E. Hecox  
Commissioners

**Dated at Denver, Colorado,**

**this 9th day of February, 1954.**

m19

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
FRANK F. MAYNARD, DOING BUSINESS AS )  
"F. F. MAYNARD PRODUCE," 1343 PARK )  
AVENUE, CANON CITY, COLORADO. )  
\_\_\_\_\_ )

PERMIT NO. C-23010

\_\_\_\_\_  
February 9, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

\_\_\_\_\_  
Frank F. Maynard, dba "F. F. Maynard Produce,"

requesting that Permit No. C-23010 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-23010, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Frank F. Maynard, dba "F. F. Maynard Produce," be,

and the same is hereby, declared cancelled effective January 7, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Lincoln  
Joseph C. H. H. H.  
Ralph C. H. H.  
Commissioners

Dated at Denver, Colorado,

this 9th day of February, 1954.

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
LESTER B. BAKER, ROUTE 6, BOX 358, )  
YAKIMA, WASHINGTON. )

**PERMIT NO. C-23068**

**February 9, 1954**

## STATEMENT

**By the Commission:**

**The Commission is in receipt of a communication from** \_\_\_\_\_

**Lester B. Baker**

**requesting that Permit No. C-23068 be cancelled.**

## FINDINGS

## THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-23068, heretofore issued to \_\_\_\_\_

**Lester B. Baker** **be.**

**and the same is hereby, declared cancelled effective February 1, 1954.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

John H. Winchell  
 Ralph C. Horton  
 Commissioners

**Dated at Denver, Colorado,**

**this 9th day of February, 1954.**

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
LEE FOODS DIVISION CONSOLIDATED )  
GROCERS CORPORATION, 20TH & WYANDOTTE,) )  
KANSAS CITY 15, KANSAS. )  
\_\_\_\_\_ )

PERMIT NO. C-22767

\_\_\_\_\_  
February 9, 1954  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

\_\_\_\_\_  
Lee Foods Division Consolidated Grocers Corporation  
\_\_\_\_\_

requesting that Permit No. C-22767 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-22767, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Lee Foods Division Consolidated Grocers Corporation  
\_\_\_\_\_ be,

and the same is hereby, declared cancelled effective February 1, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winters  
Ralph C. Horton  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 9th day of February, 1954.

mls



**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
JOE KULA, ROUTE I, FT. MORGAN, )  
COLORADO. )

**PERMIT NO. C-1095**

**February 9, 1954**

## STATEMENT

**By the Commission:**

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

**Joe Kula**

**requesting that Permit No. C-1095 be cancelled.**

## FINDINGS

## THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

**That Permit No. C-1095 , heretofore issued to**

**Joe Kula**

**be,**

**and the same is hereby, declared cancelled effective January 25, 1954.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

John H. Winchell  
 Ralph C. Norton  
 Commissioners

**Dated at Denver, Colorado,**

this 9th day of February, 1954.

me

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOHN L. KARL, 835 N. KANSAS, )  
OMAHA, NEBRASKA. )  
-----

PUC NO. 2392-I

-----  
February 9, 1954  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from John L. Karl, Omaha, Nebraska, requesting that Certificate of Public Convenience and Necessity No. 2392-I be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

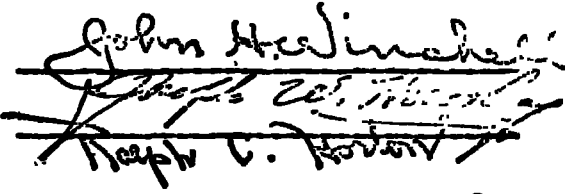
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate No. 2392-I, heretofore issued to John L. Karl, Omaha, Nebraska, be, and the same is hereby, declared cancelled effective February 1, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,  
this 9th day of February, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF  
DALE & DWIGHT JAMESON, ELSIE,  
NEBRASKA.

PUC NO. 2207-I

February 9, 1954

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Dale & Dwight Jameson, Elsie, Nebraska, requesting that Certificate of Public Convenience and Necessity No. 2207-I be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

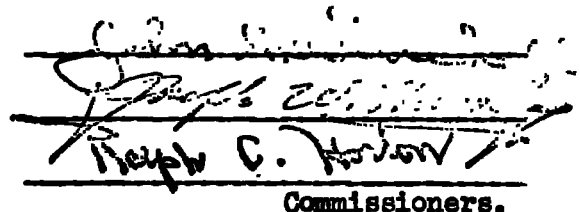
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate No. 2207-I, heretofore issued to Dale & Dwight Jameson, Elsie, Nebraska, be, and the same is hereby, declared cancelled effective February 1, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 9th day of February, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF  
JAMES O. ODLE, DOING BUSINESS AS  
"ODLE RADIO AND ELECTRIC," NORWOOD,  
COLORADO.

PERMIT NO. C-25177  
CASE NO. 67590-INS.

February 3, 1954.

S T A T E M E N T

By the Commission:

On January 13, 1954, in Case No. 67590-Ins., the Commission entered its order, revoking Permit No. C-25177 for failure of Respondent to keep effective insurance on file with the Commission.

Inasmuch as it now appears that effective insurance has been filed by Respondent herein,

F I N D I N G S

THE COMMISSION FINDS:

That Permit No. C-25177 should be reinstated, as of January 13, 1954.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-25177 should be, and the same hereby is, reinstated, as of January 13, 1954, revocation order entered by the Commission on that date in Case No. 67590-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Hinchell*

*Joseph L. Hinchell*

*Ralph C. Hinchell*  
Commissioners

Dated at Denver, Colorado,  
this 3rd day of February, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF  
ED A. JONES, 1361 KALAMATH STREET,  
DENVER, COLORADO.

PERMITS NOS. B-2753, C-9522  
CASE NO. 66177-INS.

February 3, 1954.

S T A T E M E N T

By the Commission:

On August 27, 1953, in Case No. 66177-Ins., the Commission entered its order, revoking Permits Nos. B-2753 and C-9522 for failure of Respondent to keep effective insurance on file with the Commission.

It now appears that insurance was in effect, without lapse, but that the insurance agent apparently neglected to file Certificate of Insurance with this Commission.

Inasmuch as Certificate of Insurance has now been filed, covering operations under the above-captioned permits,

F I N D I N G S

THE COMMISSION FINDS:

That revocation order should be set aside, and said permits restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permits Nos. B-2753 and C-9522 should be, and the same hereby are, reinstated, as of August 27, 1953, revocation order entered by the Commission on that date in Case No. 66177-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Jones*  
*John W. Jones*  
*Harold C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 3rd day of February, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
KYLE KIMSEY AND OPAL BOTTOM, CO-  
PARTNERS, DOING BUSINESS AS "GOLDEN  
CAB COMPANY," 1113 WASHINGTON  
STREET, GOLDEN, COLORADO, FOR  
AUTHORITY TO TRANSFER PUC NO. 1683  
TO MICHAEL ROBERT SIMONS AND  
ROBERT A. OURADA, CO-PARTNERS,  
DOING BUSINESS AS "GOLDEN CAB COM-  
PANY," GENERAL DELIVERY, GOLDEN,  
COLORADO.

APPLICATION NO. 12727-Transfer

February 3, 1954.

Appearances: Michael Robert Simons,  
Golden, Colorado,  
for transferees.

S T A T E M E N T

By the Commission:

Kyle Kimsey and Opal Bottom, co-partners, doing business as  
"Golden Cab Company," Golden, Colorado, owners and operators of PUC No.  
1683, herein seek authority to transfer said operating rights to Michael  
Robert Simon and Robert A. Ourada, co-partners, doing business as "Golden  
Cab Company," Golden, Colorado, said PUC No. 1683 being the right to  
operate as a common carrier by motor vehicle, on call and demand, for  
the transportation of:

passengers and their hand baggage, on call and  
demand, in Golden, Colorado, and between points  
in the area (including Golden) extending to a  
line drawn north and south through the Rifle  
Range on the east, to U. S. Highway No. 6-40  
on the south, to a line drawn north and south  
through the point of junction of State Highway  
No. 68 with U. S. Highway No. 6-40 on the west,  
and a line drawn east and west through a point  
eight miles north of Golden on the north, with  
the right to transport passengers and their  
baggage from and to points in said area, on the  
one hand, and, on the other, to and from points  
in the territory lying between the north and

south boundaries of said area, extended, and within eight miles of Golden, and from points in said Golden area to Denver Union Depot and Denver Municipal Airport and return, transportation of passengers from Denver Union Station and Denver Municipal Airport to points in the area to be limited to, and in connection with, round-trip service only -- that is, where passenger is taken from Golden to Denver and return, in the same vehicle, with waiting time of not to exceed one hour at station or airport;

passengers and their hand baggage, on call and demand, between the Towns of Morrison, Colorado, on the one hand, and the City of Golden, Colorado, on the other; passengers and their hand baggage, on call and demand, from Golden, Colorado, on the one hand, to the City and County of Denver, Colorado, on the other hand, service to be a one-way service, only.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard January 26, 1954, at ten o'clock A. M., at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Michael Robert Simons, Golden, Colorado, testified that he is one of the co-partners to whom the authority of the Golden Cab Company is being transferred; that purchase price is \$1,000.00, \$200.00 of which has been paid, the balance to be paid \$200.00 upon approval of the transfer, the remaining balance payable \$50.00 per month, including interest at four per cent per annum, commencing February 1, 1954; that he and his co-partner now own one taxicab, and are buying another; that he has had four years experience in trucking operations; that his partner has had previous taxicab operating experience; that the partnership has obtained the necessary license from the City of Golden; that their Description of Equipment and financial statement are on file with the Commission; that there are no outstanding obligations against the operation.

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

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

##### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to payment of outstanding indebtedness

against said operation, if any there be, whether secured or unsecured.

O R D E R

THE COMMISSION ORDERS:

That Kyle Kinsey and Opal Bottom, co-partners, doing business as "Golden Cab Company," Golden, Colorado, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to FUC No. 1683 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Michael Robert Simons and Robert A. Ourada, co-partners, doing business as "Golden Cab Company," Golden, 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 transferees, 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 this 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 become and remain those of transferees, until changed according to law and the rules and regulations of this Commission.

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

That road tax deposit of transferors shall be transferred and credited to account of transferees herein.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Lumbell  
Joseph W. Hickey  
Joseph C. Johnson  
Commissioners

Dated at Denver, Colorado,  
this 3rd day of February, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
RONALD L., ALAN DALE, & ALAN L. )  
MORGAN, DOING BUSINESS AS "MORGAN & )  
SONS," 335 SOUTH PENNSYLVANIA, )  
DENVER 9, COLORADO. )  
-----)

PERMIT NO. C-30995

-----  
February 9, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
\_\_\_\_\_  
Ronald L., Alan Dale, & Alan L. Morgan dba "Morgan & Sons"  
requesting that Permit No. C-30995 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30995, heretofore issued to \_\_\_\_\_  
\_\_\_\_\_  
Ronald L., Alan Dale, & Alan L. Morgan, dba "Morgan & Sons," be,  
and the same is hereby, declared cancelled effective January 1, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John Healinahell  
Ralph C. Norton  
Commissioners

Dated at Denver, Colorado,

this 9th day of February, 1954.

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ROBERT S. MUSGRAVE, 4961 GREEN )  
COURT, DENVER, COLORADO. )

**PERMIT NO. C-30130**

**February 9, 1954**

**STATEMENT**

**By the Commission:**

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

**Robert S. Musgrave**

**requesting that Permit No. C-30130 be cancelled.**

## FINDINGS

### **THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

**That Permit No. C-30130, heretofore issued to**

**Robert S. Musgrave**

be,

and the same is hereby, declared cancelled effective January 21, 1954.

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

~~John H. Winchell~~  
~~Joseph C. Norton~~  
Commissioners

**Dated at Denver, Colorado,**

**this 9th day of February, 1954.**

m1s

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
MICHAEL J. PRIOLA, DOING BUSINESS AS )  
"PRIOLA TROUT FARM," BOX 102, )  
HENDERSON, COLORADO. )  
----- )

PERMIT NO. C-29634

-----  
February 9, 1954  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

\_\_\_\_\_  
Michael J. Priola, dba "Priola Trout Farm,"

requesting that Permit No. C-29634 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29634, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Michael J. Priola, dba "Priola Trout Farm," be,

and the same is hereby, declared cancelled effective February 1, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Linchell  
Joseph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 9th day of February, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
J. ARTHUR KARN, DOING BUSINESS AS )  
"KARN BROS.," 3615 FRANKLIN STREET, )  
DENVER 5, COLORADO. )  
\_\_\_\_\_ )

PERMIT NO. C-29062

\_\_\_\_\_  
February 9, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

\_\_\_\_\_ J. Arthur Karn, dba "Karn Bros." \_\_\_\_\_

requesting that Permit No. C-29062 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29062, heretofore issued to \_\_\_\_\_

\_\_\_\_\_ J. Arthur Karn, dba "Karn Bros." \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective February 1, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchell*  
\_\_\_\_\_  
*Ralph C. Gordon*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 9th day of February, 1954.

mls

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
FRED H. BROWNARD, 4247 HOOKER )  
STREET, DENVER, COLORADO. )

**PERMIT NO. C-28202**

**February 9, 1954**

## STATEMENT

**By the Commission:**

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

**Fred H. Brownyard**

**requesting that Permit No. C-28202 be cancelled.**

## FINDINGS

## THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

**That Permit No. C-28202**, heretofore issued to

**Frank H. Brownyard**

**be,**

**and the same is hereby, declared cancelled effective January 17, 1954.**

**THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO**

John H. Winchell  
Ralph C. Norton  
Commissioners

**Dated at Denver, Colorado,**

**this 9th day of February , 195 4.**

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THE WESTERN COLORADO POWER COMPANY, )  
P. O. BOX 899, SALT LAKE CITY, UTAH, )  
TO ISSUE AND DELIVER ITS PROMISSORY )  
NOTE, AND TO SELL COMMON STOCK, TO )  
UTAH POWER & LIGHT COMPANY. )  
-----

APPLICATION NO. 12743 *See*

-----  
February 3, 1954  
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S T A T E M E N T

By the Commission:

Upon consideration of the application filed January 25, 1954, by The Western Colorado Power Company, a Colorado Corporation, in the above-styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on Tuesday, February 23, 1954, at 10:00 O'clock A. M., 330 State Office Building, Denver, Colorado, respecting the matters involved and the issues presented in this proceeding. Any interested municipality or any representative of interested consumers or security holders of applicant corporation, and any other person whose participation herein is in the public interest, may intervene in said proceedings. Intervention petitions should be filed with the Commission on or before February 19, 1954, 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. Hinkle*

*Joseph W. Hawley*

*Joseph C. Holman*  
Commissioners

Dated at Denver, Colorado,  
this 3rd day of February, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GEORGE HECKMAN, 1313 FOURTEENTH )  
AVENUE, GREELEY, COLORADO. )  
-----

PERMIT NO. A-1165

-----  
February 5, 1954  
-----

Appearances: Rodger I. Houtchens, Esq.,  
Greeley, Colorado, for  
Mrs. Norma V. Heckman.

S T A T E M E N T

By the Commission:

On December 20, 1935, by Decision No. 6935, George Heckman, Greeley, Colorado, was authorized to operate as a Class "A" private carrier by motor vehicle for hire, for the transportation of:

general freight from Greeley to Briggsdale  
and intermediate points, by way of Gill,  
Barnesville, Cornish, and Fosston, Colorado,

said operating rights being designated "Permit No. A-1165."

On September 6, 1953, said George Heckman departed this life, leaving Norma V. Heckman, his widow, him surviving.

Thereafter, and on January 27, 1954, Order was entered in the County Court of Weld County (No. 7222), awarding and setting over to said Norma V. Heckman certain equipment and Permit No. A-1165, formerly owned and operated by her late husband.

Norma V. Heckman now requests that Permit No. A-1165 be transferred to her on the records of this Commission.

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 the Secretary of the Commission is hereby instructed to change the records of the Commission to show that Permit No. A-1165 is owned and operated by Norma V. Heckman, widow of George Heckman, deceased, for the reasons set forth in the Statement preceding, which, by reference, is made a part hereof.

That ton-mile tax deposit on file with the Commission covering operations under said Permit No. A-1165 shall be transferred and credited to the account of said Norma V. Heckman.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Wheeler

Joseph W. Hadden

Ralph C. Gordon  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of February, 1954.

mls

original

(Decision No. 42034)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

ROSS BELEW, MAYOR OF HASWELL,  
COLORADO, et al,

Complainants,

vs.

THE MOUNTAIN STATES TELEPHONE  
AND TELEGRAPH COMPANY,

Respondents.

CASE 5068

February 5, 1954

S T A T E M E N T

By the Commission:

On November 20, 1953, Mr. Ross Belew, Mayor of the Town of Haswell, Colorado, and eighteen other residents of Haswell and vicinity, filed a written complaint with this Commission regarding poor telephone service rendered by The Mountain States Telephone and Telegraph Company. Upon receipt of the complaint, the Commission entered this matter on its Docket as Case No. 5068.

A copy of the complaint was transmitted to the Telephone Company, with the request that the Company investigate this matter and report back to the Commission. The Commission received a reply from the Telephone Company on December 11, 1953, in which the Company stated, in effect, that it had made an examination of the telephone plant in this area and found that there was a noisy condition on the lines, making it very difficult for these people to hear. The Company, as a result of this investigation, spent approximately \$3,000 in repairing the line in order to improve the service. On December 18, 1953, the Commission was further advised by the Telephone Company that special long-line equipment had been

installed on the Haswell circuit and, as a result, this service was considerably improved.

Mr. P. L. Reed, one of the signers of the petition herein, wrote a letter to the Commission on December 16, 1953, in which he stated that he was satisfied with the telephone service and to remove his name from said petition. On January 21, 1954, the Commission received a letter from Ross Belew, Mayor of the Town of Haswell, stating, in effect, that the people of Haswell were now satisfied with the telephone service.

In view of the communications received by this Commission, all stating that the service is now satisfactory, we believe that this complaint should be dismissed.

#### FINDINGS

##### THE COMMISSION FINDS:

That The Mountain States Telephone & Telegraph Company having satisfied the complaint filed by Ross Belew, Mayor of the Town of Haswell, et al, the matter should be dismissed.

#### ORDER

##### THE COMMISSION ORDERS:

That Case No. 5068, being the complaint of Ross Belew, Mayor of the Town of Haswell, et al, against The Mountain States Telephone and Telegraph Company for poor telephone service, be, and it hereby is, dismissed.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of February, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THE PIKES PEAK AUTOMOBILE COMPANY )  
FOR AUTHORITY TO EXTEND OPERATIONS )  
UNDER PUC-116. )  
-----

APPLICATION NO. 12745-Extension

-----  
February 4, 1954  
-----

S T A T E M E N T

By the Commission:

The above-styled application was filed January 8, 1954, for authority to extend operations under PUC-116 for the right to use busses in the sightseeing business.

The instant application was set for hearing at the County Court House, Colorado Springs, Colorado, for February 10, 1954, at ten o'clock A. M., and notice given to all parties in interest.

The Commission is in receipt of a petition filed by Antlers Hotel Company requesting a continuance of the hearing to March 1, 1954. As grounds for said petition, counsel for Antlers Hotel Company alleges that he will not have sufficient time to prepare and file a protest or consent to said application within five days of service.

The Commission does not require that any formal protest or consent be filed, but permits any protestant to appear on the date of the hearing, enter his appearance, and give any testimony he may wish to submit at that time, whether or not formal protest or consent be filed.

The Commission feels that ample notice of the time of the hearing was given to all parties in interest and no continuance should be granted, particularly in view of other commitments which make it impossible to continue and reset the application for hearing at any time in the near future, should such a continuance be granted.

## FINDINGS

### THE COMMISSION FINDS:

That the petition of Antlers Hotel Company for continuance of the hearing on the instant application should be denied.

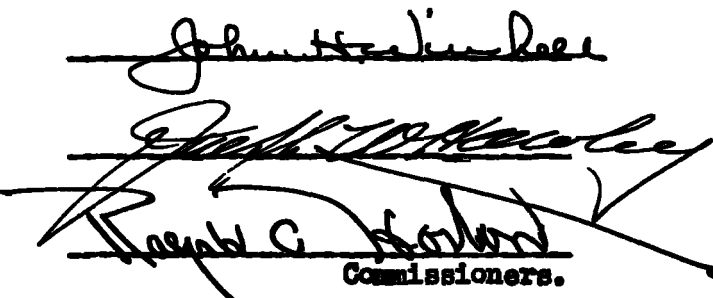
## ORDER

### THE COMMISSION ORDERS:

That the petition of Antlers Hotel Company for continuance of the hearing on the instant application should be, and the same hereby is, denied.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of February, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
COLBURN MOTOR TOURS, INC., FOR )  
AUTHORITY TO EXTEND OPERATIONS )  
UNDER PUC-1265. )  
-----

APPLICATION NO. 12746-Extension

-----  
February 4, 1954  
-----

S T A T E M E N T

By the Commission:

The above-styled application was filed January 19, 1954, for authority to extend operations under PUC-1265 to include the use of busses in the sightseeing business.

The instant application was set for hearing at the County Court House, Colorado Springs, Colorado, for February 10, 1954, at ten o'clock A. M., and notice given to all parties in interest.

The Commission is in receipt of a petition filed by Antlers Hotel Company requesting a continuance of the hearing to March 1, 1954. As grounds for said petition, counsel for Antlers Hotel Company alleges that he will not have sufficient time to prepare and file a protest or consent to said application within five days of service.

The Commission does not require that any formal protest or consent be filed, but permits any protestant to appear on the date of the hearing, enter his appearance, and give any testimony he may wish to submit at that time, whether or not formal protest or consent be filed.

The Commission feels that ample notice of the time of the hearing was given to all parties in interest and no continuance should be granted, particularly in view of other commitments which make it impossible to continue and reset the application for hearing at any time in the near future, should such a continuance be granted.

## FINDINGS

### THE COMMISSION FINDS:

That the petition of Antlers Hotel Company for continuance of the hearing on the instant application should be denied.

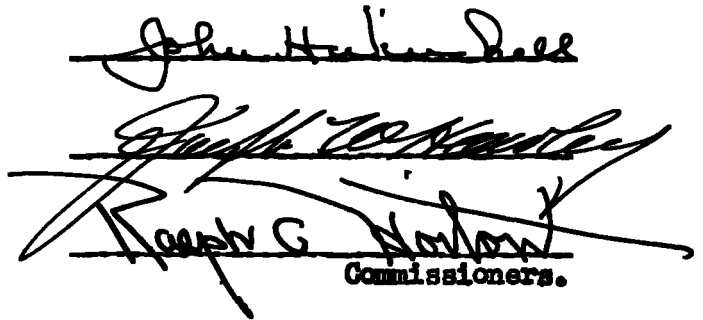
## ORDER

### THE COMMISSION ORDERS:

That the petition of Antlers Hotel Company for continuance of the hearing on the instant application should be, and the same hereby is, denied.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of February, 1954.

mls

original

(Decision No. 42037)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
SAMUEL C. WELKER AND MARTHA R. )  
WELKER, CO-PARTNERS, DOING BUSINESS )  
AS "ROCKY MOUNTAIN FREIGHT LINES," )  
ESTES PARK, COLORADO, FOR AUTHORITY )  
TO TRANSFER PERMIT NO. A-500 TO )  
IVAN MILLER AND DWIGHT MILLER, CO- )  
PARTNERS, DOING BUSINESS AS "MILLER )  
BROS. TRUCK LINE," GREELEY, COLO- )  
RADO. )

APPLICATION NO. 12680-PP-Transfer

-----  
IN THE MATTER OF THE APPLICATION OF )  
SAMUEL C. WELKER AND MARTHA R. )  
WELKER, CO-PARTNERS, DOING BUSINESS )  
AS "ROCKY MOUNTAIN FREIGHT LINES," )  
ESTES PARK, COLORADO, FOR AUTHORITY )  
TO TRANSFER PUC NO. 1321 AND PUC )  
NO. 1321-I TO IVAN MILLER AND )  
DWIGHT MILLER, DOING BUSINESS AS )  
"MILLER BROS. TRUCK LINE," GREELEY, )  
COLORADO. )

APPLICATION NO. 12681-Transfer

-----  
IN THE MATTER OF THE APPLICATION OF )  
SAMUEL C. WELKER AND MARTHA R. )  
WELKER, CO-PARTNERS, DOING BUSINESS )  
AS "ROCKY MOUNTAIN FREIGHT LINES," )  
ESTES PARK, COLORADO, FOR AUTHORITY )  
TO TRANSFER PUC NO. 2251 TO IVAN )  
MILLER AND DWIGHT MILLER, CO- )  
PARTNERS, DOING BUSINESS AS "MILLER )  
BROS. TRUCK LINE," GREELEY, COLO- )  
RADO. )

APPLICATION NO. 12682-Transfer

-----  
February 9, 1954  
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Appearances: Barry and Hupp, Esqs., Denver,  
Colorado, by  
Paul M. Hupp, Esq., Denver,  
Colorado, for applicants;  
Robert E. Christensen, Esq.,  
Loveland, Colorado, for  
transferors;  
Judge Harold Webster, Esq.,  
Denver, Colorado, for  
Continental Oil Company;  
Dayton Denius, Esq., Denver,  
Colorado, and  
A. J. Fregeau, Denver, Colo-  
rado, for Weicker Transfer  
and Storage Company;

Bob Stage, Denver, Colorado,  
for Denver Transfer and  
Cartage Company;  
Charles R. Hamilton, Denver,  
Colorado, for Capital  
Chevrolet Company;  
Sam Levy, Denver, Colorado,  
for Acme Fast Freight,  
Inc.;  
Hatfield Chilson, Esq., Love-  
land, Colorado, for Estes  
Park Bank;  
John H. Lewis, Esq., Denver,  
Colorado, for Albert  
Schwilke.

S T A T E M E N T

By the Commission:

By the above-styled applications, Samuel C. Welker and Martha R. Welker, co-partners, doing business as "Rocky Mountain Freight Lines," Estes Park, Colorado, seek authority to transfer Permit No. A-500, PUC No. 1321, PUC No. 1321-I, and PUC No. 2251 to Ivan Miller and Dwight Miller, co-partners, doing business as "Miller Bros. Truck Line," Greeley, Colorado.

Said applications were set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, December 10, 1953, at ten o'clock A. M., and at the request of attorneys for applicants, the hearing was vacated. Said applications were reset for hearing before the Commission at 330 State Office Building, Denver, Colorado, January 11, 1954, at ten o'clock A. M., at which time and place the matters were heard and taken under advisement.

The records and files of the Commission disclose the operating rights herein requested to be transferred are as follows:

Permit No. A-500:

The right to operate as a Class "A" private carrier by motor vehicle for hire:

between Estes Park and vicinity and Denver, Colorado.

PUC No. 1321, PUC No. 1321-I:

The right to operate as a common carrier by motor vehicle, for the conduct of:

a general cartage business in Estes Park, Colorado, and the transportation of commodities, generally, between points within a 15-mile radius of Estes Park, Colorado; transportation of commodities, except household goods, from and to points within the described Estes Park area, to and from points outside thereof, excluding and excepting, however, transportation of any commodities between Denver and Estes Park and intermediate points, and between Fort Collins or LaPorte (Boettcher) and Estes Park and intermediate points; transportation of milk from farms in Boulder and Jefferson Counties and that part of Adams County lying west of Buckley Field, to Estes Park, for the purpose of processing and bottling, including the right to transport milk from Estes Park to Buckley Field, excluding the right to transport liquid petroleum products in bulk by tank trucks; interstate operating rights: between all points in Colorado and the Colorado State Boundary Lines, where all highways cross same, in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

PUC No. 2251:

Transportation of freight over the following route:

- (1) Denver to Estes Park, via Longmont, Lyons, and either north or south St. Vrain and return.
- (2) Boulder to Estes Park, via Lyons and either north or south St. Vrain and return.
- (3) Loveland to Estes Park and return.
- (4) Fort Collins to Estes Park and return.
- (5) Greeley to Estes Park, via Loveland, and return.
- (6) Estes Park to Drake, via North Big Thompson, and return.
- (7) Estes Park to Grand Lake and return.
- (8) Estes Park to Horseshoe Park to Moraine Park, Glacier Basin, Bear Lake, Y.M.C.A. Conference Camp; to Estes Park, in either direction.
- (9) Grand Lake to Granby and return.
- (10) Boettcher to Estes Park (sacked cement, only).

Prior to the filing of the instant applications, the Commission had received many complaints that the transferors were delinquent in their handling of C.O.D. shipments.

At the insistence of the Commission, transferors delivered to the Commission for transmission to the C.O.D. shippers, cashier checks in the approximate amount of \$3,500.00, which were forwarded to the shippers, and covered all of the delinquent C.O.D's. of which the Commission had a record.

The Commission, being aware of the financial difficulties which the Welkers were having, felt it necessary, in order to render adequate motor carrier service to the residents of the Estes Park area, to grant letters of temporary authority to the Miller Brothers to carry on the operations under the Welker authorities, pending hearing on the instant applications to transfer.

At the hearing, Ivan Miller testified that he is one of the co-partner transferees; that they had been operating since 1938 under the authority granted by Permits Nos. A-445 and B-1957. He identified and offered in evidence Exhibit No. 1 -- the Contract of Purchase of PUC No. 1321, PUC No. 1321-I, Permit No. A-500, and PUC No. 2251. He stated that the total purchase price was Ten Thousand Dollars (\$10,000.00); that the sum of \$3,500.00 had been paid; that he and his brother, his co-partner, agreed to the elimination by the Commission of any over-lapping authority between their present permits and the certificates and permit which they were purchasing; that they realized that the present owners of the authorities had been operating at a loss, but believed that, due to the fact that the seasonal nature of the operations would make it possible for them to interchange equipment between their present operations and the Welker operations, it would reduce the cost to where they could operate at a profit. The witness identified and offered in evidence Exhibit No. 2, being a financial statement for the first ten months of the Year 1953, and a balance sheet of the operations of the partnership. He stated that their Description of Equipment was on file with the Commission under Per-

mit No. A-445, and asked that it be made a part of this record; that they were now operating the Welker authorities under letters of temporary authority granted by this Commission, and had agreed to be liable for all obligations incurred by their operation of these authorities.

Samuel C. Welker stated that he was one of the co-partner transferors; that they had changed from a co-partnership, doing business as "Rocky Mountain Freight Lines," to a corporation; that they had never applied to the Commission for approval of a transfer of their certificates and permit from the co-partnership to the Rocky Mountain Freight Lines, Inc.. He identified and offered in evidence Exhibit No. 3, being a balance sheet of the corporation, and Exhibit No. 4, a list of the indebtedness of the operations, which approximated \$24,500.00. He stated that the claim of the Welcker Transfer and Storage Company was an unliquidated amount, there being a difference of opinion as to the amount due; that some of the claims against the Rocky Mountain Freight Lines, Inc. were in litigation; that they were operating at a loss of approximately \$80.00 per day; that they had lost \$32,000.00 in the operation between June, 1951, and June, 1953; that The Estes Park Bank held a first chattel mortgage on their equipment and the certificates and permit, given by the corporation; that he and his wife, as co-partners, had conveyed the equipment to the corporation; that he and his wife held a second mortgage on the equipment, which would be released; that the \$6,500.00 balance due from the Miller Brothers was to be paid to the bank and the first mortgage reduced by that amount; that the equipment would be sold by the bank, as trustee, and the proceeds used to pay the creditors; that a portion of the amount owing to the Continental Oil Company was not an operation expense, chargeable to the authorities; that the initial payment of \$3,500.00 had been used to pay the delinquent C.O.D's.

Mr. Welker further testified that the corporation had been formed January 6, 1952, but admitted, on cross examination, that the Continental Oil Company had not been notified of the change to a corporation

until a letter sent some time in September, 1953.

The creditors, who were present or represented by counsel, indicated that, if all of the proceeds of the sale by the Walkers were applied to satisfy the claims of the creditors, there was probably nothing to be gained by delaying the transfer to the Miller Brothers.

There was much conflicting testimony as to the amounts owing to the various creditors, and claims presently involved in litigation.

At the conclusion of the hearing, Mr. Hupp, counsel for transferors and transferees, proposed that the transferors attempt to work out a Trustee Agreement with the creditors, whereby all of the assets of the operation be assigned to a trustee, who would apply the proceeds to the claims of the creditors, any balance to be paid to transferors.

The Commission agreed to give consideration to any Trustee Agreement which they submitted for consideration.

The proposed Trustee Agreement was submitted to the Commission on January 26, 1954. The Agreement provides for the payment of the balance of the purchase price to the Estes Park Bank, to reduce the amount of its first mortgage, and the balance of the equipment, with the proceeds of the sale to be applied in payment of the claims of other creditors.

The question of the validity of the first mortgage held by the Estes Park Bank, as it pertains to the two certificates and the permit, having been raised, and the liquidated amount of the various claims against the operation, and the fact that some of the claims are already in litigation, raises grave doubt in the minds of the Commissioners as to the propriety of approving the proposed Trustee Agreement.

However, it does appear to the Commission that it is necessary that the proceeds of the sale be placed in the hands of a trustee, to be held until the determination of the amount and priority of the various claims have been determined by a Court of competent jurisdiction.

No evidence was introduced to indicate that the approval of the transfer would not be in the public interest.

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

### FINDINGS

#### THE COMMISSION FINDS:

That the proposed transfers are compatible with the public interest, and should be authorized, as set forth in the Order following.

### ORDER

#### THE COMMISSION ORDERS:

That Samuel C. Welker and Martha R. Welker, co-partners, doing business as "Rocky Mountain Freight Lines," Estes Park, Colorado, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to Permit No. A-500---with authority as set forth in the Statement preceding, which, by reference, is made a part hereof--- to Ivan Miller and Dwight Miller, co-partners, doing business as "Miller Bros. Truck Line," Greeley, Colorado, subject to payment of outstanding indebtedness against said operation, as hereinafter set forth.

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 transferors of delinquent reports, if any, covering their operations under said permit up to the time of transfer of said permit, and the payment by them or transferees of all unpaid ton-mile tax.

This Order is made a part of the permit authorized to be transferred.

That Samuel C. Welker and Martha R. Welker, co-partners, doing business as "Rocky Mountain Freight Lines," Estes Park, Colorado, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 1321, PUC No. 1321-I, and PUC No. 2251 -- with authority as set forth in the preceding Statement, which, by reference, is made a part hereof -- to Ivan Miller and Dwight Miller, co-partners, doing

business as "Miller Bros. Truck Line," Greeley, Colorado, subject to payment of outstanding indebtedness against said operations, as hereinafter set forth.

That said transfer shall become effective only if and when, but not before, said transferors and transferees, in writing, have advised the Commission that said permit and certificates 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 tariff of rates, rules and regulations of transferors shall, upon proper adoption notice, become and remain those of transferees until changed according to law and the rules and regulations of this Commission.

The right of transferees to operate under this Order shall depend upon the prior filing by transferors of delinquent reports, if any, covering their operations under said certificates, and the payment by them or transferees of all unpaid ton-mile tax.

That transfer of interstate operating rights herein authorized is subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

That all duplication or overlapping authority under Permit No. A-500, PUC No. 1321, PUC No. 1321-I, and/or PUC No. 2251 with authority presently owned and operated by transferees herein, viz., Permits Nos. B-1957 and A-445, is hereby deleted from said operating rights herein authorized to be transferred. That a supplemental order be entered by the Commission describing the resulting area.

That Judge Harold Webster, Esq., 1654 California Street, Denver, Colorado, is hereby appointed as Trustee, to receive the balance of the

proceeds of the sale of Permit No. A-500, PUC No. 1321, PUC No. 1321-I, and PUC No. 2251 from transferees, to be held by him until the priority and amounts of the claims against said operations have been agreed upon by the parties or claims in litigation have been determined by a Court, or Courts, of competent jurisdiction. After the determination of the claims, the Trustee is hereby authorized to distribute the proceeds of said sale in proportion to the amount due each creditor, any excess over the amount of the claim to be paid by the Trustee to the transferors herein.

That the Trustee shall file a report with the Commission when all proceeds have been distributed.

That road-tax deposit of transferors shall be paid to Judge Harold Webster, Esq., as Trustee herein, and shall be distributed to creditors, together with proceeds of the sale of said operating rights, in the manner hereinabove set forth.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Wheeler

Joseph W. Hawley

Ralph C. Hobart  
Commissioners.

Dated at Denver, Colorado,  
this 9th day of February, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
R. W. (RALPH) ROMINGER, DOING )  
BUSINESS AS "DEL NORTE OIL )  
COMPANY," BOX 453, DEL NORTE, )  
COLORADO. )  
----- )

PERMIT NO. C-1057  
CASE NO. 67545-INS.

-----  
February 9, 1954  
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S T A T E M E N T

By the Commission:

On January 13, 1954, the Commission entered its order in Case No. 67545-Ins., revoking Permit No. C-1057 for failure of respondent herein to keep effective insurance on file with the Commission.

It appears that effective insurance is now on file with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said permit should be reinstated.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-1057 should be, and the same hereby is, reinstated, as of January 13, 1954, revocation order entered by the Commission on that date in Case No. 67545-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Huchel  
Ralph C. Hohn  
Commissioners.

Dated at Denver, Colorado,  
this 9th day of February, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE RATES, PRACTICES, ETC., OF )  
COLORADO CENTRAL POWER COMPANY, ) CASE NO. 1075  
ENGLEWOOD, COLORADO. )  
-----)

-----  
February 9, 1954  
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S T A T E M E N T

By the Commission:

The above-styled case was instituted by the Commission  
on December 3, 1932. Thereafter, Answer was filed by Respondent.

Inasmuch as no further action has been taken in said case,

F I N D I N G S

THE COMMISSION FINDS:

That said case should be dismissed.

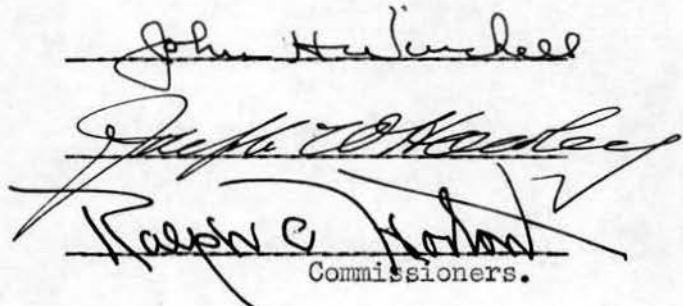
O R D E R

THE COMMISSION ORDERS:

That the above-styled case should be, and the same hereby is,  
dismissed and closed on the docket of the Commission.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 9th day of February, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE RATES, PRACTICES, ETC., OF )  
PUBLIC SERVICE COMPANY OF )  
COLORADO. )  
----- )

CASE NO. 1076

-----  
February 9, 1954  
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S T A T E M E N T

By the Commission:

The above-styled case was instituted by the Commission on December 3, 1932. Thereafter, Answer was filed by Respondent.

Inasmuch as no further action has been taken in said matter,

F I N D I N G S

THE COMMISSION FINDS:

That said case should be dismissed.

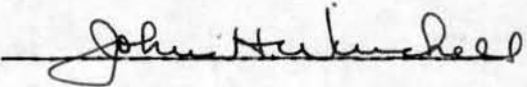
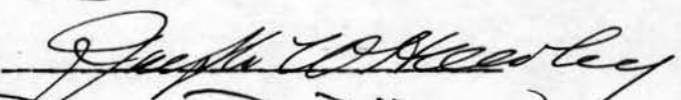
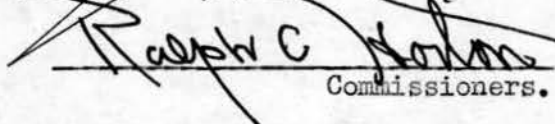
O R D E R

THE COMMISSION ORDERS:

That the above-styled case should be, and the same hereby is, dismissed and closed on the docket of the Commission.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 9th day of February, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

R. R. BURKE, MAYOR OF THE TOWN OF  
HAYDEN, COLORADO,

Complainant,

vs.

COLORADO UTILITIES CORPORATION,

Defendant.

CASE NO. 1086

February 9, 1954

S T A T E M E N T

By the Commission:

Complaint was filed with the Commission in the above-styled case on January 9, 1933. Thereafter, Answer was filed by respondent.

Inasmuch as no further action has been taken in said case,

F I N D I N G S

THE COMMISSION FINDS:

That said case should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That the above-styled case should be, and the same hereby is, dismissed and closed on the docket of the Commission.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Linsch*

*Joseph C. Hawley*

*Ralph C. Holton*

Commissioners.

Dated at Denver, Colorado,  
this 9th day of February, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ALBERT K. McCORMACK, 924 SO. LOGAN )  
STREET, DENVER, COLORADO. )

PERMIT NO. C-28103

February 16, 1954

## STATEMENT

By the Commission:

The Commission is in receipt of a communication from

Albert K. McCormack

requesting that Permit No. C-28103 be cancelled.

## FINDINGS

### THE COMMISSION FINDS:

That the request should be granted.

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-28103, heretofore issued to

Albert K. McCormack

be,

and the same is hereby, declared cancelled effective April 13, 1953.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hall  
 Ralph C. Weston  
 Commissioners

Dated at Denver, Colorado,

this 16th day of February, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

ALBERT THOMAS FRANK & CHAS. OSBORN, )  
DOING BUSINESS AS "OSBORN & FRANK'S )  
LUMBER CO.," SIESTA TRAILER LODGE, )  
2415 W. CENTRAL, ALBUQUERQUE, NEW )  
MEXICO.-----)

PERMIT NO. C-31597

-----  
February 16, 1954  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Albert Thomas Frank & Chas. Osborn, dba "Osborn & Frank's Lumber Co."

requesting that Permit No. C-31597 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-31597, heretofore issued to \_\_\_\_\_

Albert Thomas Frank & Chas. Osborn, dba "Osborn & Frank's Lumber Co." be,

and the same is hereby, declared cancelled effective January 29, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Finchell  
Joseph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 16th day of February, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
MARKO PEROVICH, DOING BUSINESS AS )  
"COLOMAX OIL CO.," BOX 1526, TAOS, )  
NEW MEXICO. )  
----- )

PERMIT NO. C-31631

-----  
February 16, 1954  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

\_\_\_\_\_  
Marko Perovich, dba "Colomax Oil Co.,"

requesting that Permit No. C-31631 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-31631, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Marko Perovich, dba "Colomax Oil Co.," be,

and the same is hereby, declared cancelled effective February 4, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Lincoln  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 16th day of February, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
DELMAS F. CLINE, ROUTE I, GRAND )  
JUNCTION, COLORADO. )

PERMIT NO. C-31727

February 16, 1954

## STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

Delmas F. Cline

requesting that Permit No. C-31727 be cancelled.

## FINDINGS

### THE COMMISSION FINDS:

That the request should be granted.

## ORDER

THE COMMISSION ORDERS:

That Permit No. C-31727, heretofore issued to \_\_\_\_\_

Delmas F. Cline be,

and the same is hereby, declared cancelled effective February 4, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
~~Joseph W. Newcomb~~  
~~Joseph C. Norton~~

## Commissioners

Dated at Denver, Colorado,

this 16th day of February, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
LOUIE A. JARDON & CARL D. WEST, )  
1200 MAIN, PARSONS, KANSAS. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-30929

-----  
February 16, 1954  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

\_\_\_\_\_  
Louie A. Jardon & Carl D. West

requesting that Permit No. C-30929 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30929, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Louie A. Jardon & Carl D. West be,

and the same is hereby, declared cancelled effective February 4, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchell*  
*Joseph W. McCool*  
*Ralph C. Hobart*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 16th day of February, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
DEWEY A. WEST, 237 N. PROSPECT, )  
COLORADO SPRINGS, COLORADO. )

PERMIT NO. C-30905

February 16, 1954

## STATEMENT

By the Commission:

The Commission is in receipt of a communication from

Dewey A. West

requesting that Permit No. C-30905 be cancelled.

## FINDINGS

## THE COMMISSION FINDS:

That the request should be granted.

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-30905 , heretofore issued to

Dewey A. West be,

and the same is hereby, declared cancelled effective January 1, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
Joseph C. Winchell  
Joseph C. Winchell

## Commissioners

Dated at Denver, Colorado,

this 16th day of February, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
CLIFFORD C. HAYES, 6285 W. 16th ST., )  
LAKEWOOD, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-29782

-----  
February 16, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

\_\_\_\_\_  
Clifford C. Hayes

requesting that Permit No. C-29782 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29782, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Clifford C. Hayes be,

and the same is hereby, declared cancelled effective February 4, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Vinchell  
Ray C. Norton  
Commissioners

Dated at Denver, Colorado,

this 16th day of February, 1954.

mls

