

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
AAROL ROBERTS, 7199 HOLLY, DERBY, )  
COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-31779

-----  
May 19, 1954  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Aarol Roberts,  
requesting that Permit No. C-31779 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-31779, heretofore issued to \_\_\_\_\_  
Aarol Roberts, \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective April 29, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Marshall  
Joseph C. Hurd  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 19th day of May, 195 4.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
HUNT CONSTRUCTION COMPANY, STEAMBOAT )  
SPRINGS, COLORADO. )  
----- )

PERMIT NO. C-11545

-----  
May 19, 1954  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Hunt Construction Company,  
requesting that Permit No. C-11545 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-11545, heretofore issued to \_\_\_\_\_  
Hunt Construction Company, \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective March 24, 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 19th day of May, \_\_\_\_\_, 1954.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
LOWDERMILK BROTHERS, 1950 WEST DART- )  
MOUTH, DENVER, COLORADO. )  
 )  
 )  
----- )

PERMIT NO. C-24739

-----  
May 19, 1954  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Lowdermilk Brothers,  
requesting that Permit No. C-24739 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-24739, heretofore issued to \_\_\_\_\_  
Lowdermilk Brothers, \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective April 1, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 19th day of May, \_\_\_\_\_, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
READ CONSTRUCTION COMPANY, 706 WEST )  
19TH STREET, CHEYENNE, WYOMING. )  
 )  
 )  
----- )

PERMIT NO. C-25238

-----  
May 19, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Read Construction Company,  
requesting that Permit No. C-25238 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-25238, heretofore issued to \_\_\_\_\_  
Read Construction Company, \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective March 16, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Linchell  
Joseph C. Hecox  
Napht C. Horton  
Commissioners

Dated at Denver, Colorado,

this 19th day of May, \_\_\_\_\_, 195 4.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
BAAB CONSTRUCTION COMPANY, 828 - )  
19TH STREET, GREELEY, COLORADO )  
----- )

PERMIT NO. C-27031

-----  
May 19, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Baab Construction Company,  
requesting that Permit No. C-27031 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-27031, heretofore issued to \_\_\_\_\_  
Baab Construction Company, \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective March 13, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Linchell  
Reph C. Horton  
Reph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 19th day of May, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ENGINEERS LIMITED PIPELINE COMPANY, )  
225 BRUSH STREET, SAN FRANCISCO, )  
CALIFORNIA. )  
-----)

PERMIT NO. C-27344

-----  
May 19, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Engineers Limited Pipeline Company,  
\_\_\_\_\_  
requesting that Permit No. C-27344 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-27344, heretofore issued to \_\_\_\_\_  
Engineers Limited Pipeline Company, \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective March 13, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 19th day of May, 1954.

\*\*\*\*\*

PERMIT NO. C-28105

May 19, 1954

## STATEMENT

The Commission is in receipt of a communication from \_\_\_\_\_  
Lindstrom & Williams,  
\_\_\_\_\_ requesting that Permit No. C-28105 be cancelled.

## FINDINGS

**That the request should be granted.**

## ORDER

That Permit No. C-28105, heretofore issued to \_\_\_\_\_  
Lindstrom & Williams, \_\_\_\_\_ be,  
 and the same is hereby, declared cancelled effective March 16, 1954.

John H. Winchell  
~~Joseph C. H. H. H.~~  
~~Joseph C. H. H. H.~~  
 Commissioners

this 19th day of May, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
HALLE'S ENGINEERING CONTRACTORS, INC., )  
119 NORTH NEVADA, COLORADO SPRINGS, )  
COLORADO. )  
----- )

PERMIT NO. C-16645

-----  
May 19, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Halle's Engineering Contractors, Inc.,  
requesting that Permit No. C-16645 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-16645, heretofore issued to \_\_\_\_\_  
Halle's Engineering Contractors, Inc., \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective April 29, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John McInchell  
Joseph C. Hecox  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 19th day of May, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
BEN A. MEISMAN, GRANADA, COLORADO )  
 )  
 )  
 )  
----- )

PERMIT NO. C-22276

-----  
May 19, 1954  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Ben A. Meisman,  
requesting that Permit No. C-22276 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-22276, heretofore issued to \_\_\_\_\_  
Ben A. Meisman, \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective March 23, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
Ralph C. Gordon  
Commissioners

Dated at Denver, Colorado,

this 19th day of May, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
SWIFT & COMPANY, P. O. BOX 628, 2000 )  
WEST 6TH STREET, AMARILLO, TEXAS. )  
\_\_\_\_\_) )  
\_\_\_\_\_)

PERMIT NO. C-22397

\_\_\_\_\_  
May 19, 1954  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Swift & Company,  
\_\_\_\_\_  
requesting that Permit No. C-22397 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-22397, heretofore issued to \_\_\_\_\_  
Swift & Company, \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective April 12, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 19th day of May, \_\_\_\_\_, 1954.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
CARL W. KOCH, DOING BUSINESS AS )  
"KOCH ELEVATOR," 1810 FAIRACRES ROAD, )  
GREELEY, COLORADO. )  
----- )

PERMIT NO. C-23170

-----  
May 19, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Carl W. Koch, d/b/a Koch Elevator, \_\_\_\_\_  
requesting that Permit No. C-23170 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-23170, heretofore issued to \_\_\_\_\_  
Carl W. Koch, d/b/a Koch Elevator, \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective April 12, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Mitchell*  
*Ralph C. Hawley*  
*Ralph G. Horton*

Commissioners

Dated at Denver, Colorado,

this 19th day of May, \_\_\_\_\_, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
T. OTIS WITCHER, DOING BUSINESS AS )  
"WITCHER SAWMILL & LUMBER CO.," )  
PAGOSA SPRINGS, COLORADO. )  
----- )

PERMIT NO. C-12635

-----  
May 19, 1954  
-----

STATEMENT

By the Commission:

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

T. Otis Witcher, dba "Witcher Sawmill & Lumber Co."

requesting that Permit No. C-12635 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-12635, heretofore issued to \_\_\_\_\_

T. Otis Witcher, dba "Witcher Sawmill & Lumber Co.," be,

and the same is hereby, declared cancelled effective March 5, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Linschell  
Ralph C. Horton  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 19th day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
A. E. ANDERSON, KITTREDGE, COLORADO. )

) PERMIT NO. C-8295  
)  
)  
)  
)  
-----)

-----  
May 19, 1954  
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STATEMENT

By the Commission:

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

\_\_\_\_\_ A. E. Anderson \_\_\_\_\_

requesting that Permit No. C-8295 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-8295, heretofore issued to \_\_\_\_\_

\_\_\_\_\_ A. E. Anderson \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective March 25, 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 19th day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
MACKEY CONSTRUCTION CO., 129 STALLO )  
ST., MONTE VISTA, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-26768

-----  
May 19, 1954  
-----

STATEMENT

By the Commission:

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

\_\_\_\_\_  
Mackey Construction Co.

requesting that Permit No. C-26768 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-26768, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Mackey Construction Co. be,

and the same is hereby, declared cancelled effective April 15, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchell*  
*Joseph W. McCool*  
*Ralph C. Gordon*

\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 19th day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
MACKEY CONSTRUCTION CO., 129 STALLO )  
ST., MONTE VISTA, COLORADO. )  
 )  
 )  
----- )

PERMIT NO. B-4371

-----  
May 19, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Mackey Construction Co.

requesting that Permit No. B-4371 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4371, heretofore issued to \_\_\_\_\_  
Mackey Construction Co. be,

and the same is hereby, declared cancelled effective April 15, 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 19th day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
GEORGE M. SWIGART, BENDEMEER VALLEY )  
HEREFORD RANCH, EVERGREEN, COLORADO. )  
\_\_\_\_\_) )  
\_\_\_\_\_)

PERMIT NO. C-25120

\_\_\_\_\_  
May 19, 1954  
\_\_\_\_\_

STATEMENT

By the Commission:

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

\_\_\_\_\_  
George M. Swigart  
\_\_\_\_\_

requesting that Permit No. C-25120 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-25120, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
George M. Swigart  
\_\_\_\_\_ be,

and the same is hereby, declared cancelled effective April 12, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Linchell  
Reph C. Horton  
Reph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 19th day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
JOSEPH E. ROBERTS, 1422 DOWNING ST., )  
APT. 12, DENVER, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-25732

-----  
May 19, 1954  
-----

STATEMENT

By the Commission:

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

Joseph E. Roberts

requesting that Permit No. C-25732 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-25732, heretofore issued to \_\_\_\_\_

Joseph E. Roberts \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective April 12, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Linchell*  
*Joseph W. Macole*  
*Ralph C. Horton*

\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 19th day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ALBERT S. HALLEY, GRANBY, COLORADO. )

PERMIT NO. C-2343

May 19, 1954

STATEMENT

By the Commission:

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

Albert S. Halley

requesting that Permit No. C-2343 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-2343, heretofore issued to \_\_\_\_\_

Albert S. Halley \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective April 16, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Commissioners

Dated at Denver, Colorado,

this 19th day of May, 1954.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
WARK MILLING COMPANY, CORTEZ, COLO- )  
RADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-3624

-----  
May 19, 1954  
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STATEMENT

By the Commission:

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

Wark Milling Company

requesting that Permit No. C-3624 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-3624, heretofore issued to \_\_\_\_\_

Wark Milling Company \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective March 26, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 19th day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
S. L. FREDREGILL, DOING BUSINESS AS )  
"FREDREGILL IMPLEMENT CO.," 322 )  
POPLAR STREET, STERLING, COLORADO. )  
----- )

PERMIT NO. C-14357

-----  
May 19, 1954  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
S. L. Fredregill, dba "Fredregill Implement Co.,"  
requesting that Permit No. C-14357 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-14357, heretofore issued to \_\_\_\_\_  
S. L. Fredregill, dba "Fredregill Implement Co." be,  
and the same is hereby, declared cancelled effective December 1, 1953.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 19th day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
H. L. SPILLMAN, DOING BUSINESS AS )  
"DERBY MARKET," DERBY, COLORADO. )  
 )  
 )  
----- )

PERMIT NO. C-30064

-----  
May 19, 1954  
-----

STATEMENT

By the Commission:

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

H. L. Spillman, dba "Derby Market"

requesting that Permit No. C-30064 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30064, heretofore issued to \_\_\_\_\_

H. L. Spillman, dba "Derby Market," \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective March 13, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchell*  
*Wm. W. Macdonald*  
*Ralph C. Gordon*

Commissioners

Dated at Denver, Colorado,

this 19th day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
J. EDWARD LOCKARD, ROUTE 3, OTIS, )  
COLORADO. )  
 )  
 )  
 )  
 )  
----- )

PERMIT NO. C-18412

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May 19, 1954  
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STATEMENT

By the Commission:

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

\_\_\_\_\_  
J. Edward Lockard

requesting that Permit No. C-18412 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

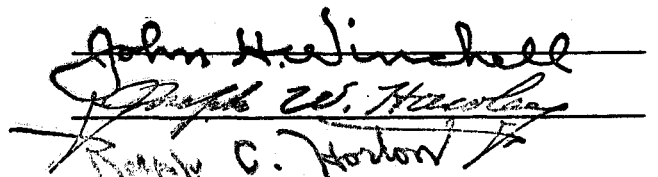
THE COMMISSION ORDERS:

That Permit No. C-18412, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
J. Edward Lockard be,

and the same is hereby, declared cancelled effective May 5, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 19th day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
KENNETH E. PARIS, COOLIDGE, TEXAS. )

PERMIT NO. C-22378

May 19, 1954

STATEMENT

By the Commission:

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

Kenneth E. Paris

requesting that Permit No. C-22378 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-22378, heretofore issued to \_\_\_\_\_

Kenneth E. Paris \_\_\_\_\_ be,

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 19th day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
TROY FRANTZ, 820 SHERMAN, LONGMONT, )  
COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-25897

-----  
May 19, 1954  
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STATEMENT

By the Commission:

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

\_\_\_\_\_  
Troy Frantz

requesting that Permit No. C-25897 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-25897, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Troy Frantz be,

and the same is hereby, declared cancelled effective May 4, 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 19th day of May, 1954.

mls

original

(Decision No. 42644)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF ) MOUNTAIN PARKS ELECTRIC, INC., A ) CORPORATION, WALDEN, COLORADO, FOR ) AN ORDER AUTHORIZING THE ISSUANCE ) OF SECURITIES. ) ----- )	<u>APPLICATION NO. 12879-Securities</u>
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May 14, 1954  
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Appearances: George J. Bailey, Esq.,  
Walden, Colorado, for  
applicant;  
Paul Elder, Denver,  
Colorado, and  
J. M. McNulty, Denver,  
Colorado, for the  
Commission.

S T A T E M E N T

By the Commission:

By the instant application, Mountain Parks Electric, Inc.  
(formerly North Park Rural Electric Association, Inc.), seeks authority  
from this Commission for the approval of a Supplemental Mortgage made  
by applicant to the United States of America as security for certain  
sums of money borrowed from the said United States.

The matter was set for hearing, after due notice to all  
interested parties, on May 11, 1954, at nine o'clock A. M., in the  
Hearing Room of the Commission, 330 State Office Building, Denver,  
Colorado, and was there heard and taken under advisement by the Com-  
mission.

Applicant is engaged in the business of purchasing, dis-  
tributing and selling electric energy in Grand and Jackson Counties  
in the State of Colorado.

The principal office of applicant is located in Walden, Colo-  
rado. Applicant, on June 10, 1953, by an amendment to its articles of  
incorporation, changed its name from North Park Rural Electric Association,

Inc. to Mountain Parks Electric, Inc., and said articles of incorporation, together with the amendments thereto, are on file with the Commission in Application No. 12429.

By Decision No. 41080, of August 7, 1953, in Application No. 12431, applicant was authorized by the Commission to make, execute and deliver to the United States of America certain mortgage notes in the aggregate amount of \$1,625,000.00. Executed copies of said notes have been previously filed with this Commission, all in accordance with the said order of the Commission.

By the instant application, applicant seeks approval of a Supplemental Mortgage to be made by it to the United States of America, dated as of May 3, 1954. A copy of said Supplemental Mortgage was introduced at the hearing as Exhibit "A" and reference is hereby made to said exhibit, as a part of this Statement. The supplemental Mortgage will be executed by the parties so that the United States will have additional security for the payment of loans made to applicant. Applicant by a prior mortgage has pledged its properties as security, but by the Supplemental Mortgage sought for approval herein, it will secure such additional properties that it has acquired since the execution of the original mortgage.

Under the present application, no additional funds are sought at this time, but only the approval of the Supplemental Mortgage heretofore referred to. The execution of the document sought herein is in connection with the normal course of business conducted by applicant and should be approved, since the transaction is not inconsistent with the provisions of Chapter 137, Section 3, 1935 Colorado Statutes Annotated.

Set out below is a financial statement of the Company for the period ending March 31, 1954, consisting of a Balance Sheet as of March 31, 1954, and an Operating Statement for the three months ending March 31, 1954:



BALANCE SHEET

ASSETS AND OTHER DEBITS

Utility Plant

Plant in Service	\$1,289,036.09	
Construction Work in Progress	89,969.16	
Total Utility Plant -	1,379,005.25	
Less: Reserve for Depreciation	70,973.45	
Net Utility Plant		\$1,308,031.80

Acquisition Adjust. Net	62,418.37
Investments	770.00

Current Assets

Cash in Bank--General Fund	28,089.71	
Cash in Bank--Special Fund	41,736.21	
Accounts Receivable Net	34,710.08	
Materials and Supplies	40,914.33	
Special Deposit	22.59	
Total Current Assets		145,472.92

Prepayments	3,228.91
Deferred Debits	7,121.54

Total Assets and Other Debits -	\$1,527,043.54
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LIABILITIES AND OTHER CREDITS

Capital Structure

Equity Capital

Membership Fees	5,390.00
Patronage Capital Credits	28,998.00
	34,388.00

Surplus

Deficit Previous 1952	(41,189.81)
Non-Operating Margin	(121.66)
Current Operating Margin	4,844.64
Capital Gains	1,550.74
Total Deficit	(34,916.09)

(Total Equity)	(528.09)
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Long Term Debt

R. E. A. Loans	1,426,533.30
Total Capital Structure	1,426,005.21

Current Liabilities

Accounts Payable	6,837.09	
Consumers Deposits	6,925.00	
Various Accruals	44,596.72	
Total Current Liabilities		58,358.81

Other Liabilities

Customers Advances for Construct.	28,270.36	
Contributions in Aid of Construct.	14,409.16	
Total Other Liabilities -		42,679.52

Total Liabilities and Other Credits	\$1,527,043.54
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Note: ( ) indicates red figure.

STATEMENT OF OPERATIONS THREE MONTHS

ENDING MARCH 31, 1954

Operating Revenue and Patronage Capital

Electric Energy Revenues and Patronage Capital	\$67,680.15
Consumers' Forfeited Discounts and Penalties	367.68
Miscellaneous Electric Revenues	579.27
Total Operating Revenue and Patronage Capital -	<u>\$68,627.10</u>

Cost of Electric Service

Cost of Purchased Power	\$18,461.97
Distribution Expenses—Operations	5,554.91
Distribution Expenses—Maintenance	4,478.04
Rents	29.54
Consumers' Accounting and Collecting	4,493.27
Power-use Expenses	186.11
General Office Salaries and Expenses	5,105.04
Insurance, Injuries and Damages	729.85
Employees Welfare Expenses and Insurance	1,215.51
Miscellaneous General Expenses	1,095.78
Maintenance of Gen. Property and Rents	606.30
Total Operating Expenses -	<u>\$41,956.32</u>

Depreciation of Electric Plant	\$10,086.64
Depreciation of General Plant	586.48
Total Depreciation Expense -	<u>\$10,673.12</u>

Property Taxes	\$2,475.00
Payroll Taxes and Other	1,044.79
Total Tax Expense -	<u>\$3,519.79</u>

Amortization of Acquisition Adjustment	735.84
Amortization of Loan Expense	13.50
Interest on Long Term Debt	6,883.89
Total Other Deductions	<u>\$7,633.23</u>
Total Cost of Electric Service	<u>\$63,782.46</u>

Patronage Capital -	<u>\$4,844.64</u>
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F I N D I N G S

THE COMMISSION FINDS:

That this Commission has jurisdiction of Mountain Parks Electric, Inc., as to the acquired properties, and as to the subject matter of the instant application.

That the Commission is fully advised in the premises.

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

That the execution by applicant of the Supplemental Mortgage in the form of Exhibit "A" introduced at the hearing herein, should be authorized and approved.

That the execution by applicant of said Supplemental Mortgage for the purposes set forth in the Supplemental Mortgage is legal and proper, and in the public interest.

O R D E R

THE COMMISSION ORDERS:

That issuance by Mountain Parks Electric, Inc., of a Supplemental Mortgage to the United States of America, in the form of Exhibit "A" introduced at the hearing, be, and the same hereby is, authorized and approved.

That Mountain Parks Electric, Inc., be, and it hereby is, authorized to do any and all things necessary to carry out the execution of said Supplemental Mortgage.

That upon the final execution of said Supplemental Mortgage (in the form of Exhibit "A"), a conformed signed copy of said document shall be filed with this Commission within sixty (60) days of said execution.


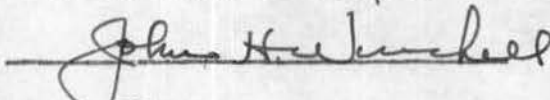
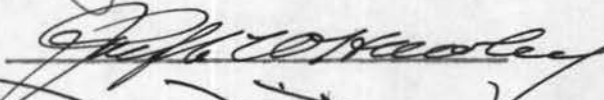
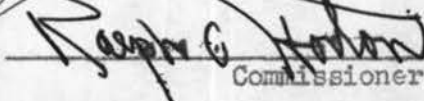
That the authorization and approval above given applies only to that portion of the Supplemental Mortgage that has to do with the properties under jurisdiction of this Commission.

That nothing herein contained shall be construed to imply any recommendation or guaranty of, or any obligation with respect to, said Supplemental Mortgage on the part of the State of Colorado.

That the Commission retains jurisdiction of this proceeding to the end that it may make such further order, or orders, in the premises as to it may seem proper and desirable.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 14th day of May, 1954.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE VARIOUS CHANGES IN RATES,  
RULES AND REGULATIONS IN THE  
MOTOR TRUCK COMMON CARRIERS'  
ASSOCIATION, AGENT, LOCAL AND  
JOINT TARIFF NO. 12, COLO. P.U.C.)  
NO. 6, ISSUED BY J. R. SMITH,  
CHIEF OF TARIFF BUREAU, DENVER,  
COLORADO, UNDER RULE 18, PARA-  
GRAPH C-(1)-(A) OF THE RULES OF  
PRACTICE AND PROCEDURE OF THE  
COMMISSION.

CASE NO. 1535

May 12, 1954

S T A T E M E N T

By the Commission:

The Motor Truck Common Carriers' Association, Agent, on April 9, 1954, filed with the Commission, under the provisions of Rule 18, paragraph C-(1)-(A), schedule stating new individual rates, rules, charges and regulations to become effective May 14, 1954, as follows:

To cancel the following note in item 330:

"Note: The minimum charge for each shipment, less-than-truckload, from one consignor to one consignee on one bill of lading shall be for 100 pounds at the rating provided, but not less than \$1.20 per shipment."

Item No. 330 covers an exception to the ratings in the classification and provides a rating of 118% of 1st class on Explosives, high, and other commodities in the explosive category.

At the present time, the minimum charge on a single shipment from or to Denver, Colorado Springs and Pueblo, where pick-up and/or delivery service is performed by the carrier, shall not be less than \$1.50 on a single or two-line movement and \$2.25 for three or more lines. From or to points other than Denver, Colorado Springs and Pueblo, or from or to these three points where no pick-up or delivery service is performed by the carrier, the minimum charge shall not be less than \$1.00 on single-line movements, \$1.50 on two-line movements and \$2.25 on three or more lines movements.

The \$1.00 minimum charge on the basis of 118% of first class is reached at a distance of 40 miles in Plains territory and 10 miles in Mountain territory. The \$1.50 charge is reached at 100 miles in Plains territory and 55 miles in Mountain territory and the \$2.25 charge is reached at 260 miles in Plains territory and 140 miles in Mountain territory.

To establish an exception to the rating of the classification and provide a rating of 2d class on fish, fresh or frozen, as described under that heading in the classification in less than truckload lots and a 3d class rating in lots of 2,000 pounds or more. These exception ratings to apply only via the Larson Transportation Company and the Rio Grande Motor Way, Inc.

This represents a reduction as the present rating is first class.

Cancel the following rule published as Item No. 840, viz:

"Combination of Articles:

On single shipments of the required minimum weight, composed of two or more articles subject to different rates, apply to the entire lot the rate applicable to the same quantity of the highest rated article in the shipment; except that this basis shall not apply where lower charges would result from applying to the weight of each article its respective rate. (Applies only on Colorado intrastate traffic)."

There is a similar rule in the classification and the rule under Item No. 840, serves no useful purpose.

To increase the following class rates in cents per 100 pounds between Denver, Colorado and the following points:

		L.T.L.				MINIMUM WEIGHT							
						5,000 Pounds				10,000 Pounds			
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>
Erie	- Present	77	68	54	41	56	48	39	31	35	30	25	18
	- Proposed	85	75	59	45	62	53	43	34	39	33	28	20
	Via	Cameron Brothers, Longmont, Colo.											
Firestone	- Present	77	68	54	41	56	48	39	31	35	30	25	18
	- Proposed	85	75	59	45	62	53	43	34	39	33	28	20
	Via	Cameron Brothers, Longmont, Colo.											
Frederick	- Present	77	68	54	41	56	48	39	31	35	30	25	18
	- Proposed	85	75	59	45	62	53	43	34	39	33	28	20
	Via	Cameron Brothers, Longmont, Colo.											

Class Rates in cents per 100 pounds between Denver, Colorado and the following points:

	L.T.L.				MINIMUM WEIGHT							
					5,000 Pounds				10,000 Pounds			
	1	2	3	4	1	2	3	4	1	2	3	4
Lakewood - (via Thos D. Lane Truck Line) - Denver, Colo.												
Present	64	55	47	35	47	40	32	25	29	25	21	16
Proposed	64	55	47	35	59	50	42	30	54	45	37	25
Lakewood - (via Swena Transfer and Express) - Golden, Colo.												
Present	64	55	47	35	59	50	42	30	54	45	37	25
Proposed	64	55	47	35	59	50	42	30	54	45	37	25
La Porte (via Denver-Laramie-Walden Truck Line) - Denver, Colo.												
Present	113	95	73	60	108	90	73	55	103	85	68	50
Proposed	124	105	86	66	119	100	81	61	114	95	76	56
Loveland (via Denver-Loveland Transportation) - Loveland, Colo.												
Present	98	84	69	54	74	61	49	40	49	44	35	28
Proposed	108	93	76	59	81	67	54	44	54	48	39	31
Ft. Collins - (via Denver-Laramie-Walden Truck Line) - Denver, Colo.												
Present	109	92	75	59	104	87	70	54	99	82	65	49
Proposed	120	101	83	65	115	96	78	60	110	91	73	55
Severance - (via Cameron Brothers) - Longmont, Colo.												
Present	105	89	74	58	78	67	55	44	55	46	39	29
Proposed	116	98	81	64	86	74	61	48	61	51	43	32
Timnath - (via Cameron Brothers) - Longmont, Colo.												
Present	105	89	74	58	78	67	55	44	55	46	39	29
Proposed	116	98	81	64	86	74	61	48	61	51	43	32
Wellington - (via Denver-Laramie-Walden Truck Line) - Ft. Collins, -(thence Ray R. Gibbons) - Denver & Ft. Collins, Colo.												
Present	115	99	81	64	110	94	76	59	105	89	71	54
Proposed	127	109	89	70	122	104	84	65	117	99	79	60
U.S. Intern- (via Cameron Brothers) - Longmont ment Camp - (8 miles west of Greeley)												
Present	102	87	72	55	75	64	54	41	52	45	38	29
Proposed		Cancel				Cancel				Cancel		
Windsor - (via Cameron Brothers) - Longmont, Colo.												
Present	102	87	72	55	75	64	54	61	52	45	38	29
Proposed	112	96	79	61	83	70	59	45	57	50	42	32

Commodity Rates in Cents Per 100 Pounds (Unless otherwise stated)

<u>Commodity</u>	<u>From</u>	<u>To</u>	<u>Rate</u>	
			<u>Present</u>	<u>Proposed</u>
(via Denver-Loveland Transportation) - Loveland, Colo.				
Canned Goods, edible				
(1) Min. Wt. 10,000 lbs.	Loveland, Colo.	Denver, Colo.	(1) - 28	(1) - 28
(2) " " 20,000 lbs.				(2) - 26
(3) " " 40,000 lbs.				(3) - 24



Commodity Rates in Cents Per 100 Pounds

(Unless otherwise stated)

Commodity	From	To	Rate	
			Present	Proposed
(via Denver-Loveland Transportation) - Loveland, Colo.				
Cement, Hydraulic, Portland or Natural				
(1) Min. Wt. 10,000 lbs.	Cement Plant	Loveland,	(1)-12	(1)-13
(2) " " 20,000 lbs.	near La Porte, Colo.	Colo.	(2)- 9	(2)-11
(via Denver-Limon-Burlington Transfer Company) - Denver, Colo.				
Feed, Animal or Poultry, packed in accordance with current classifica- tion, minimum weight 10,000 lbs.	Lamar, Colo.	Kit Carson, Colo.	51	15
	Denver, Colo.	Fads, Colo.	31	30
		Kit Carson, Colo.	37	30
Fruit, fresh, cold-pack (Frozen Fresh Fruit, either sweetened or not sweetened), Minimum weight 10,000 lbs.	Loveland, Colo.	Denver, Colo.	28	31
	Points not ex- ceeding 5 miles west of Loveland.		29	32
(via Denver-Loveland Transportation - Loveland, Colo.)				
Milk and Cream, in 10 gallon shipping cans. Rate includes return of empty cans.	Loveland	Denver	32¢ Per Can	35¢ Per Can
(via Denver-Loveland Transportation) - Loveland, Colo.				
Plaster, calcined, Plaster of Paris, Stucco or Wall Plaster, colored, consisting of a mix- ture of two or more of the following commodities: Plaster or Lime or Portland Cement, or Gypsum or Keenes Cement and not less than 50% sand or chatts; also to include but not to exceed 3% of dry color.	Wilds Spur	Denver		
	Minimum Weight, 10,000 lbs		28	28
	" " 20,000 "		26	24
	" " 30,000 "		24	—
	" " 40,000 "		—	20

Section No. 6

Livestock

Establish the following Exception To the Application Of Distance Scales Of  
Rates On Livestock.

The following rates in cents per 100 pounds shall apply on shipments of livestock between the named points subject to a minimum weight of 5,000 pounds.

AND	Between	Denver, Colorado	
		Livestock, Other Than Sheep or Goats	Sheep or Goats
	Colo.		
Avon	"	62	71
Bond	"	70	81
Burns	"	75	86
Dotsero	"	72	83
Eagle	"	67	77
Edwards	"	64	74
Glenwood Springs	"	78	90
Gypsum	"	70	81
Kremmling	"	62	71
McCoy	"	72	83
Minturn	"	62	71
Radium	"	67	77
State Bridge	"	69	79
Wolcott	"	65	75

The proposed changes in the class rates for account of Cameron Brothers, Denver-Laramie-Walden Truck Line, and Denver-Loveland Transportation, represents a 10 per cent increase.

The proposed changes in the class rates for account of Thos. D. Lane represents an increase of approximately 25 per cent on a minimum weight of 5,000 pounds and approximately 75 per cent on a minimum weight of 10,000 pounds.

These increases are the result of making the 5,000 and 10,000 pounds rates 5 and 10 cents respectively, lower than the less-truck-load rates, which is the same basis now in effect via Swena Transfer & Express and other motor vehicle common carriers

The proposed rates on edible canned goods from Loveland to Denver represents a reduction of approximately 7 and 17 per cent on minimum weights of 20,000 and 40,000 pounds, respectively. The 23 cent rate on a minimum weight of 10,000 pounds is the present 4th class rate.

The proposed rates on cement from the cement plant near La Porte to Loveland represents a 10 per cent increase on a minimum weight of 10,000 pounds and 22 per cent on a minimum weight of 20,000 pounds.

The proposed rates on animal or poultry feed from Lamar to Kit Carson represents a reduction of 70 per cent. This reduction is brought about due to the present method of computing distances for rate making purposes. The proposed rates from Denver to Eads and Kit Carson represents reductions of approximately 3 per cent to Eads and 8 per cent to Kit Carson.



The proposed rates on fresh fruit from Loveland and points not exceeding 5 miles west of Loveland to Denver; the rate on milk from Loveland to Denver, represents a 10 per cent increase.

The proposed rates on plaster, etc., from Wilds Spur to Denver represents approximately an 8 per cent decrease on 20,000 pounds, a 17 per cent decrease in the rate on 40,000 pounds, and a 30 per cent increase in the minimum weight.

The proposed rates on livestock is a new proposition as there are no rates now in effect from the points specified subject to a minimum weight of 5,000 pounds. The proposed rates are approximately 19 per cent lower than the present less-than-truck-load rates and approximately 15 per cent higher than the present rates on a minimum weight of 10,000 pounds.

No protests have been received by the Commission relative to the proposed changes.

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

THE COMMISSION FINDS, That:

- (1) The statement should be made a part hereof.
- (2) An order should be entered authorizing the proposed changes.

#### O R D E R

THE COMMISSION ORDERS, That:

(1) The statement and findings be, and they are, hereby made a part hereof.

(2) This order shall become effective forthwith.

(3) The proposed rates, rules, regulations and provisions as published and set forth in the statement shall on May 14, 1954, be the prescribed rates, rules, regulations and provisions of the Commission.

(4) All motor vehicle common carriers who are not parties to the Motor Truck Common Carriers' Association, Agent, Local and Joint Tariff No. 12, Colo. P.U.C. No. 6, 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, the rates, rules, regulations and provisions which shall not be less than those herein prescribed for motor vehicle common carriers.

(6) On and after May 14, 1954, all affected motor vehicle common carriers shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein prescribed.

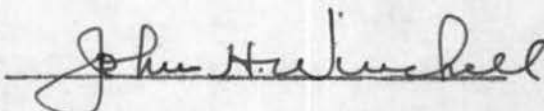
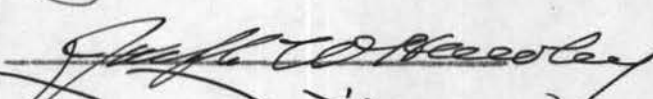
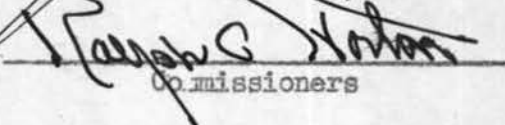
(7) On and after May 14, 1954, all private carriers by motor vehicle operating in competition with any motor vehicle common carriers, affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed.

(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) The order entered in Case No. 1585, on February 5, 1936 as since amended, shall continue in force and effect until a further order of the Commission.

(10) Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

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

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
E. J. WALLER AND HENRY MESSENGER, )  
CO-PARTNERS, DOING BUSINESS AS )  
"WALLER-MESSENGER TRUCK LINE," )  
ROUTE 1, DODGE CITY, KANSAS, FOR )  
AUTHORITY TO TRANSFER INTERSTATE )  
OPERATING RIGHTS TO E. J. WALLER )  
AND AVART ISAAC, CO-PARTNERS, DOING )  
BUSINESS AS "WALLER-ISAAC TRUCK )  
LINE," BOX 692, DODGE CITY, KANSAS. )  
-----

PUC NO. 2646-I-Transfer

-----  
May 14, 1954  
-----

S T A T E M E N T

By the Commission:

Heretofore, E. J. Waller and Henry Messenger, co-partners, doing business as "Waller-Messenger Truck Line," Dodge City, Kansas, 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. 2646-I issued to them.

Said certificate-holders now seek authority to transfer said operating rights to E. J. Waller and Evart Isaac, co-partners, doing business as "Waller-Isaac Truck Line," Dodge City, Kansas.

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:

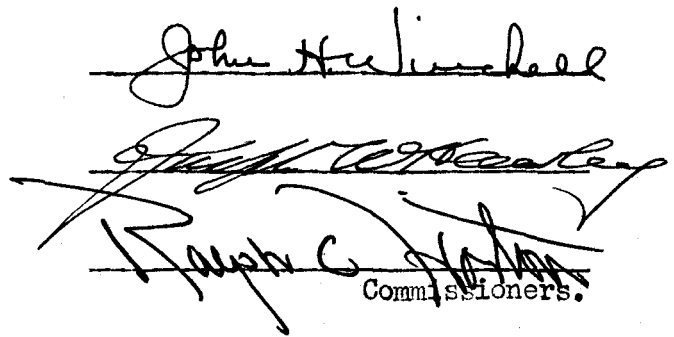
That E. J. Waller and Henry Messenger, co-partners, doing business as "Waller-Messenger Truck Line," Dodge City, Kansas, should be, and

they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 2646-I to E. J. Waller and Evert Isaac, co-partners, doing business as "Waller-Isaac Truck Line," Dodge City, Kansas, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured, and subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 14th day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MILE HIGH STAMPING COMPANY, INC., )  
BOX 2050, DENVER, COLORADO. )  
----- )

PERMIT NO. C-31581

-----  
May 14, 1954  
-----

S T A T E M E N T

By the Commission:

On May 7, 1954, Decision No. 42576 was entered by the Commission in the above-styled matter, cancelling Permit No. C-31581 as of April 12, 1954.

It now appears that said decision was entered in error, permittee not desiring to have said operating rights cancelled.

F I N D I N G S

THE COMMISSION FINDS:

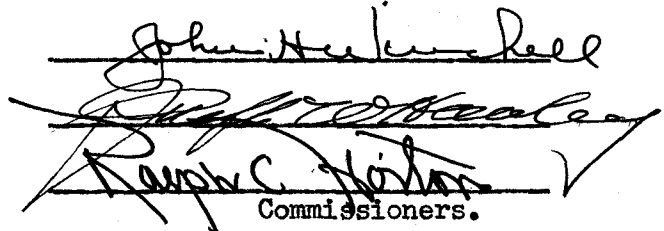
That Decision No. 42576 should be set aside, and Permit No. C-31581 restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 42576, of date May 7, 1954, should be, and it hereby is, vacated, set aside, and held for naught, Permit No. C-31581 being hereby reinstated, as of April 12, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 14th day of May, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOE K. SHERWOOD, 1985 SOUTH KNOX ) PERMIT NO. C-31792  
COURT, DENVER, COLORADO. )  
-----)

-----  
May 14, 1954  
-----

S T A T E M E N T

By the Commission:

On May 7, 1954, Decision No. 42579 was entered by the Commission in the above-captioned matter, cancelling Permit No. C-31792, as of April 12, 1954.

It now appears that said order of cancellation was entered in error.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 42579 should be set aside, vacated, and held for naught.

That Permit No. C-31792 should be restored to active status, as of April 12, 1954.

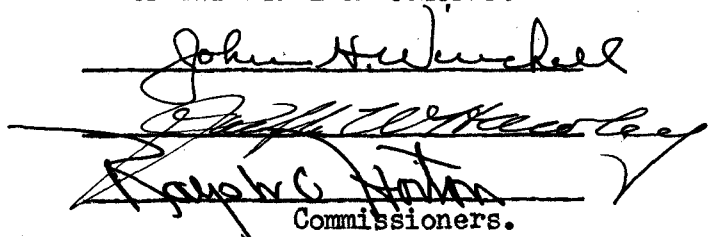
O R D E R

THE COMMISSION ORDERS:

That Decision No. 42579, of date May 7, 1954, should be, and the same hereby is, vacated, set aside, and held for naught.

That Permit No. C-31792 should be, and the same is hereby, reinstated, as of April 12, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 14th day of May, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
WILFONG FIREWORKS & SPEC. COMPANY, )  
BOX 10008, OAKS BRANCH, FORT WORTH, )  
TEXAS. )  
----- )

PERMIT NO. C-27736

-----  
May 19, 1954  
-----

STATEMENT

By the Commission:

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

\_\_\_\_\_  
Wilfong Fireworks & Spec. Company

requesting that Permit No. C-27736 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-27736, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Wilfong Fireworks & Spec. Company be,

and the same is hereby, declared cancelled effective May 13, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
*John H. Hinch*  
\_\_\_\_\_  
*Joseph W. Hinch*  
\_\_\_\_\_  
*Ralph C. Hinch*  
Commissioners

Dated at Denver, Colorado,

this 19th day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

G. E. & R. W. BLANCHARD AND A. M. )  
CUTHBERT & C. ZIMMERMAN, DOING )  
BUSINESS AS "G. E. BLANCHARD, )  
CONTRACTOR," BOX 268, DERBY, COLORADO.)

PERMIT NO. C-24717

-----  
May 21, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from G. E. & R. W. Blanch-  
ard and A. M. Cuthbert & C. Zimmerman, dba "G. E. Blanchard, Contractor,"  
requesting that Permit No. C-24717 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-24717, heretofore issued to G. E. & R. W. Blanch-  
ard & A. M. Cuthbert & C. Zimmerman, dba "G. E. Blanchard, Contractor," be,  
and the same is hereby, declared cancelled effective March 4, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
Ralph C. Heston  
Ralph C. Heston  
Commissioners

Dated at Denver, Colorado,

this 21st day of May, 1954.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
EARL STONEMETS, DOING BUSINESS AS )  
"GLEN ECHO RESORT," POUDRE CANON, )  
BELLVUE, COLORADO. )  
----- )

PERMIT NO. C-30911

-----  
May 21, 1954  
-----

STATEMENT

By the Commission:

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

Earl Stonemets, dba "Glen Echo Resort,"

requesting that Permit No. C-30911 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30911, heretofore issued to \_\_\_\_\_

Earl Stonements, dba "Glen Echo Resort," \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective April 30, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Hinch*  
*Joseph Z. Hinch*  
*Joseph C. Hinch*  
Commissioners

Dated at Denver, Colorado,

this 21st day of May, 195 4.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
BEN H. LEONARD, GIBBON, NEBRASKA: )

PERMIT NO. B-3199-I

-----  
May 21, 1954  
-----

STATEMENT

By the Commission:

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

\_\_\_\_\_  
Ben H. Leonard

requesting that Permit No. B-3199-I be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-3199-I, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Ben H. Leonard be,

and the same is hereby, declared cancelled effective April 17, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 21st day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
HOWARD WILLISIE, 1016 WEST AVENUE "D" )  
ELK CITY, OKLAHOMA. )

PERMIT NO. C-32134

May 21, 1954

## STATEMENT

**By the Commission:**

The Commission is in receipt of a communication from

Howard Willsie

requesting that Permit No. C-32134 be cancelled.

## FINDINGS

## THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-32134, heretofore issued to

Howard Willsie

be,

and the same is hereby, declared cancelled effective April 25, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Lincoln  
 Ralph C. Horton  
 Commissioners

Dated at Denver, Colorado,

this 21st day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ALBERT GUSTAFSON, ROUTE 1, SILT,  
COLORADO.

PERMIT NO. C-31785

May 21, 1954

STATEMENT

By the Commission:

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

Albert Gustafson

requesting that Permit No. C-31785 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-31785, heretofore issued to \_\_\_\_\_

Albert Gustafson

be,

and the same is hereby, declared cancelled effective April 22, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 21st day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
FRANK RUMSEY, DOING BUSINESS AS )  
"RUMSEY TRANSFER," WHEATLAND, )  
WYOMING. )  
----- )

PERMIT NO. C-31098

-----  
May 21, 1954  
-----

STATEMENT

By the Commission:

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

Frank Rumsey, dba "Rumsey Transfer,"

requesting that Permit No. C-31098 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-31098, heretofore issued to \_\_\_\_\_

Frank Rumsey, dba "Rumsey Transfer" \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective April 18, 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 21st day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
THOMAS CRIGHTON, GENERAL DELIVERY, )  
SETHBRIDGE, ALBERTA, CANADA. )

PERMIT NO. C-30526

May 21, 1954

## STATEMENT

By the Commission:

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

Thomas Crichton

requesting that Permit No. C-30526 be cancelled.

## FINDINGS

### THE COMMISSION FINDS:

That the request should be granted.

## ORDER

THE COMMISSION ORDERS:

That Permit No. C-30526, heretofore issued to \_\_\_\_\_

Thomas Crighton be,

and the same is hereby, declared cancelled effective March 31, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
Joseph W. Macomber  
Joseph C. Horton Jr.  
Commissioners

Dated at Denver, Colorado,

this 21st day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
S. F. HUGHES & EDWARD J. BISHOP, )  
10751 EAST COLFAX, AURORA, COLORADO. )  
\_\_\_\_\_ )

PERMIT NO. C-30293

\_\_\_\_\_  
May 21, 1954  
\_\_\_\_\_

STATEMENT

By the Commission:

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

\_\_\_\_\_ S. F. Hughes & Edward J. Bishop \_\_\_\_\_

requesting that Permit No. C-30293 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30293, heretofore issued to \_\_\_\_\_

\_\_\_\_\_ S. F. Hughes & Edward J. Bishop \_\_\_\_\_

be,

and the same is hereby, declared cancelled effective May 2, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hinchell  
Joseph W. Hinchell  
Raymond C. Hinchell  
Commissioners

Dated at Denver, Colorado,

this 21st day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

FRANK PETRIZZE & WALTER MARXER,  
DOING BUSINESS AS "ECONOMY TELEVI-  
SION SERVICE," 230 WEST 6TH AVENUE,  
DENVER 4, COLORADO.

PERMIT NO. C-30110

May 21, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Frank Petrizze & Walter Marxer, dba "Economy Television Service,"  
requesting that Permit No. C-30110 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30110, heretofore issued to \_\_\_\_\_  
Frank Petrizze & Walter Marxer, dba "Economy Television Service," be,  
and the same is hereby, declared cancelled effective April 1, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 21st day of May, 1954.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
TOM FITZPATRICK, BOX 147, SYRACUSE, )  
KANSAS. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-28082

-----  
May 21, 1954  
-----

STATEMENT

By the Commission:

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

\_\_\_\_\_  
Tom Fitzpatrick

requesting that Permit No. C-28082 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-28082, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Tom Fitzpatrick be,

and the same is hereby, declared cancelled effective April 9, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. McInnis  
Ralph C. Horton  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 21st day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
GEORGE F. BURNHAM, DOING BUSINESS AS )  
"BURNHAM'S AUTO SUPPLY," CORTEZ, )  
COLORADO. )  
----- )

PERMIT NO. C-27809

-----  
May 21, 1954  
-----

STATEMENT

By the Commission:

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

George F. Burnham, dba "Burnham's Auto Supply"

requesting that Permit No. C-27809 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-27809, heretofore issued to \_\_\_\_\_

George F. Burnham, dba "Burnham's Auto Supply" \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective April 10, 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 21st day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
NORTHWEST SALES, INC., ROUTE 1, BOX )  
46, GOLDEN, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-27799

-----  
May 21, 1954  
-----

STATEMENT

By the Commission:

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

\_\_\_\_\_  
Northwest Sales, Inc.

requesting that Permit No. C-27799 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-27799, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Northwest Sales, Inc. be,

and the same is hereby, declared cancelled effective April 9, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hines  
Ralph C. Henson  
Ralph C. Henson  
Commissioners

Dated at Denver, Colorado,

this 21st day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ROMA F. MASON, 600 E. 8TH STREET, )  
COZAD, NEBRASKA. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-27788

-----  
May 21, 1954  
-----

STATEMENT

By the Commission:

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

\_\_\_\_\_  
Roma F. Mason

requesting that Permit No. C-27788 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-27788, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Roma F. Mason

be,

and the same is hereby, declared cancelled effective May 7, 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 21st day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
CLYDE L. HOPPER, ROUTE 1, EVERGREEN, )  
COLORADO. )  
 )  
 )  
----- )

PERMIT NO. C-26705

-----  
May 21, 1954  
-----

STATEMENT

By the Commission:

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

\_\_\_\_\_  
Clyde L. Hopper

requesting that Permit No. C-26705 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-26705, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Clyde L. Hopper be,

and the same is hereby, declared cancelled effective April 26, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 21st day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ROBERT H. BROWNE, 2413 10TH AVENUE )  
CT., GREELEY, COLORADO. )

PERMIT NO. C-24688

May 21, 1954

## STATEMENT

By the Commission:

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

Robert H. Browne

requesting that Permit No. C-24688 be cancelled.

## FINDINGS

## THE COMMISSION FINDS:

That the request should be granted.

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-24688, heretofore issued to

Robert H. Browne

be,

and the same is hereby, declared cancelled effective March 12, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 21st day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
E. R. ZEIGEL, OLATHE, COLORADO, FOR  
A CERTIFICATE OF PUBLIC CONVENIENCE  
AND NECESSITY TO CONSTRUCT AND OPER-  
ATE A NATURAL GAS LINE FROM GAS  
FIELDS IN THE COUNTY OF RIO BLANCO,  
COLORADO, TO THE UNINCORPORATED TOWN  
OF RANGELY, IN SAID COUNTY.  
-----

APPLICATION NO. 7788

IN THE MATTER OF THE APPLICATION OF  
PAUL L. MAXWELL, BOX 110, LIBERAL,  
KANSAS, FOR A CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY AUTHORIZING  
THE CONSTRUCTION AND OPERATION IN THE  
UNINCORPORATED TOWN OF RANGELY, COLO-  
RADO, AND VICINITY THEREOF, OF A PIPE  
LINE AND DISTRIBUTION SYSTEM FOR THE  
TRANSMISSION, SALE, AND DISTRIBUTION  
OF NATURAL GAS.  
-----

APPLICATION NO. 7789

-----  
May 18, 1954  
-----

Appearances: Bryant and Petrie, Esqs.,  
Montrose, Colorado, for  
E. R. Zeigel;  
Worth Allen, Esq., Denver,  
Colorado, for Paul L.  
Maxwell.

S T A T E M E N T

By the Commission:

Application No. 7788 was filed with the Commission on  
December 4, 1945, and Application No. 7789 was filed on July 30, 1946.

Said matters were set for hearing March 12, 1947, at the Court  
House, Craig, Colorado, which setting was vacated by the Commission, upon  
request of attorneys for applicant in Application No. 7788, on February 27,  
1947.

Inasmuch as applicants herein apparently do not desire to  
prosecute their application,

F I N D I N G S

THE COMMISSION FINDS:

That said matters should be dismissed.

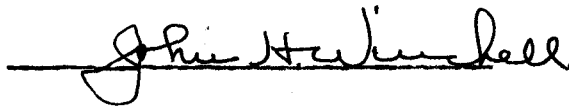
O R D E R

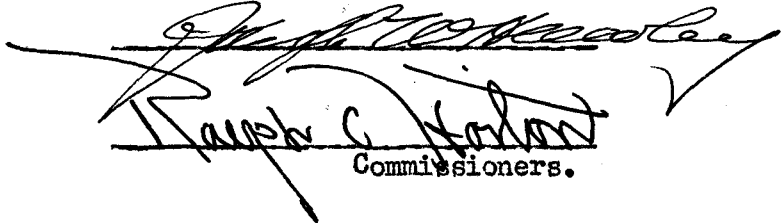
THE COMMISSION ORDERS:

That the above-styled applications should be, and they hereby are, dismissed for lack of prosecution.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of May, 1954.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THE COLORADO RURAL GAS COMPANY, A )  
CORPORATION, GREELEY, COLORADO, FOR )  
A CERTIFICATE OF PUBLIC CONVENIENCE ) APPLICATION NO. 8524  
AND NECESSITY TO OPERATE THE BUSI- )  
NESS OF DISTRIBUTION OF PROPANE GAS )  
AND OTHER PETROLEUM PRODUCTS. )  
----- )

-----  
May 18, 1954  
-----

Appearances: Clay R. Apple, Esq.,  
Greeley, Colorado,  
for applicant.

S T A T E M E N T

By the Commission:

The above-styled application was filed with this Commission on May 23, 1947, and thereafter was set for hearing June 25, 1947, at the Court House, Greeley, Colorado, which hearing was vacated, on June 23, 1947, upon request of Attorney for Applicant.

At that time, said Attorney for Applicant requested that said matter not be re-set for hearing until so requested by him.

Inasmuch as no request for hearing of said application has been filed with the Commission to date,

F I N D I N G S

THE COMMISSION FINDS:

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

O R D E R

THE COMMISSION ORDERS:

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Hall*  
*John H. Hall*  
*John H. Hall*  
*John H. Hall*  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of May, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FLOYD SCHNEIDER, 1026 23RD STREET, )  
GREELEY, COLORADO, FOR AUTHORITY TO )  
TRANSFER PERMIT NO. B-3908 TO WALTER ) APPLICATION NO. 12895-PP-Transfer  
STORZ AND BERTHA J. STORZ, AS JOINT )  
TENANTS, 1534 9TH STREET, GREELEY, )  
COLORADO. )  
----- )

-----  
May 18, 1954  
-----

S T A T E M E N T

By the Commission:

By Decision No. 31072, of date August 25, 1948, Floyd Schneider, Greeley, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

merchandise between the stores and warehouses of Montgomery Ward and Company within the City of Greeley, Colorado, and between said stores and warehouses, on the one hand, and, on the other, points and places within a radius of twenty-five miles of Greeley, Colorado,

said operating rights being designated "Permit No. B-3908."

By Decision No. 31713, of date December 17, 1948, said permit-holder was authorized to extend operations under Permit No. B-3908 to include the right to transport:

merchandise for Montgomery Ward and Company, only, between their stores and warehouses in Greeley, Colorado, and points within a radius of fifty miles of Greeley, Colorado, with return of new and used merchandise to stores and warehouses in Greeley, Colorado.

By the instant application, Floyd Schneider, Greeley, Colorado, seeks authority to transfer Permit No. B-3908 to Walter Storz and Bertha J. Storz, as joint tenants, Greeley, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferees; that transferees, pecuniarily and otherwise, are 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 the 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 Floyd Schneider, Greeley, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-3908 — being the operating rights granted by Decisions Nos. 31672 and 31713 — to Walter Storz and Bertha J. Storz, as joint tenants, Greeley, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

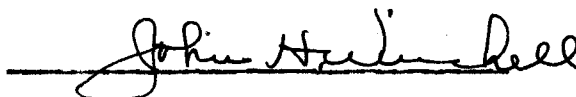
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this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

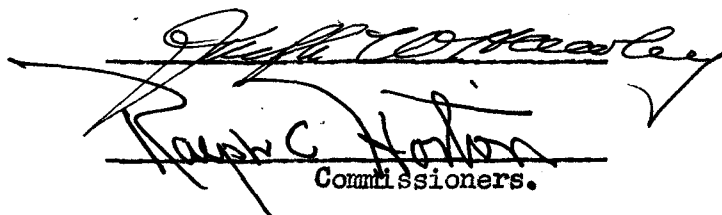
The right of transferees to operate under this order shall depend upon their compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering his operations under said permit up to the time of transfer of said permit, and the payment by him or transferees of all unpaid ton-mile tax.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_

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

Dated at Denver, Colorado,  
this 18th day of May, 1954.

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF  
JAMES F. BRADLEY, BELLVUE, COLO-  
RADO.

PERMIT NO. C-30239  
CASE NO. 68886-INS.

May 18, 1954.

S T A T E M E N T

By the Commission:

On April 9, 1954, in Case No. 68886-Ins., the Commission entered its order, cancelling Permit No. C-30239 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made by Respondent.

F I N D I N G S

THE COMMISSION FINDS:

That Permit No. C-30239 should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-30239 should be, and the same hereby is, reinstated, as of April 9, 1954, revocation order entered by the Commission on that date in Case No. 68886-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Kuchell*

*Ralph C. Norton*  
Commissioners

Dated at Denver, Colorado,  
this 18th day of May, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THE DENVER AND RIO GRANDE WESTERN )  
RAILROAD COMPANY, DENVER, COLORADO, )  
FOR AUTHORITY TO DISCONTINUE OPERA- )  
TION, AND REMOVAL, OF 8415 FEET OF )  
TRACK NEAR FLORENCE, FREMONT COUNTY, )  
COLORADO. )  
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APPLICATION NO. 8868

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May 18, 1954.  
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Appearances: T. A. White, Esq., Denver,  
Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above-styled application was filed with the Commission on October 29, 1947, said application being a notice to the Commission of applicant's intention, under General Order No. 15, to discontinue operation of and to remove a certain spur track extending from a point on its main line track, near Florence, Colorado, to the Griffith Mine, on December 1, 1947.

Notice of applicant's intention to remove said track was regularly served upon Griffiths Coal Mining Company, and on November 28, 1947, the Commission received a statement from said Company to the effect that it had no objection to removal of said spur track.

Inasmuch as there were no objections to said application filed with the Commission, applicant proceeded to remove said spur track, under authority contained in the Commission's General Order No. 15, then in effect.

It now appears that said matter should be closed on the records of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled application should be closed on the docket of the Commission.

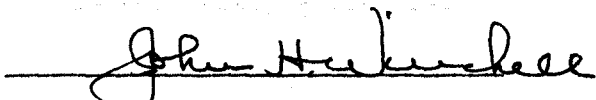
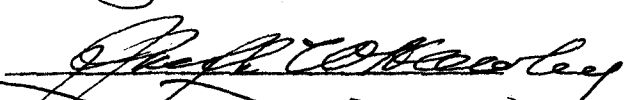
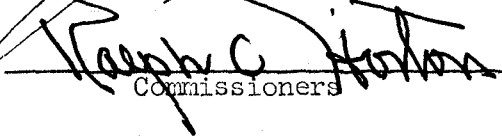
O R D E R

THE COMMISSION ORDERS:

That the above-styled application should be, and the same hereby is, declared 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 18th day of May, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ROBERT C. JONES, 6900 WEST 14TH )  
AVENUE, LAKEWOOD, COLORADO, FOR A ) APPLICATION NO. 12870-PP  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE FOR )  
HIRE. )  
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May 18, 1954  
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Appearances: Robert C. Jones, Lakewood,  
Colorado, pro se;  
Harold Swena, Golden, Colo-  
rado, for Swena Transfer  
and Express.

S T A T E M E N T

By the Commission:

By the instant application, as amended at the hearing, Robert C. Jones, 6900 West 14th Avenue, Lakewood, Colorado, seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of dry cement in bags from La Porte, Colorado, to Lakewood Mix Concrete Company, 6100 West 11th Avenue, Lakewood, Colorado, and to Wm. E. Russell Coal Company, 318 Walnut Street, Denver, Colorado.

The matter was set for hearing and heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, May 12, 1954, at ten o'clock A. M., and there taken under advisement.

Applicant, testifying in his own behalf, stated that he owns a 1948 Chevrolet tandem truck with 19 foot stake body, and his net worth is \$2,000.00. He has had 15 years experience in hauling gravel and building materials. He has been leasing his truck to the Wm. E. Russell Coal Company, said Company owning PUC-1930, and has been driving the truck for said Company for the past one and one-half months. Said Company is a retailer of building materials, sand, gravel, coal and cement and delivers part of its merchandise by its own trucks, but will hire applicant to



transport the cement from the factory at La Porte, if the instant application is granted. The cement will be transported from La Porte either to Lakewood Mix Concrete Company or to said Wm. E. Russell Coal Company, and applicant will continue to make deliveries for the coal company to its customers under the authority of said Company, and will do the driving himself.

With the understanding that service is to be limited to the two customers named in the application, Mr. Swena withdrew his protest.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the instant application should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That Robert C. Jones, Lakewood, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of dry cement in bags from La Porte, Colorado, to Lakewood Mix Concrete Company, 6100 West 11th Avenue, Lakewood, Colorado, and to Wm. E. Russell Coal Company, 318 Walnut Street, Denver, Colorado, only, with no additional customers being added without the approval of the Commission.

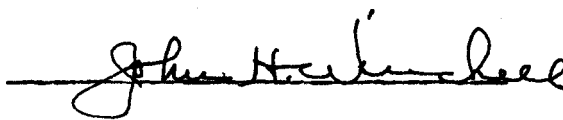
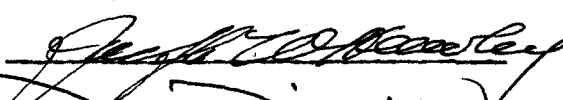
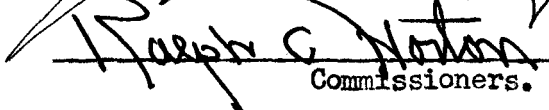
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
STROUD WHISENHUNT, CASTLE ROCK, )  
COLORADO, FOR AN EXTENSION OF PER- ) APPLICATION NO. 12871-PP-Extension  
MIT NUMBER B-4610. )  
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May 18, 1954  
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Appearances: Stroud Whisenhunt, Castle  
Rock, Colorado, pro se;  
Harold Swena, Golden, Colo-  
rado, for Swena Transfer  
and Express.

S T A T E M E N T

By the Commission:

By the instant application, Stroud Whisenhunt, Castle Rock, Colo-  
rado, requests an extension of his present authority under private permit  
No. B-4610, to include the transportation of clay between points within a  
radius of 35 miles of Denver to plants of Denver Sewer Pipe and Clay Com-  
pany, only, within said area.

Said application, pursuant to prior setting, after appropriate  
notice to all parties in interest, was heard at the Hearing Room of the  
Commission, 330 State Office Building, Denver, Colorado, May 12, 1954, at  
ten o'clock A. M., and, at the conclusion of the evidence, the matter was  
taken under advisement.

Applicant, testifying in his own behalf, stated that said Denver  
Sewer Pipe and Clay Company has two plants, one at 45th and Fox Street,  
Denver, and a new plant at Golden. He has been hauling bulk clay to the  
Denver plant for the past one and one-half years and has been hauling clay  
to the new plant at Golden since he was granted temporary authority to do  
so on April 15, 1954. He owns two 1954 International RF 190 trucks and

one 1951 Chevrolet truck, both with dump bodies, and his net worth is between \$20,000.00 and \$25,000.00.

The purpose of his application is to give him authority to deliver clay to the Golden plant, as well as to the Denver plant of the Denver Sewer Pipe and Clay Company from the pits that he is now hauling from, as well as any new pits that may be opened within a radius of 35 miles of Denver. At present, the origin of these shipments or pits are within a radius of 25 miles of Castle Rock, but other pits may be opened in the new area applied for.

Arthur Grigg, Superintendent of Denver Sewer Pipe and Clay Company, testified in support of the application. He stated that his Company had recently acquired the new plant at Golden and desired the same service from the same points of supply as they have enjoyed in connection with their Denver plant. Applicant has been hauling clay for his Company for the past one and one-half years in a satisfactory manner.

Mr. Swena then stated that he would withdraw any protest to the application provided the authority is limited, as set forth in the application.

### F I N D I N G S

#### THE COMMISSION FINDS:

That authority sought should be granted.

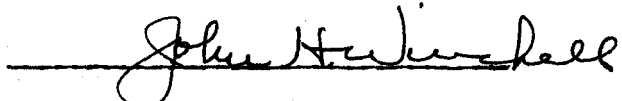

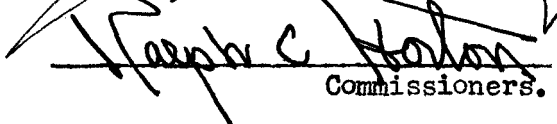
### O R D E R

#### THE COMMISSION ORDERS:

That Stroud Whisenhunt, Castle Rock, Colorado, should be, and he is hereby, authorized to extend operations under Permit No. B-4610, to include the transportation of clay between points within a radius of 35 miles of Denver to plants of Denver Sewer Pipe and Clay Company, only, within said area.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
KANSAS-COLORADO UTILITIES, INC., )  
LAMAR, COLORADO, FOR AN ORDER TO )  
DETERMINE FAIR RATE OF RETURN UPON )  
ITS INVESTMENT IN NATURAL GAS )  
PROPERTIES IN THE STATE OF COLORADO, )  
AND FOR APPROVAL OF A SCHEDULE OF )  
RATES IN CONFORMITY THEREWITH. )  
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INVESTIGATION AND SUSPENSION  
DOCKET NO. 365

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May 19, 1954.  
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Appearances: Gordon Allott, Esq., Lamar,  
Colorado, and  
Harold Bolton, Esq., Abilene,  
Kansas, for Kansas-  
Colorado Utilities, Inc.;  
Arthur C. Gordon, Esq., Lamar,  
Colorado, for Saunders  
Mills, Inc., Rehner Mill-  
ing Company, The Keesee  
Alfalfa Milling Co., Inc.,  
The Arkansas Valley  
Alfalfa Milling Co.,  
Model Laundry;  
Ramon Colvert, Esq., Denver,  
Colorado, for National  
Alfalfa Dehydrating and  
Milling Company;  
W. George Denny, Jr., Denver,  
Colorado, and  
Joseph M. McNulty, Denver,  
Colorado, for the Commission.

S T A T E M E N T

By the Commission:

On February 23, 1954, Reece E. McGee, President of Kansas-  
Colorado Utilities, Inc., filed an application with this Commission,  
petitioning for an Order to authorize the Company to adjust its present  
existing natural gas rates to yield additional gas revenues in the  
amount of \$70,411.65, and, at the same time, the Company submitted a  
rate schedule, proposing to increase certain rates to bring in the

additional revenue requested.

Under the rates as submitted by the Company, it is proposed to increase rate Schedule "A", Residential and Commercial, by increasing the minimum charge for gas thereunder from \$1.50 per month to \$2.00 per month. No other change is proposed in this rate.

The Company proposed to increase Rate Schedule "B", Optional Commercial Service, from a flat 25¢ per MCF to 35¢ per MCF for the first 100,000 cubic feet, and 30¢ per MCF for all gas over 100,000 cubic feet.

The present Rate Schedule "C", Special Gas Service, that applies to hospitals, churches, schools, colleges, and government buildings, would be increased from a flat 25¢ per MCF to 35¢ per MCF for the first 100,000 cubic feet, and 30¢ per MCF for all over 100,000 cubic feet.

Rate Schedule "D", Special Irrigation Service, would be increased from 23¢ per MCF to 27¢ per MCF, with the minimum charge changing from \$1.50 to \$2.00.

Rate Schedule "E", Special Industrial Gas, would be cancelled.

Rate Schedule "F", Special Alfalfa Dehydrating Service, would change from 23¢ per MCF to 27¢ per MCF.

No increase in Rate Schedule "G" was proposed at this time. Rate Schedule "G" is for gas service to municipally-owned electric generating plants for boiler fuel.

Applicant proposed to place its new rates in effect on April 1, 1954, and in accordance with the Commission's Rule No. 17 of the "Rules of Practice and Procedure," the Company notified all of its customers that would be affected by the proposed change.

Upon notice by the Company of the increase, several customers protested in writing to the Commission, objecting to the increase. In view of the protests, the Commission suspended the proposed rate schedule for a period of one hundred and twenty (120) days, or from April 1, 1954, until July 30, 1954, unless otherwise ordered.

The Commission, at the same time, ordered an investigation into the matter of the increase, and set the matter for hearing at Lamar, Colo-



redo, on March 30, 1954, at ten o'clock A. M.

The original filing by the applicant was designated on the Commission's Docket as "Application No. 12797," and the Commission transferred said matter to "Investigation and Suspension Docket No. 365" when it suspended the rates and ordered the investigation.

The matter was duly heard at Lamar, Colorado, all in accordance with the notice of hearing, and the hearing lasted three days. A total of twenty-three exhibits were introduced and testified to in the record. One late-filed report was made by the Reyher Milling Company, in accordance with an agreement at the hearing. Counsel for the National Alfalfa Milling Company was granted permission to file a written statement within ten days of the close of the hearing, if he so desired, and the Company was granted fifteen days within which to reply if said statement were to be filed. Counsel for the National Alfalfa Milling Company has replied in writing to the Commission that he did not desire to file a written statement.

In the opening statement for applicant at the hearing, counsel for applicant asked permission of the Commission to amend certain figures in the application, as filed, the application to reflect certain adjustments that the Company wished to make subsequent to said filing. The Commission deferred ruling at the hearing on the amendment, but now makes the ruling that applicant be permitted to amend its application, as requested.

The gist of the amendment was to the effect that applicant should be entitled to \$45,303.90 in additional gross revenue, to yield a rate of return of 5.65% on its rate base, rather than the additional \$70,411.65 in gross income originally requested, that would have yielded a return of 6.25% on the rate base.

Applicant is a corporation, duly organized and existing under the laws of the State of Kansas, with authority to do business in the State of Colorado, with its principal office in Lamar, Colorado.

Applicant is a public utility, as defined by the Public Utilities



Act, and is engaged in the business of producing, transmitting, and distributing natural gas to various cities, towns, and communities located in Stevens, Grant, Hamilton, and Stanton Counties in Kansas, and in Baca, Prowers, and Bent Counties, in the State of Colorado.

Applicant obtains its gas from various gas wells in the Hugoton Field in the State of Kansas. The Company transmits the gas obtained from said field for distribution in communities in Kansas and Colorado. A sketch map of applicant's transmission system was introduced at the hearing as "Exhibit No. 14," and said map, by reference, is made a part hereof.

Applicant herein keeps its books on an original cost basis, and these costs have been checked and verified by the staff of the Commission, as testified to at the hearing. There were no objections raised at the hearing to the original cost as shown by the Company books, and these costs were used as the basis in calculating the rate base by both the applicant and the staff of the Commission, using as a test period the calendar Year of 1953.

The cost of two of the Company-owned wells, the McClure and the Schowalter, were eliminated from the rate base, since the gas produced from these wells is sold at the well-head, and does not enter into applicant's transmission or distribution system. The related income and expense of the gas produced and sold from these wells was also excluded from consideration herein. Also eliminated from the rate base calculation was the account 100-5 Utility Plant Acquisition Adjustments, and its related reserve. The Amortization Expense for this account was allowed, however, as an operating expense.

The rate base as proposed by the Company contained the following items for the test period: Gas Plant in Service, Construction Work in Progress, Other Physical Property, Materials and Supplies, and Working Capital. From the above items, the allocated reserve for depreciation, depletion, and amortization were subtracted to give a net original cost rate base. The rate base as proposed by the staff contained the same elements with the exception of Working Capital. The net original cost

rate base, together with the actual rate of return thereon for the test Year of 1953, was first determined for the total Company, and the rate base and rate of return were then apportioned between Kansas and Colorado. The Colorado portion of the rate base and the related return were further apportioned to the various classes of service in Colorado.

Applicant's Exhibit No. 2 sets forth the rate base for the total Company and the proration of the rate base between Kansas and Colorado, together with the allocation factors for the apportionment. Staff Exhibit No. 17 also sets forth the rate base and its apportionment between the states, together with a basis of allocation as determined by the staff. In comparing these two exhibits, it will be noted that the only difference in the rate base for the total Company, is the item of Working Capital, in the amount of \$80,000, which the Company claims it needs to carry on its business. The staff did not include Working Capital in its rate base calculation, and offered testimony in support of the reason why it had not done so. In reviewing the testimony of both the applicant and the staff in regard to Working Capital, we feel that the Company has adequate Working Capital to carry on its business by the use of tax accruals, as shown by Staff Exhibit No. 19. In the apportioning of Working Capital to Colorado, applicant shows an amount of \$64,600 as being required, while the Colorado portion of accrued taxes, as shown by Exhibit No. 19, amounts to more than \$75,000, even with the item of ad valorem taxes eliminated from said exhibit. The tax accruals are sufficient, in our opinion, to adequately supply applicant with the necessary working funds. The rebuttal witness for applicant did not think it fair that tax accruals should be used in lieu of a specific amount for Working Capital. The witness thought it a rather novel idea that the staff would suggest such an approach. This is not a novel approach, either with this Commission or other regulatory bodies, and in this particular instance, we feel that the staff is correct in not including this item in the rate base, and we will, accordingly, eliminate this item from the rate base herein.

In apportioning the rate base between the two states of Kansas and Colorado, the applicant and the staff have used various allocation factors, and we shall comment on certain of these factors later.

In Comparing Exhibit No. 2 with Staff Exhibit No. 17, we find that the net rate base, as shown by the Company for Colorado, is \$1,276,732.29, while the staff shows \$1,118,305.21, a difference of \$158,427.08. One of the largest items of difference is in the allocation of Transmission Plant between the states. In apportioning the transmission plant, applicant stated the actual physical property in each state was first determined, and then a factor was used to allocate that portion of the Kansas Plant that was used for service in Colorado. The allocation factor was based on the amount of gas transmitted for each state in allocating the Kansas portion of the property to Colorado. As a result of this allocation, applicant determined that of the \$1,265,615.92 of total transmission plant, \$1,083,095.20 was used for service to Colorado customers. The staff allocation considered the transmission system as one unit, and allocated the total amount between the states on the basis of gas transmitted to each state. As a result of its allocation, the staff determined that only \$961,868.10 was used for service in Colorado. Since this particular item represents the biggest single difference in the allocation between the Company and the staff, we have given it considerable study.

We believe that the position the Company has taken in regard to this particular item is well founded, and while there may be instances where the staff allocation is fair in the allocation of transmission plant, we feel, in view of the testimony in this case, that the allocation by the Company is not unreasonable. We will, accordingly, adjust the staff exhibit to conform in this particular item with that of Exhibit No. 2. There are other items that we feel should be adjusted in apportioning the property between the states and set out below is a tabulation showing Staff Exhibit No. 17 before and after Commission adjustments. Unless otherwise stated, we have used the same basis of allocation in adjusting the exhibits



herein as was used by the staff.

	Staff Exhibit No. 17	Commission Adjustments	Staff Exhibit No. 17, as Adjusted
Organization	\$ 3,283.61	\$ -	\$ 3,283.61
Franchise and Consents	11,047.34	-	11,047.34
Production Plant	133,429.01	-	133,429.01
Transmission Plant	961,868.10	121,227.10 (1)	1,083,095.20
Distribution Plant	439,557.80	-	439,557.80
General Plant	107,710.78	-	107,710.78
Construction Work in Progress	3,197.56	246.63 (2)	3,444.19
Other Physical Property	9,931.92	9,131.43 (3)	19,063.35
Materials and Supplies	101,941.15	7,862.85 (4)	109,804.00
Working Capital	-	-	-
Gross Plant Rate Base	\$1,771,967.27	\$138,468.01	\$1,910,435.28
<u>Deductions:</u>			
Depreciation Reserve	\$ 632,206.00	\$ 50,807.17 (5)	\$ 683,013.17
Depreciation Reserve Other Property	1,803.09	1,622.78 (6)	3,425.87
Depletion Reserve	9,522.45	-	9,522.45
Amortization Franchise and Consents	10,130.52	-	10,130.52
Total Deductions	\$ 653,662.06	\$ 52,429.95	\$ 706,092.01
Net Rate Base	\$1,118,305.21	\$ 86,038.06	\$1,204,343.27

Since we have already adjusted the Transmission Plant, shown as "Item No. (1)" in the above tabulation, in accordance with Exhibit No. 2, it necessarily follows that on the basis of staff allocation, the Construction Work in Progress should be re-adjusted, since it was based on total plant in each state. This has been adjusted, as shown in Item No. (2), in the amount of \$246.63.

In view of the testimony at the hearing, we have adjusted Other Physical Property, Item No. (3), in the amount of \$9,131.43, to reflect the portion of Other Physical Property held for use in Colorado. We have accordingly changed the basis of pro ration from "actual" to the factor of "Gas Transported" to more nearly reflect the Colorado portion. Materials and Supplies, Item No. (4), was adjusted since the staff allocation factor was on the basis of total plant, and would be necessarily adjusted because of our change of total plant to Colorado. This item has been adjusted in the amount of \$7,862.85. Since we have adjusted the item of "Transmission Plant," it is also necessary to adjust the Reserve for Depreciation, as

this allocation is based on property in each state. Accordingly, we have adjusted Item (5) in the amount of \$50,807.17, being the pro rata share of the Reserve for Depreciation for transmission plant as allocated to Colorado. The change in Other Physical Property, necessitated the change in the corresponding reserve (Item No. 6), in the amount of \$1,622.78, as this account was also on the basis of property in each state.

It will be noted that with the items adjusted as set forth above, we have increased the Colorado Rate Base to \$1,204,343.27. Comparing this with the rate base as set forth in Exhibit No. 2, for Colorado, of \$1,276,732.29, there is a difference between the two exhibits of \$72,389.02. If we subtract the \$64,600 that the Company has included for Working Capital, there would be a difference between these Exhibits of only \$7,789.02.

Company Exhibit No. 5, and Staff Exhibit No. 18 set forth the income and expenses for the total Company, and the respective pro rations to the two states. Before making comparisons between these two exhibits, it will be necessary to adjust Staff Exhibit No. 18, since some of the allocation factors used by the staff were dependent upon property allocations in Exhibit No. 17 which we have adjusted.

Set out below is a tabulation showing Staff Exhibit No. 18 before and after our adjustments:

	<u>Staff Exhibit No. 18</u>	<u>Commission Adjustments</u>	<u>Staff Exhibit No.18, as Adjusted</u>
<u>Revenues:</u>			
Gas Operating Revenues	\$606,218.31		\$606,218.31
Other Revenue	<u>1,928.83</u>		<u>1,928.83</u>
Total Revenues	\$608,147.14		\$608.147.14

	Staff Exhibit No. 18	Commission Adjustments	Staff Exhibit No. 18, as Adjusted
<u>Total Operating Deductions</u>			
Production Expense	\$179,945.40		\$179,945.40
Transmission Expense	36,190.39		36,190.39
Distribution Expense	31,757.42		31,757.42
Customers Acct. and Coll.	12,583.18		12,583.18
Sales Prom. Expense	1,434.98		1,434.98
Adm. and General	69,136.85		69,136.85
Depreciation Expense	69,455.81	\$ 5,272.71 (1)	74,728.52
Depleting Expense	863.44		863.44
Amort. of Franchises and Consents	560.76		560.76
Amort. Gas Plant Acq. Adj.	11,140.76	859.31 (2)	12,000.07
Misc. Income Deduct.	420.00		420.00
Depreciation Other Phy. Property	481.39	319.73 (3)	801.12
Other Taxes	28,025.25	11,516.05 (4)	39,541.30
Total Operating Deductions before Income Tax	<u>\$441,995.63</u>	<u>\$ 17,967.80</u>	<u>\$459,963.43</u>
Net Income before Income Taxes	<u>\$166,151.51</u>	<u>\$ 17,967.80</u>	<u>\$148,183.71</u>
<u>Income Tax</u>			
Federal	\$ 73,133.05	\$ 8,049.95 (5)	\$ 65,083.10
State	<u>2,416.00</u>		<u>2,416.00</u>
Total Income Taxes	<u>\$ 75,549.05</u>	<u>\$ 8,049.95</u>	<u>\$ 67,499.10</u>
Net Income	<u>\$ 90,602.46</u>	<u>\$ (9,917.85)</u>	<u>\$ 80,684.61</u>

Item No. (1) in the above tabulation was adjusted to reflect the change in the Depreciation Expense because of the re-allocation of Transmission Plant in Exhibit No. 17. The allocation factor was based on property assigned to each state, and hence had to be adjusted in view of our prior change in Transmission Plant. Item No. (2), Amortization Gas Plant Acquisition Adjustment was also based on property in each state, so it was changed when we changed the total property allocated to each state.

Item No. (3), Depreciation Expense of Other Physical Property was also changed to reflect the change in allocation from Exhibit No. 17.

Item No. (4), Other Taxes, was changed because of the change in allocation factor based on property in each state. Since Other Taxes are for the most part ad valorem taxes, we believe the factor of "total plant each state," is proper to use, and this item has been adjusted accordingly.

Item No. (5) was allocated on the basis of Taxable Income, and since we have reduced the Taxable Income as a result of our adjustments,



the Federal Income Tax was adjusted on that basis. No adjustment was made in State Income Taxes, since this item is shown as actual for the Year 1953, and no pro ration was necessary.

As a result of the above adjustments, the total net income for Colorado, as adjusted, is shown as \$80,684.61. In the comparison with Company Exhibit No. 5, the corresponding figure shown therein amounts to \$79,607.43, or a difference of \$1,077.18 after correcting Company Exhibit No. 5 for an error in the amount of \$3,750.90, excess Transmission Expense. This correction on Company Exhibit No. 5 was made as a result of applicant's testimony at the hearing, wherein it was found that the item of "Transmission Expense" has been incorrectly stated on said exhibit.

After having made allocations to the State of Colorado for property, income, and expenses, the Company and the staff witness then allocated these items to the various classes of service in Colorado.

It might be well to state at this point that while we feel the two Company witnesses and the staff witness have endeavored to allocate these items as fairly as possible, we realize that when the item in question is a matter of judgment, there necessarily is a difference between witnesses. We do not believe that rate-making can be reduced to a set formula that can be applied by the mere substitution of figures to arrive at a result. At the hearing we noted that the two Company witnesses did not agree with each other in the matter of allocation, and these two witnesses, in turn, did not agree entirely with the staff witness in the matter of allocation. The Commission, since it cannot rely wholly upon mathematical formulae, must necessarily rely upon its judgment, based on all the testimony at the hearing, having in mind the results to be achieved.

Set out below is a tabulation based on Staff Exhibits Nos. 17 and 20, as adjusted by the Commission.

# ALLOCATION OF PLANT TO CLASSES OF SERVICE

Staff Exhibits Nos. 17 and 20, as Adjusted by the Commission

	Total Colo. as Adjusted by Commission	Rate A	Rate B	Rate C	Rate D and F	Rate G
Organization	\$ 3,283.61	\$ 3,174.59	\$ 12.48	\$ 85.37	\$ 9.52	\$ 1.65
Franchise and Consents	11,047.34	10,715.92	43.08	288.34	-	-
Production Plant	133,429.01	46,459.98	3,699.30	6,818.22	35,598.86	40,882.65
Transmission Plant	1,083,095.20	377,133.75	29,785.12	55,346.16	288,969.80	331,860.37
Distribution Plant	439,557.80	437,711.66	87.91	1,758.23	-	-
General Plant	107,710.78	106,989.12	32.32	430.84	215.42	43.08
Other Physical Prop.	19,063.35	6,637.86	524.24	974.14	5,086.10	5,841.01
Total Plant	\$1,797,187.09	\$ 988,822.88	\$34,154.45	\$65,701.30	\$329,879.70	\$378,628.76
Materials & Supplies	\$ 109,804.00	\$ 60,414.16	\$ 2,086.28	\$ 4,018.83	\$ 20,149.03	\$ 23,135.70
Const. Work in Progress	3,444.19	1,199.27	94.71	176.00	918.91	1,055.30
Gross Rate Base	\$1,910,435.28	\$1,050,436.31	\$36,335.44	\$69,896.13	\$350,947.64	\$402,819.76
<u>Deductions</u>						
Depreciation Reserve						
Production Plant	\$ 18,883.14	\$ 6,575.11	\$ 519.29	\$ 964.93	\$ 5,038.02	\$ 5,785.79
Depreciation Reserve						
Transmission	453,870.30	158,037.64	12,481.43	23,192.77	121,092.60	139,065.86
Depreciation Distribu-						
tion	180,646.41	179,887.70	36.13	722.58	-	-
Depreciation General	29,613.32	29,414.91	8.88	118.45	59.23	11.85
Total Depreciation						
Reserve Plant	\$ 683,013.17	\$ 373,915.36	\$13,045.73	\$24,998.73	\$126,189.85	\$144,863.50
Depreciation Reserve						
Other Physical						
Property	\$ 3,425.87	\$ 1,192.89	\$ 94.21	\$ 175.06	\$ 914.02	\$ 1,049.69
Depletion Reserve	9,522.45	3,315.72	261.87	486.60	2,540.59	2,917.67
Amortization Fran. &						
Consents	10,130.52	10,087.97	2.03	40.52	-	-
Total Deductions	\$ 706,092.01	\$ 388,511.94	\$13,403.84	\$25,700.91	\$129,644.46	\$148,830.86
Rate Base	\$1,204,343.27	\$ 661,924.37	\$22,931.60	\$44,195.22	\$221,303.18	\$253,988.90
Adjustment by Commis-						
sion for Rate G	-	35,380.65	1,224.23	2,362.10	11,830.80	(50,797.78)
Rate Base, as Ad-						
justed	\$1,204,343.27	\$ 697,305.02	\$24,155.83	\$46,557.32	\$233,133.98	\$203,191.12

In allocating the rate base, we have used the same allocation factors as the staff with the adjustments in Exhibit No. 17, as heretofore mentioned. As to the allocation of the rate base between the classes of service, we have made one further adjustment in addition to the ones formerly enumerated that pertain to Exhibit No. 17.

It will be noted in the above tabulation that after arriving at the rate base as adjusted by the Commission in Exhibit No. 17, we have made an adjustment for Rate "G". This adjustment is based on the fact that



Rate "G" requires 100% stand-by equipment, and that it has the lowest priority of service of any gas furnished by the Company. For these reasons, we have reduced the rate base in the amount of \$50,797.78, and re-distributed this amount to the other rates, as set forth in the above tabulation, on the basis of the net rate base in the various classes of service. This adjustment does not change the total rate base for the State of Colorado as previously determined in Exhibit No. 17, but merely adjusts between the various classes of service for the reasons mentioned.

In setting forth the allocation of the income and expenses to classes of service in Colorado, we have based the additional income needed on the rate base as found in Exhibits Nos. 17 and 20, having in mind what we consider a fair rate of return for this particular Company.

Set out below is a tabulation showing the allocation of income and expenses to the various classes of service, together with additional revenue needed to allow this Company a fair rate of return:

ALLOCATION OF INCOME AND EXPENSES TO CLASSES OF SERVICE

Staff Exhibit No.21 -- Colorado Test Year as Adjusted by the Commission

<u>Income</u>	<u>Total Colorado</u>	<u>Rate A</u>	<u>Rate B</u>	<u>Rate C</u>	<u>Rates D and F</u>	<u>Rate G</u>
Gas Operating Revenues	\$606,218.31	\$360,509.24	\$12,529.11	\$23,969.30	\$106,273.66	\$102,937.00
Other Income	1,928.83	1,864.79	7.33	50.15	5.59	.97
Increase on Present Rates	14,899.40		23.14		5,838.46	9,037.80
Additional Income Needed	15,798.56				4,601.08	11,197.48
Total Gross Income	\$638,845.10	\$362,374.03	\$12,559.58	\$24,019.45	\$116,718.79	\$123,173.25
<u>Expenses</u>						
Production Expenses '53	\$179,945.40	\$ 62,656.99	\$ 4,948.50	\$ 9,195.21	\$ 48,009.43	\$ 55,135.27
Increased Cost of Gas (a)	48,873.52	17,017.76	1,344.02	2,497.44	13,039.46	14,974.84
Transmission Expense	36,190.39	12,601.49	995.24	1,849.33	9,655.60	11,088.73
Distribution Expense	31,757.42	31,624.04	6.35	127.03	-	-
Customer Acc. & Coll.	12,583.18	12,165.42	47.82	327.16	36.49	6.29
Sales Promotion	1,434.98	1,391.93	5.60	37.45	-	-
Adm. and Gen.	69,136.85	68,704.57	19.51	276.55	113.52	22.70
Depreciation Gas Plant	74,728.52	46,442.48	1,194.08	2,331.91	11,531.66	13,228.39
Depletion Expense	863.44	300.65	23.74	44.12	230.37	264.56
Amort. of Franchise	560.76	558.40	.12	2.24	-	-
Amort. of Acq. Adj.	12,000.07	6,602.45	228.00	439.20	2,202.01	2,528.41
Misc. Income Deduct.	420.00	417.19	.13	1.68	.84	.16
Depreciation Other Prop.	801.12	278.95	22.03	40.94	213.74	245.46
Other Taxes	39,541.30	21,755.62	751.28	1,447.21	7,255.83	8,331.36
Commission Adj. for Rate G		3,355.48	116.10	224.02	1,122.03	(4,817.63)
Total Expenses before Income Taxes	\$508,836.95	\$285,873.42	\$ 9,702.52	\$18,841.49	\$ 93,410.98	\$101,008.54
Taxable Income (b)	\$130,008.15	\$ 76,500.61	\$ 2,857.06	\$ 5,177.96	\$ 23,307.81	\$ 22,164.71
Less:						
Federal Income Tax	54,567.48	32,107.50	1,200.48	2,171.79	9,783.95	9,303.76
State Income Tax	2,161.09	1,271.59	47.54	86.01	387.48	368.47
Total Income Taxes	\$ 56,728.57	\$ 33,379.09	\$ 1,248.02	\$ 2,257.80	\$ 10,171.43	\$ 9,672.23
Net Income as Ad- justed by Commission	\$ 73,279.58	\$ 43,121.52	\$ 1,609.04	\$ 2,920.16	\$ 13,136.38	\$ 12,492.48
Rate of Return	6.08%	6.18%	6.66%	6.27%	5.63%	6.15%
Net Rate Base	\$1,204,343.27	\$697,305.02	\$24,155.83	\$46,557.32	\$233,133.98	\$203,191.12

Notes:

- (a) Increase cost of Gas for Colorado \$53,815.83, Less Credit of \$4,942.31 from Exhibit No. 7.
- (b) A pro-rata share of Bond Interest, Bond Expense, and interest on Colorado customer deposits in the amount of \$21,953.73 is deducted from taxable income before calculating Income Taxes.

The Company, in its Exhibit No. 12, has set forth what it believes to be a fair rate of return on its rate base, together with the allocation of

this rate of return to the various classes of service. This exhibit should be corrected for the item of "Transmission Expense," in the same amount as heretofore stated, as testified to at the hearing by applicant. According to Exhibit No. 12, applicant shows that it needs a net income of \$72,121.23 in order to earn a rate of return of 5.6%. The tabulation set out above shows that if the Company were to earn \$73,279.58, it would have a return of 6.08% on the rate base, as adjusted by the Commission, for Colorado. If Exhibit No. 12 is corrected for the error in Transmission Expense, applicant's net income would amount to approximately \$73,884.15, or a difference of \$604.57. In other words, there is no material difference between the amount we believe the Company is entitled to, as set forth in our tabulation above, and what the Company is requesting in Exhibit No. 12, as adjusted.

However, we differ from the Company considerably in the amount of additional gross revenue we feel it is entitled to, in order that it may earn a fair return. In the amendment to its application at the hearing, as requested by counsel, the Company felt that it should have \$45,303.90 additional gross income in order to arrive at what it considered a proper net income. We have determined, as set forth in our tabulation, that this Company only needs \$15,798.56 additional gross revenue in order to earn a net return of 6.08%, as shown. The major portion of this difference can be accounted for by comparing Exhibit No. 12 and our tabulation set out above, which is Staff Exhibit No. 21, as adjusted.

The Company, in Exhibit No. 12, has calculated the income tax as being \$81,585.61. Our calculation shows the total income tax as being \$56,728.57, which is a difference between the two exhibits of \$24,857.04. In calculating its income tax, the Company has taken taxable income and applied the going rates for State and Federal Taxes. The Company has given no consideration to that portion of the Bond Expense, Bond Interest, and Interest on Customers' Deposits in Colorado which we have set forth in the foot-note to the above tabulation, in the amount of \$21,953.73. In arriving at our taxable income, we have subtracted the total expenses before income tax from the gross revenue, and then applied, as an additional



expense before taxes, the item of Bond Interest, etc., set forth above. By taking this tax credit which is a legitimate Income Tax deduction for the Company, we have reduced the total income taxes in accordance with applicable tax laws and good accounting practices. It will be noted that the amount of the Bond Interest, etc. approximates the total difference between the amount the Company says it should be allowed to earn and the amount we find that is necessary. In failing to take this additional expense prior to the calculation of the Income Tax, the Company has over-stated the amount of additional income that would be necessary for it to earn a fair return. We have determined that portion of the Bond Interest, etc. that would be applicable to Colorado on the following basis:

Bond Interest	\$23,853.34 x 79.6%	= \$18,987.26
Bond Expense	\$ 1,120.92 x 79.6%	= 892.25
Interest on Customers'		
Deposits, Colorado		2,074.22
Total Bond Interest, etc.		<u>\$21,953.73</u>

The factor of 79.6% is arrived at by taking the portion of the total Colorado Plant to the total Company Plant, including the McClure and Showalter Wells. On the theory that the bond money was used for the construction of plant, we have used the ratio of plant in each state to total plant to determine the pro rata share to each state.

Under the allocation in our tabulation, showing additional income of \$15,798.56, to the classes of service, we find that Rates "D" and "F" should be increased \$4,601.08, and Rate "G" should be increased \$11,197.48. These are the only three rates that would be increased to enable this Company to earn a rate of return of 6.08% in Colorado. It will be seen that under the present rates, Rate "A" would be earning a return of 6.18%; Rate "B", a return of 6.66%; Rate "C" a return of 6.27%, and no additional revenue would be needed from these three rates at this time. To eliminate undue discrimination between classes of customers, Rates "D" and "F" should be increased so as to yield a return of 5.63%.

Applicant did not propose by its present application to change Rate "G". This rate is presently 20¢ per MCF, and is in the form of a

contract with the two present users. However, in all fairness to the other customers in the various classes of service, we feel that it would not be just to allow applicant to make up what we consider a deficit in earnings on Rate "G" by applying increased rates to other classes of service. We will not order herein that applicant increase its Rate "G" at the present time, since the renewal of these contracts will be forthcoming in the near future. However, if applicant does not intend to make any adjustment in Rate "G" either now or in the future, the deficit will have to be borne by applicant. If applicant were to increase Rate "G" to bring in the additional revenue shown on our tabulation, the present rate would have to be increased from 20¢ per MCF to 22¢ per MCF.

If no increase in Rate "G" is proposed by applicant, then the over-all rate of return for the Company in Colorado would amount to 5.64% after giving effect to the increase for Rates "D" and "F", as previously stated.

For convenience, we have shown in our tabulation the allocation of income and expenses on Rates "D" and "F" in the same column. Actually, these two rates have the same charge per MCF, the only difference being in the guaranteed monthly minimum. The present rate for "D" and "F" is 23¢ per MCF, and in order to obtain sufficient revenue to increase the gross earnings to the amount we believe is necessary, and as shown in the tabulation, a new rate of 24¢ per MCF will be necessary. It must be pointed out at this time that while the over-all rate of return for Colorado is 6.08%, the various rates of return range for the classes of service from a low of 5.63% to a high of 6.66%. We feel these rates of return are all within a reasonable range and no undue discrimination as between classes of customers would result therefrom.

In its Exhibit No. 12, the Company, in arriving at its rate of return for the various classes of service, shows the following variations:

Rate A	9.7%
Rate B	1.7%
Rate C	2.3%
Rate D	5.0%
Rate F	4.6%
Rate G	Loss of \$22.55
Total Colorado	5.6%

We believe that the results we have attained by our adjustments and the rates to be prescribed herein are fair and equitable, and that the over-all rate of return for the Company in Colorado which we have arrived at is fair and reasonable, and there is no unjust discrimination as between classes of service as a result of our adjustments.

From the testimony at the hearing, it developed that one of the reasons applicant amended its application to change the amount of gross revenue needed, was because applicant had failed to take into account the increase in revenue for the test year that it would receive as a result of a prior rate increase.

In Investigation and Suspension Docket No. 347 (Decision No. 40723, of date June 10, 1953), the Commission permitted applicant to increase certain of its rates and charges to bring in additional revenues. In making its calculation herein, applicant had failed to take into account the full results of this prior decision. Also at the hearing, it developed that applicant, in calculating the additional gross income under Rates "D" and "F", used a charge of 25¢ per MCF of gas, in lieu of the 27¢ per MCF the Company had proposed in its rate filing of February 23, 1954 that has been suspended by the instant proceedings. In other words, when the Company determined that there would be additional income to it as a result of the prior rate increase, it re-adjusted the proposed rate on Schedules "D" and "F" to reflect said prior increase. No other adjustments were proposed or testified to at the hearing other than those set forth in the rate schedules that are the subject of this investigation.

The Commission, as in all cases before it where there is a difference of opinion, faces a difficult, and in many instances, involved problem. It is always our endeavor to consider all of the relevant testimony, bearing in mind that the role of this Commission in these proceedings is not that of a court, or referee, passing objectively upon the conflicting claims of adversary parties, approaching its task with a high endeavor as to which shall prevail, but concerned only that the ultimate result is reached in accordance with the applicable principles and procedures. The



role of this Commission is that of an administrative body of specialized and limited powers, and although required at all times to act within the framework and limitations of the statute which created it, it must, nevertheless, have constantly before it as an ultimate and paramount objective, the interest of the customers of the Company as a whole, which, though not present in the Hearing Room, are essential parties to the proceedings. We believe the Commission must strive to be always conscious of its responsibility to those non-present but essential parties, because they can have no effective representation except through the Commission. Accordingly acting under the principles as enumerated above, we have reached our conclusions in this matter.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the Commission has jurisdiction of the Kansas-Colorado Utilities, Inc., and of the subject matter herein.

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

That the rates, as filed with the Commission by the Kansas-Colorado Utilities, Inc., on February 23, 1954, proposing to become effective April 1, 1954, are unjust, unreasonable, discriminatory, and should not be permitted to become effective, and should be permanently suspended.

That the following rates presently in effect, viz.:

Rate Schedule "A", General Gas Service, First Revised Sheet No. 3 of Colorado P.U.C. No. 1;

Rate Schedule "B", Optional Commercial Gas Service, Second Revised Sheet No. 4, Colorado P.U.C. No. 1; and

Rate Schedule "C", Special Gas Service, Second Revised Sheet No. 5, Colorado P.U.C. No. 1,

are just, reasonable, and non-discriminatory, and should remain in full force and effect.

That the Company should be permitted to cancel Rate Schedule "E", Special Industrial Gas Service, First Revised Sheet No. 9 of Colorado P.U.C. No. 1, since no customers are being served on said rate.

That the Company should be permitted to file a new rate schedule, designated as "Rate Schedule F," Special Alfalfa Dehydrating Service, as Fifth Revised Sheet No. 6 cancels Fourth Revised Sheet No. 6 of Colorado P.U.C. No. 1, to become effective as specified in the Order following, increasing the rate to 24¢ per 1,000 cubic feet, April 1 through November 30 of each year, with a minimum charge of \$4,000 for said dehydration season, April 1 through November 30 of each year.

That the Company should be permitted to file a new rate schedule "D", Special Irrigation Gas Service, being Fifth Revised Sheet No. 8 cancels Fourth Revised Sheet No. 8 of Colorado P.U.C. No. 1, increasing the price of gas to 24¢ per 1,000 cubic feet, with a minimum charge of \$2.00 per month.

That the fair and reasonable value of the Kansas-Colorado Utilities, Inc., consisting of property used and useful, including Material and Supplies and Construction Work in Progress, is found to be \$1,204,343.27, and the fair rate of return thereon is found to lie between 5.64% and 6.08%.

#### O R D E R

##### THE COMMISSION ORDERS:

That the rates filed with the Commission by the Kansas-Colorado Utilities, Inc., on February 23, 1954, proposing to become effective April 1, 1954, are unjust, unreasonable, discriminatory, and are hereby permanently suspended.

That the following rates presently in effect, viz.:

Rate Schedule "A", General Gas Service,  
First Revised Sheet No. 3 of Colorado  
P.U.C. No. 1;

Rate Schedule "B", Optional Commercial  
Gas Service Second Revised Sheet No. 4,  
Colorado P.U.C. No. 1;

Rate Schedule "C", Special Gas Service,  
Second Revised Sheet No. 5, Colorado  
P.U.C. No. 1,

are just, reasonable, and non-discriminatory, and are to remain in full force and effect until changed according to law.

That the Kansas-Colorado Utilities, Inc. be, and it hereby is,



authorized to cancel Rate Schedule "E", Special Industrial Gas Service, First Revised Sheet No. 9, of Colorado P.U.C. No. 1, by filing said cancellation with the Commission, in the manner prescribed, at least three (3) days prior to the effective date of this Order.

That Kansas-Colorado Utilities, Inc., be, and it hereby is, permitted to file a new rate schedule, designated as Rate Schedule "F", Special Alfalfa Dehydrating Service as Fifth Revised Sheet No. 6, cancels Fourth Revised Sheet No. 6, of Colorado P.U.C. No. 1, to become effective on the effective date of this Order, setting the rate for gas under said schedule at 24¢ per 1,000 cubic feet for the period April 1 through November 30 of each year, using a minimum charge of \$4,000 for said dehydration season, April 1 through November 30 of each year.

That the Company be, and it hereby is, permitted to file a new rate Schedule "D", Special Irrigation and Gas Service, being Fifth Revised Sheet No. 8, cancels Fourth Revised Sheet No. 8 of Colorado P.U.C. No. 1, setting the price of gas at 24¢ per 1,000 cubic feet, with a minimum charge of \$2.00 per month, to become effective on the effective date of this Order.

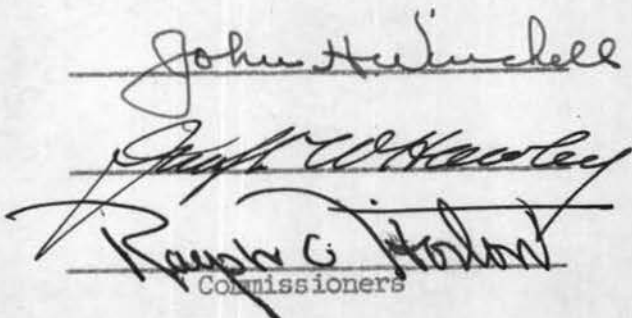
That the new rates authorized herein shall be on the forms prescribed by the Commission, and filed with the Commission on not less than three days' notice prior to the effective date.

That the rates as prescribed under Rate Schedules "D" and "F" herein shall be for all gas sold on and after the effective date of this Order.

That Investigation and Suspension Docket No. 365 should be, and it hereby is, closed.

That 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 19th day of May, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
O. E. WOODRUM, LESSOR, BERTHOUD, )  
COLORADO, AND JOHN H. KERK, DOING )  
BUSINESS AS "KERK TRUCKING," LESSEE, ) APPLICATION NO. 12873-PP-Lease  
BERTHOUD, COLORADO, TO LEASE PERMIT )  
NO. A-509, WITH OPTION TO PURCHASE. )  
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IN THE MATTER OF THE APPLICATION OF )  
O. E. WOODRUM, LESSOR, BERTHOUD, )  
COLORADO, AND JOHN H. KERK, DOING )  
BUSINESS AS "KERK TRUCKING," LESSEE, ) APPLICATION NO. 12874-PP-Lease  
BERTHOUD, COLORADO, TO LEASE PERMIT )  
NO. B-1770, WITH OPTION TO PURCHASE. )  
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May 18, 1954  
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Appearances: Barry and Hupp, Esqs., Denver,  
Colorado, for Lessor and  
Lessee.

S T A T E M E N T

By the Commission:

On August 9, 1933, the Commission granted Private Carrier Permit No. A-509 to Ovid M. Ludlow, with authority to transport freight for hire "between the Wyoming State Line, through Fort Collins and Denver and intermediate points."

On August 22, 1939, said Permit No. A-509 was transferred to Otis E. Woodrum by Decision No. 13896, the lessor herein.

On October 5, 1936, by Decision No. 8459, the Commission entered its order as follows:

"IT IS THEREFORE ORDERED, That said Ovid M. Ludlow should be, and he hereby is, authorized to operate as a Class "B" intrastate private carrier by motor vehicle for hire, for the transportation of (a) plaster from Loveland, cement from Boettcher and coal from mines in the northern Colorado coal fields to all points in the State of Colorado; (b) farm products except livestock, used farm and oil well machinery and equipment and elevator products, between, from and to points within a radius of 30 miles of Berthoud, excluding, however, the right

to serve under this permit between Denver and Eaton and intermediate points over U. S. Highway No. 85 and between the Colorado-Wyoming state line and Denver over U. S. Highway No. 285 (now U. S. Highway No. 287) and intermediate points he already having been authorized to serve said points on 285 under private permit No. A-509,

the same being private permit B-1770, and

"IT IS FURTHER ORDERED, That Ovid M. Ludlow should be and he hereby is authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a Class "B" private carrier by motor vehicle for hire in interstate commerce for the transportation of plaster and cement from a point on the Colorado-Wyoming state line where it is intersected by U. S. Highway No. 287 (formerly U. S. Highway No. 285) to all points in the State of Colorado, and the transportation of coal from mines in the northern Colorado coal fields to said point on the Colorado-Wyoming state line, said interstate permit to bear the same number as the intrastate permit heretofore granted, followed by the letter 'I',

the same being private permit B-1770-I."

This permit was also transferred to Otis E. Woodrum, the lessor herein, by Decision No. 13896.

On March 29, 1954, O. E. Woodrum, the owner of Private Carrier Permits Nos. A-509 and B-1770, filed applications to lease with option to purchase the above permits to John H. Kerk, doing business as "Kerk Trucking," Berthoud, Colorado. The authority in B-1770-I is not taken care of under the Lease Agreement, being Exhibit A.

The above applications were regularly set for hearing on May 13, 1954, at 330 State Office Building, Denver, Colorado, with appropriate notice to all interested parties. Applications Nos. 12873-PP-Lease and 12874-PP-Lease were consolidated for the purpose of taking evidence, and, at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, the evidence disclosed that O. E. Woodrum is desirous of leasing said permits to John H. Kerk for a period of two years in accordance with the terms of a Lease and Option to Purchase which was designated in these proceedings as "Exhibit A." The evidence further discloses that the rental to be paid by John H. Kerk to O. E. Woodrum for the



lease of said permits is ten per cent (10%) of the total gross revenue from the operations of said permits, said amounts to be calculated and paid to lessor by the 10th day of each month following the month for which the calculation is made, the first payment to be made on May 10, 1954, covering the month of April 1954, and continuing for the term of the lease. The lease shall continue until March 31, 1956, and the lessee shall have an option to purchase said permits on the terms and conditions therein stated by giving notice to lessor on or before said date, lessor retaining the right to garage one truck in the garage which is the subject of this lease.

The evidence further discloses that lessee, John H. Kerk, has a net worth of at least \$4,200.00 and is well qualified by experience to operate said permits.

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

##### THE COMMISSION FINDS:

That the leasing of Permits Nos. A-509 and B-1770, as more clearly set forth in the Lease Agreement, being "Exhibit A," is in the public interest and should be authorized.

#### O R D E R

##### THE COMMISSION ORDERS:

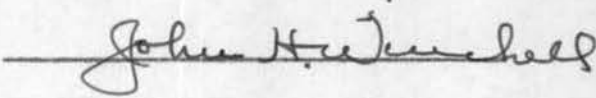
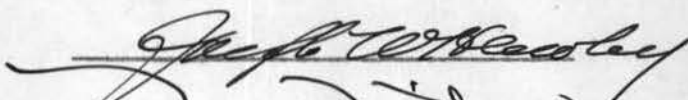
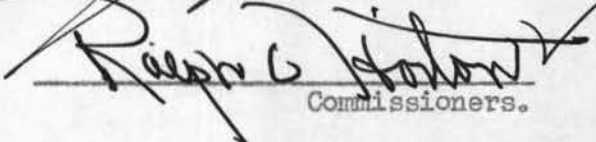
That O. E. Woodrum, of Berthoud, Colorado, be, and he hereby is, authorized to lease Permits Nos. A-509 and B-1770, for the term of two years, in accordance with the terms and conditions of a Lease and Option to Purchase, being "Exhibit A" in both Applications Nos. 12873-PP-Lease and 12874-PP-Lease, to John H. Kerk, doing business as "Kerk Trucking," Berthoud, Colorado.

The right of lessee 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 lessor of delinquent reports, if any, covering his operations under said permits up to the time of the lease of said permits, and the payment by him or lessee of all un-

paid ton-mile tax.

This order is made a part of the operating rights to be leased.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
PAUL TRIPLETT, EVANS, COLORADO. ) PERMIT NO. C-23492  
----- ) CASE NO. 68984-INS.

-----  
May 18, 1954  
-----

S T A T E M E N T

By the Commission:

On April 9, 1954, in Case No. 68984-Ins., the Commission entered its order, revoking Permit No. C-23492 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made by said Respondent.

F I N D I N G S

THE COMMISSION FINDS:

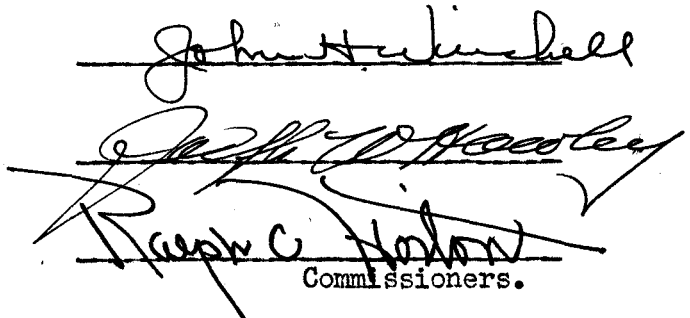
That Permit No. C-23492 should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-23492 should be, and the same hereby is, re-instated, as of April 9, 1954, revocation order entered by the Commission on said date in Case No. 68984-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 18th day of May, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
F. B. HUDSON, DOING BUSINESS AS )	
"HUDSON VAN LINES," 9445 LACKLAND )	
AVENUE, OVERLAND, ST. LOUIS, MIS- )	
SOURI, FOR AUTHORITY TO TRANSFER )	<u>PUC NO. 1283-I-Transfer</u>
INTERSTATE OPERATING RIGHTS TO )	
SWIFT VAN AND STORAGE COMPANY, A )	
CORPORATION, 1104 SWIFT, NORTH )	
KANSAS CITY, MISSOURI. )	
----- )	

-----  
May 18, 1954  
-----

S T A T E M E N T

By the Commission:

Heretofore, F. B. Hudson, doing business as "Hudson Van Lines," St. Louis, Missouri, was 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. 1283-I issued to him.

Said certificate-holder now seeks authority to transfer said operating rights to Swift Van and Storage Company, a corporation, Kansas City, Missouri.

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:

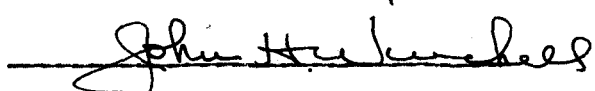
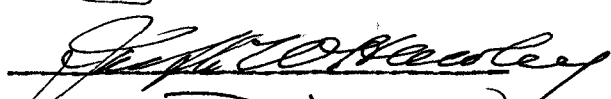
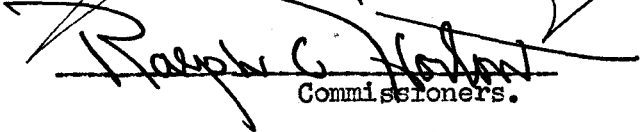
That F. B. Hudson, doing business as "Hudson Van Lines," St. Louis, Missouri, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1283-I to Swift Van and Storage Company, Kansas City, Missouri, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or

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

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

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of May, 1954.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

DENVER LEATHER CO., 1439 LARIMER  
STREET, DENVER 2, COLORADO.

PERMIT NO. C-4236

May 21, 1954

STATEMENT

By the Commission:

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

Denver Leather Co.

requesting that Permit No. C-4236 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-4236, heretofore issued to \_\_\_\_\_

Denver Leather Co.

be,

and the same is hereby, declared cancelled effective May 17, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 21st day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
LEVI CALDERON, 5670 MARION STREET, )  
DENVER 16, COLORADO. )

PERMIT NO. C-28713

May 21, 1954

## STATEMENT

By the Commission:

The Commission is in receipt of a communication from

Levi Calderon

requesting that Permit No. C-28713 be cancelled.

## FINDINGS

## THE COMMISSION FINDS:

That the request should be granted.

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-28713, heretofore issued to

Levi Calderon

be,

and the same is hereby, declared cancelled effective May 3, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
 Ralph W. Hensley  
 Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 21<sup>st</sup> day of May, 195 4.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
CLEO MADDOX, P. O. BOX 147,  
GOLDEN, COLORADO.

PERMIT NO. C-31589

May 21, 1954

STATEMENT

By the Commission:

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

Cleo Maddox

requesting that Permit No. C-31589 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-31589, heretofore issued to \_\_\_\_\_

Cleo Maddox

be,

and the same is hereby, declared cancelled effective May 17, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Lincoln  
Ralph C. Hurd  
Ralph C. Hurd  
Commissioners

Dated at Denver, Colorado,

this 21st day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
BERNARD TWITCHELL, 5801 FEDERAL, )  
DENVER 11, COLORADO. )  
 )  
 )  
 )  
 )  
----- )

PERMIT NO. C-24183

-----  
May 21, 1954  
-----

STATEMENT

By the Commission:

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

\_\_\_\_\_  
Bernard Twitchell

requesting that Permit No. C-24183 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-24183, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Bernard Twitchell be,

and the same is hereby, declared cancelled effective April 12, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
John H. Finchell  
\_\_\_\_\_  
Joseph C. Horton  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 21st day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ROBERT P. FERRIS, VONA, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-29576

-----  
May 21, 1954  
-----

STATEMENT

By the Commission:

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

\_\_\_\_\_  
Robert P. Ferris

requesting that Permit No. C-29576 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29576, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Robert P. Ferris be,

and the same is hereby, declared cancelled effective May 5, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
*John H. Finchell*  
\_\_\_\_\_  
*Ralph C. Harrison*  
\_\_\_\_\_  
*Ralph C. Harrison*  
Commissioners

Dated at Denver, Colorado,

this 21st day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
JOE KAWCAK, 1217 13TH STREET,  
GREELEY, COLORADO.

PERMIT NO. C-29548

May 21, 1954

STATEMENT

By the Commission:

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

requesting that Permit No. C-29548 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29548, heretofore issued to \_\_\_\_\_  
Joe Kawcak \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective May 5, 1954,

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Commissioners

Dated at Denver, Colorado,

this 21st day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
CONRAD & MARGARET HELMUT, 1215 SO. )  
RALEIGH, DENVER 19, COLORADO. )

PERMIT NO. C-29236

May 21, 1954

# STATEMENT

**By the Commission:**

The Commission is in receipt of a communication from

Conrad & Margaret Helmut

requesting that Permit No. C-29236 be cancelled.

## FINDINGS

## THE COMMISSION FINDS:

That the request should be granted.

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-29236, heretofore issued to

Conrad & Margaret Helmut be,

and the same is hereby, declared cancelled effective May 13, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 21st day of May , 1954.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ROBERT F. MILLER, 701 WEST LAKE, )  
FORT COLLINS, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-31577

-----  
May 21, 1954  
-----

STATEMENT

By the Commission:

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

Robert F. Miller

requesting that Permit No. C-31577 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-31577, heretofore issued to \_\_\_\_\_

Robert F. Miller

be,

and the same is hereby, declared cancelled effective May 13, 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 May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
EARL DUTTON, ROUTE I, BOX 306-B, )  
ENGLEWOOD, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-29851

-----  
May 21, 1954  
-----

STATEMENT

By the Commission:

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

\_\_\_\_\_  
Earl Dutton

requesting that Permit No. C-29851 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29851, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Earl Dutton be,

and the same is hereby, declared cancelled effective May 5, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchell*  
*Ralph W. Havelock*  
*Ralph C. Gordon*

\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 21st day of May, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
BERTHA CHRISTENSON, 1659 BOULDER )  
STREET, DENVER, COLORADO, FOR AUTH- )  
ORITY TO TRANSFER PERMIT NO. B-2799 ) APPLICATION NO. 12872-PP-Transfer  
TO DALE CHRISTENSON, 1659 BOULDER )  
STREET, DENVER, COLORADO. )  
----- )

-----  
May 19, 1954  
-----

Appearances: Bertha Christenson, Denver,  
Colorado, for Transferor;  
Virginia Christenson, Denver,  
Colorado, for Transferee.

S T A T E M E N T

By the Commission:

By Decision No. 19274, of date July 17, 1942, Paul V.  
Christenson, Denver, Colorado, was authorized to operate as a Class "B"  
private carrier by motor vehicle for hire for the transportation of:

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

said operating rights being designated "Permit No. B-2799."

By Decision No. 22450, of date July 12, 1944, Permit No. B-2799  
was extended to include the right to transport:

grain, during the harvest season only, between  
points within a radius of twenty-five miles of  
Strasburg, Colorado, and from and to points in  
said area, to and from Denver,

said operating rights, by Decision No. 29595, of date December 20, 1947,  
being further extended to include the right to transport:

coal from mines in the northern Colorado coal fields  
to points within a radius of fifty miles of said mines.

By Decision No. 30935, of date July 31, 1948, said operating rights under Permit No. B-2799 were transferred to Bertha Christenson, Denver, Colorado.

By the instant application, Bertha Christenson seeks authority to transfer said operating rights under Permit No. B-2799 to Dale Christenson, 1659 Boulder Street, Denver, Colorado.

The matter was regularly set for hearing, and heard, on May 14, 1954, at 330 State Office Building, Denver, Colorado, and at the conclusion of the hearing, the matter was taken under advisement.

It appears that the transferee is the owner of a 1950 White 2 $\frac{1}{2}$ -ton truck, and has a net worth of approximately \$2,000.00. It also appears that transferee has had considerable experience in trucking operations, and is well qualified by experience and pecuniarily responsible.

No protests were filed nor did any protestants appear to contest the above transfer.

#### 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 Bertha Christenson, of 1659 Boulder Street, Denver, Colorado, be, and she hereby is, authorized to transfer all her right, title and interest in and to Permit No. B-2799 -- being the operating rights granted by Decisions Nos. 19274, 22450 and 29595 -- to Dale Christenson, 1659 Boulder Street, Denver, Colorado, subject to the payment of outstanding obligations against said operation, if any there be, whether secured or unsecured.

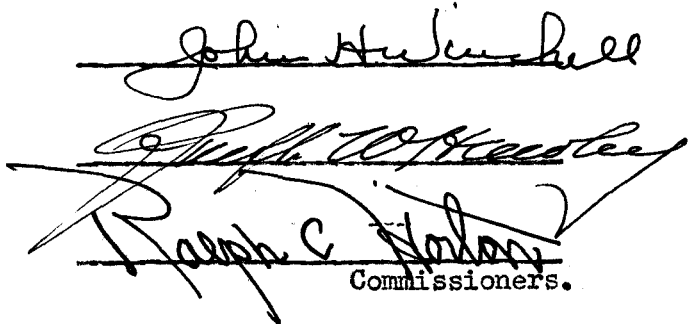
That the ton-mile tax deposit of transferor shall be transferred and credited to account of transferee herein.

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

The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering her operations under said permit up to the time of transfer of said permit, and the payment by her or transferee of all unpaid ton-mile tax.

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 19th day of May, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HAROLD JAY SHAW, BOX 79, IDLEDALE, )  
COLORADO, FOR A CERTIFICATE OF PUB- ) APPLICATION NO. 12877  
LIC CONVENIENCE AND NECESSITY. )  
----- )

-----  
May 19, 1954  
-----

Appearances: Harold Jay Shaw, Idledale,  
Colorado, pro se;  
Mansur Tinsley, Esq.,  
Lakewood, Colorado, for  
Jefferson County Disposal;  
Clarence Cook, Lakewood,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

Harold Jay Shaw, the applicant herein, by this application, seeks authority to operate under a certificate of public convenience and necessity, authorizing the transportation of trash, garbage, rubbish and kindred matters, within the town of Idledale, Colorado, and a radius of 20 miles surrounding the said town of Idledale, Colorado.

The matter, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at 330 State Office Building, Denver, Colorado, on May 13, 1954, and then taken under advisement.

Applicant, testifying in support of his application, stated that he is the owner of a one-half-ton 1950 Ford Pickup and a one-half-ton 1950 Chevrolet truck. The evidence discloses that applicant desires to pick up trash, etc., in the mountain area of Jefferson County; that he has been asked by numerous residents in that area to perform this service. It further appears that he has a net worth of approximately \$5,000.00, and is well qualified to operate under the proposed certificate.

Richard R. Nagle, who is connected with the health service in Jefferson County, stated he was familiar with the territory asked for in the instant application; that for the west end of Jefferson County there was not ample service available to take care of the health hazards in that area. He further stated that there was service in the eastern part of Jefferson County, and that that service was adequately taking care of all needs. He testified that the need for a trash hauling service in that area was in the territory lying west of an imaginary line running north and south through Jefferson County which would parallel the west city limits of Morrison, excluding the city of Golden.

Other witnesses appearing at the hearing all agreed that this service is needed, and Clarence Cook, who holds a certificate for service in the eastern portion of Jefferson County, withdrew his protest. It therefore now appears, after considering all the evidence, that the authority should be granted.

#### 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 the present and future public convenience and necessity require, and will require, the proposed call and demand operations of applicant, and that he be authorized to operate as a common carrier for the transportation of:

Trash, garbage, rubbish and kindred matters within that portion of Jefferson County lying west of an imaginary line running north and south which would parallel the west city limits of the city of Morrison, Colorado, excluding from said area the city of Golden, Colorado,

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



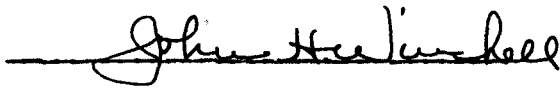
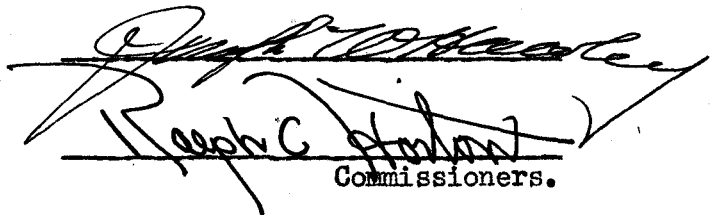
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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

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

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 19th day of May, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )	
L. W. PARCELL, DOING BUSINESS )	
AS "CIRCLE ROUTE STAGE LINE," )	<u>PUC NO. 12</u>
SILVERTON, COLORADO. )	
----- )	

-----  
May 4, 1954  
-----

S T A T E M E N T

By the Commission:

L. W. Parcell, doing business as "Circle Route Stage Line,"  
Silverton, Colorado, is the owner of PUC No. 12, authorizing the  
operation of an automobile stage line for the transportation of:

passengers, baggage, and freight between  
Silverton, Colorado, and Ouray, Colorado,  
via Red Mountain, Colorado.

On May 5, 1953, by Decision No. 40428, said certificate-  
holder was authorized to suspend operations under said PUC No. 12 for  
a period of one year, or until May 5, 1954.

The Commission is in receipt of a communication from said  
L. W. Parcell, requesting that he be authorized to further suspend  
operations under said operating rights for a period of one year.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

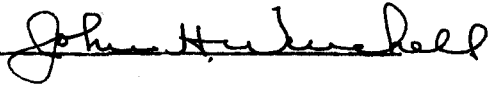
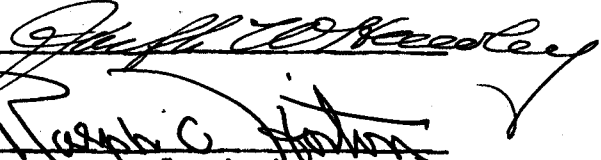
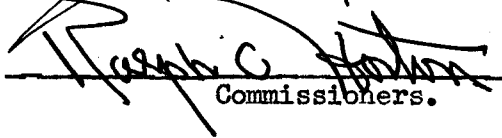
O R D E R

THE COMMISSION ORDERS:

That L. W. Parcell, doing business as "Circle Route Stage Line,"  
Silverton, Colorado, should be, and he hereby is, authorized to further  
suspend operations under PUC No. 12 for a period of one year, or until  
May 5, 1955.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

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

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
THOMAS J. FITZGERALD, TRUSTEE IN  
BANKRUPTCY OF CECIL A. FOSTER, DOING  
BUSINESS AS "FOSTER TRUCK LINE,"  
POST OFFICE BUILDING, DENVER, COLO-  
RADO, FOR AUTHORITY TO TRANSFER CER-  
TIFICATE NUMBER PUC-23 TO NAVAJO  
FREIGHT LINES, INC., 381 SOUTH BROAD-  
WAY, DENVER, COLORADO.

APPLICATION NO. 12868-Transfer

IN THE MATTER OF THE APPLICATION OF  
THOMAS J. FITZGERALD, TRUSTEE IN  
BANKRUPTCY OF CECIL A. FOSTER, DOING  
BUSINESS AS "FOSTER TRUCK LINE,"  
POST OFFICE BUILDING, DENVER, COLO-  
RADO, FOR AUTHORITY TO TRANSFER CER-  
TIFICATE NUMBER PUC-72 TO NAVAJO  
FREIGHT LINES, INC., 381 SOUTH BROAD-  
WAY, DENVER, COLORADO.

APPLICATION NO. 12869-Transfer

May 20, 1954

Appearances: Herbert W. DeLaney, Jr., Esq.,  
Denver, Colorado, for  
Thomas J. Fitzgerald,  
Transferor;  
Paul M. Hupp, Esq., Denver,  
Colorado, for Transferee;  
A. J. Fregeau, Denver, Colo-  
rado, for Weicker Transfer  
and Storage Company;  
Harold Swena, Golden, Colo-  
rado, pro se;  
J. Fred Schneider, Esq.,  
Denver, Colorado, for  
Cecil A. Foster.

S T A T E M E N T

By the Commission:

On January 8, 1954, Cecil A. Foster, doing business as "Foster  
Truck Line," was the owner of PUC-23 and PUC-72, with authority as follows:

PUC-23

Transportation of freight and express (milk and  
cream excepted) between Denver and all points  
in the following described territory:

Beginning at a point on the Denver-Fort Lupton Highway immediately north of Riverside Cemetery; thence to and across the Platte River; thence north generally parallel thereto to a point on the westerly extension of the north boundary line (80th Ave.) of the town of Derby, Colorado; thence easterly along said north boundary line (80th Ave.) as extended, to a point approximately 2 miles east of the Fort Lupton-Brighton-Denver Highway; thence south on a line running approximately 2 miles east of the Fort Lupton-Brighton-Denver Highway to and across Sand Creek; thence west into the City of Denver, Colorado.

PUC-72

Appl. 674, Dec. 1090: Transportation of general freight and dairy products between the City of Denver and the towns of Morrison and Indian Hills and from and to the dairying district south and contiguous or adjacent to the Town of Morrison and/or intermediate points.

Appl. 922-A, Dec. 2131: Transportation of merchandise returned by the merchants in Littleton to wholesale and jobbing houses in Denver, and for transportation from Denver to Littleton of perishables, vegetables, fresh fruit, ice cream, drugs and repairs for heating plants and machinery.

Appl. 674-B, Dec. 8532: Amended to include all of that territory extending 5 miles on each side of Highway 8 between Cowan and Bailey and the areas described as follows:

Commencing at the junction of Highway 70 with Highway 8; thence along Highway 8 in a northeasterly direction to approximately the center of Sec. 26, T. 4-S, Range 69-W, being the southwest corner of Green Gables Country Club; thence south to Bear Creek; thence SW along Bear Creek to the junction of Highway 70 with Highway 8 and beginning at Denver; thence along U. S. Highway 85 to Littleton; thence County road to Fort Logan; thence State Highway 70 to Cowan and Highway 8, Denver, Cowan, Mt. Morrison, Indian Hills, Conifer, Bailey, and return for the transportation on schedule of freight, express, dairy products and farm products over said Highway from the areas as hereinabove described, together with the authority to serve Fort Logan.

Dec. 8978 substitutes Bailey in the place of Cowan.

Appl. 674-BB, 922-AB, Dec. 13635: Extended to include transportation of milk from farms and ranches located in the territory heretofore authorized to be served, to Golden, and the transportation of freight generally, between, to and from points within the extended territory described as follows:



Beginning at a point  $\frac{3}{8}$  of a mile W of the SE corner of Sec. 27, R. 71-W, T. 4-S; thence in a northwesterly direction, NW corner of NE $\frac{1}{4}$  of Sec. 14, T. 4-S, R. 71-W; thence northeasterly to the City of Golden; thence S along State Highway 93 to the intersection of said Highway with the N boundary line of Sec. 8, T. 4-S, R. 70-W; thence in a southwesterly direction along the line of applicant's original authority to a point  $\frac{1}{4}$  mile W of the SE corner of Sec. 24, T. 4-S, R. 71-W; thence southwesterly one mile distant from State Highway 74 to point of beginning.

Further, Certificate 72 is restricted and shall have no authority to transport freight, express and all commodities (except milk outbound from farms) to and from (a) points on State Highway 98, extending from Evergreen to Bendemeer; (b) points on the highway extending from Evergreen to Brook Forest, a portion thereof being State Highway 73 and a portion thereof being the Cub Creek road; (c) points on the road from Evergreen up Little Cub Creek; (d) and further restricted to exclude the transportation of freight, express and other commodities, also milk outbound from farms, from, to and between points on and within one mile on either side of State Highway 74 as it extends from Idledale to and including the community known as Evergreen, which community is hereby defined as that territory within a radius of 1 mile of the junction of State Highway 73 and 74 at Evergreen, and Certificate 72 is further restricted and shall have no right to transport milk from that territory lying east of Lee's Siding Highway extending north from Bowles Avenue to Bear Creek, intended to extend the serving of customers on the Lee's Siding Road as it extends from Bowles Avenue to Bear Creek and territory east thereof authorized to be served by Walter Adams under Certificate 328.

Appl. 922-ABA, Dec. 14563: Transfers from Certificate 72 to Walter Adams that part of Certificate 72 of a certain milk route known as the "Valley Route" covering the territory immediately east of the mountain range, more particularly described as follows:

Commencing at the intersection of U. S. Highway 285 with the Lee's Siding County road (east line of Sec. 28, T. 4-S, R. 69-W); thence along U. S. Highway 285 to Morrison; thence S 3 miles to the south line of Sec. 14, T. 5-S, R. 70-W; thence E  $4\frac{1}{2}$  miles to the intersection of Lee's Siding road and Bowles Avenue, thence N  $4\frac{1}{2}$  miles to the point of beginning. The authority hereby authorized to be transferred shall become a part of Certificate 328.

Appl. 5322, Dec. 15647: Extended to include the transportation of freight generally from and to points on U. S. Highway 85 between Denver and Littleton (including Littleton) on the one hand and points west of U. S. Highway 85 which are within the territory or the routes described and authorized to be served by the applicant, Dec. 1090, 1438, 2131, 8532, 8978 and 13635, on the other

hand without the right to perform any service between Denver and Littleton and intermediate points by virtue of this extension, and denies the authority to transport freight generally between Denver and Littleton and intermediate points.

Following portion of PUC-273 consolidated herewith by Decision No. 37276: Transportation of freight, on schedule, between Denver and Aurora, including Fitzsimons General Hospital.

By the above-styled applications, Thomas J. Fitzgerald, Trustee in Bankruptcy of Cecil A. Foster, doing business as "Foster Truck Line," Denver, Colorado, seeks authority to transfer Certificates Nos. PUC-23 and PUC-72 to Navajo Freight Lines, Inc., Denver, Colorado.

Said applications were set for hearing at the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, on May 10, 1954, at ten o'clock A. M., and upon agreement of all present, the two applications were consolidated for hearing, the matters were heard, and thereupon taken under advisement.

Herbert W. DeLaney, Jr., testified as a representative of Thomas J. Fitzgerald who is the Trustee in Bankruptcy for Cecil A. Foster, who formerly operated these certificates. Mr. DeLaney introduced "Exhibit A" at the hearing, consisting of certified copies of various orders, reports and petitions filed in the bankruptcy case. He stated that Mr. Foster filed his voluntary petition in bankruptcy on January 4, 1954, and was subsequently adjudicated a bankrupt. On January 8, 1954, Mr. Fitzgerald, who had been named Receiver, filed a Petition with the Referee in Bankruptcy to sell all of the property of the bankrupt, and on the same date, the Referee entered an order authorizing the sale. On February 3, 1954, the bankrupt's property was offered for sale and included in the sale were the P. U. C. certificates here involved and a certificate from the Interstate Commerce Commission, Docket No. 26470. At the sale, Navajo Freight Lines was the high bidder with a bid for \$5,000.00 for all three certificates. The Trustee filed a report of this sale and it was approved by the Referee on February 10, 1954. Subsequently, a supplemental report of the Trustee was filed with the Referee, stating that the sale of the said certificates was on a conditional basis since the transfers had to be approved by the



applicable state and federal Commissions before becoming effective. The Trustee asked authority to file applications with the respective Commissions and on February 19, 1954, the Petition was approved and the Referee granted the authority requested. On February 18, 1954, the Trustee and Navajo Freight Lines, Inc. entered into an agreement whereby Navajo was given the authority to operate the interstate authority on a temporary basis until the final approval of the sale.

The applications here at issue were filed pursuant to the proceedings discussed above, and at the hearing, Mr. Roy B. Adams, General Traffic Manager of Navajo Freight Lines, Inc., introduced the following exhibits:

Exhibit B, a copy of the Articles of Incorporation of Navajo Freight Lines, Inc., a New Mexico corporation;

Exhibit C, a description of the equipment proposed to be operated under the certificate; and

Exhibit D, a balance sheet of Navajo Freight Line, Inc., as of January 31, 1954.

Mr. Adams testified that his company was operating in interstate commerce in Colorado under PUC-662-I, and that they already had insurance and other equipment on file with the Commission and had been making their ton-mile tax reports. He requested permission, if this transfer is granted, to file ton-mile tax reports on his intrastate operations under PUC-23 and PUC-72 together.

Mr. Fregeau and Mr. Swena raised a question at the hearing as to the exact authority which was being transferred, but as we view the situation, whatever the bankrupt-owned was sold to Navajo, and this Commission can transfer only what he owned and no more.

No one appeared in opposition to the granting of the transfer.

It appears from the Commission's files that Mr. Foster owes \$59.37 to the State of Colorado for back ton-mile taxes, and Mr. Adams testified that it would be satisfactory for the Commission to issue an order conditioning the transfer upon payment of this amount.

No evidence was introduced to indicate that the approval of the transfer would not be in the public interest, and the operating experience and pecuniary responsibility of transferee were established to the satisfaction of the Commission.

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

##### THE COMMISSION FINDS:

That the proposed transfers are compatible with the public interest, and should be authorized, as set forth in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That Thomas J. Fitzgerald, Trustee in Bankruptcy for Cecil A. Foster, previously doing business as "Foster Truck Line," should be, and he hereby is, authorized to transfer all his right, title and interest in and to Certificates Nos. PUC-23 and PUC-72 to Navajo Freight Lines, Inc., Denver, Colorado, subject to the payment by Transferee of \$59.37 past due ton-mile taxes.

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 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 transfers, 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 certificates up to the time of the transfer of said

certificates, and the payment by him or transferee of all unpaid ton-mile tax.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
*John H. Hineshell*  
*Joseph C. Hawley*  
*Ralph C. Hinton* ✓  
Commissioners.

Dated at Denver, Colorado,  
this 20th day of May, 1954.

ea

original

(Decision No. 42690)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CARL D. COX AND MARY E. COX, DOING )  
BUSINESS AS "GRAND VIEW TOURS," 432 )  
NORTH NEVADA, COLORADO SPRINGS, )  
COLORADO, FOR AUTHORITY TO TRANSFER )  
CERTIFICATE NUMBER PUC-132 TO WALTER )  
H. COLBURN, DOING BUSINESS AS "GRAND )  
VIEW TOURS," 106 W. PIKES PEAK )  
AVENUE, COLORADO SPRINGS, COLORADO. )  
-----

APPLICATION NO. 12836-Transfer

IN THE MATTER OF THE APPLICATION OF )  
CARL D. COX AND MARY E. COX, DOING )  
BUSINESS AS "GRAND VIEW TOURS," 432 )  
NORTH NEVADA, COLORADO SPRINGS, )  
COLORADO, FOR AUTHORITY TO TRANSFER )  
CERTIFICATE NUMBER PUC-213 TO WALTER )  
H. COLBURN, DOING BUSINESS AS "GRAND )  
VIEW TOURS," 106 W. PIKES PEAK )  
AVENUE, COLORADO SPRINGS, COLORADO. )  
-----

APPLICATION NO. 12839-Transfer

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May 20, 1954  
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Appearances: W. M. Tarter, Esq., Colorado  
Springs, Colorado, for  
transferors;  
Walter H. Colburn, Colorado  
Springs, Colorado, pro se;  
Horn & Anderson, Esqs., Colo-  
rado Springs, Colorado,  
for Colorado Springs  
Transit Company.

S T A T E M E N T

By the Commission:

Carl D. Cox and Mary E. Cox, as joint tenants with right of survivorship, doing business as "Grand View Tours," Colorado Springs, Colorado, are the owners of Certificates of Public Convenience and Necessity Nos. 213 and 132, which respectively authorize the use of two cars and one car in sightseeing service in the Colorado Springs sightseeing area.

By Applications Nos. 12836 and 12839, said certificate-holders seek authority to transfer their operating rights under said certificates



to Walter H. Colburn, doing business as "Grand View Tours," Colorado Springs, Colorado.

Said applications, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Colorado Springs, Colorado, April 22, 1954, at ten o'clock A. M., and, at the conclusion of the evidence, the matter was taken under advisement.

Carl D. Cox, one of the transferors, explained their authority under the two certificates. In addition to the sightseeing rights, the certificates authorize an auto livery service under which one car has been operated between Colorado Springs and Camp Carson under PUC-132, and the other cars operated exclusively in sightseeing service. Mr. Cox identified the original contract between the parties hereto, whereby he and Mary E. Cox agree to transfer their operating rights under the two certificates, together with one 1951 Cadillac car, all display signs, good will, literature, Colorado Springs sightseeing license, and specific ownership tax receipts to the transferee for a total consideration of \$6,500.00. The sum of \$2,000.00 has been paid by transferee as a down payment to be applied upon the total purchase price and the balance of \$4,500.00 is to be paid by the 7th day following approval of the transfer by this Commission, at which time the other personal property above described will be transferred to the transferee. There is no incumbrance against the operation.

Walter H. Colburn, the transferee, testified that he has had 28 years experience in operating sightseeing cars and understood the operating rights under the two certificates. His financial statement is on file with the Commission, showing net worth of \$154,000.00. He has no present intention of operating the one automobile under that part of PUC-132 authorizing auto livery service between Colorado Springs and Camp Carson, but insists that the right to such an operation is an integral part of PUC-132 and is to be transferred. However, he requests that, when the transfer is authorized, he be authorized to suspend operations under that part of PUC-132 authorizing such auto livery service between Colorado Springs and Camp Carson for the period of one year. He corroborated the evidence of the contract.

These certificates to be transferred are both in good standing and passenger-mile tax has been paid. Transferee pecuniarily and otherwise is able, willing, and qualified to carry on the operation. The passenger-mile tax deposits are to be transferred to the account of the transferee. No evidence was given in support of any protest.

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

##### THE COMMISSION FINDS:

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

#### O R D E R

##### THE COMMISSION ORDERS:

That Carl D. Cox and Mary E. Cox, as joint tenants, with right of survivorship, doing business as "Grand View Tours," Colorado Springs, Colorado, be, and they hereby are, authorized to transfer all their right, title and interest in and to PUC Nos. 132 and 213, according to the terms and conditions set forth in Contract of Sale attached to the application herein, which, by reference, is made a part hereof, to Walter H. Colburn, doing business as "Grand View Tours," Colorado Springs, Colorado, subject to payment of outstanding indebtedness against said certificates, if any there be, whether secured or unsecured.

That Walter H. Colburn, doing business as "Grand View Tours," Colorado Springs, Colorado, should be, and hereby is, authorized to suspend operations of his auto livery service between Colorado Springs, Colorado, and Camp Carson, Colorado, under PUC-132, for a period of one year from the date of this order.

That unless said certificate-holder shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of that portion of said PUC-132 authorizing the auto livery service referred to, file any necessary insurance and otherwise comply with all rules and regulations of the Commission applicable to common carrier certificates, said portion of said certificate authorizing said auto

livery service, without further action by the Commission, shall stand revoked without the right to reinstate.

That, for the purpose of making reports to the Commission, operations under said PUC Nos. 132 and 213 may be reported by transferee to the Commission under PUC-132, without prejudice to the right of the Commission to hereafter enter any order deemed proper by the Commission requiring the consolidation of the operations and operating rights under said certificates and similar operating rights, if any, of transferee for all purposes.

That operating rights of transferee under said certificates shall be limited as provided in former decisions of the Commission and supplements and amendments thereto which may be applicable.

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 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 their operations under said certificates, and the payment by them or transferee of all unpaid passenger-mile tax.

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



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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
John H. Wheeler  
Frank C. Hester  
Joseph C. Hester  
Commissioners.

Dated at Denver, Colorado,  
this 20th day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF        )  
JOHN H. SHAFER, MOAB, UTAH.        )  
-----)        PERMIT NO. B-4623-I

-----  
May 20, 1954  
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S T A T E M E N T

By the Commission:

On November 30, 1953, by Decision No. 41618, John H. Shafer, Moab, Utah, was authorized to suspend operations under Permit No. B-4623-I until May 25, 1954.

The Commission is now in receipt of a communication from William B. Coleman, Moab, Utah, in behalf of said permit-holder, requesting authority to further suspend operations under said permit for a period of ninety days.

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 John H. Shafer, Moab, Utah, should be, and he hereby is, authorized to further suspend operations under Permit No. B-4623-I until August 25, 1954.

That unless said permit-holder shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action on the part of the Commission, shall stand

revoked, without right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hinchell  
Joseph C. Keeney  
Ralph O. Hottel  
Commissioners.

Dated at Denver, Colorado,  
this 20th day of May, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF	)	
VIRGIL R. KING AND ORTIS E. ANDREWS,	)	
CO-PARTNERS, DOING BUSINESS AS "KING	)	
AND ANDREWS," BURLINGTON, COLORADO,	)	
FOR AUTHORITY TO TRANSFER PUC NO.	)	<u>APPLICATION NO. 12897-Transfer</u>
2628 TO ORTIS E. ANDREWS, DOING BUSI-	)	
NESS AS "CITY DRAY AND TRANSFER,"	)	
BURLINGTON, COLORADO.	)	
-----	)	

-----  
May 20, 1954  
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S T A T E M E N T

By the Commission:

On August 11, 1953, by Decision No. 41088, V. R. King and O. E. Andrews, co-partners, doing business as "King and Andrews," Burlington, Colorado, were granted a certificate of public convenience and necessity to operate as common carriers by motor vehicle, for the conduct of:

"a general cartage business for the transportation of freight between points within the corporate limits of the incorporated Town of Burlington, Colorado,"

said operating rights being designated "PUC No. 2628."

By the above-styled application, said certificate-holders seek authority to transfer said operating rights to Ortis E. Andrews, doing business as "City Dray and Transfer," Burlington, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said certificate; that transferee, pecuniarily and otherwise, is qualified 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 certificate, 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 V. R. King and O. E. Andrews, co-partners, doing business as "King and Andrews," Burlington, Colorado, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 2628 — being the operating rights granted by Decision No. 41088 — to Ortis E. Andrews, doing business as "City Dray and Transfer," Burlington, Colorado, said V. R. King 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 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 right of transferee to operate under this order shall depend upon the prior filing by transferors of delinquent reports, if any, covering their operations under said certificate up to the time of the transfer of said certificate, and the payment by them or transferee of all unpaid ton-mile tax.

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

John H. Hunkeler

George W. Hunkeler

Ralph C. Hunkeler ✓

Commissioners.

ea.

original

(Decision No. 42693)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THE NEW SEVEN FALLS COMPANY, INC., )  
SOUTH CHEYENNE CANYON, COLORADO )  
SPRINGS, COLORADO, FOR AUTHORITY TO )  
LEASE CERTIFICATE NUMBER PUC-166 TO ) APPLICATION NO. 12840-Transfer  
E. F. ROWLETT AND MAYNARD T. BIN- )  
KRD, DOING BUSINESS AS "R. & P. )  
SCENIC TOURS," 120 E. PIKES PEAK )  
AVENUE, COLORADO SPRINGS, COLORADO. )  
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May 24, 1954  
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Appearances: W. Henry Willie, Colorado  
Springs, Colorado, for  
The New Seven Falls Com-  
pany, Inc.;  
E. F. Rowlett, Colorado  
Springs, Colorado, for  
R. & P. Scenic Tours.

S T A T E M E N T

By the Commission:

On May 28, 1928, The Seven Falls Company, a Colorado Corpora-  
tion, was granted a certificate of public convenience and necessity by  
Decision No. 1789, authorizing the transportation of:

passengers from Seven Falls, Stratton Park,  
Colorado, to the various scenic attractions  
in the Pikes Peak Region,

with the proviso that all service under Cer-  
tificate No. 166, issued under said Decision  
should be limited to round trip operations  
originating and terminating at Seven Falls,  
Stratton Park, Colorado, and in furnishing  
said service The Seven Falls Company should  
be limited to the use of three automobiles.

The New Seven Falls Company, Inc. is the successor in interest  
to The Seven Falls Company.

For a number of years, said operating rights were leased by  
The Seven Falls Company to Conway Brothers, doing business as "Alamo  
Hotel-Monarch Service."



By Decision No. 30729, of date June 21, 1948, said operating rights were leased to Walter H. Colburn, Colorado Springs, Colorado, for the term of five years from May 1, 1948, at an annual rental of \$150.00, and, by Decision No. 40707, of date June 5, 1953, said operating rights were leased to William W. Brubaker, Colorado Springs, Colorado, for a term beginning May 1, 1953 and ending April 30, 1954.

By the instant application, said The New Seven Falls Company, Inc. seeks authority to lease said operating rights for the period of one year from April 1, 1954 to April 1, 1955, for a rental of \$200.00, to E. F. Rowlett and Maynard T. Binkerd, doing business as "R. & P. Scenic Tours," Colorado Springs, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Colorado Springs, Colorado, April 22, 1954, at ten o'clock A. M., and, at the conclusion of the evidence, the matter was taken under advisement.

W. Henry Willie testified that he is General Manager of the certificate-holder and identified the contract for lease attached to the application, by the terms of which the lessees agree to pay \$200.00 for the proposed lease within ten days after authority approving the lease is granted by this Commission.

He stated that his Company would probably resume operations under said certificate at the time the proposed lease is terminated.

E. F. Rowlett testified that he is one of the owners of PUC-696 authorizing the use of three cars in sightseeing service and expects to operate the three additional cars of the lessor herein, making a total of six cars to be operated during the current sightseeing season. A satisfactory financial statement of the lessees is on file under PUC-696.

Examination of the Commission's files discloses that said PUC-166 is in good standing; that all reports of operations thereunder have been filed with the Commission; and there is no unpaid passenger mile tax.

## F I N D I N G S

### THE COMMISSION FINDS:

That the lessees, E. F. Rowlett and Maynard T. Binkder, doing business as "R. & P. Scenic Tours," Colorado Springs, Colorado, pecuniarily and otherwise are qualified and able to carry on the operation and that said certificate is in good standing; that the leasing of the operating rights under said PUC-166 by The New Seven Falls Company, Inc. to said lessees is consistent with the public interest and that the proposed lease should be approved.

## O R D E R

### THE COMMISSION ORDERS:

That The New Seven Falls Company, Inc. be, and hereby is, authorized to lease to E. F. Rowlett and Maynard T. Binkerd, doing business as "R. & P. Scenic Tours," Colorado Springs, Colorado, its operating rights under Certificate of Public Convenience and Necessity No. 166, upon the terms and for the consideration set forth in the application herein and the lease agreement attached to said application, which, by reference, is made a part hereof, the operations of said lessees to be conducted in accordance with and subject to the laws of the State of Colorado and the rules and regulations of the Commission, and within the authority granted by Decision No. 1789, subject to the conditions and restrictions therein contained, as set forth in the preceding Statement, which, by reference, is made a part hereof.

The tariff of rates, rules and regulations of lessor shall, upon proper adoption notice, become and remain those of lessees until changed according to law and the rules and regulations of this Commission.

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

That passenger-mile tax deposit of lessor shall be transferred and credited to account of lessees for the term of the lease herein author-

ized.

This Order shall become effective as of the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. J. J. J. J.

John H. J. J. J. J.

Ralph C. J. J. J.

Commissioners.

Dated at Denver, Colorado,  
this 24th day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
J. H. HOFFERBER, HOOKER, OKLAHOMA, )  
FOR AUTHORITY TO TRANSFER INTERSTATE ) PUC NO. 2022-I-Transfer  
OPERATING RIGHTS TO ALBERT R. )  
HOFFERBER, HOOKER, OKLAHOMA. )  
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-----  
May 24, 1954  
-----

S T A T E M E N T

By the Commission:

Heretofore, J. H. Hofferber, Hooker, Oklahoma, was 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. 2022-I issued to him.

Said certificate-holder now seeks authority to transfer said operating rights to Albert Hofferber, Hooker, Oklahoma.

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

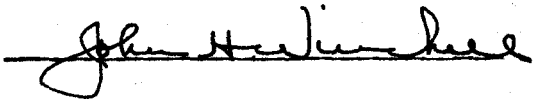
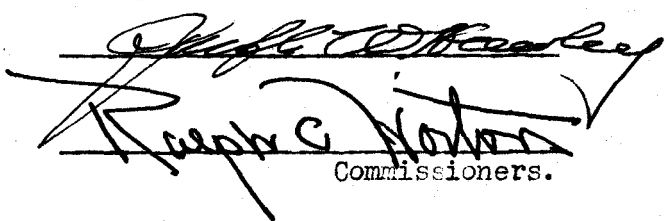
THE COMMISSION ORDERS:

That J. H. Hofferber, Hooker, Oklahoma, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 2022-I to Albert R. Hofferber, Hooker, Oklahoma, 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 transferor shall be transferred and credited to account of transferee herein.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

Dated at Denver, Colorado,  
this 24th day of May, 1954.

mls



original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

THOMAS AND THOMAS,  
Complainant,

v.

BEKINS MOVING AND STORAGE  
COMPANY,

Defendant.

CASE NO. 5057

-----  
May 21, 1954  
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Appearances: Harold D. Torgan, Esq.,  
University Building,  
Denver, Colorado, for  
Bekins Moving and  
Storage Company;  
Harry G. Thomas, 1511 East  
Bates Avenue, Englewood,  
Colorado, for Complainant;  
T. S. Wood, Denver, Colorado,  
for the Commission.

S T A T E M E N T

By the Commission:

On April 14, 1953, Mr. Harry G. Thomas and Mrs. Clara R. Thomas filed a complaint with the Commission, alleging that the charge made and collected by Bekins Moving and Storage Company, Denver, Colorado, on a movement of household effects from 1995 South Logan Street, Denver, Colorado, to 1511 East Bates Avenue, Englewood, Colorado, was excessive and exorbitant, and not in accordance with the tariff of rates of this company on file with the Commission.

The movement involved in this complaint was made on November 24, 1952, and the amount collected was \$130.90.

This case was heard by the Commission on February 3, 1954, in its Hearing Room, 330 State Office Building, Denver, Colorado.

Mr. Thomas introduced two exhibits in evidence and testified orally.

Exhibit No. 1 is the customer's copy of the shipping ticket and shows the following information:

The customer's name, origin and destination;  
Driver, Sage, Helpers, Stecklein, Fitzpatrick;  
Time Started, 8:00 A . M., Time Finished, 7:15-

Rate Per hour - \$9.50 hr.  
Van - 3 men.

Moving charges - 9 hours S. T. \$9.50 hr.	\$85.50
O. T. \$14.25 hr -	40.50
Tax -	4.90
Total -	\$130.90

Get o/S Signed  
Make O.S. & D Report  
Paid Check - A. Sage  
 $\frac{1}{2}$  hour lunch.

Exhibit No. 2 is a copy of the bill of lading or shipping order and shows the following information:

From Mrs. Harry Thomas	To Same
1995 So. Logan - Garage	1511 E. Bates - Basement
Phone Sp-4215	Phone Same
Date 11/24/52 Time 8 A.M.	No. rooms 7, Size - Van or
Shipment - Largest Van.	
Piano-No; Refrig. No; Stove-No; Packing & Crating, No.	
Rate - 3 men \$9.50 hr. - C. O. D.	
Date order taken 11/21/52 by Lester.	

Mr. Thomas testified that the articles and things moved constituted crated barrels, boxes, a few pieces of furniture stored in a garage, and a few pieces stored in the basement, two (2) trips being made by said company. He stated it was his opinion that the whole move could have been performed in considerable less time than was consumed and for which he paid.

Mrs. Thomas testified that the entire shipment could have been hauled in one load. That the first truck was not loaded full, and that the tail gate platform was not used. She stated that the driver of the first load arrived at the Bates Avenue address at approximately 12:00 o'clock Noon, and left immediately for lunch and did not start unloading until near 1:00 o'clock, and finished unloading around 2:30 P. M.



Witness Charles J. Bush, Manager, Bekins Moving and Storage Company, testified that on the strength of the complainant's order he sent a 26-foot van with a loading capacity of 9,000 to 10,000 pounds of household goods. That the tackograph graph or record showed the van arrived at the loading origin at 8:10 A. M. and left said point at 11:45 A. M. That it arrived at destination at 12:00 noon and left the destination at 4:30 P. M. Witness Bush introduced in evidence two exhibits marked for identification purposes as 3 and 4.

Exhibit No. 3 shows that if the Denver city rates had been assessed, the charges would have been \$132.88, computed as follows:

Driver and helper, 8:00 to 5:30, 9 hrs. @ \$7.00 -	\$63.00
9 hrs. one extra man @ \$2.50 -	22.50
Second truck:	
1 man - 2:45 to 5:30	
2-3/4 hours @ \$2.50 -	6.88
O. T. 5:30 to 7:45 - 2 1/4 hours	
2nd truck - 4 men \$18.00 hour -	40.50
Total -	\$132.88

Exhibit No. 4 shows that if P. U. C. Metropolitan area rates had been assessed, the charges would have been \$145.63, computed as follows:

Driver and 1 helper:	
3:00 A. M. to 7:45 P. M. 11 1/4 hrs. @ \$8.00	\$90.00
One extra man (same time)	
11 1/4 hours @ \$2.50 -	28.13
Truck and driver (for overflow)	
2:45 P. M. to 7:45 P. M - 5 hours @ \$5.50 per hr.	27.50
Total -	\$145.63

Witness J. W. Lester, Sales Representative, Bekins Moving and Storage Company, testified that he investigated the claimed damage to the shipment and adjusted said claim to the apparent satisfaction of the customer. (This feature is not involved in this complaint).

At the time this movement was made, the complainant made an informal complaint to the Commission relative to the amount of the charges paid. An investigation was made by two members of the staff of the Commission.

Witness John P. Norman of the staff of the Commission, testified that he was one of the two staff members who investigated the move and found that two trucks had been used in making the move. The first truck became stalled after unloading and it was necessary to send another truck for the balance of the articles not loaded on the first truck; that the driver of the first truck refused to pull in the back yard but unloaded everything from the front of the house, thereby taking considerably more time than necessary. The driver of the second truck drove into the back yard to do the unloading. All of the articles in the first load -- with the exception of a few pieces of furniture -- were stored in the basement. Witness Norman estimated the weight of the entire shipment around 8,000 pounds, and, that if the movement had been handled efficiently, it could have been done in not to exceed eight (8) hours.

Witness Norman further stated that at the time the movement was made, neither the defendant nor any of the other Denver movers who were parties to the Motor Truck Common Carriers Association Local Cartage Tariff No. 4, Colo. P. U. C. No. 7, had any rates on file with the Commission covering movements of household goods in the Denver Metropolitan Area. He stated this condition was brought about by the exclusion of household goods from the above referred to local cartage tariff, and the non-application of the rates, rules, and regulations contained in M. T. C. C. A. Agent, Local and Joint Freight Tariff No. 12, Colo. P. U. C. No. 6, in the territory located within a five (5) mile radius of Denver. These two tariffs were the only ones which could have been used by defendant in assessing his charges.

Witness Norman further stated, after his investigation he contacted the Bekins people in an attempt to effectuate a satisfactory settlement. However, Mr. Bush contended the charges were correctly assessed.

#### OUR COMMENTS

The record shows that the distance traveled required only fifteen (15) minutes running time; the first truck arrived at 1995 South Logan Street at 8:10 A. M., and departed at 11:45 A. M. In other words, it took

three (3) hours and thirty-five (35) minutes to load. The first truck arrived at 1511 East Bates at 12 noon and left there at 4:30 P. M., a matter of four (4) hours and thirty (30) minutes. How much of this time was consumed in actually unloading is not actually revealed, but it is reasonable to assume, based on Exhibit No. 3, that it was unloaded somewhere around 2:30 P. M. or 2:40 P. M., as said exhibit shows the time charged to the second truck began at 2:45 P. M. Therefore, it was sometime between 12 noon and 2:45 P. M. when the driver of the first truck discovered that his truck would not move and called for assistance. Had the first truck not developed mechanical difficulties, it is hard to say how much more time would have been necessary to complete the movement. Suffice it to say, the complainant should not be required to pay for the time consumed in rectifying a breakdown of defendant's equipment.

We believe it was within the defendant's control to have produced better evidence than it did. A wide awake organization, such as that of the defendant, certainly must have a more complete record of its business than has been shown in this proceeding.

We are not convinced that the amount assessed and collected was just and reasonable as required by law. Having come to that conclusion, the question arises what would have been a just and reasonable amount under ordinary conditions and efficiency in making the move?

At the time the shipment moved, the truck rate on household goods for a distance of 10 miles and over 5 miles, in Plains Territory, was \$11.00 for the first 2,000 pounds, plus 57 cents per 100 pounds for the weight in excess of 2,000 pounds, plus \$1.50 per hour for each extra man. On the assumption that the shipment weighed 10,000 pounds, and the eleven and one-quarter hours the total transportation charge would be \$90.35, plus \$2.71 transportation tax, or \$93.06 less than the amount collected on the instant shipment which moved approximately two (2) miles.



## F I N D I N G S

The Commission concludes and finds that under ordinary conditions and efficient handling, this shipment should have been made in not to exceed eight (8) hours; that a just and reasonable rate would have been \$7.00 per hour plus \$2.50 per hour per extra man, or \$76.00 plus the transportation tax; that complainant, Harry G. Thomas and Clara R. Thomas paid and bore the charges on the shipment in question and have been damaged to the extent of the difference between the charges paid for the transportation involved and those that would have accrued on the basis herein found just and reasonable, plus interest at six (6) per cent per annum, and is entitled to reparation in the amount of \$52.62, plus the accrued interest.

## O R D E R

### THE COMMISSION ORDERS:

That defendant, Bekins Moving and Storage Company, now Bekins Van and Storage Company, Inc., Denver, Colorado, be, and it is hereby, directed to pay unto claimant, Harry G. Thomas and Clara R. Thomas, 1511 East Bates Avenue, Englewood, Colorado, on or before July 19, 1954; the sum of \$52.62, plus interest at the rate of six (6) per cent per annum, as reparation on account of the unreasonable and excessive charges collected on one movement of household effects from 1995 South Logan Street, Denver, Colorado, to 1511 East Bates Avenue, Englewood, Colorado, on November 24, 1952.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Hinchel*

*Jeff C. Hinchel*

*Ralph O. Hinchel*  
Commissioners.

Dated at Denver, Colorado,  
this 21st day of May, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LESTER HAUDER, DOING BUSINESS )  
AS "HAUDER'S TRANSFER," JULES- ) PUC NO. 2352-Waiver  
BURG, COLORADO. )  
-----)

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May 21, 1954  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above-captioned certificate-holder, requesting a written waiver from the Commission in lieu of filing a bond covering payment of C. O. D. collections to shippers.

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

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

Applicant represents to the Commission that his net worth is in excess of \$80,100.00, as of March 22, 1954, his financial statement being attached to his request for waiver from Rule 24 (a).

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

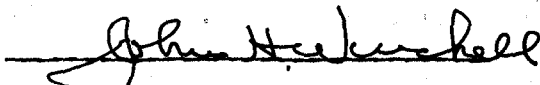
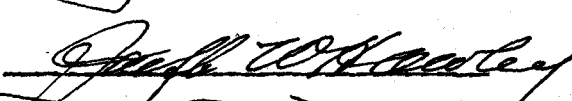

O R D E R

THE COMMISSION ORDERS:

That Lester Hauder, doing business as "Hauder's Transfer," Julesburg, Colorado, should be, and he hereby is, granted a written waiver of the provisions of Section (a) of Rule 24 of the Rules and Regulations Governing Common Carriers by Motor Vehicle, effective January 1, 1951, and shall not be required to file with this Commission cash or surety bond referred to in said Rule in his operations under PUC No. 2352.

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 21st day of May, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ELLENE W. WHITE, 735 SOUTH )  
SHERIDAN, DENVER, COLORADO. )  
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PERMIT NO. B-4417

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May 26, 1954  
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S T A T E M E N T

By the Commission:

On November 25, 1953, the Commission authorized Ellene W. White, Denver, Colorado, to suspend operations under her Permit No. B-4417 until May 19, 1954.

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

F I N D I N G S

THE COMMISSION FINDS:

That Permit No. B-4417 should be, and the same hereby is, reinstated as of May 19, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hinchell  
Ralph C. Horton  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of May, 1954.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HAROLD H. BONEWELL, ROYAL GORGE )  
TRAILER PARK, CANON CITY, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE ) APPLICATION NO. 12880-PP  
AS A PRIVATE CARRIER BY MOTOR VE- )  
HICLE FOR HIRE. )  
-----)

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May 24, 1954  
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S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing at the Court House, Pueblo, Colorado, May 18, 1954, at two o'clock P. M., due notice of the time and place of hearing being forwarded to parties in interest.

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

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be dismissed for lack of prosecution.

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, without prejudice.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. J. J. J.

Joseph B. Hobart  
Commissioners.

Dated at Denver, Colorado,  
this 24th day of May, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
JOE A DURAN, DOING BUSINESS AS )	
*JOE A. DURAN,* PUEBLO, COLORADO, )	<u>APPLICATION NO. 12881</u>
FOR A CERTIFICATE OF PUBLIC CON- )	
VENIENCE AND NECESSITY. )	
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May 24, 1954  
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Appearances: Matt J. Kikel, Esq.,  
Pueblo, Colorado,  
for applicant.

S T A T E M E N T

By the Commission:

Applicant herein seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle, for the calling for, picking up, hauling away, dumping, general disposition of trash, ashes, dirt, rubbish, refuse, and other waste materials, and general transportation of same from the Post Office at Pueblo, Colorado, and a radius of fifteen miles thereof, as point of pickup or origin, to all points within the County of Pueblo, as destination or points of disposal; for the general transportation, movement, hauling, and carrying of sand, gravel, aggregate, other road and construction materials and fertilizer, from any points of origin in Pueblo County, to any other points of disposition or destination in Pueblo County, the area and intended operation of applicant being the roads, highways, streets, private and public, within the County of Pueblo, and over no fixed route other than those legally established for the operation of applicant's business to and from such points as may legally be designated as dump grounds, and for any other points within the radius heretofore set forth that may be hereafter designated as public dumping grounds.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Pueblo, Colorado, May 18, 1954, at two o'clock P.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 1949 Chevrolet pick-up truck; that his Certificate of Insurance is on file with the Commission; that he is the owner of Permit No. 21 issued by the City of Pueblo on January 18, 1954; that his net worth is approximately \$5,000.00, and that he has had thirty years experience in trucking operations; that the location of the City Dumps outside of the City Limits of Pueblo make it necessary for him to have a certificate of public convenience and necessity from this Commission in order to conduct his operations of trash collection and disposal in the City of Pueblo, Colorado.

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

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

#### 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 service of applicant 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 common carrier motor vehicle call and demand transportation service of Joe A. Duran, doing business as "Joe A. Duran," Pueblo, Colorado, for the calling for, picking up, hauling away, dumping, general disposition of trash, ashes, dirt, rubbish, refuse, and other waste materials, and general transportation of same from the Post Office at Pueblo, Colorado, and a radius of fifteen miles thereof, as area of pick-up or origin, to all points within the County of

Pueblo, as destination or points of disposal; for the general transportation, movement, hauling, and carrying of sand, gravel, aggregate, other road and construction materials and fertilizer, from any points of origin in Pueblo County, to any other points of disposition or destination in Pueblo County, the area and intended operation of applicant being the roads, highways, streets, private and public, within the County of Pueblo, and over no fixed route other than those legally established for the operation of applicant's business to and from such points as may legally be designated as dump grounds, and for any other points within the radius heretofore set forth that may be hereafter designated as public dumping grounds, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

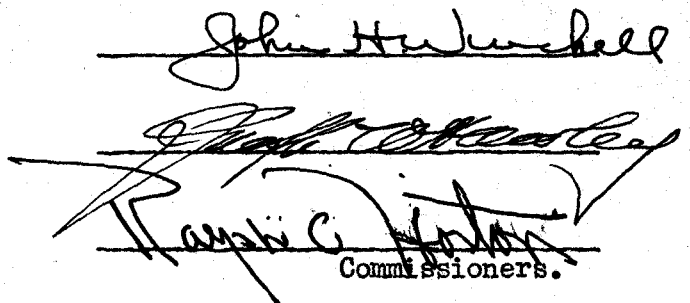
That applicant shall file tariffs of rates, rules and regulations of this Commission within twenty days from date.

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 24th day of May, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ROY W. SLOCUM, 3414 $\frac{1}{2}$  WEST KIOWA, )  
COLORADO SPRINGS, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A ) APPLICATION NO. 12887-PP  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
----- )

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May 24, 1954  
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Appearances: Roy W. Slocum, Colorado  
Springs, 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.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Colorado Springs, Colorado, May 18, 1954, at nine o'clock A. M., and at the conclusion of the testimony, the matter was taken under advisement.

At the hearing, applicant testified that he is the owner of a 1954 Chevrolet two-ton truck, with a three-yard hydraulic dump body; that his net worth is approximately \$4,000.00; that he has had thirteen years experience as a truck driver for the County Road Department.

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

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

It did not appear that applicant's proposed service will tend to 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 permit should issue.

#### O R D E R

##### THE COMMISSION ORDERS:

That Roy W. Slocum, Colorado Springs, 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 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.

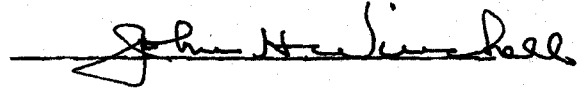
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

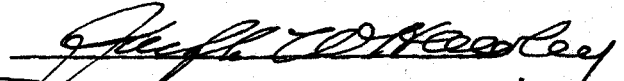
That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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 24th day of May, 1954.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
R. C. FEARNOW, 3029 EAST FOURTH )  
STREET, PUEBLO, COLORADO, FOR A )  
WAIVER FROM THE COMMISSION OF RULE ) APPLICATION NO. 12882-PP-Waiver  
28 (a) OF THE RULES AND REGULATIONS )  
OF THE COMMISSION GOVERNING PRIVATE )  
CARRIERS (RE C. O. D. COLLECTIONS). )  
-----)

-----  
May 24, 1954  
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Appearances: R. C. Fearnow, Pueblo,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

On March 16, 1954, R. C. Fearnow, Pueblo, Colorado, owner of Permit No. A-728-I, made application to the Commission for a waiver of the C. O. D. Bond, in accordance with Rule 28 (a) of the Rules and Regulations of the Commission Governing Private Carriers by Motor Vehicle.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Pueblo, Colorado, May 18, 1954, at two o'clock P. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that he has handled no C. O. D. shipments for the last three or four years; that his financial worth, as shown by his statement on file with the Commission, is approximately \$25,000.00; that he has filed his monthly reports, as required by law; that there is no ton-mile tax owing; that he is the owner of a water tank and a semi-trailer gas tank, of 3060 gallons capacity, and three dump trucks; that he has been doing no hauling recently; that he is also engaged in the real estate rental business.

No one appeared in opposition to said application.

An examination of the Commission's files indicates that the applicant has been doing no hauling for the past two or more years, and it seems unnecessary for the Commission, at this time, to grant a waiver of the C. O. D. Bond requirement when no hauling is being done.

If the applicant desires to be relieved of the requirement of a C. O. D. Bond, it would seem more logical to the Commission that he file an amended tariff, eliminating the authority for C. O. D. shipments, until such time as he may resume operations and desires to handle C. O. D.s.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the above and foregoing Statement is made a part of these Findings, by reference.

That the instant application should be denied.

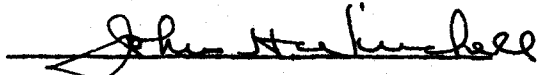
### O R D E R

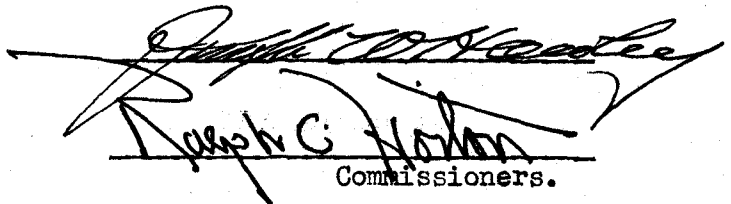
#### THE COMMISSION ORDERS:

That the above-styled application should be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



  
Commissioners.

Dated at Denver, Colorado,  
this 24th day of May, 1954.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
W. L. FULLER, DOING BUSINESS AS )  
"COLORADO SCENIC TOURS," 716 PASEO )  
STREET, COLORADO SPRINGS, COLORADO, )  
FOR AUTHORITY TO TRANSFER PUC NO. )  
1642 TO WALTER H. COLBURN, 747 EAST )  
UINTAH STREET, COLORADO SPRINGS, )  
COLORADO. )  
-----

APPLICATION NO. 12884-Transfer

-----  
May 24, 1954  
-----

Appearances: W. M. Tarter, Esq., Colorado  
Springs, Colorado, for  
applicants.

S T A T E M E N T

By the Commission:

By the instant application, W. L. Fuller, doing business as  
"Colorado Scenic Tours," Colorado Springs, Colorado, owner of PUC No.  
1642, being the right to transport:

passengers in sightseeing and auto livery  
service in the Pikes Peak Region, limited  
to the use of one car,

seeks authority to transfer said operating rights to Walter H. Colburn,  
Colorado Springs, Colorado.

Said application, pursuant to prior setting, after appropriate  
notice to all parties in interest, was heard at the Court House, Colorado  
Springs, Colorado, May 18, 1954, at nine o'clock A. M., and, at the con-  
clusion of the evidence, the matter was taken under advisement.

At the hearing, Walter H. Colburn, Colorado Springs, Colorado,  
testified that he is the transferee herein; that One Thousand One Hundred  
Dollars (\$1,100.00) is the total purchase price for PUC No. 1642; that  
\$100.00 has been paid, the balance of \$1,000.00 to be paid upon approval  
of the transfer by this Commission; that his net worth is more than the  
amount shown in the financial statement on file, which shows cash on de-

posit in Colorado Springs banks in excess of \$30,000.00; that he will adopt the rates now on file with the Commission by transferor; that the transfer is in the public interest; that he has had twenty-eight years experience in the sightseeing business; that he owns and operates other sightseeing authorities.

W. L. Fuller, transferee herein, testified that he does business as "Colorado Scenic Tours," that there are no debts against PUC No. 1642; that he concurs in the testimony of transferor; that the passenger-mile tax deposit is to be refunded to him; that he is the owner of other authorities, and will continue operating in the sightseeing business.

No one appeared in opposition to 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 outstanding indebtedness, if any.

### O R D E R

#### THE COMMISSION ORDERS:

That W. L. Fuller, doing business as "Colorado Scenic Tours," Colorado Springs, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1642 --- with authority as set forth in the preceding Statement, which, by reference, is made a part hereof --- to Walter H. Colburn, Colorado Springs, 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.


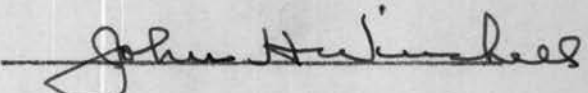
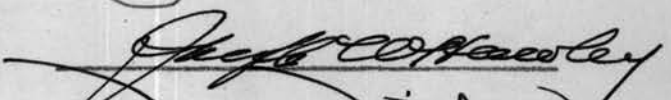
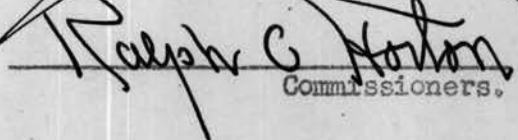
The tariff of rates, rules and regulations of transferor shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

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, and the payment by him or transferee of all unpaid passenger-mile tax.

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

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 24th day of May, 1954.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
W. L. FULLER, DOING BUSINESS AS )  
"COLORADO SCENIC TOURS," 716 PASSED )  
STREET, COLORADO SPRINGS, COLORADO, )  
FOR AUTHORITY TO TRANSFER PUC NO. )  
807 TO R. C. MASON, DOING BUSINESS )  
AS "GREAT WESTERN TOURS," 3112 WEST )  
COLORADO AVENUE, COLORADO SPRINGS, )  
COLORADO. )  
-----

APPLICATION NO. 12885-Transfer

-----  
May 24, 1954  
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Appearances: W. M. Tarter, Esq., Colorado  
Springs, Colorado, for  
Applicants.

S T A T E M E N T

By the Commission:

Pursuant to authority contained in Decision No. 6962, of date  
December 30, 1935, J. M. Thompson acquired from Cadillac Sightseeing Com-  
pany the authority granted by Decision No. 1711 (PUC No. 807), being the  
right to transport:

passengers from Colorado Springs to the various  
scenic attractions in the Pikes Peak Region, sub-  
ject to the following terms and conditions:

- (a) All sightseeing and tourist operations by  
applicant shall be limited to round-trip opera-  
tions, originating and terminating at the point  
of origin of the service;
- (b) No one-way transportation of passengers is  
permitted to any points in the Pikes Peak Region;
- (c) The quantity of equipment to be used in this  
operation is two automobiles.

By Decision No. 15523, of date June 13, 1940, said authority  
was amended:

"to permit the operation of an auto livery ser-  
vice between all points in the Pikes Peak  
Sightseeing Region, and from and to said points,  
to and from other points in the State of Colo-  
rado, subject to the following restrictions:

"(a) Such service shall be furnished only in passenger cars of the type used by applicant in sightseeing business; and applicant shall be limited to the number of cars for said service which he is now entitled to use under his sightseeing certificate. In other words, no additional equipment may be used for such auto livery service, and only five passengers may be carried in one car on all trips -- ten one-way miles or under;

"(b) All operations hereunder shall be conducted on the following rates, to-wit: 15¢ per mile for all trips over 10 one-way miles for 3 passengers or less; 20¢ per mile for four passengers; 25¢ per mile for five passengers; 30¢ per mile for six passengers; and 35¢ per mile for seven or more. For trips 10 one-way miles or under, the rate shall be 20¢ per mile without regard to whether 1 or 5 passengers are carried; provided, however, that all rates both over and under 10 one-way miles shall be based upon round-trip mileage, and where waiting time of over ten minutes is involved, the charge shall be \$1.00 per hour, or a proportion thereof, or fraction of an hour for the full waiting period;

"(c) The auto livery service herein provided for shall not be advertised outside the County of El Paso by means of any literature or other written or printed advertising."

By Decision No. 16159, of date November 9, 1940, said operating rights were extended to include:

one-way operations from Colorado Springs to the summit of Pikes Peak or from the summit of Pikes Peak to Colorado Springs in conjunction with the Manitou Pikes Peak Railway Company.

By Decision No. 17012, of date April 18, 1941, Decision No. 15523 was amended as follows:

"(a) The terms and provisions of said decision shall not apply to taxi operations within the corporate limits of the Town of Manitou Springs, Colorado;

"(b) For trips over 10 one-way miles, the rates shall be 20¢ per mile, based on the round-trip mileage for one to five passengers, inclusive, and 25¢ per round-trip miles for six, seven or eight passengers, with an additional charge of \$3.00 per hour for all time consumed in waiting after 30 minutes delay at any point on the trip, or a charge of \$30.00 per car per eight-hour day may be used in lieu of the mileage basis; provided, however, that such a charge must in all cases produce a higher charge than the charge would be if computed on the mileage basis;



"(c) For trips of 10 one-way miles or under, the number of passengers permitted to be carried is increased from 5 to 6, and the rates to be charged shall be 20¢ per mile without regard to whether 1 or 6 passengers are carried, or an optional charge of \$3.00 per hour may be made, and where a waiting time of over 10 minutes is involved on any trips taken on a mileage basis, the waiting time charge shall be \$1.00 per hour, or a proportion thereof for fractions of an hour, for the full waiting period;

"(d) It is further provided that all the rates above prescribed are minimum rates for both over and under 10 one-way miles, and shall be based upon round-trip mileage;

"That on any transportation that is competitive with scheduled motor vehicle carriers, the base fare of the motor vehicle carrier shall be increased by an amount equal to twenty percent of the scheduled carriers' round-trip fare currently in effect."

Pursuant to authority contained in Decision No. 24470, of date May 4, 1945, Virgil T. Thompson, as son and heir-at-law of J. M. Thompson, Deceased, was authorized to transfer to May E. Thompson his undivided one-half interest in PUC No. 807, she, by authority contained in the same decision, having acquired an undivided one-half interest in said PUC No. 807, as widow of said J. M. Thompson, Deceased. Said Decision No. 24470 provided that our records should be changed to show May E. Thompson to be the owner of said PUC No. 807.

Pursuant to authority contained in Decision No. 26310, of date July 30, 1946, May E. Thompson, Colorado Springs, Colorado, transferred PUC No. 807 to W. L. Fuller, doing business as "Colorado Scenic Tours," Colorado Springs, Colorado, who, by the instant application, seeks authority to transfer said operating rights to R. C. Mason, doing business as "Great Western Tours," Colorado Springs, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Colorado Springs, Colorado, May 18, 1954, at nine o'clock A. M., and, at the conclusion of the testimony, the matter was taken under advisement.

At the hearing, Robert C. Mason, Colorado Springs, Colorado,

transferee herein, testified that the total purchase price was Two Thousand Two Hundred Dollars (\$2,200.00); \$500.00 of which had been paid; that the balance was to be paid within seven days after approval of the transfer by this Commission; that there was no outstanding indebtedness against the operation, except current bills; that he had been in the sightseeing business since 1946; that the passenger-mile tax deposit was to be refunded to transferor; that his net worth is approximately \$10,000.00; that he would carry on the operation in the same manner in which it had been conducted by transferor, and that he would adopt the rates which are on file with the Commission by transferor.

W. L. Fuller, Colorado Springs, Colorado, testified that he is the transferor herein; that he concurred in the testimony of transferee; that he owns other sightseeing authorities, and had been in business for a considerable time; that the transfer was in the public interest.

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

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

#### 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, whether secured or unsecured.

#### O R D E R

##### THE COMMISSION ORDERS:

That W. L. Fuller, doing business as "Colorado Scenic Tours," Colorado Springs, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 807 -- being the operating rights set forth in the preceding Statement, which, by reference, is made a part hereof -- to R. C. Mason, doing business as "Great

Western Tours," Colorado Springs, 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.


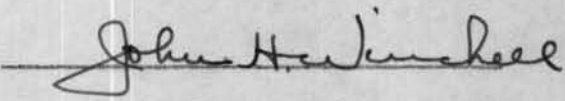
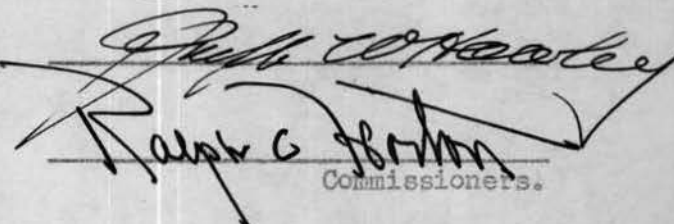
The tariff of rates, rules and regulations of transferor shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

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, and the payment by him or transferee of all unpaid passenger-mile tax.

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

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 24th day of May, 1954.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
CORNELIUS BRAGG, DOING BUSINESS AS  
"CORNELIUS BRAGG ASH & TRASH HAUL-  
ING SERVICE," 602 E. WILLAMETTE,  
COLORADO SPRINGS, COLORADO, FOR A  
CERTIFICATE OF PUBLIC CONVENIENCE  
AND NECESSITY.

APPLICATION NO. 12837

IN THE MATTER OF THE APPLICATION OF  
RUBEN H. FARR, 721 NORTH CORONA,  
COLORADO SPRINGS, COLORADO, FOR A  
CERTIFICATE OF PUBLIC CONVENIENCE  
AND NECESSITY.

APPLICATION NO. 12838

IN THE MATTER OF THE APPLICATION OF  
TONY SBARDALLA, 705 HILL ROAD, COLO-  
RADO SPRINGS, COLORADO, FOR A CERTIFI-  
CATE OF PUBLIC CONVENIENCE AND NEC-  
CESSITY.

APPLICATION NO. 12841

May 24, 1954

Appearances: William Calvert, Esq.,  
Colorado Springs, Colo-  
rado, for Applicants Farr  
and Sbardalla;  
G. W. Bennett, Esq., Colo-  
rado Springs, Colorado,  
for Applicant Bragg;  
E. C. Bunker, Colorado Springs,  
Colorado, for Colorado Springs  
Trash Haulers Association.

S T A T E M E N T

By the Commission:

Each of the above-named applicants filed with the Commission  
his application (as amended at the hearing), for a certificate of public  
convenience and necessity to operate as a common carrier by motor vehicle  
for hire for the transportation, not on schedule, of ashes, trash, dirt,  
rock, fertilizer, rubbish, brush, and other waste materials, between points

within a radius of ten miles of the corner of Pikes Peak and Nevada Avenues in Colorado Springs, Colorado, and the city dump and any dump which is now, or which may hereafter be located within the area above described.

The three applications were set for hearing at the Court House, Colorado Springs, Colorado, for April 22, 1954, and by agreement of all parties in interest, were consolidated for hearing, heard, and taken under advisement.

Counsel for applicants cited to the Commission the appropriate sections of the Colorado Springs Code relative to the operations applied for. It appears therefrom that the applicable ordinance provides that no person shall haul any ashes, refuse, trash, rubbish, or like materials over the streets or alleys of the city without first procuring a license from the city therefor, nor shall any person engage in such transportation without equipment consisting of a leak-proof container with tight-fitting cover, the container to be of metal if no ashes are to be transported. The equipment must first be inspected and approved by the Fire Warden before license is issued. The Fire Warden requests an applicant to have metal-lined equipment with tail gate to prevent scattering and spillage of trash, and lids that close over the top of the equipment. The equipment of each of these applicants has been inspected and approved by the Fire Warden.

Mr. R. G. Poole, of the Department of Public Utilities of the City of Colorado Springs and in charge of the records of said Department, identified Exhibit 1, which is a list of the ash and trash haulers licensed by the City from August 1, 1949 to August 1, 1954, inclusive. During the Year 1949-1950, 54 licenses issued. In the Year 1950-1951, 39 licenses issued. In the Year 1951-1952, 40 licenses issued. In the Year 1952-1953, 50 licenses issued, and between August 1, 1953 to date, 49 of such licenses have issued. The licenses are designated by tags. Applicant Bragg holds Tag No. 48, issued January 12, 1954; Applicant Ferr has Tag No. 3, issued July 27, 1953; and Applicant Sbardalla has Tag No. 38, issued August 26, 1953, each tag representing

a license for the operation of an ash and trash hauler for the period of one year from the date of issuance.

Mr. Poole also gave data as to the increase in gas and electric users in Colorado Springs between 1948 and 1953. There was an increase in gas users of 9,429 and in electric users of 6,820, and, up to the present time in 1954, the gas and electric users have increased at a rate of approximately 1,400 per month. Most of the new service is to home owners who have constructed or purchased homes in the City.

The evidence shows the equipment, net worth, and number of customers of the applicants to be as follows:

No. 12837, Bragg: one 1946 Ford dump truck; also pick-up truck with dump body. Net worth between \$5,000.00 and \$6,000.00. Two hundred customers scattered over the City. No complaint on service. Many requests for proposed service.

No. 12838, Farr: one 1948 Chevrolet pick-up, one-half-ton capacity, empty weight 3,430 pounds. Net worth \$20,900.00. One hundred customers, partly in down-town area in which he gives weekly service and the balance private homes. Many calls for service from points outside the City.

No. 12841, Sbardalla: one 1941 Chevrolet dump truck, one-ton capacity, empty weight 5,660 pounds. Net worth \$6,850.00. Ten industrial customers, 100 houses. Many calls for service not now authorized.

Applicant Bragg testified that he has been engaged in this disposal business since 1938, and is now operating under temporary authority from the Commission, which expired April 25, 1954, but, at the hearing, was extended for an additional period of thirty days. He makes two or three trips to the dump every day and thinks there is plenty of business for all parties engaged in this activity. Supporting his application were Julian R. Erwin, a barber, residing at No. 10 North Sierre Madre; Roy L. Thompson, residing at 727 East Dale Street; Margarete Manley, residing at 602 Willamette; and Ted Chappell, residing at 623 East Monument, all in Colorado Springs.



All are being served by Bragg and need his services, which have been satisfactory. Witness Erwin had never been solicited by any of the other trash haulers. Witness Thompson had called 21 of the other trash haulers, one of which wanted \$7.00 to move one container of cans, while others promised to give service on a certain date, but did not appear for four or five days thereafter. One Arthur L. Diamond, a driver for applicant, also testified that he handles all the hauling of Bragg's customers, and has received no complaints on the service.

Applicant Farr testified that he has driven a truck since 1950, and there is a need for his service.

Applicant Sbardalla testified that he has had 33 years experience in the truck industry and experience in ash and trash hauling since 1929, and there is a demand for his services. His testimony is supported by that of Patricia H. Kerr, residing at 611 North Custer Street; George Theodosen, residing at 216 No. Tejon; Mrs. Irene Newcomb, residing at 5 Macklin Road and operating a ladies' specialty shop at No. 24 North Tejon; Merle Larson, operator of a filling station at Nevada and Kiowa; and a Mr. Peterson, Manager of a cleaning and dyeing establishment at No. 218 North Tejon.

Witness Kerr had formerly employed another hauler who charged \$10.00 for hauling one load of trash, and has found no one to turn to but applicant for service at a reasonable price. Witness Theodosen has tried other haulers, whose service was not satisfactory because of delays and exorbitant charges, and Mrs. Newcomb has had similar experiences. Applicant has served all these witnesses satisfactorily for several years.

John C. Wilkinson, who operates under PUC-2197, testified independently, neither for nor against the applications. He stated that the granting of the three applications would not affect him or his service.

In protest, E. C. Bunker, Secretary and Treasurer of Colorado Springs Trash Haulers Association, testified that sufficient permits for ash and trash hauling had been issued to fully take care of all demands,



and any additional carriers would seriously interfere with the business of the presently certificated carriers.

For some reason not explained, the Colorado Springs Trash Haulers Association, through its Secretary and Treasurer, advised the Commission that their protest applies only to the applications of Bragg and Sbardalla. The Association does not protest the Farr application.

The Commission has carefully considered the evidence and does not find any reason to believe that the granting of the applications would impair the efficient public service of the other common carriers authorized to serve the area applied for. The City of Colorado Springs has seen fit to license the three applicants. All their equipment has been inspected and approved by city officials. The applicants are employed full time and make their living from this business and the only question we are called upon to determine is whether or not public convenience and necessity require their operation over the short distances from the city limits of Colorado Springs to the city dump, and to any other dump that may be later established. All the evidence is to the effect that there is a definite need on the part of the public for the proposed services of applicants.

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

The Commission is of the opinion, and finds, that public convenience and necessity require the granting of the proposed operation of each of the above-named applicants, 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 proposed common carrier motor vehicle, call and demand service, of Cornelius Bragg, doing business as "Cornelius Bragg Ash & Trash Hauling Service," Colorado Springs, Colorado, for the transportation of ashes, trash, dirt, rock, fertilizer, rubbish, brush, and other waste materials, between points within a radius of ten miles of the corner of Pikes Peak and Nevada Avenues, in Colorado Springs, and the City Dump, and any dump which is now or which may

hereafter be located within the area above described, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That public convenience and necessity require the proposed common carrier motor vehicle, call and demand service, of Ruben H. Farr, Colorado Springs, Colorado, for the transportation of ashes, trash, dirt, rock, fertilizer, rubbish, brush, and other waste materials, between points within a radius of ten miles of the corner of Pikes Peak and Nevada Avenues in Colorado Springs, Colorado, and the City dump, and any dump which is now or which may hereafter be located within the area above described, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That public convenience and necessity require the proposed common carrier motor vehicle, call and demand service, of Tony Sbardalla, Colorado Springs, Colorado, for the transportation of ashes, trash, dirt, rock, fertilizer, rubbish, brush, and other waste materials, between points within a radius of ten miles of the corner of Pikes Peak and Nevada Avenues in Colorado Springs, Colorado, and the City dump, and any dump which is now or which may hereafter be located within the area above described, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That each of the above named 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 each of the above named applicants 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 each of said applicants with all present and future laws and rules and regulations of this Commission.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hunschell  
Robert C. Hunschell  
Ralph C. Hunschell  
Commissioners.

Dated at Denver, Colorado,  
this 24th day of May, 1954.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

SOUTHWESTERN TRANSPORTATION  
COMPANY, CANON CITY, COLORADO,

Complainant,

vs.

EVEREADY FREIGHT SERVICE,  
BUENA VISTA, COLORADO,

Defendant.

CASE NO. 5070

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May 25, 1954.  
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Appearances: William T. Secor, Esq., Denver,  
Colorado, for the Commission;  
John M. Boyle, Esq., Salida,  
Colorado, for Eveready  
Freight Service;  
T. A. White, Esq., Denver, Colo-  
rado, for Rio Grande Motor  
Way, Inc.;  
Stanley Blunt, Canon City, Colo-  
rado, for Southwestern Trans-  
portation Company.

S T A T E M E N T

By the Commission:

The above-styled case was regularly set for hearing at the Hear-  
ing Room of the Commission, 330 State Office Building, Denver, Colorado,  
May 20, 1954, at 10:30 o'clock A. M.

When said matter was called for hearing, William T. Secor, Esq.,  
appearing on behalf of the Commission, presented the following motion:

"Comes now the staff for The Public Utilities Com-  
mission of the State of Colorado, by its Attorney,  
in the above entitled matter and petitions the  
Commission to discontinue proceedings herein, and  
for reasons thereof state;

"That a motion to dismiss was filed on December 15,  
1953 by the Respondent, Eveready Freight Service;  
that the above entitled matter cannot be properly  
adjusted informally before the Commission; that a

formal Complaint has been filed by the Commission on its own motion relative to the operations of the Eveready Freight Service under Certificate of Public Convenience and Necessity No. 486, in Case No. 5073, which has been set for hearing by the Commission on May 20, 1954, at 330 State Office Building, Denver, Colorado; that by discontinuing the proceedings upon the informal complaint herein, it would make it unnecessary for the Commission to act upon Respondent's motion to dismiss.

"WHEREFORE, the staff of the Commission respectfully moves that the Commission order the proceedings on the within informal docket be discontinued since the matter cannot be properly adjusted informally and thereby making it unnecessary for the Commission to act upon the Respondent's motion to dismiss, and since a formal complaint in the style of an Order to Show Cause and Notice of Hearing relative to the operations of the Eveready Freight Service, under Certificate No. 486, in Case No. 5073, has been issued by the Commission upon its own motion; and that the Commission find that the discontinuance of the informal docket in the above entitled matter be hereby held to be without prejudice to the Complainants, The Southwestern Transportation Company of Canon City, Colorado, to file and prosecute a formal complaint in the matter."

John M. Boyle, Esq., appearing in behalf of Eveready Freight Service, argued vigorously in opposition to the granting of the motion.

Stanley Blunt, appearing in behalf of Southwestern Transportation Company, stated that he had no objection to the granting of the motion.

The Commission, after a brief conference, decided to grant the motion.

Mr. Boyle asked that his exception to the ruling of the Commission be noted.

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

##### THE COMMISSION FINDS:

That motion presented by William T. Secor, Esq., set forth in the preceding Statement, which by reference is made a part hereof, should be granted.

That exception of John M. Boyle, Esq., to the ruling of the Commission is hereby noted.

O R D E R


THE COMMISSION ORDERS:

That motion presented to the Commission by William T. Secor, Esq., on May 20, 1954, set forth in the preceding Statement, should be, and the same hereby is, granted.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
John H. Hinchell

Ralph C. Harkin  
Commissioners

Dated at Denver, Colorado,  
this 25th day of May, 1954.

mw



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
EVERETT BELCHER, CORTEZ, COLORADO, }  
FOR AUTHORITY TO TRANSFER PUC NO. }  
1592 TO RAY SANDERS, DOLORES, }  
COLORADO. }

APPLICATION NO. 12907-Transfer

-----  
May 26, 1954.  
-----

Appearances: George E. Dilts, Esq.,  
Cortez, Colorado,  
for applicants.

S T A T E M E N T

By the Commission:

By Decision No. 22418, as amended by Decision No. 22662, R. A. Hollen and F. H. Higgins, co-partners, doing business as "H & H Transit," were authorized to operate as common carriers by motor vehicle for hire, on call and demand, for the transportation of:

(a) farm products, including livestock, farm supplies, machinery, and equipment, and emigrant moveables, between points within a radius of forty miles of Pleasant View; (b) emigrant moveables and farm products, including livestock, and excepting seed, from points in said area to points as far south as the New Mexico-Colorado State Line, and to points on U. S. Highway No. 160 as far east as Pagosa Springs, and to points in the State of Colorado east of Pagosa Springs (said service to points east of Pagosa Springs to be limited to not more than two trips in any calendar month), and emigrant moveables from points in the area to points north of Pleasant View as far as Grand Junction; (c) farm machinery, equipment, and supplies from Durango and other points on U. S. Highway No. 160 between Durango and Pagosa Springs, to farms within a radius of forty miles of Pleasant View, without the right to haul lumber from points east of Durango on U. S. Highway No. 160 to farms in said area, said applicants, in performing service under the authority granted, to be limited to the use of trucks of two-tons or less factory-rated capacity,

said operating rights being designated "FUC No. 1592."

Pursuant to authority contained in Decision No. 31309, of date September 24, 1948, said certificate-holders transferred FUC No. 1592 to Clifford Ream and Robert Davis, co-partners, Chaone, Colorado, who, pursuant to authority contained in Decision No. 35188, of date August 10, 1950, transferred said operating rights to Albert Jackson, doing business as "Dove Creek Transit," Dove Creek, Colorado, who, thereafter (Decision No. 37335, of date September 4, 1951), transferred said operating rights to Everett Belcher, Cortez, Colorado.

By the instant application, said Everett Belcher, Cortez, Colorado, seeks authority to transfer FUC No. 1592 to Ray Sanders, Dolores, 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 transferee, pecuniarily and otherwise, is qualified and able to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating 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 Everett Belcher, Cortez, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to FUC No. 1592 -- being the operating rights granted by Decision No. 22418, as amended by Decision No. 22662 -- to Ray Sanders, Dolores, Colorado,

subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That 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 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 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 operations under said certificate up to the time of transfer of said certificate, 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 shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,  
this 25th day of May, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HENRY MICHEL, 490 NORTH 6TH, )  
BRIGHTON, COLORADO. )  
-----

PERMIT NO. B-4241

-----  
May 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-4241 be suspended for six months from May 3, 1954.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

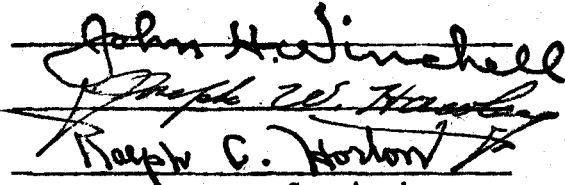
O R D E R

THE COMMISSION ORDERS:

That Henry Michel, Brighton, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-4241 until November 3, 1954.

That unless said Henry Michel, Brighton, 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 28th day of May, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ED A. JONES, 1361 KALAMATH )  
STREET, DENVER, COLORADO. )  
-----

PERMIT NO. B-2753

-----  
May 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-2753 be suspended for six months from May 3, 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 Ed A. Jones, Denver, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-2753 until November 3, 1954.

That unless said Ed A. Jones, 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. Hinchell*  
*Joseph W. Newberry*  
*Joseph C. Hoshorn*  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of May, 1954.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
A. C. BECK, DOING BUSINESS AS "BECK )  
TRANSFER CO.," 920 11TH STREET, DEN- )  
VER, COLORADO, FOR AUTHORITY TO TRANS- )  
FER INTERSTATE OPERATING RIGHTS TO )  
MATTHEW LEO MC KEONE, MATTHEW LEO )  
MC KEONE, JR., JOSEPH JAMES MC KEONE, )  
AND ALBERT JOSEPH MC KEONE, CO-PART- )  
NERS, DOING BUSINESS AS "RED BALL )  
TRANSFER CO.," 1009 CAPITOL AVENUE, )  
OMAHA, NEBRASKA. )  
----- )

PUC NO. 1729-I-Transfer

-----  
May 26, 1954  
-----

S T A T E M E N T

By the Commission:

Heretofore, A. C. Beck, doing business as "Beck Transfer Co.," Denver, Colorado, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier in interstate commerce, and PUC No. 1729-I issued to him.

Said certificate-holder now seeks authority to transfer said operating rights to Matthew Leo McKeone, Matthew Leo McKeone, Jr., Joseph James McKeone, and Albert Joseph McKeone, co-partners, doing business as "Red Ball Transfer Co.," Omaha, Nebraska.

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

F I N D I N G S

THE COMMISSION FINDS:

That said transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

That A. C. Beck, doing business as "Beck Transfer Co.," Denver, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1729-I to Matthew Leo McKeone,

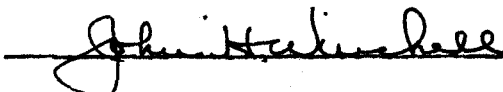
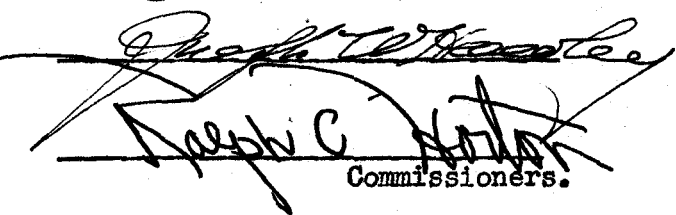


Matthew Leo McKeone, Jr., Joseph James McKeone, and Albert Joseph McKeone, co-partners, doing business as "Red Ball Transfer Co.," Omaha, Nebraska, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured, and subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of May, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
E. B. WEBB, 418 EAST COLUMBIA )	
STREET, COLORADO SPRINGS, COLORADO, )	<u>APPLICATION NO. 12842-PP-Reissue</u>
FOR A CLASS "B" PERMIT TO OPERATE )	
AS A PRIVATE CARRIER BY MOTOR VE- )	
HICLE FOR HIRE. )	

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-----  
May 26, 1954  
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Appearances: E. B. Webb, Colorado  
Springs, Colorado,  
pro se.

S T A T E M E N T

By the Commission:

By the instant application, E. B. Webb, Colorado Springs, Colorado, 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 75 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 75 miles of said jobs, excluding service in Boulder, Clear Creek and Gilpin Counties; transportation of coal between points within a radius of 75 miles of Colorado Springs, Colorado; transportation of fertilizer between points within a radius of 75 miles of Colorado Springs, Colorado, said authority to bear Permit No. B-2761.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Colorado Springs, Colorado, April 22, 1954, at ten o'clock A. M., and, at the conclusion of the evidence, the matter was taken under advisement.

It appears from the records herein that the said E. B. Webb here-

tofore was granted private Permit No. B-2761 for the transportation of sand, gravel, dirt and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road construction jobs within a radius of 75 miles of said pits and supply points, excluding Boulder, Clear Creek, and Gilpin Counties, the date of said authority being June 8, 1942.

By Decision No. 34518, of date April 12, 1950, he was authorized to suspend operations under said permit until October 1, 1950, the order providing that, should he not, prior to the expiration of said 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 should be revoked without the right to reinstate. Applicant made no request for reinstatement as required by said order and the permit stood revoked as of October 1, 1950.

Applicant Webb stated that he is asking now for the same authority he formerly held under private Permit No. B-2761, except that he is asking in addition for authority to transport fertilizer between points within a radius of 75 miles of Colorado Springs. He asks that the same number he formerly held, to-wit: Private Permit No. B-2761, be assigned to the new operation. For the past ten years, he has been working for the State Highway Department and did not need the permit, but has now been employed off and on by the R. M. Oil Paving Company and Harry Groves, a contractor, who desire his services under his own permit. He owns a 1951 Ford 2-ton dump truck and his net worth is \$10,000.00. His experience in the trucking business has been shown to the satisfaction of the Commission.

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.

## 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 E. B. Webb, Colorado Springs, 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 75 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 75 miles of said jobs, excluding service in Boulder, Clear Creek, and Gilpin Counties; transportation of coal between points within a radius of 75 miles of Colorado Springs, Colorado; transportation of fertilizer between points within a radius of 75 miles of Colorado Springs, Colorado, said authority to bear Permit No. B-2761.

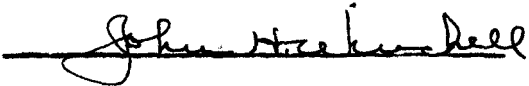
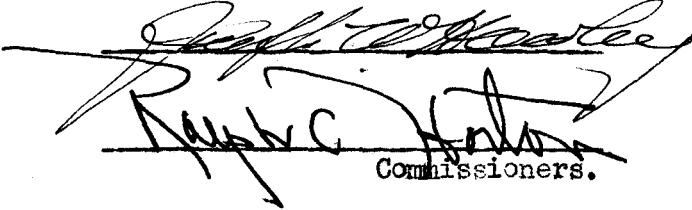
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 26th day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WILLIAM W. HARFERT, DOING BUSINESS )  
AS "QUICK SERVICE CO.," 1303 EAST )  
MONROE STREET, COLORADO SPRINGS, )  
COLORADO, FOR A CERTIFICATE OF PUB- )  
LIC CONVENIENCE AND NECESSITY. )  
-----

APPLICATION NO. 12844

-----  
May 26, 1954  
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Appearances: R. T. Thomas, Esq., Colorado  
Springs, Colorado, for  
Applicant;  
Ben S. Wendelken, Esq., Colo-  
rado Springs, Colorado,  
for Yellow Cab Company;  
Horn & Anderson, Esqs., Colo-  
rado Springs, Colorado,  
for Colorado Springs  
Transit Company;  
James F. Donahue, Colorado  
Springs, Colorado, for  
Air Lines Cab Service.

S T A T E M E N T

By the Commission:

By the instant application, William W. Harfert, doing business as "Quick Service Co.," Colorado Springs, Colorado, seeks a certificate of public convenience and necessity authorizing the transportation of passengers by bus as a common carrier in a certain area in and around Colorado Springs, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Colorado Springs, Colorado, April 22, 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, R. T. Thomas, Attorney for applicant, stated that he was now satisfied that the instant application had been improperly prepared and does not fully explain the authority which the applicant seeks. He requested that the applicant be permitted to withdraw the application without prejudice.



FINDINGS

THE COMMISSION FINDS:

That the request of applicant should be granted.

ORDER

THE COMMISSION ORDERS:

That applicant William W. Harfert, doing business as "Quick Service Co.," Colorado Springs, Colorado, be, and is hereby, granted the privilege of withdrawing the instant application without prejudice.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



John Hutchinson

Ralph W. Haskins  
Ralph C. Haskins  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of May, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE OPERATIONS OF O. E. ELLIS, )  
223 SOUTH INSTITUTE STREET, )  
COLORADO SPRINGS, COLORADO, ) CASE NO. 5074  
UNDER CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY )  
NUMBER 2184. )  
-----)

-----  
May 26, 1954  
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Appearances: E. C. Bunker, Colorado  
Springs, Colorado, for  
Colorado Springs Trash  
Haulers Association;  
Louis J. Carter, Denver,  
Colorado, for the  
Commission.

S T A T E M E N T

By the Commission:

O. E. Ellis, Colorado Springs, Colorado, is the owner of  
PUC-2184, authorizing his operations as a common carrier by motor vehicle,  
with authority as follows:

for the transportation of ashes, trash, dirt,  
rock, fertilizer, rubbish, brush and other  
waste materials between points within a radius  
of ten miles of the corner of Pikes Peak and  
Nevada Avenues in Colorado Springs, Colorado,  
and the city dump.

The Commission was advised that said certificate-holder had  
violated his authority under said certificate by abandoning operations  
thereunder in violation of Rule 10 of the Rules and Regulations Governing  
Common Carriers by Motor Vehicle, effective January 1, 1951.

By Decision No. 42439, of date April 9, 1954, the Commission,  
on its own motion, directed an investigation as to the operations of said  
O. E. Ellis, Colorado Springs, Colorado, under said certificate and required  
him to show cause on or before the 22nd day of April, 1954, why an order  
should not be entered revoking said certificate on account of the violations  
claimed.

The matter was set for hearing at the Court House, Colorado Springs, Colorado, on the 22nd day of April, 1954, and the certificate-owner did not appear, either in person, or by counsel.

R. D. Cummings, one of the partners doing business under PUC-2130 under the name of "Disposal Service Company," testified that his Company had similar authority as that granted to Ellis under PUC-2184; that he has been operating a general ash and trash disposal business transporting these materials to the dump outside Colorado Springs every day. He has not seen Ellis at the dump since March 10, 1954, and knows that Ellis has not operated since that date. Witness now hauls for Ellis' former customers.

E. C. Bunker, Secretary-Treasurer of the Colorado Springs Trash Haulers Association, stated that he had written the complaint upon which the show cause proceedings were based. On March 23, 1954, he had called upon Ellis relative to the establishment of rates for the disposal of ashes and trash, and at that time had been advised by Ellis that he had quit the trucking business and was no longer interested in the same.

Louis J. Carter, Supervisor of Complaints and Investigations, testified that he had made an examination of the records of the Commission and found that no reports had been filed by the certificate-owner for any service performed for a period of more than five consecutive days prior to the date of said Decision No. 42439.

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

##### THE COMMISSION FINDS:

That O. E. Ellis, Colorado Springs, Colorado, owner of PUC-2184 has violated Rule 10 of the Rules and Regulations Governing Common Carriers by Motor Vehicle, effective January 1, 1951, by abandoning operations under said certificate without first making application in writing to the Commission, submitting evidence giving reasons for the abandonment and securing an order permitting such discontinuance and revoking and cancelling said certificate, and further by discontinuing service under said certificate for a period of

five consecutive days without written notice to and approval by the Commission.

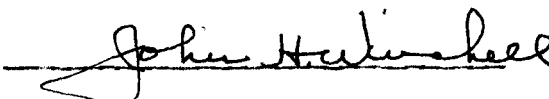

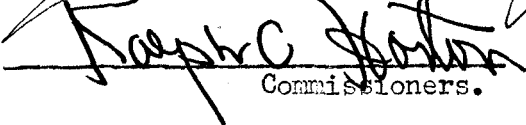
O R D E R

THE COMMISSION ORDERS:

That Certificate of Public Convenience and Necessity No. 2184, heretofore issued to O. E. Ellis, Colorado Springs, Colorado, be, and the same is hereby, revoked and cancelled.

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 May, 1954.

ea

original

(Decision No. 42714)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WESTERN SLOPE GAS COMPANY, 900 FIF- )  
TEENTH STREET, DENVER, COLORADO, FOR )  
A CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY TO INSTALL, MAINTAIN, )  
AND OPERATE A NATURAL GAS TRANSMIS- )  
SION LATERAL TO SUPPLY THE TOWN OF )  
PALISADE, COLORADO, THE UNINCORPOR- )  
ATED TOWNS OF FRUITVALE AND CLIFTON, )  
COLORADO AND TWO METER LOCATIONS )  
NORTH OF THE CITY OF GRAND JUNCTION, )  
COLORADO. )  
----- )

APPLICATION NO. 12801  
SUPPLEMENTAL ORDER

-----  
May 27, 1954  
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Appearances: Lee, Bryans, Kelly and Stansfield,  
by E. A. Stansfield, Esq.,  
Denver, Colorado, for applicant;  
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 April 30, 1954, the Commission issued its decision in the above entitled matter, granting to the Western Slope Gas Company a certificate of public convenience and necessity to construct, install, maintain and operate a natural gas transmission lateral in Mesa County, Colorado, to supply natural gas service to the Town of Palisade, and to the unincorporated towns of Fruitvale and Clifton, and for the construction of two meter locations north of the City of Grand Junction, Colorado.

Applicant, under date of May 20, has requested from the Commission, a supplemental order amending the Commission's original order of April 30, 1954, in regard to the installation of a meter station to serve the Fruitvale area in said original application. Applicant, in its

request to the Commission has stated that, due to a proposed change in the State Highway through the Fruitvale area, the Commission's order as originally granted would necessitate a division in the gas distribution system to be installed by the Public Service Company of Colorado because of the proposed Highway construction. If, however, Western Slope Gas Company were to be authorized by this Commission to install two metering stations for the Fruitvale area, the division in the distribution system would not be necessary, and public convenience and necessity would be better served by the installation of a second metering station by Western Slope Gas Company approximately one mile west of the Fruitvale meter station as originally authorized by the Commission.

After due consideration of the request by Western Slope Gas Company, the Commission believes that the request is reasonable and would be in the public interest. Since we retained jurisdiction in our original order to make further order or orders if necessary, we will authorize the additional metering installation by the order herein without a further hearing.

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

##### THE COMMISSION FINDS:

That the request of Western Slope Gas Company to install an additional meter station approximately one mile west of the Fruitvale meter station granted in Application No. 12801, Decision No. 42549, of date April 30, 1954, should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:


That the Western Slope Gas Company be, and it hereby is, granted a certificate of public convenience and necessity to construct, install, maintain and operate one additional gas metering station approximately one mile west of the Fruitvale meter station that was authorized by this Commission in its Order of April 30, 1954, Decision No. 42549, in Application No. 12801.

That all other terms and conditions contained in the Commission's original order of April 30, 1954, Decision No. 42549, Application No. 12801 shall remain in full force and effect.



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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



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

Dated at Denver, Colorado,  
this 27th day of May, 1954.

ea

original

(Decision No. 42715)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GALE R. CAMPER, WESTCLIFFE, COLO- )  
RADO, FOR AUTHORITY TO TRANSFER )  
PERMIT NO. A-1335 TO GAYLE PATT- )  
ERSON, WESTCLIFFE, COLORADO. )

APPLICATION NO. 12931-PP-Transfer

-----  
May 27, 1954  
-----

S T A T E M E N T

By the Commission:

On February 24, 1936, by Decision No. 7245, W. A. Lancaster was authorized to operate as a Class "A" private carrier by motor vehicle for hire, for the transportation of:

farm products, including livestock, and ore from point to point within a radius of fifteen miles of Westcliffe, Colorado; and from said area via Highway No. 96 to Pueblo and Highway No. 85 from Pueblo to Denver, provided, however, that no farm products which originate within the corporate limits of Westcliffe itself shall be transported by applicant, and no points intermediate between Pueblo and Westcliffe shall be served by applicant, and provided further that applicant shall not engage in the transportation of freight as a back-haul from Denver, Colorado Springs, Pueblo, or any other intermediate points, into Westcliffe, Colorado.

By Decision No. 11217, of date January 10, 1938, said permit-holder was authorized to extend operations under said operating rights (Permit No. A-1335) to include the right to transport:

ore from mines within a radius of fifteen miles of Westcliffe, to Texas Creek; farm products, including livestock, from farms within a radius of fifteen miles of Westcliffe, to Westcliffe, Texas Creek, Salida, Saguache, Center, Monte Vista and Alamosa, with back-haul of livestock, only, from said points to farms within said fifteen-mile radius; and livestock from Denver to farms in said radius.

By Decision No. 11249, of date January 14, 1938, said W. A. Lancaster was authorized to further extend operations under Permit No. A-1335

to include the right to transport:

ore from mines within a radius of fifteen miles of Westcliffe, to Texas Creek; farm products, including livestock, from farms within a radius of fifteen miles of Westcliffe, to Westcliffe, Texas Creek, and Salida; livestock from and to Saguache, Center, Monte Vista and Alamosa, to and from farms within said fifteen-mile radius and livestock from Denver to farms in said radius.

By Decision No. 11614, of date March 26, 1938, said operating rights were further extended to include the right to transport:

ore from mines within a radius of fifteen miles of Westcliffe to Florence and Canon City, Colorado.

On November 6, 1950, by Decision No. 35602, said permit-holder was authorized to transfer said Permit No. A-1335 to Gale R. Camper, Westcliffe, Colorado, who, by Decision No. 36673, of date May 7, 1951, was authorized to extend operations under said permit to include the right to transport:

ore and concentrates from the Defender Mine, located approximately  $2\frac{1}{2}$  miles from Westcliffe, Colorado, to Leadville, Colorado, for Ed Stacey's operation, only.

On May 5, 1954, Gale R. Camper, Westcliffe, Colorado, filed the instant application, seeking authority to transfer Permit No. A-1335 to Gayle Patterson, Westcliffe, Colorado.

The Commission has been advised by John Hanssen, Westcliffe, Colorado, that Gale R. Camper is indebted to him in the amount of \$423.50, which indebtedness Transferee Gayle Patterson has agreed to assume upon approval of transfer of Permit No. A-1335 to him.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road-tax deposit of transferor is to be transferred to account of transferee; 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, without formal notice, upon the records and files herein.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the proposed transfer should be authorized, subject to the conditions as set forth in the Order following.

### O R D E R

#### THE COMMISSION ORDERS:

That Gale R. Camper, Westcliffe, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. A-1335 -- being the operating rights granted by Decisions Nos. 7245, 11217, 11249, 11614, and 36673 -- to Gayle Patterson, Westcliffe, Colorado, subject to payment of outstanding indebtedness against said operation, whether secured or unsecured, and specifically provided that transferee shall assume and pay indebtedness in the amount of \$423.50 due and owing to Hanssen Filling Station and Garage, Westcliffe, Colorado.

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 transferee's 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 trans-

feree of all unpaid ton-mile tax.

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



John H. Hunsell

Joseph W. Hawley

Robert C. Horton  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of May, 1954.

mls

original

(Decision No. 42716)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JAMES OSCAR BASKALL, 712 WEST MAIN )  
STREET, STERLING, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUC NO. 1474 )  
TO VALENTINE DILLIE, 504 PHELPS )  
STREET, STERLING, COLORADO. )  
-----

APPLICATION NO. 12932-Transfer

-----  
June 1, 1954  
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Appearances: Baxter W. Arnold, Esq.,  
Sterling, Colorado,  
for transferee.

S T A T E M E N T

By the Commission:

By Decision No. 18450, of date March 3, 1942, Marion A. Strohmeyer was issued a certificate of public convenience and necessity, authorizing the transportation, on call and demand, of:

fertilizer, dirt, sand, gravel, trash, and  
garbage, between points within a radius of  
one mile of, and including, the City of  
Sterling, Colorado,

said operating rights being designated "PUC No. 1474."

By Decision No. 20529, of date March 8, 1943, said certificate was amended to authorize:

service from and to points in said area, to  
and from points within a radius of twenty-  
five miles of Sterling, Colorado.

By Decision No. 25060, of date November 2, 1945, said operating rights were extended to include the right to transport:

coal and building materials from Sterling,  
Colorado, to points and places within a  
twenty-five mile radius of Sterling, Colo-  
rado, with occasional trips within a 75-  
mile radius of Sterling, and with the  
right to return surplus or excess building  
material, but not used, from place of  
delivery to the lumber yard, the place  
of its origin.



Subsequently, the following transfers of PUC No. 1474 were effected:

Marion A. Strohmeier to Keith Bauer and John Alvarez, co-partners, doing business as "Bauer and Alvarez (Decision No. 28907, of date August 26, 1947);

Keith Bauer and John Alvarez, co-partners, doing business as "Bauer and Alvarez to Keith Bauer (Decision No. 29904, of date February 24, 1948);

Keith Bauer to Kenneth Smith (Decision No. 32584, of date May 13, 1949);

Kenneth Smith to Joseph E. Davis and Robert Grams, doing business as "Davis and Grams (Decision No. 35914, of date January 11, 1951);

Joseph E. Davis and Robert Grams, doing business as "Davis and Grams," to James Oscar Baskall (Decision No. 40704, of date June 5, 1953).

By the instant application, James Oscar Baskall, Sterling, Colorado, seeks authority to transfer PUC No. 1474 to Valentine Dillie, Sterling, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that ton-mile tax deposit is to be transferred to account of transferee; that transferee, pecuniarily and otherwise, is qualified and able to carry on the operation, and it does not appear that any useful purpose would be served by setting said application for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

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

##### THE COMMISSION FINDS:

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

ORDER

THE COMMISSION ORDERS:

That James Oscar Baskall, Sterling, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1474 -- being the operating rights granted by Decisions Nos. 18450, 20529 and 25060 -- to Valentine Dillie, Sterling, 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, 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. Hinchel*

*Joseph W. Hawley*  
*Ralph C. Hobart*  
Commissioners.

Dated at Denver, Colorado,  
this 1st day of June, 1954.  
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
SANGRE DE CRISTO ELECTRIC ASSOCIA- )  
TION, INC., SALIDA, COLORADO, FOR )  
AN ORDER APPROVING THE ISSUANCE OF )  
SECURITIES, AND FOR AN ORDER )  
AUTHORIZING THE ISSUANCE OF SECURI- )  
TIES AND THE APPLICATION OF THE )  
PROCEEDS THEREFROM TO CERTAIN LAW- )  
FUL PURPOSES. )  
-----

APPLICATION NO. 12889-Securities

-----  
May 28, 1954.  
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Appearances: William S. Rush, Esq., Salida,  
Colorado, for applicant;  
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:

This is an application by the Sangre de Cristo Electric Associa-  
tion, Salida, Colorado, for the authorization, ratification, and approval  
of this Commission for the issuance of certain securities by applicant in  
the conduct of its business.

The matter was set for hearing, after due notice to all interested  
parties, on May 20, 1954, at ten o'clock A. M., at the Commission's Hearing  
Room, 330 State Office Building, Denver, Colorado, and was there heard by  
the Commission and taken under advisement.

Applicant is a Colorado corporation and is engaged in the busi-  
ness of purchasing, generating, accumulating, and acquiring electric energy,  
and the transmitting, distributing, selling of said electric energy to both  
members and non-members of the Association in certain areas in Chaffee,  
Fremont, Custer, and Lake Counties, in the State of Colorado. Certain of



the above territory for service was acquired by the purchase and transfer to applicant of a certificate of public convenience and necessity held by the Mountain Utilities Corporation for service in the Town of Buena Vista and the area contiguous to said town. Applicant acquired said certificate by authority of the Commission in Application No. 931-AB-A, by Decision No. 24003, of date January 11, 1945. One of the terms and conditions of said acquisition by applicant was that it amend its Articles of Incorporation to include service to non-members on the acquired lines of the Mountain Utilities Corporation. Applicant has heretofore filed said amendment with the Commission in conformance with said Order.

The principal office of applicant is located in Salida, Colorado.

At the hearing, attorney for applicant requested permission from the Commission to amend the application herein in Paragraph No. 4, subparagraph (d), to conform to the testimony at the hearing. The Commission granted the amendment in conformance with said testimony.

Testimony at the hearing revealed that applicant has, from time to time, borrowed money from the United States of America, through the Rural Electric Administration, to finance the acquisition, construction, and rehabilitation of electrical properties, and for the construction of new electrical properties and facilities within the area within which it serves. Several of these loans were made prior to March 22, 1947, the effective date of Section 3 of the Public Utilities Act that has to do with the issuance of securities, and, as to these funds, no approval would be necessary from this Commission. As to the securities that have been issued subsequent to said date, applicant is now requesting the Commission to ratify and approve said transactions.

Set out below is a tabulation of the exhibits introduced at the hearing by applicant, and attention is called to the fact that Exhibits Nos. 5 and 6 are identical, as applicant inadvertently submitted two copies of the same exhibit for identification.

EXHIBITS

<u>No.</u>	<u>Date of Issue</u>	<u>Title</u>	<u>Amount</u>
1	Oct. 11, 1948	Supplemental Indenture	
2	Oct. 11, 1948	Mortgage Note	\$133,000
3	Oct. 9, 1948	Amendment to Amending Loan Contract	133,000
4	Aug. 20, 1949	Mortgage Note	305,000
5, 6	Aug. 19, 1949	Amendment to Amending Loan Contract	305,000
7	Aug. 20, 1949	Supplemental Indenture	
8	Apr. 30, 1954	Financial Statement	

The above-listed instruments have to do with the issuance of securities by applicant subsequent to the passage of the Securities Act, and these instruments are the subject matter of the present application.

The two Mortgage Notes set out above are in the total amount of \$438,000, and of this amount of money obtained by applicant from the United States of America through the Rural Electric Administration, approximately \$90,256 has been used in rebuilding the property acquired from the Mountain Utilities Corporation. The balance of the above amount has been used by applicant in the construction of lines and facilities to serve its members in the territory other than that acquired from said corporation.

The loans under which applicant has secured money from the United States are for a period of thirty-five (35) years, at an interest rate of two per cent (2%) per annum.

From the testimony at the hearing, it is apparent that in the conduct of its business, applicant has found it necessary, from time to time, to borrow money from the United States of America, through the Rural Electric Administration. To secure payment of said loans, applicant has negotiated certain instruments with the United States, and these instruments were introduced as exhibits in the instant proceedings, and have heretofore been set forth. The purposes for which applicant has borrowed and used said monies are consistent with the Act to regulate securities, and we believe these actions should be ratified and approved.

Set out below is a copy of applicant's Balance Sheet, as of April 30, 1954, and Operating Statement for the four months' period ended April 30, 1954.

BALANCE SHEET

ASSETS AND OTHER DEBITS

Utility Plant

Plant in Service

\$ 936,505.94

Construction Work in Progress

4,601.91

TOTAL UTILITY PLANT

\$ 941,107.85

Less: Reserve for Depreciation

166,713.81

NET UTILITY PLANT

\$ 774,394.04

ACQUISITION ADJUSTMENT (NET)

1,789.59

CURRENT ASSETS

Cash in Bank, General Fund

\$ 36,722.63

Cash in Bank, Special Fund

29,573.00

Investments

3,552.69

Accounts Receivable (Net)

10,497.09

Materials and Supplies

64,976.04

Prepayments

2,354.48

TOTAL CURRENT ASSETS

\$ 147,675.93

DEFERRED DEBITS

23,288.87

TOTAL ASSETS AND OTHER DEBITS

\$ 947,148.43

LIABILITIES AND OTHER CREDITS

CAPITAL STRUCTURE

EQUITY CAPITAL

Membership Fees

\$ 4,905.00

SURPLUS

Deficit Previous Year

(127,965.91)

Deficit Current Year, 4-30-54

(4,431.27)

Non-Operating Margin

1,571.17

Other Capital

1,658.77

\$ (129,167.24)

TOTAL EQUITY CAPITAL

\$ (124,262.24)

LONG TERM DEBT

R.E.A. Loans

\$1,057,145.72

TOTAL CAPITAL STRUCTURE

\$ 932,883.48

CURRENT AND ACCRUED LIABILITIES

Various

\$ 7,694.79

OTHER LIABILITIES

Customers advances for Construction

\$ 412.23

Contributions in aid of Construction

4,244.84

Other Deferred Debits

1,913.09

TOTAL OTHER LIABILITIES

6,570.16

TOTAL LIABILITIES AND OTHER CREDITS

\$ 947,148.43

Note: ( ) indicates red figures.



STATEMENT OF OPERATIONS  
4 MONTHS (TO 4-30-54)

Amount

OPERATING REVENUES AND PATRONAGE CAPITAL

Electric Energy Revenues and Patronage Capital	\$39,509.22
Consumers' Forfeited Discounts and Penalties	148.78
Miscellaneous Electric Revenues	395.45
<b>TOTAL OPERATING REVENUES AND PATRONAGE CAPITAL</b>	<b><u>\$40,053.45</u></b>

COST OF ELECTRIC SERVICE

Purchased Power	\$ 9,322.51
Distribution Expenses Operations	2,892.53
Distribution Expenses Maintenance	2,025.62
Rents	22.67
Consumers Accounting and Collecting	2,360.36
Uncollectible Consumers' Accounts	56.15
Power-use Expense	1,854.44
General Office Salaries and Expenses	3,075.13
Special Services	100.00
Insurance, Injuries and Damages	494.52
Employers Welfare Expenses and Insurance	666.71
Miscellaneous General Expenses	1,229.66
Maintenance of General Property and Rents	634.36
Duplicate Miscellaneous Charges	110.96
Depreciation Electric Plant	9,611.36
Depreciation General Plant	516.91
Property Taxes	2,400.00
Social Security Taxes	219.08
Other Taxes	17.50
<b>TOTAL OPERATING EXPENSES</b>	<b><u>\$37,610.47</u></b>

OTHER DEDUCTIONS

Amortization of Acquisition Adjustments	\$ 223.72
Interest, Long Term Debt	6,650.53
<b>TOTAL OTHER DEDUCTIONS</b>	<b><u>\$ 6,874.25</u></b>
<b>TOTAL COST ELECTRIC SERVICE</b>	<b><u>\$44,484.72</u></b>
<b>NET LOSS, 4 MONTHS TO 4-30-54</b>	<b><u>(\$ 4,431.27)</u></b>

F I N D I N G S

THE COMMISSION FINDS:

That this Commission has jurisdiction of the facilities of the Sangre de Cristo Electric Association, Inc., as to its acquired properties, 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 in these Findings by reference.

That the issuance by the applicant of the Supplemental Indentures, as set forth in Exhibits Nos. 1 and 7, and as introduced in the instant

proceedings, should be ratified and approved.

That the issuance by applicant of the Mortgage Notes, as set forth in Exhibits Nos. 2 and 4, and as introduced in the instant proceedings, should be ratified and approved.

That the issuance by applicant of the Amendments to the Amending Loan Contract, as set forth in Exhibits Nos. 3, 5, and 6, and as introduced in the instant proceedings, should be ratified and approved.

That the above ratifications and approvals relate to that portion of the above-described transactions which have to do with expenditures of borrowed money by applicant, within the area of the acquired utility properties.

#### O R D E R

##### THE COMMISSION ORDERS:

That the issuance by Sangre de Cristo Electric Association, Inc., of the Supplemental Indentures as set forth in Exhibits Nos. 1 and 7, be, and the same are hereby, ratified and approved.

That the issuance of the Mortgage Notes, as set forth in Exhibits Nos. 2 and 4, be, and the same are hereby, ratified and approved.

That the issuance of the Amendments to the Amending Loan Contract as set forth in Exhibits Nos. 3, 5, and 6, be, and the same are hereby, ratified and approved.

That the ratifications and approvals above given apply only to the portions of the above-described Supplemental Indentures, Mortgage Notes, and Amendments to the Amending Loan Contract which have to do with the acquired properties.

That nothing herein contained shall be construed to imply any recommendation or guaranty of, or obligation with respect to, said securities, on the part of the State of Colorado.

That the Commission retains jurisdiction of the proceedings to the end that it may make such further order, or orders, in the premises that it may deem 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. Linschell  
Joseph W. Headley  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,  
this 28th day of May, 1954.

HW



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
H. J. JEFFRIES TRUCK LINE, INC., }  
4740 SHIELDS STREET, OKLAHOMA CITY, }  
OKLAHOMA, FOR A CERTIFICATE OF }  
PUBLIC CONVENIENCE AND NECESSITY. }

APPLICATION NO. 12851

June 2, 1954.

Appearances: T. A. Stockton, Jr., Esq.,  
Denver, Colorado, and  
John H. Lewis, Esq., Denver,  
Colorado, for applicant;  
Paul M. Hupp, Esq., Denver,  
Colorado, for Bennett  
Motor Transport Company,  
Gottula Trucking and  
Transportation, Inc.;  
Loyal G. Kaplan, Esq., Denver,  
Colorado, for Watson  
Brothers Van Lines and  
Heavy Hauling Company;  
A. J. Fregeau, Denver, Colo-  
rado, for Weicker Transfer  
and Storage Company;  
Harold Swena, Golden, Colo-  
rado, for Swena Transfer  
and Express;  
Stanley Blunt, Canon City,  
Colorado, for Southwestern  
Transportation Company;  
Raymond B. Danks, Esq., Denver,  
Colorado, and  
Merle R. Knous, Esq., Denver,  
Colorado, for South Park  
Motor Lines;  
Carll V. Kretsinger, Kansas  
City, Missouri, for J. L.  
Cox and Son, Inc., J. O.  
Willett, Parkhill Truck  
Line;  
Marion F. Jones, Esq., Denver,  
Colorado, for Fred T. Gibson,  
Stanton Transportation Com-  
pany, L. C. Jones Trucking  
Company, Inc., L. E. Whitlock  
Truck Service, Neff Trucking,  
Rogers Truck Line, Ferguson  
Trucking Company, Bethke Truck  
Line;  
T. A. White, Esq., Denver, Colo-  
rado, and  
R. E. Turano, Denver, Colorado,  
for Rio Grande Motor Way, Inc.,  
Larson Transportation Company.

## S T A T E M E N T

### By the Commission:

On February 5, 1954, H. J. Jeffries Truck Line, Inc., Oklahoma City, Oklahoma, filed an application with this Commission for a certificate of public convenience and necessity to operate as a common carrier by motor vehicle, between points and places within the State of Colorado, for the transportation 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, 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 thereof.

After due notice to all parties in interest, the above matter was set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, April 30, 1954, at ten o'clock A. M.

On April 21, 1954, at the request of attorneys for protestants, the above setting was vacated, to be re-set at a later date to be determined by the Commission.

Said application was re-set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, May 11, 1954, at ten o'clock A. M.

The hearing progressed throughout the day, and at five o'clock P. M., the applicant had not yet concluded its direct case. The Commission's calendar was such that it was impossible to continue the hearing the next day, and the matter was recessed until two o'clock P. M., May 27, 1954, at which time and place the hearing was continued.

Upon re-opening of the hearing, T. A. Stockton, counsel for applicant, stated to the Commission that, because of circumstances beyond his control, six of the eight witnesses which applicant proposed to place on the witness stand were unable to be at the hearing, and moved the Commission to vacate the setting, the matter to be re-set at a later date convenient to the Commission.

Marion F. Jones, Esq., on behalf of protestants whom he represented, vigorously protested the granting of the motion, stating that he had several witnesses at the hearing who had traveled a great distance, at a great inconvenience and expense to themselves, to be present at the hearing.

His protest was joined in by Paul M. Hupp, Esq., on behalf of Bennett Motor Transport Company.

In view of the number of protests and witnesses who had appeared at the hearing, the Commission expressed great reluctance to grant the motion made by Mr. Stockton.

A ten-minute recess was requested and granted.

When the hearing resumed, counsel for applicant moved to dismiss the application, without prejudice.

There being no objection thereto, the motion was granted.

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

##### THE COMMISSION FINDS:

That the above-styled application should be dismissed, without prejudice.

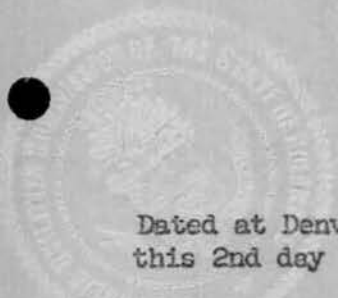
#### O R D E R

##### THE COMMISSION ORDERS:

That Application No. 12851 should be, and the same hereby is, dismissed, without prejudice.

This Order shall become effective twenty-one (21) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
John H. Wheeler  
Paul M. Hupp  
Ralph C. Stockton  
Commissioner

Dated at Denver, Colorado,  
this 2nd day of June, 1954.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
LOUIS F. & FLORENCE ZIEMER, WEST- )  
CLIFFE, COLORADO. )

PERMIT NO. C-23339

**June 7, 1954**

## STATEMENT

By the Commission:

The Commission is in receipt of a communication from

**Louis F. & Florence Ziemer**

requesting that Permit No. **C-23339** be cancelled.

## FINDINGS

### THE COMMISSION FINDS:

That the request should be granted.

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-23339 , heretofore issued to

**Louis F. & Florence Zinner**

be,

and the same is hereby, declared cancelled effective **May 18, 1954.**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 7th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

JIM PRICE, DOING BUSINESS AS "FORT  
MORGAN ELECTRIC," 908 ENSIGN STREET,  
FORT MORGAN, COLORADO.

PERMIT NO. C-25917

June 7, 1954

STATEMENT

By the Commission:

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

Jim Price, dba "Fort Morgan Electric"

requesting that Permit No. C-25917 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-25917, heretofore issued to \_\_\_\_\_

Jim Price, dba "Fort Morgan Electric"

be,

and the same is hereby, declared cancelled effective April 18, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
BERT RANUM, EVERGREEN, COLORADO. )  
 )  
 )  
 )  
 )  
----- )

PERMIT NO. C-30653

-----  
June 7, 1954

STATEMENT

By the Commission:

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

Bert Ranum

requesting that Permit No. C-30653 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30653, heretofore issued to \_\_\_\_\_

Bert Ranum

be,

and the same is hereby, declared cancelled effective May 26, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hinchey  
Joseph W. Hinchey  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
CHAS. CUNNINGHAM & WILFORD BUNCE, )  
DOING BUSINESS AS "B-C LUMBER CO.," )  
MOAB, UTAH. )  
-----)

PERMIT NO. C-31390

-----  
June 7, 1954  
-----

STATEMENT

By the Commission:

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

Chas. Cunningham & Wilford Bunce, dba "B-C Lumber Co."

requesting that Permit No. C-31390 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-31390, heretofore issued to \_\_\_\_\_

Chas. Cunningham & Wilford Bunce, dba "B-C Lumber Co." be,

and the same is hereby, declared cancelled effective **February 26, 1954.**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Lincoln  
Joseph C. Hecolay  
Ralph C. Hordon  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1954.

nls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ROBERT L. LAUGHLIN, DOING BUSINESS )  
AS "LAUGHLIN EXCAVATING," 365 )  
BRENTWOOD, LAKEWOOD, COLORADO. )  
-----)

PERMIT NO. C-30315

-----  
June 7, 1954  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Robert L. Laughlin, dba "Laughlin Excavating,"  
requesting that Permit No. C-30315 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30315, heretofore issued to \_\_\_\_\_  
Robert L. Laughlin, dba "Laughlin Excavating" be,  
and the same is hereby, declared cancelled effective May 1, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 7th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
B. J. AVERY, DOING BUSINESS AS "PAT )  
AVERY USED CARS," 740 NORTH AVENUE, )  
GRAND JUNCTION, COLORADO. )  
-----)

PERMIT NO. C-29159

-----  
June 1, 1954  
-----

STATEMENT

By the Commission:

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

B. J. Avery, dba "Pat Avery Used Cars"

requesting that Permit No. C-29159 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29159, heretofore issued to \_\_\_\_\_

B. J. Avery, dba "Pat Avery Used Cars" be,

and the same is hereby, declared cancelled effective May 21, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Linschell  
Reph C. Norton  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1954.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
G. H. PATTERSON, DOING BUSINESS AS )  
"PATTERSON TRUCK SERVICE," HASTINGS, )  
NEBRASKA. )  
----- )

PERMIT NO. C-26981

-----  
June 7, 1954  
-----

STATEMENT

By the Commission:

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

G. H. Patterson, dba "Patterson Truck Service"

requesting that Permit No. C-26981 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-26981, heretofore issued to \_\_\_\_\_

G. H. Patterson, dba "Patterson Truck Service," be,

and the same is hereby, declared cancelled effective May 24, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Linch  
Ralph C. Norton  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
RALPH QUICK, ROUTE 3, LA JUNTA, )  
COLORADO. )

PERMIT NO. C-26235

June 1, 1954

## STATEMENT

By the Commission:

The Commission is in receipt of a communication from

Ralph Quick

requesting that Permit No. C-26235 be cancelled.

## FINDINGS

### THE COMMISSION FINDS:

That the request should be granted.

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-26235, heretofore issued to

**Ralph Quick**

be,

and the same is hereby, declared cancelled effective **May 3, 1954.**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

~~John Wheelwright~~  
~~Thos. W. Henshaw~~  
~~Ralph C. Horton~~  
Commissioners

Dated at Denver, Colorado,

this 1st day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

ROBERT B. HURST, DOING BUSINESS AS )  
"ALLIED BUILDERS," BOX 457, ASPEN, )  
COLORADO. )  
-----)

PERMIT NO. C-25966

-----  
June 7, 1954  
-----

STATEMENT

By the Commission:

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

Robert B. Hurst, dba "Allied Builders,"

requesting that Permit No. C-25966 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-25966, heretofore issued to \_\_\_\_\_

Robert B. Hurst, dba "Allied Builders" be,

and the same is hereby, declared cancelled effective May 24, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John L. Lincoln  
Joseph C. Horton  
Joseph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
J. J. MALTBIE, BOISE CITY, OKLAHOMA. )

PERMIT NO. C-25861

June 7, 1954

STATEMENT

By the Commission:

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

J. J. Maltbie

requesting that Permit No. C-25861 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-25861, heretofore issued to \_\_\_\_\_

J. J. Maltbie be,

and the same is hereby, declared cancelled effective May 9, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hinchell  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1954.

mls

original

(Decision No. 42729)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
KANSAS-COLORADO UTILITIES, INC., OF )  
LAMAR, COLORADO, FOR A CERTIFICATE )  
RELATING TO A PROPOSED ISSUE OF ITS ) APPLICATION NO. 12891-Securities  
FIRST MORTGAGE  $4\frac{1}{2}\%$  BONDS, SERIES C, )  
IN THE AMOUNT OF \$100,000.00. )  
----- )

-----  
May 28, 1954  
-----

Appearances: Harold Bolton, Esq.,  
Abilene, Kansas, for  
applicant;  
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:

Kansas-Colorado Utilities, Inc., applicant herein, seeks authority from this Commission for the issuance of One Hundred Thousand Dollars (\$100,000.00), aggregate principal amount of its First Mortgage  $4\frac{1}{2}\%$  Bonds, Series C, bearing interest of four and one-half per cent ( $4\frac{1}{2}\%$ ) per annum, to be dated as of May 1, 1954, and to mature May 1, 1969, under the terms of a certain Indenture of Mortgage as of May 1, 1945, and supplemented by Fourth Supplemental Indenture as of May 1, 1954.

The matter was set for hearing on May 27, 1954, at ten o'clock A. M., in the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, and was there heard and taken under advisement.

Applicant is a corporation duly organized and existing under the laws of the State of Kansas, with authority to do business in the State of Colorado, with its principal office in Lamar, Colorado.

Applicant is a public utility as defined by the Public Utility Act, and is engaged in the business of producing, transmitting, and distributing natural gas to various cities, towns and communities located in Stevens, Grant, Hamilton and Stanton Counties in the State of Kansas, and in Baca, Prowers and Bent Counties in the State of Colorado.

The evidence at the hearing disclosed that Kansas-Colorado Utilities Inc., proposes to issue \$100,000.00 aggregate principal amount of its First Mortgage  $4\frac{1}{2}\%$  Bonds, Series C, bearing interest at the rate of four and one-half per cent ( $4\frac{1}{2}\%$ ) per annum, to be dated as of May 1, 1954, and to mature May 1, 1969, under the terms of a certain Indenture of Mortgage, dated as of May 1, 1945, between applicant and The National Bank of Topeka, Topeka, Kansas, as Trustee, a copy of which has previously been filed with this Commission in Application No. 9395, and which is made a part hereof by reference, and supplemented by a Fourth Supplemental Indenture to be dated as of May 1, 1954, a copy of which was introduced at the hearing as Exhibit No. 2, and which, by reference, is also made a part hereof.

Applicant, at the present time, has outstanding First Mortgage 4% Bonds, Series A in the total amount of \$412,000.00, and First Mortgage 4% Bonds, Series B, in the total amount of \$157,500.00. All of the above bonds are owned by Massachusetts Mutual Life Insurance Company. The Series C Bonds proposed to be issued herein will also be purchased by the Massachusetts Life Insurance Company.

Further testimony at the hearing revealed that applicant proposes to use proceeds from the sale of the bonds to reimburse the Company treasury for capital additions, and for the construction, completion, extension and improvement of the existing natural gas facilities of applicant.

The terms upon which the First Mortgage  $4\frac{1}{2}\%$  Bonds, Series C, are to be issued and sold are to be for cash in the sum of \$100,000.00, plus accrued interest from May 1, 1954 to date of delivery. It was estimated by the witness for the applicant that the expenses to the Company would be approximately \$2,500.00 in connection with the issuance and sale of the bonds, and that the Company proposed to amortize both the principal and the expenses in connection with the issuance of the bonds over the life of said bonds.

Set out below is a Balance Sheet of applicant as of March 31, 1954:



# BALANCE SHEET

	As of 3-31-54 Amount	Capital Ratios	Adjustments Dr. Cr.	Pro Forma 3-31-54 Amount	Capital Ratios
<u>ASSETS AND OTHER DEBITS</u>					
<u>Utility Plant</u>					
Utility Plant in Service	\$2,255,699.92			\$2,255,699.92	
Construct. Work in Progress	54,040.27			54,040.27	
	<u>2,309,740.19</u>			<u>2,309,740.19</u>	
Less: Reserve for Depr.	<u>905,571.34</u>			<u>905,571.34</u>	
Total Utility Plant Net	\$1,404,168.85			\$1,404,168.85	
Utility Plant Adjust. Net	96,477.77			96,477.77	
Other Physical Property Net	20,336.36			20,336.36	
<u>Current &amp; Accrued Assets</u>					
Cash	125,043.24		100,000.00 2,500.00	222,543.24	
Other Cash Funds	1,787.00			1,787.00	
Accts. Receivable Net	124,934.77			124,934.77	
Materials & Supplies	109,179.96			109,179.96	
Prepayments	<u>13,399.10</u>			<u>13,399.10</u>	
Total Current & Accrued -	<u>\$374,344.07</u>			<u>\$471,844.07</u>	
<u>Deferred Debits</u>					
Unamort. Debt Disc. & Exp.	13,973.80		2,500.00	16,473.80	
<u>Capital Stock Disc. &amp; Exp.</u>					
Disc. on Capital Stock	10,250.00			10,250.00	
Capital Stock Expense	<u>1,052.58</u>			<u>1,052.58</u>	
Total Cap. Stock Disc. & Exp.	<u>11,302.58</u>			<u>11,302.58</u>	
Total Assets and Other Debits - -	<u>\$1,920,603.43</u>			<u>\$2,020,603.43</u>	

	As of 3-31-54	Capital Ratios	Adjustments Dr. Cr.	Pro Forma 3-31-54	Capital Ratios
<u>LIABILITIES AND OTHER CREDITS</u>					
<u>Capital Structure</u>					
<u>Equity Capital</u>					
Common Stock	\$300,000.00			\$300,000.00	
Preferred Stock	225,000.00			225,000.00	
Prem.on Cap.Stock	20,000.00			20,000.00	
Total Cap.Stock	\$545,000.00	34.66%		\$545,000.00	32.59%
<u>Earned Surplus</u>	<u>457,761.93</u>	<u>29.12%</u>		<u>457,761.93</u>	<u>27.37%</u>
Total Equity Cap.	1,002,761.93	63.78%		1,002,761.93	59.96%
<u>Long Term Debt</u>					
Bonds 1st Mtg.					
Ser. A. 4%	412,000.00			412,000.00	
Bonds 1st Mtg.					
Ser. B. 4%	157,500.00			157,500.00	
Bonds 1st Mtg.					
Ser. C. 4 1/8%	<u>-0-</u>		100,000.00	<u>100,000.00</u>	
Total Long Term					
Debt -	569,500.00	36.22%		669,500.00	40.04%
Total Capital					
Structure -	\$1,572,261.93	100.00%		\$1,672,261.93	100.00%
<u>Current &amp; Accrued Liabilities</u>					
Accounts Payable	42,965.56			42,965.56	
Notes Payable	25,000.00			25,000.00	
Dividends Payable	11,812.50			11,812.50	
Customers Deposits	59,140.00			59,140.00	
Taxes Accrued	165,865.76			165,865.76	
Interest Accrued	22,470.20			22,470.20	
Other Items	<u>9,670.35</u>			<u>9,670.35</u>	
Total Current &					
Accrued -	\$336,924.37			\$336,924.37	
<u>Deferred Credits &amp; Reserve</u>					
Customers Advances					
for Construction	1,146.42			1,146.42	
Amortization Franchises					
& Const.	<u>10,270.71</u>			<u>10,270.71</u>	
Total Deferred and					
Reserves	<u>11,417.13</u>			<u>11,417.13</u>	
Total Liabilities &					
Other Credits -	\$1,920,603.43			\$2,020,603.43	

From the evidence submitted, it is found that the earnings available for interest on the outstanding funded indebtedness of applicant, including the bonds proposed to be issued, are adequate.

## F I N D I N G S

### THE COMMISSION FINDS:

That the Commission has jurisdiction over and with respect to the applicant, and of the issuance of bonds proposed herein.

That the proposed issuance of bonds and the purposes for which the bonds are to be issued, are consistent with, and permitted by, the provisions of Chapter 137, 1935 Colorado Statutes Annotated, as amended, and are consistent with the public interest, and said issuance should be authorized.

That the foregoing Statement should be made a part of these Findings, by reference.

## O R D E R

### THE COMMISSION ORDERS:

That Kansas-Colorado Utilities, Inc., a Kansas corporation, be, and it hereby is, authorized and empowered to issue and sell One Hundred Thousand Dollars (\$100,000.00) principal amount of its First Mortgage  $4\frac{1}{2}\%$  Bonds, Series C, dated as of May 1, 1954, as provided in its original Indenture of Mortgage of May 1, 1945, supplemented and amended by Fourth Supplemental Indenture of May 1, 1954, as more fully set forth in Exhibit No. 2, which, by reference, is made a part hereof, and maturing, subject to prior redemption on May 1, 1969, said First Mortgage  $4\frac{1}{2}\%$  Bonds, Series C, to be issued under and to be secured by the Fourth Supplemental Indenture to National Bank of Topeka, Topeka, Kansas, as Trustee, dated May 1, 1954, to be entered into between Kansas-Colorado Utilities, Inc., and National Bank of Topeka, as Trustee, at a price of 100% of the principal amount thereof, plus accrued interest from May 1, 1954, to date of delivery.

That the bond, or bonds, in the principal amount of \$100,000.00 to issue hereunder shall issue to Massachusetts Mutual Life Insurance Company, of Springfield, Massachusetts, and shall bear on the face thereof a serial number for proper and easy identification thereof; that within



sixty (60) days from the issuance and delivery thereof, Kansas-Colorado Utilities, Inc. shall make a verified report to the Commission of such serial number placed on such bond, or bonds, so issued.

That Corporation shall make a certified report to the Commission not later than three (3) months after the sale of bond, or bonds, herein authorized, stating the moneys received therefrom and, in detail, expenses incident to such sale, accompanying the same with copies of the entries recorded on the books of Corporation as a result of the consummation of the financing as before provided.

That nothing herein shall be construed to imply any recommendation or guaranty of, or any obligation with respect to, said First Mortgage  $4\frac{1}{2}\%$  Bonds, Series C, maturing May 1, 1969, or the interest thereon, on the part of the State of Colorado.

That the Commission retains jurisdiction of this proceeding to the end that it may make such further order in the premises as to 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. Huchel

Joseph C. Huchel

Ralph C. Huchel

Commissioners.

Dated at Denver, Colorado,  
this 28th day of May, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
EDWARD PERISHO, DOING BUSINESS AS )  
"LOVELAND TAXI," BOX 596, LOVELAND, )  
COLORADO, FOR AUTHORITY TO TRANSFER )  
PUC NO. 526 TO EDWARD DEVENYNS AND )  
CLARICE DEVENYNS, CO-PARTNERS, )  
DOING BUSINESS AS "LOVELAND TAXI," )  
403 WEST NINTH STREET, LOVELAND, )  
COLORADO. )  
----- )

APPLICATION NO. 12935-Transfer

-----  
June 2, 1954  
-----

S T A T E M E N T

By the Commission:

By Decision No. 3196, of date January 28, 1931, Vena Apgar  
was authorized to operate as a common carrier by motor vehicle for hire,  
on call and demand, for the transportation of:

passengers in and out of Loveland, subject to  
the following conditions: (a) radius of  
territory to which applicant shall confine  
operations shall not exceed 75 miles from  
Loveland; (b) rates of applicant shall, on  
all trips made to points having a regular  
service, whether by rail or motor vehicle,  
be at least thirty-three and one-third per  
cent greater per passenger than effective  
rates of regular scheduled carriers; (c)  
none of applicant's operations shall be on  
schedule,

said operating rights being designated "PUC No. 526."

Thereafter, the following transfers of said PUC No. 526 were  
effected:

Vena Apgar to Marry J. Beckwith (Decision  
No. 22469, of date July 15, 1944);

Marry J. Beckwith to G. H. Long (Decision  
No. 22957, of date November 29, 1944);

G. H. Long to Bert Maslich (Decision No.  
24163, of date February 10, 1945);

Bert Maslich to Ira O. Tomson (Decision  
No. 24738, of date July 25, 1945);

Ira O. Tomson to Ernest D. Warren (Decision No. 27378, of date January 28, 1948);

Ernest D. Warren to Stanley Kielian (Decision No. 29598, of date December 20, 1947);

Stanley Kielian to Edward Perisho, doing business as "Loveland Taxi," Loveland, Colorado, (Decision No. 30842, of date July 6, 1948).

On January 22, 1954, Edward Perisho, doing business as "Loveland Taxi," Loveland, Colorado, filed with the Commission his application for authority to transfer said operating rights to Robert Lee Shannon and Neva Jean Shannon, doing business as "Loveland Taxi," Loveland, Colorado.

Prior to issuance of an Order by the Commission in said application, there was filed with the Commission, by said Robert Lee Shannon and Neva Jean Shannon, a statement, requesting that "Edward Devenyns and Clarice Devenyns, co-partners, doing business as "Loveland Taxi," be substituted in their stead as transferees in said application.

Such substitution of transferees has been made by the Commission.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that there is no outstanding unpaid operating obligation against said certificate; that passenger-mile tax deposit is to be transferred to account of transferees; that transferees, pecuniarily and otherwise, are fit, willing, and able to carry on the operation, and it does not appear that any useful purpose would be served by setting said application for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

### FINDINGS

#### THE COMMISSION FINDS:

That request for substitution of transferees herein should be granted.

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



O R D E R

THE COMMISSION ORDERS:

That "Edward Devenyns and Clarice Devenyns, co-partners, doing business as 'Loveland Taxi,' " Loveland, Colorado, should be, and they hereby are, substituted as transferees herein, in lieu of "Robert Lee Shannon and Neva Jean Shannon, doing business as 'Loveland Taxi,' " Loveland, Colorado.

That Edward Perisho, doing business as "Loveland Taxi," Loveland, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 526 -- being the operating rights granted by Decision No. 3196 -- to Edward Devenyns and Clarice Devenyns, co-partners, doing business as "Loveland Taxi," 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 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 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 transferees until changed according to law and the rules and regulations of this Commission.

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
John H. Linsch

Joseph W. Haden  
Ralph C. Horton  
Commissioners.

Dated at Denver, Colorado,  
this 2nd day of June, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROBERT G. STEWART, BOX 947, ) PERMIT NO. B-4618  
LYONS, COLORADO )  
----- )

-----  
June 4, 1954  
-----

S T A T E M E N T

By the Commission:

On January 15, 1954, the Commission authorized Robert G. Stewart to suspend operations under his Permit No. B-4618 until June 17, 1954.

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

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-4618 should be, and the same hereby is, reinstated as of June 1, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Linchell  
Ralph C. Hoston  
Ralph C. Hoston  
Commissioners.

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

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
PHAY PAUL, YODER, COLORADO, FOR AN  
EXTENSION OF AUTHORITY UNDER PERMIT  
NO. B-3083.  
-----

}  
}  
} APPLICATION NO. 12886-PP-Extension  
}

-----  
June 2, 1954  
-----

Appearances: Fillmore S. Gibson, Esq.,  
Colorado Springs, Colo-  
rado, for applicant;  
W. R. Book, Rush, Colorado,  
pro se.

S T A T E M E N T

By the Commission:

By application filed with the Commission on April 19, 1954, applicant herein seeks authority to extend operations under Permit No. B-3083 to include the right to transport farm products and livestock between points in that part of the area within a radius of fifteen miles of Edison, which lies south of State Highway No. 94, and from and to points in said area, to and from Denver, Colorado Springs, Pueblo, La Junta, Limon, Calhan, and Boone, Colorado; used farm machinery, building materials, posts and fencing, within the area of operations now authorized and from and to points in said area, to and from Denver, Colorado Springs, Pueblo, La Junta, Limon, Calhan, and Boone, with no service between towns, and for the removal of the restriction which presently limits the number of trucks and the capacity of trucks which applicant may operate under said Permit No. B-3083.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Colorado Springs, Colorado, May 18, 1954, at nine o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.



At the hearing, applicant testified that his present authority limits him to the use of two one and one-half-ton trucks; that changes in economic conditions have made it impractical for him to render adequate service to his customers with trucks of this capacity; that the increased movement of livestock to the sales rings, and the movement of corn, beans, and wheat to elevators at Calhan and Boone, require the services of a local carrier to adequately serve the community; that there is no authorized carrier nearer than Book, at Rush, Colorado; that there is no telephone service between his area and Mr. Book's place of residence, making it necessary for shippers to drive to see Mr. Book in person, or write to him by mail, in which event they get no confirmation that his truck will be there at the time it is requested; that farmers in the community are buying larger trucks for their own use because of his inability to serve their needs; that cattle from the neighborhood go principally to the Limon and La Junta Sales Rings; that he desired to haul new farm machinery, as well as used farm machinery; that he was suffering from a loss of business because of his limited authority; that no town-to-town service was contemplated.

Bert Wager testified in support of the application that he lives twenty-three miles from Yoder, on the Yoder Route; that there is no telephone service; that it is twenty-two miles to Book's place of business; that he has to drive to see him, or write, for service; that he listens on the radio to the market prices in Denver on Mondays, to determine whether he wants to sell his cattle in La Junta on Tuesday; that there is an urgent need for local truck service, and that the granting of the extension herein sought would not deprive Book of any business; that the neighbors haul for each other; that larger trucks have been purchased because of the inability of the local trucker to render adequate service; that Mr. Paul needed the authority to operate larger trucks; that if the extension is granted, he would use applicant's service; that he needed transportation for his tractor to town to be repaired; that present for-hire truck service was not adequate.

D. R. Rumsey, Boone, Colorado, testified in support of the application that he lives nine miles from Paul's place of business, and thirty miles from Book's place of business; that he had to "sponge" transportation off his neighbors in trade for work, because of Paul's limited authority, and that he needed the extended service applied for, and would use applicant's proposed service, if authorized; that he needed a local carrier with authority to transport livestock to Limon and to La Junta, and grain to Boone; that his neighbors bought larger trucks because of the lack of local for-hire carrier service; that there is no telephone service in the area, and he had great difficulty in getting small loads of building materials, such as posts and machinery, hauled.

W. R. Book, of Rush, Colorado, testified in protest to the granting of the extended authority sought, stating that he operates a for-hire carrier service under PUC No. 420; that he has three trailers and one bob-tail; that his equipment is idle a good portion of the time; that he hauls considerable livestock, but only hauled one load of wheat last season; that he is engaged, in addition to the transportation business, in the operation of a general store and gasoline and oil business; that competent help was hard to keep if business was slow; that he had never received any business from Rumsey or Wager; that his authority overlapped practically all of Paul's territory.

It appeared from the testimony that residents of the area served by applicant are entitled to adequate transportation service by a local carrier, and that their need for service far out-weighs any possible injury which the granting of the extended authority, as hereinafter limited, could cause Mr. Book.

### F I N D I N G S

#### THE COMMISSION FINDS:

That authority under Permit No. B-3083 should be extended, as set forth in the Order following, and that the restriction on the size and number of trucks should be removed.



O R D E R

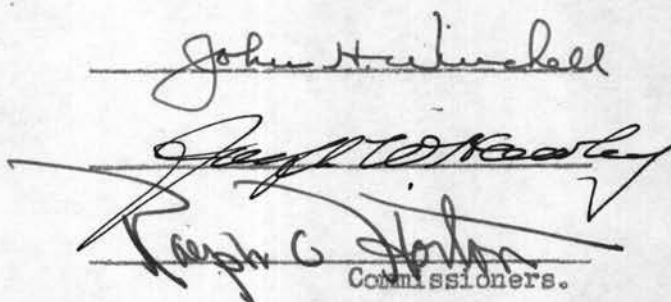
THE COMMISSION ORDERS:

That Phay Paul, Yoder, Colorado, should be, and he hereby is, authorized to extend his operations under Permit No. B-3083 to include the right to transport farm products and livestock between points in that part of the area within a fifteen-mile radius of Edison, Colorado, which lies south of State Highway No. 94, and from and to points in said area, to and from Denver, Colorado Springs, Pueblo, La Junta, Limon, Calhan, and Boone, Colorado; transportation of used farm machinery, building materials, posts, and fencing, within the area of operations now authorized, and from and to points in said area, to and from Denver, Colorado Springs, Pueblo, La Junta, Limon, Calhan, and Boone, Colorado, with no service between towns.

That the restriction which presently limits the operation to the use of two one and one-half-ton trucks should be, and the same hereby is, removed.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 2nd day of June, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
JOE CORSENTINE, JR., DOING BUSINESS )  
AS "JOE'S FARM SUPPLY & WELDING," )  
904 WEST 7TH STREET, WALSENBURG, )  
COLORADO. )  
-----)

PERMIT NO. C-21504

-----  
June 7, 1954  
-----

STATEMENT

By the Commission:

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

Joe Corsentine, Jr., dba "Joe's Farm Supply & Welding"

requesting that Permit No. C-21504 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-21504, heretofore issued to \_\_\_\_\_

Joe Corsentine, Jr., dba "Joe's Farm Supply & Welding"

be,

and the same is hereby, declared cancelled effective May 11, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Finchell*  
*Joseph C. Macdonald*  
*Joseph C. Norton*

Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

DON LICHTENBERG & BOB MCGLOHN, DOING )  
BUSINESS AS "MASONCO," 842 TEXAS )  
AVENUE, GRAND JUNCTION, COLORADO. )  
----- )

PERMIT NO. C-31268

-----  
June 7, 1954  
-----

STATEMENT

By the Commission:

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

Don Lichtenberg & Bob McGlohn, dba "Masonco"

requesting that Permit No. C-31268 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-31268, heretofore issued to \_\_\_\_\_

Don Lichtenberg & Bob McGlohn, dba "Masonco" be,

and the same is hereby, declared cancelled effective May 5, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hirsch  
Joseph C. Hirsch  
Joseph C. Hirsch  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ROBERT F. MILLER, 701 WEST LAKE, FT.)  
COLLINS, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. B-4665

-----  
June 7, 1954  
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STATEMENT

By the Commission:

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

Robert F. Miller

requesting that Permit No. B-4665 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

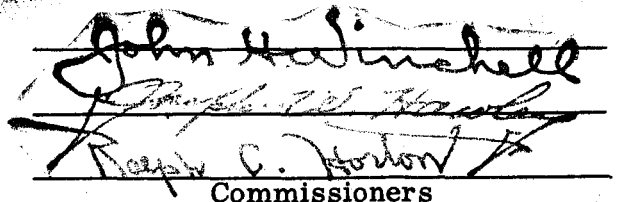
THE COMMISSION ORDERS:

That Permit No. B-4665, heretofore issued to \_\_\_\_\_

Robert F. Miller be,

and the same is hereby, declared cancelled effective May 13, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
RALPH A. NEIL, % JOE MOTEL, 5524 )  
FEDERAL BOULEVARD, DENVER 11, )  
COLORADO. )  
----- )

PERMIT NO. B-4546

-----  
June 7, 1954  
-----

STATEMENT

By the Commission:

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

\_\_\_\_\_  
Ralph A. Neil

requesting that Permit No. B-4546 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4546, heretofore issued to \_\_\_\_\_

\_\_\_\_\_  
Ralph A. Neil

be,

and the same is hereby, declared cancelled effective May 13, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 7th day of June, 1954.

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
JOHN B. RUSSELL, 811 SO. WOLFF ST., )  
DENVER 19, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. B-4309

-----  
June 7, 1954  
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STATEMENT

By the Commission:

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

John B. Russell

requesting that Permit No. B-4309 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4309, heretofore issued to \_\_\_\_\_

John B. Russell

be,

and the same is hereby, declared cancelled effective **May 3, 1954.**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 7th day of June, 1954.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CHARLES GUARDAMONDO, ROUTE I, )  
BOX 381, PUEBLO, COLORADO. )  
-----

PUC NO. 2616-I

-----  
June 7, 1954  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Charles Guardamondo, Pueblo, Colorado, requesting that Certificate of Public Convenience and Necessity No. 2616-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 of Public Convenience and Necessity No. 2616-I, heretofore issued to Charles Guardamondo, Pueblo, Colorado, be, and the same is hereby, declared cancelled effective May 13, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchell*  
*Ralph C. Gordon*  
*Ralph C. Gordon*

Commissioners.

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

mle

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
GEO. A. & ALFRED P. FROHLICK, DOING )  
BUSINESS AS "FROHLICK CONSTRUCTION )  
CO.," 4785 EAST EVANS, DENVER 7, )  
COLORADO. )  
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PERMIT NO. C-31092

-----  
June 7, 1954  
-----

STATEMENT

By the Commission:

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

Geo. A. & Alfred P. Frohlick, dba "Frohlick Construction Co."

requesting that Permit No. C-31092 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-31092, heretofore issued to \_\_\_\_\_

Geo. A. & Alfred P. Frohlick, dba "Frohlick Construction Co." be,

and the same is hereby, declared cancelled effective May 5, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Mitchell*  
*Ralph C. Horton*  
*Ralph C. Horton*

\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
GERALD A. TOKLE, 2230 SO. JULIAN, )  
DENVER 19, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-30873

-----  
June 7, 1954  
-----

STATEMENT

By the Commission:

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

Gerald A. Tokle

requesting that Permit No. C-30873 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30873, heretofore issued to \_\_\_\_\_

Gerald A. Tokle be,

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
Reph. C. Horton  
Reph. C. Horton  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1954.

als

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

GEORGE A. DOUD, 2333 SO. INCA,  
DENVER 23, COLORADO.

PERMIT NO. C-31590

June 7, 1954

STATEMENT

By the Commission:

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

George A. Doud

requesting that Permit No. C-31590 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-31590, heretofore issued to \_\_\_\_\_

George A. Doud

be,

and the same is hereby, declared cancelled effective May 3, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John R. Smith  
Joseph C. McCool  
Raymond C. Gordon

Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
MOISES CRESPIAN, 3433 W. CUSTER, )  
DENVER 19, COLORADO. )

PERMIT NO. C-26266

**June 7, 1954**

## STATEMENT

**By the Commission:**

The Commission is in receipt of a communication from

**Moises Crespin**

requesting that Permit No. **C-26266** be cancelled.

## FINDINGS

## THE COMMISSION FINDS:

That the request should be granted.

## ORDER

THE COMMISSION ORDERS:

That Permit No. **C-26266** , heretofore issued to

**Moises Crespin**

be,

and the same is hereby, declared cancelled effective **May 3, 1954.**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph C. Horton*  
Commissioner

Dated at Denver, Colorado,

this 7th day of June, 1954.

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

JACK WHITLOCK, 2701 LOUISE STREET,  
DALLAS, TEXAS.

PERMIT NO. C-18218

June 7, 1954

STATEMENT

By the Commission:

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

Jack Whitlock

requesting that Permit No. C-18218 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-18218, heretofore issued to \_\_\_\_\_

Jack Whitlock

be,

and the same is hereby, declared cancelled effective March 24, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Sinclair  
Joseph C. Hecox  
Joseph C. Hecox  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1954.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
E. C. JACKSON, 701 SO. 18TH STREET, )  
OMAHA, NEBRASKA. )  
----- )

PERMIT NO. C-20158

-----  
June 7, 1954  
-----

STATEMENT

By the Commission:

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

E. C. Jackson

requesting that Permit No. C-20158 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-20158, heretofore issued to \_\_\_\_\_

E. C. Jackson be,

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Finchell  
Joseph W. Hecox  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 7th day of June, 1954.

als

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
ELMER SMITH, 5565 NORTH WASHINGTON )	
STREET, DENVER, COLORADO, FOR A )	<u>APPLICATION NO. 12900-PP</u>
CLASS "B" PERMIT TO OPERATE AS A )	
PRIVATE CARRIER BY MOTOR VEHICLE )	
FOR HIRE. )	
----- )	

-----  
June 3, 1954  
-----

Appearances: Raymond B. Danks, Esq.,  
                  Denver, Colorado, for  
                  Denver-Loveland Transportation;  
Donald G. Brotzman, Esq.,  
                  Boulder, Colorado, for  
                  Pherson Trucking Company.

S T A T E M E N T

By the Commission:

By the above-styled application, Elmer Smith, Denver, Colorado, 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 within a radius of fifty miles of Denver, Colorado; coal from mines in the Northern Colorado coal fields to Denver, Colorado; plaster from plant located approximately six miles west of Loveland, Colorado, to Denver and points within a radius of five miles thereof, for the Francis J. Fisher Company, only.

Said application was regularly set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, June 1, 1954, at ten o'clock A. M., due notice of the time and place of hearing being forwarded to parties in interest.

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

Thereupon, protestants moved that said application be dismissed for lack of prosecution.

The matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That said application should be dismissed for lack of prosecution.

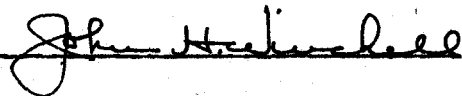
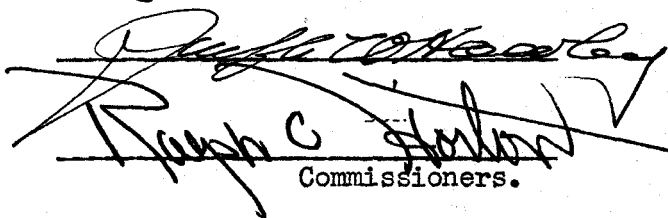
O R D E R

THE COMMISSION ORDERS:

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

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 June, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
VERNE M. DECKER, DOING BUSINESS AS  
"CITY TRANSFER," HAYDEN, COLORADO,  
FOR AUTHORITY TO TRANSFER PERMIT  
NO. A-2493 TO RALPH C. STANTON,  
HAYDEN, COLORADO.

APPLICATION NO. 12937-PP-Transfer

June 3, 1954

S T A T E M E N T

By the Commission:

Pursuant to authority contained in Decision No. 21017, Verne M. Decker, Hayden, Colorado, acquired from Lawrence Drake, Hayden, Colorado, operating rights known as "Permit No. A-2493," said operating rights being therein set forth and clarified as being the right to operate as a Class "A" private carrier by motor vehicle for hire, for the transportation of:

coal, only, from the Coryell, Babson, Crowbar and Sleepy Cat Mines, to Hayden, Colorado; bulk grain from farms within a radius of fifty miles of Hayden to storage, elevators and railroad loading points within said area; seed grain from supply points in said area to farms in said area; coal between points in said area; gravel, sand, and road and bridge-building materials between points in the area embraced in County Commissioners' District No. 2, Routt County, Colorado, for said County, only, without the right to add to the number of customers for said last-mentioned service.

By Decision No. 24901, of date September 4, 1945, Verne M. Decker was authorized to extend operations under said Permit No. A-2493 to include the right to transport:

mining machinery and mining supplies from mines within the area extending 25 miles north, east and south of Hayden, and to the Routt-Moffat County Line on the west, to coal mines in the Hayden Coal Fields, with back-haul of said commodities to Hayden from said Hayden Mines, without

the right to transport said commodities from or to Steamboat Springs, to or from said mines; also, transportation of highway equipment and machinery, and Soil Conservation equipment — tractors and shovels — between points in Routt County, without the right to transport said commodities from or to Steamboat Springs, to or from points in Routt County.

By the instant application, said permit-holder seeks authority to transfer said Permit No. A-2493, as extended, to Ralph C. Stanion, Hayden, Colorado.

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

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

##### THE COMMISSION FINDS:

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

#### O R D E R

##### THE COMMISSION ORDERS:

That Verne M. Decker, doing business as "City Transfer," Hayden, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. A-2493 — being the operating rights acquired by him pursuant to authority contained in Decision No. 21017, as extended by Decision No. 24901 — to Ralph C. Stanion, Hayden, Colorado, subject to payment of outstanding indebtedness against said operation, whether secured or unsecured, and provided that transferee shall assume and pay ton-mile tax due and owing from transferor, on account of operations under said permit.





original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
OLIE PARKS, 524 MC KINLEY STREET, )  
STERLING, COLORADO, FOR AUTHORITY )  
TO TRANSFER PUC NO. 1788 TO ROY A. )  
NORTH, 414 WEST MAIN STREET, )  
STERLING, COLORADO. )  
----- )

APPLICATION NO. 12938-Transfer

-----  
June 3, 1954  
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S T A T E M E N T

By the Commission:

By Decision No. 27959, of date April 7, 1947, Roy A. North, Sterling, Colorado, was authorized to operate as a common carrier by motor vehicle, on call and demand:

to operate a general cartage and transfer business within the City of Sterling, and for the transportation, on call and demand, of cinder blocks, dirt, wet beet pulp, ashes, garbage, and trash, within the City of Sterling, and between points within a four-mile radius of (and including) Sterling, Colorado,

said operating rights being designated "PUC No. 1788."

Pursuant to authority contained in Decision No. 37626, of date October 27, 1951, Roy A. North transferred PUC No. 1788 to Olie Parks, Sterling, Colorado, who, by the instant application, seeks authority to transfer said PUC No. 1788 to Roy A. North, Sterling, 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 of transferor is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said certificate; that transferee, pecuniarily and otherwise, is qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said application for formal hearing, there being no one, insofar as the

files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

## 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 Olie Parks, Sterling, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1788 -- being the operating rights granted by Decision No. 27959 -- to Roy A. North, Sterling, 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. Harkness  
Joseph C. Harkness  
Ralph C. Harkness  
Commissioners.

Dated at Denver, Colorado,  
this 3rd day of June, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HAROLD T. TUCKER, STEAMBOAT SPRINGS, )  
COLORADO, FOR AUTHORITY TO EXTEND ) APPLICATION NO. 12936-PP-Extension  
OPERATIONS UNDER PERMIT NO. A-4126. )  
-----)

-----  
June 3, 1954  
-----

S T A T E M E N T

By the Commission:

The above-styled application was filed November 19, 1953,  
by Harold T. Tucker, Steamboat Springs, Colorado, seeking authority  
to extend operations under Permit No. A-4126 to include the right to  
transport coal from the Rice Mine, located approximately twelve miles  
south of Hayden, Colorado, on Colorado Highway No. 53, to Hayden, Colorado.

The Commission is now in receipt of a communication from appli-  
cant herein, stating he does not desire to prosecute said application.

F I N D I N G S

THE COMMISSION FINDS:

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

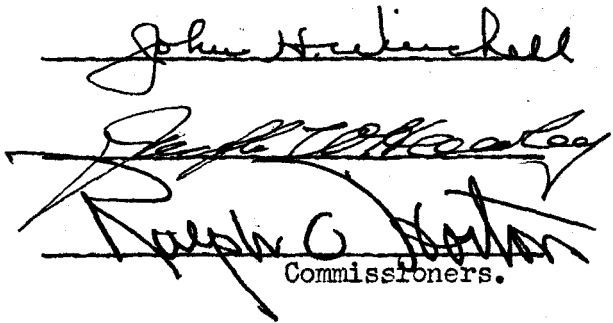
O R D E R

THE COMMISSION ORDERS:

That Application No. 12936-PP should be, and the same hereby is,  
dismissed, at request of applicant.

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 June, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
R. W. MEYER AND LLOYD B. SEHNERT, )  
CO-PARTNERS, DOING BUSINESS AS )  
"MOUNTAIN SAFARI TRIPS," WALSENBURG, )  
COLORADO, FOR A CERTIFICATE OF PUB- )  
LIC CONVENIENCE AND NECESSITY. )  
-----

APPLICATION NO. 12888

-----  
June 3, 1954  
-----

Appearances: R. W. Meyer, Walsenburg,  
Colorado, for applicants.

S T A T E M E N T

By the Commission:

By the above-styled application, applicants herein seek authority to operate as a common carrier by motor vehicle, on call and demand, for the transportation of persons on sightseeing and guided trips in the Counties of Pueblo, Custer, Saguache, Mineral, Archuleta, Rio Grande, Conejos, Alamosa, Costilla, and Las Animas, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, June 1, 1954, at ten o'clock A. M., and, at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Robert W. Meyer, one of the applicants herein, testified in support of the application, stating that he and Lloyd B. Sehnert, doing business as "Mountain Safari Trips," propose to conduct the operation as a co-partnership; that all sightseeing trips would originate and terminate in Huerfano County; that the financial statement attached to their application truly reflected the net worth of the partnership, viz., \$25,200.00; that there is presently no certificated sightseeing authority originating service in Huerfano County; that there was a need for such

sightseeing authority, and that the granting of the application would not impair the ability of any other common carrier to adequately serve the public.

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

The operating experience and financial reliability of applicants were established to the satisfaction of the Commission.

It did not appear that applicants' proposed service will tend to impair the efficiency of any common carrier now operating in the territory sought to be served by them.

### F I N D I N G S

#### THE COMMISSION FINDS:

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

### O R D E R

#### THE COMMISSION ORDERS:

That public convenience and necessity require the motor vehicle common carrier call and demand service of applicants herein, for the transportation of persons on sightseeing and guided trips in the Counties of Huerfano, Pueblo, Custer, Saguache, Mineral, Archuleta, Rio Grande, Conejos, Alamosa, Costilla, and Las Animas, Colorado, all service to originate and terminate in the County of Huerfano, 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

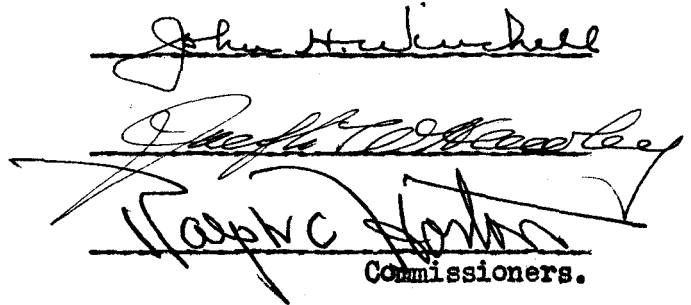


public enemy or extreme conditions.

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 3rd day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF ISSUANCE OF )  
TEMPORARY CERTIFICATES OF )  
PUBLIC CONVENIENCE AND NEC- )  
CESSITY UNDER CHAPTER 80, )  
SESSION LAWS OF COLORADO, )  
1951. )  
----- )

APPLICATION NO. 12939

-----  
June 3, 1954  
-----

S T A T E M E N T

By the Commission:

Report has been received from Paul W. Swisher, Commissioner, Colorado Department of Agriculture, to the effect that an emergency exists in the matter of trucks for the transportation of peas, beans, and tomatoes, from fields to canneries and other storage points in that part of the State of Colorado described as follows:

Bounded on the west by Highway No. 185; on the north by a line drawn east and west three miles north of Gilcrest; on the east by a line drawn north and south two miles east of Prospect, and on the south by a line drawn east and west through Henderson, Colorado.

It appears that the emergency will begin June 10 and will continue until approximately July 10, 1954.

Request is made for an order of the Commission relative to the issuance of temporary certificates for the seasonal transportation of commodities above set out in the territory above described.

F I N D I N G S

THE COMMISSION FINDS:

That an emergency exists because of the shortage of certificated trucks for the transportation of peas, beans, and tomatoes, in the territory above described, and that public convenience and necessity

require that temporary certificates should issue for the operation of motor vehicles for the transportation of said commodities to markets or places of storage, as provided by Chapter 80, Session Laws of 1951, said certificates to be effective for a period of thirty (30) days, or from June 10, 1954, to July 10, 1954, both dates inclusive.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates should be, and hereby are, authorized to be issued for the operation of motor vehicles, for the transportation of peas, beans, and tomatoes to markets or places of storage in that part of the State of Colorado described in the preceding Statement, which by reference is made a part hereof, said certificates to be effective June 10, 1954, and to continue in force up to and including July 10, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



Dated at Denver, Colorado,  
this 3rd day of June, 1954.

ea

John H. Lincoln  
Joseph C. Hearley  
Joseph C. Horton  
Commissioners.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HAZEL NELSON STARR, ROUTE 2, BOX 251, )  
FORT LUPTON, COLORADO, FOR A CLASS ) APPLICATION NO. 12901-PP  
"B" PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
----- )

-----  
June 3, 1954  
-----

Appearances: Donald G. Brotzman, Esq.,  
Boulder, Colorado, for  
Pherson Trucking Company;  
Raymond B. Danks, Esq.,  
Denver, Colorado, for South-  
western Transportation  
Company.

S T A T E M E N T

By the Commission:

By the above-styled application, Hazel Nelson Starr, Fort Lupton, Colorado, 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; coal from mines in the northern Colorado coal fields to the Town of Boulder, and to points within Boulder County, Colorado.

Said application was regularly set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, June 1, 1954, at ten o'clock A. M., due notice of the time and place of hearing being forwarded to parties in interest.

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

Thereupon, attorneys for protestants joined in a motion to dismiss the application for lack of prosecution.

The matter was taken under advisement.

### F I N D I N G S

#### THE COMMISSION FINDS:

That said application should be dismissed for lack of prosecution.

### 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.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hinchel

Joseph H. Hinchel  
Raymond C. Hinchel  
Commissioners.

Dated at Denver, Colorado,  
this 3rd day of June, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN RE MOTOR VEHICLE OPERATIONS OF )  
GEORGE SISCO, LAFAYETTE, COLORADO. )  
----- )

PERMITS NOS. C-6352, B-1898  
CASES NOS. 67714-INS. 69753-INS.

-----  
June 3, 1954  
-----

S T A T E M E N T

By the Commission:

On January 13, 1954, in Case No. 67714-Ins., the Commission entered its order, revoking Permit No. C-6352 for failure of Respondent to keep effective insurance on file with the Commission.

On May 21, 1954, in Case No. 69753-Ins., the Commission entered its order, revoking Permit No. B-1898 for failure of Respondent to keep effective insurance on file with the Commission.

It now appears that through neglect on the part of the insurance agent, Certificates of Insurance were not filed with the Commission, although proper insurance had been issued to Respondent.

F I N D I N G S

THE COMMISSION FINDS:

That revocation orders should be set aside, and said permits restored to active status.

O R D E R


THE COMMISSION ORDERS:

That revocation order entered by the Commission in Case No. 67714-Ins., on January 13, 1954, should be, and the same hereby is, vacated, set aside, and held for naught, and Permit No. C-6352 is hereby restored to active status, as of January 13, 1954.



That revocation order entered by the Commission in Case No. 69753-Ins., on May 21, 1954, should be, and the same hereby is, vacated, set aside, and held for naught, and Permit No. B-1898 is hereby restored to active status, as of May 21, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
John H. Kincheloe  
Ralph C. Hinton  
Ralph C. Hinton  
Commissioners.

Dated at Denver, Colorado,  
this 3rd day of June, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
HARRY N. TILTON, 4080 SO. BANNOCK, )  
ENGLEWOOD, COLORADO. )

PERMIT NO. C-24414

**June 9, 1954**

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

Harry N. Tilton

requesting that Permit No. C-24414 be cancelled.

## FINDINGS

## THE COMMISSION FINDS:

That the request should be granted.

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-24414 , heretofore issued to

Harry N. Tilton

be,

and the same is hereby, declared cancelled effective **May 3, 1954.**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winchell  
 Ralph C. Hoxford  
 Commissioners

Dated at Denver, Colorado,

this 9th day of June, 1954.

als

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
THOMAS MONTOYA, BOX 4, ANTONITO, )  
COLORADO. )  
 )  
 )  
 )  
 )

PERMIT NO. C-22722

June 9, 1954

STATEMENT

By the Commission:

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

Thomas Montoya

requesting that Permit No. C-22722 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-22722, heretofore issued to \_\_\_\_\_

Thomas Montoya

be,

and the same is hereby, declared cancelled effective **May 8, 1954.**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 9th day of June, 1954.

nls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
E. J. FORD, 2137 PINE, BOULDER, )  
COLORADO. )

PERMIT NO. C-22132

June 9, 1954

# STATEMENT

**By the Commission:**

The Commission is in receipt of a communication from

E. J. Ford

requesting that Permit No. C-22132 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

THE COMMISSION ORDERS:

That Permit No. C-22132 , heretofore issued to

**E. J. Ford**

be,

and the same is hereby, declared cancelled effective **May 8, 1954.**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Mitchell*  
*Ralph C. Boston*  
*Ralph C. Boston*  
Commissioners

Dated at Denver, Colorado,

this 9th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
A. C. BECK, DOING BUSINESS AS )  
"BECK TRANSFER CO.," 2601 WEST 14th )  
AVENUE, DENVER 4, COLORADO. )  
----- )

PERMIT NO. C-22911

-----  
June 9, 1954  
-----

STATEMENT

By the Commission:

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

A. C. Beck, dba "Beck Transfer Co."

requesting that Permit No. C-22911 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-22911, heretofore issued to \_\_\_\_\_

A. C. Beck, dba "Beck Transfer Co." be,

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. McInchell  
Joseph W. Macool  
Ralph C. Gordon  
Commissioners

Dated at Denver, Colorado,

this 9th day of June, 1954.

als

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
JOHN S. GROOMS, JR., STAR ROUTE, )  
BRUSH, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-24693

-----  
June 9, 1954  
-----

STATEMENT

By the Commission:

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

John S. Grooms

requesting that Permit No. C-24693 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-24693, heretofore issued to \_\_\_\_\_

John S. Grooms

be,

and the same is hereby, declared cancelled effective **May 13, 1954.**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 9th day of June, 1954.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
A. C. HOSIER, R. R. #4, GRAND )  
JUNCTION, COLORADO. )

PERMIT NO. C-19652

**June 9, 1954**

## STATEMENT

By the Commission:

The Commission is in receipt of a communication from

**A. C. Hogier**

requesting that Permit No. C-19652 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. **C-19652** , heretofore issued to

**A. C. Hosier**

be,

and the same is hereby, declared cancelled effective **May 20, 1954.**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

## Commissioners

Dated at Denver, Colorado,

this 9th day of June, 1954.

218

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
GALE R. CAMPER, WESTCLIFFE,  
COLORADO.

PERMIT NO. C-22044

June 9, 1954

STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Gale R. Camper

requesting that Permit No. C-22044 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-22044, heretofore issued to \_\_\_\_\_  
Gale R. Camper \_\_\_\_\_ be,

and the same is hereby, declared cancelled effective May 20, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Lincoln  
Ralph C. Norton  
Commissioners

Dated at Denver, Colorado,

this 9th day of June, 1954.

als

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
COOPERATIVE OIL CO. (CORP.), PAOLI, )  
COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-23161

-----  
June 9, 1954  
-----

STATEMENT

By the Commission:

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

Cooperative Oil Co. (Corp.)

requesting that Permit No. C-23161 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-23161, heretofore issued to \_\_\_\_\_

Cooperative Oil Co. (Corp.) be,

and the same is hereby, declared cancelled effective May 20, 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 9th day of June, 1954.

nls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
C. E. & H. L. TUSING, SILVER CLIFF, )  
COLORADO. )  
----- )

PERMIT NO. C-30281

-----  
June 9, 1954  
-----

STATEMENT

By the Commission:

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

C. E. & H. L. Tusing

requesting that Permit No. C-30281 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-30281, heretofore issued to \_\_\_\_\_

C. E. & H. L. Tusing be,

and the same is hereby, declared cancelled effective May 20, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 9th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
V. R. CROSSER, DOING BUSINESS AS )  
"V. R. CROSSER PLUMBING & HEATING," )  
716 13TH STREET, GOLDEN, COLORADO. )  
-----)

PERMIT NO. C-24537

-----  
June 9, 1954

STATEMENT

By the Commission:

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

V. R. Crosser, dba "V. R. Crosser Plumbing & Heating,"

requesting that Permit No. C-24537 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-24537, heretofore issued to \_\_\_\_\_

V. R. Crosser, dba "V. R. Crosser Plumbing & Heating," be,

and the same is hereby, declared cancelled effective **April 30, 1954.**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
*John H. Marshall*  
*Philip C. H. H. H.*  
*Philip C. H. H. H.*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 9th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
WILLIAM E. CHAPMAN, STAR ROUTE, )  
SNYDER, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-31528

-----  
June 9, 1954  
-----  
STATEMENT

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
William E. Chapman  
requesting that Permit No. C-31528 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-31528, heretofore issued to \_\_\_\_\_  
William E. Chapman be,  
and the same is hereby, declared cancelled effective May 20, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Linchell  
W. C. H. H. H. H. H.  
C. H. H. H. H.  
Commissioners

Dated at Denver, Colorado,  
this 9th day of June, 1954.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
VORIS LANGDON, 204 SOUTH 3RD STREET, )  
LAMAR, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. C-31548

-----  
June 9, 1954

STATEMENT

By the Commission:

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

Voris Langdon

requesting that Permit No. C-31548 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-31548, heretofore issued to \_\_\_\_\_

Voris Langdon be,

and the same is hereby, declared cancelled effective May 10, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Lincoln  
Wm. C. H. H. H. H.  
W. C. H. H. H.  
Commissioners

Dated at Denver, Colorado,

this 9th day of June, 1954.

nlb

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE OPERATIONS OF GORDON McCORMICK,  
WALTER McCORMICK AND ED LUJAN, DO-  
ING BUSINESS AS "THE SAGUACHE TRUCK  
LINE," CENTER, COLORADO, UNDER PER-  
MITS NOS. B-963 AND C-5775; AND  
OPERATIONS OF WALTER McCORMICK AND  
JOHN McCORMICK, DOING BUSINESS AS  
"McCORMICK BROS.," CENTER, COLORADO,  
UNDER CERTIFICATE OF PUBLIC CONVENIENCE  
AND NECESSITY NO. 1838.  
-----

CASE NO. 5078  
ORDER TO SHOW CAUSE AND  
NOTICE OF HEARING

-----  
June 4, 1954  
-----

S T A T E M E N T

By the Commission:

IT APPEARING TO THE COMMISSION, That heretofore Gordon McCormick,  
Walter McCormick and Ed Lujan, doing business as "The Saguache Truck Line,"  
Center, Colorado, were authorized to operate as private carriers by motor  
vehicle for the transportation, under Permit No. B-963, of:

Transportation of livestock, potatoes, and coal  
from point to point within a radius of 25 miles  
of Center, Colorado, and from and to said points  
to and from Walsenburg, Pueblo, and Denver, with-  
out the right to render point to point service  
between Walsenburg and Denver and intermediate  
points; and for the transportation of livestock,  
feed and prepared feeds to and from Clarence  
Stone's Feed Store, located in Monte Vista, to  
and from all points in the State of Colorado."

IT FURTHER APPEARING TO THE COMMISSION, That Gordon McCormick,  
Walter McCormick and Ed Lujan, doing business as "The Saguache Truck Line,"  
Center, Colorado, are the owners of Commercial Carrier Permit No. 5775.

IT FURTHER APPEARING TO THE COMMISSION, That Walter McCormick  
and John McCormick, doing business as "McCormick Brothers," were author-  
ized to operate as common carriers by motor vehicle for the transportation,

under PUC No. 1838, of:

Transportation of farm products, including livestock, between points within the area extending 24 miles south, 35 miles east, 35 miles north and 6 miles west of Center, Colorado, without the authority to serve between towns in competition with authorized motor vehicle carriers operating on schedule.

IT FURTHER APPEARING TO THE COMMISSION, from information received by the said Commission from its Supervisor of Complaints and Investigation, that said Gordon McCormick, Walter McCormick and Ed Lujan, doing business as "The Saguache Truck Line," Center, Colorado, in the operation of Permit No. B-963, have violated their authority granted by said Permit No. B-963 by transporting for customers not listed with the Commission certain property for hire as a private carrier by motor vehicle and that said parties have failed to file with the Commission a list of shippers or customers for the year 1954, all of which appear to be in violation of the provisions of Rule 18 of the Rules and Regulations Governing Private Carriers by Motor Vehicle heretofore promulgated, adopted and approved by this Commission; that said Gordon McCormick, Walter McCormick and Ed Lujan, doing business as "The Saguache Truck Line," Center, Colorado, operating under private Permit No. B-963, are charging less for the transportation of property than the rates applicable to such private carriers and less than the rates prescribed for motor vehicle common carriers for substantially the same or similar service, all contrary to Rule 19 of the Rules and Regulations Governing Private carriers by Motor Vehicle heretofore promulgated, adopted and approved by this Commission; that Gordon McCormick, Walter McCormick and Ed Lujan, doing business as "The Saguache Truck Line," Center, Colorado, operating under Permit No. B-963, are operating under said permit as individuals, and that instead of one operation there are two and possibly three separate and individual operations under one permit, thereby changing, enlarging, altering and varying the authority granted under Permit No. B-963, all

contrary to Rule 5 of the Rules and Regulations Governing Private Carriers by Motor Vehicle heretofore promulgated, adopted and approved by this Commission; that Gordon McCormick, Walter McCormick and Ed Lujan, doing business as "The Saguache Truck Line," Center, Colorado, have inter-changed equipment with each other and with Walter McCormick and John McCormick without the use of emergency letters or leases as provided for in Rules 12 and 13 of the Rules and Regulations Governing Private Carriers by Motor Vehicle heretofore promulgated, adopted and approved by this Commission; that Walter McCormick and John McCormick, doing business as "McCormick Brothers," Center, Colorado, operating under Certificate No. 1839, have extended, enlarged and altered the territory, route or routes and services authorized under said Certificate No. 1839, all of which is contrary to Rule 6 of the Rules and Regulations Governing Common Carriers by Motor Vehicle heretofore promulgated, adopted and approved by this Commission; that Walter McCormick and John McCormick, doing business as "McCormick Brothers," Center, Colorado, operating under Certificate No. 1839, have interchanged equipment with each other and with Gordon McCormick, Walter McCormick and Ed Lujan, doing business as "The Saguache Truck Line," without the use of emergency letters and leases, all of which is contrary to the provisions of Rules 14 and 15 of the Rules and Regulations Governing Common Carriers by Motor Vehicle heretofore promulgated, adopted and approved by this Commission; that Walter McCormick and John McCormick, doing business as "McCormick Brothers," Center, Colorado, operating under Certificate No. 1839, have failed to file an annual report for the years 1950, 1951, 1952, and 1953, all of which is contrary to the provisions of Rule 29 of the Rules and Regulations Governing Common Carriers by Motor Vehicle heretofore promulgated, adopted and approved by this Commission; that Walter McCormick and John McCormick, doing business as "McCormick Brothers," Center, Colorado, operating under Certificate No. 1839, do not keep such a record of their transportation



as will show each and every shipment, the classification and the rates charged for the transportation thereof, all contrary to the provisions of Rule 30 of the Rules and Regulations Governing Common Carriers by Motor Vehicle heretofore promulgated, adopted and approved by this Commission; that Gordon McCormick, Walter McCormick and Ed Lujan, doing business as "The Saguache Truck Line," Center, Colorado, are so operating under Permit No. B-963 as to constitute an individual operation for each of them without first obtaining an individual permit, all contrary to Chapter 16, Section 350, Subdivision 3, Article 4, 1935 Colorado Statutes Annotated; that Walter McCormick and John McCormick, doing business as "McCormick Brothers," Center, Colorado, are so operating under Certificate No. 1839 as to constitute an individual operation for each of them without first obtaining an individual certificate, all contrary to Chapter 16, Section 303, Subdivision 1, Article 4, 1935 Colorado Statutes Annotated.

### F I N D I N G S

#### THE COMMISSION FINDS:

That unless the said Gordon McCormick, Walter McCormick and Ed Lujan, doing business as "The Saguache Truck Line," Center, Colorado, and Walter McCormick and John McCormick, doing business as "McCormick Brothers," Center, Colorado, comply with the above requirements, and show cause why said authority should not be revoked for failure to comply therewith, on or before the date of the hearing of this Case, the Commission should enter an Order, without further notice, revoking said authorities for said violations.

### O R D E R

#### THE COMMISSION ORDERS:


That, upon the Commission's own motion, an investigation be had of the operations of Gordon McCormick, Walter McCormick and Ed Lujan,

doing business as "The Saguache Truck Line," Center, Colorado, under Permits Nos. B-963 and C-5775, and of Walter McCormick and John McCormick, doing business as "McCormick Brothers," Center, Colorado, under Certificate of Public Convenience and Necessity No. 1838.

That Gordon McCormick, Walter McCormick and Ed Lujan, doing business as "The Saguache Truck Line," Center, Colorado, and Walter McCormick and John McCormick, doing business as "McCormick Brothers," Center, Colorado, be, and they are hereby required to show cause, on or before the 1st day of July, 1954, why an Order should not be entered to revoke the said permits and certificate of public convenience and necessity on account of the violations described above.

That said matter should be, and hereby is, set for hearing before the Commission, at the Court House, Alamosa, Colorado, at 10:00 O'clock A. M., July 16, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
John H. Winchell

Joseph W. Hecox  
Ralph C. Hinton  
Commissioners.

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

gs



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RALPH H. BIZNETT, 235 NORTH NEVADA )  
AVENUE, LITTLETON, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
----- )

APPLICATION NO. 12898-PP

-----  
June 4, 1954  
-----

Appearances: Evelyn Marie Biznett,  
Littleton, Colorado,  
for applicant;  
Raymond B. Danks, Esq.,  
Denver, Colorado, for  
Southwestern Transportation  
Company.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of 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; ore from mines in Douglas County and Fremont County, to reduction plants in Denver, and within a radius of five miles thereof; coal from mines in the northern Colorado coal fields to Denver, to Valmont Plant of Public Service Company, located near Boulder, to the Rocky Mountain Arsenal, located near Denver, and to points within a radius of ten miles of Denver, including Littleton, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, June 1, 1954, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Evelyn Marie Biznett testified in support of the application that she is wife of applicant; that he owns a 1944 International two-ton dump truck; that he has had ten years trucking experience; that his net worth is approximately \$7,000.00; that he is presently operating under temporary authority granted by this Commission; that the only operations that he is engaged in are the transportation of feldspar ore from the Devil's Head Region to Denver, and the transportation of sand and gravel to construction jobs.

R. B. Danks, on behalf of Southwestern Transportation Company, vigorously protested the granting of authority to transport either sacked or bulk cement.

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

In view of the fact that the Commission has issued innumerable Class "B" permits 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, and since it does not appear to the Commission that the applicant could offer any competition which would affect the ability of the protestant to render service to the public in the transportation of bulk and sacked cement, we are not inclined to exclude cement from the road-surfacing materials.

### F I N D I N G S

#### THE COMMISSION FINDS:

That permit should issue, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Ralph H. Biznett, Littleton, 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; ore from mines in Douglas County and Fremont County, to reduction plants in Denver, and within a radius of five miles thereof; coal from mines in the northern Colorado coal fields to Denver, to Valmont Plant of Public Service Company (near Boulder, Colorado), to the Rocky Mountain Arsenal, (near Denver, Colorado), and to points within a radius of ten miles of Denver, including Littleton, Colorado.

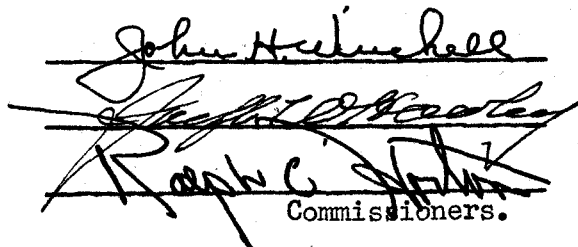
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 4th day of June, 1954.  
ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
STEVE MAUCK, ROUTE 4, LONGMONT, )  
COLORADO, FOR AUTHORITY TO TRANSFER )  
PERMIT NO. B-1192 TO VAN H. FLINT, ) APPLICATION NO. 12940-PP-Transfer  
814 COFFMAN STREET, LONGMONT, COLO- )  
RADO. )  
----- )

-----  
June 4, 1954  
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S T A T E M E N T

By the Commission:

By the instant application, Steve Mauck, Longmont, Colorado, owner and operator of Permit No. B-1192, seeks authority to transfer said permit to Van H. Flint, Longmont, Colorado, said Permit No. B-1192 being the right to operate as a private carrier by motor vehicle for hire, for the transportation of:

coal from mines in the northern Colorado coal fields to customers within a radius of fifteen miles of Longmont, Colorado; farm products (excluding milk and dairy products), from farms within a radius of twenty miles of Longmont, to markets, loading points and storage points in said area; baled alfalfa and other farm products (excluding livestock), between points within a radius of twenty miles of Longmont, Colorado, and from said area to the ranch of Irving Ludlow, in northern Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is qualified and able to carry on the operation, and it does not appear that any useful purpose would be served by setting said application for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of

said operating rights, the Commission determined to hear, and has heard, said 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 Steve Mauck, Longmont, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-1192 -- with authority as set forth in the preceding Statement, which by reference is made a part hereof -- to Van H. Flint, Longmont, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

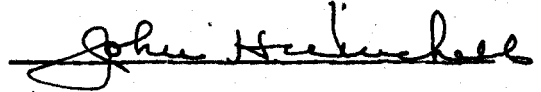
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted and in the future will comply with the conditions and requirements of this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

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



  
Commissioners.

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

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MARTIN WAGNER, EIGHT SOUTH FIRST )  
AVENUE, BRIGHTON, COLORADO, FOR A ) APPLICATION NO. 12906  
CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY. )  
----- )

-----  
June 4, 1954  
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Appearances: Orrel A. Daniel, Esq.,  
Brighton, Colorado,  
for applicant;  
Melvin P. Tucker, Jr.,  
Denver, Colorado,  
pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle, for the transportation, on call and demand, of trash, dirt, sand, and gravel, within the corporate limits of the City of Brighton, Colorado, and a distance of one mile in all directions from said City of Brighton, Colorado.

Said applicant, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, June 2, 1954, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Martin Wagner, applicant herein, testified that he has been hauling trash in the Town of Brighton for the past two years; that he owns a 1950 Chevrolet pick-up truck, which he proposes to use in performing said service; that he has a Certificate of Insurance on file with the Commission; that he is the holder of City Trash-Hauling License No. 715 in Brighton; that the City Dump is located about one mile outside the City Limits; that he has had three years of trucking experience previous

to his engaging in the trash-disposal business; that his net worth is approximately \$3,000.00; that he has presently part-time employment at the Sugar Factory at Brighton; that he also operates a bicycle shop which is not profitable; that he will devote as much time to the trash-hauling business as the business requires.

Orrel A. Daniel, attorney for applicant, took the witness stand and testified in support of the application that he is the City Attorney for Brighton, Colorado; that the City has issued four City Licenses for city trash-hauling; that there is no intention on the part of the city administration to give a monopoly to anyone for trash hauling.

Melvin P. Tucker, testifying in opposition to the granting of the application, stated that he had never served any of Wagner's customers.

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

In view of the fact that the City of Brighton has licensed the applicant to haul trash, and in order to exercise that license, it will be necessary for him to travel approximately one mile outside the City Limits to the City Dump, the Commission can find no valid reason for denying the application.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the granting of the application would not impair the ability of any common carrier to render adequate service in the territory sought to be served by applicant.

That public convenience and necessity require the proposed service of applicant 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 motor vehicle common carrier call and demand transportation service of applicant herein,

for the transportation of trash, dirt, sand, and gravel, within the corporate limits of the City of Brighton, Colorado, and a distance of one mile in all directions from said City of Brighton, Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

JOHN H. WINCHELL

JOSEPH W. HAWLEY

RALPH C. HORTON

Commissioners.

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

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CURTIS L. HOOK, ROUTE 2, BOX )  
276, ARVADA, COLORADO. )  
-----

PERMIT NO. C-27520  
CASE NO. 70777-INS.

-----  
June 4, 1954  
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S T A T E M E N T

By the Commission:

On June 1, 1954, in Case No. 70777-Ins., the Commission entered its order, revoking Permit No. C-27520 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

That Permit No. C-27520 should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-27520 should be, and the same hereby is, reinstated, effective June 1, 1954, revocation order entered by the Commission on that date in Case No. 70777-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John Hutchinson  
Joseph C. [unclear]  
Raymond C. [unclear]  
Commissioners.

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

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOHN HOWARD McCONNEL, 2945 EAST )  
FOURTH AVENUE, DURANGO, COLORADO.)  
-----

PERMITS NOS. B-4517, C-28408  
CASE NO. 68410-INS.

-----  
June 4, 1954  
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S T A T E M E N T

By the Commission:

On April 9, 1954, in Case No. 68410, the Commission entered its order, revoking Permits Nos. B-4517 and C-28408 for failure of Respondent herein to keep effective insurance on file with the Commission.

Proper insurance filing has now been made, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

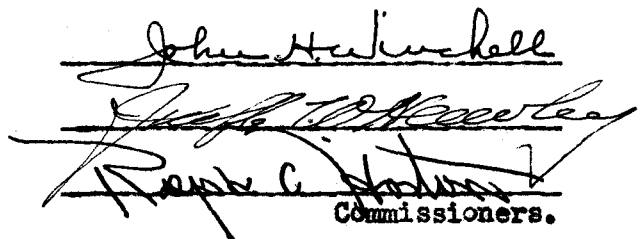
That Permits Nos. B-4517 and C-28408 should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permits Nos. B-4517 and C-28408 should be, and they hereby are, reinstated, as of April 9, 1954, revocation order entered by the Commission on that date in Case No. 68410-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 4th day of June, 1954.

nls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
T. D. WILLIAMS, STERLING, COLO- )  
RADO. )  
-----

PERMIT NO. C-13441  
CASE NO. 67996-INS.

-----  
June 4, 1954  
-----

S T A T E M E N T

By the Commission:

On February 15, 1954, the Commission entered an order in Case No. 67996-Ins., revoking Permit No. C-13441 for failure of Respondent to keep effective insurance on file with the Commission.

It now appears that the insurance company neglected to file Certificate of Insurance with the Commission, although insurance was in effect. Proper insurance filing has now been made.

F I N D I N G S

THE COMMISSION FINDS:

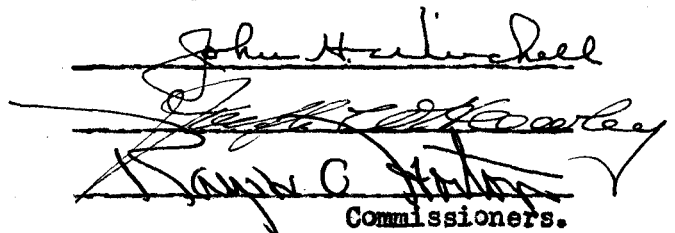
That Permit No. C-13441 should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-13441 should be, and the same hereby is, reinstated, as of February 15, 1954, revocation order entered by the Commission on that date in Case No. 67996-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 4th day of June, 1954.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
JOHN M. BURGESS, DOING BUSINESS AS )  
"JOHN'S HARDWARE," HOTCHKISS, )  
COLORADO. )  
----- )

PERMIT NO. C-23332

-----  
June 11, 1954  
-----

STATEMENT

By the Commission:

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

John M. Burgess, dba "John's Hardware"

requesting that Permit No. C-23332 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-23332, heretofore issued to \_\_\_\_\_

John M. Burgess, dba "John's Hardware" be,

and the same is hereby, declared cancelled effective December 2, 1953.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 11th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
JOE & ROSE SANCHEZ, 723 MARTIN, )  
LONGMONT, COLORADO. )

PERMIT NO. C-31791

**June 11, 1954**

## STATEMENT

By the Commission:

The Commission is in receipt of a communication from

**Joe & Ross Sanchez**

requesting that Permit No. C-31791 be cancelled.

## FINDINGS

### THE COMMISSION FINDS:

That the request should be granted.

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-31791, heretofore issued to

**Joe & Ross Sanchez**

be,

and the same is hereby, declared cancelled effective May 24, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

## Commissioners

Dated at Denver, Colorado,

this 11th day of June, 195 4.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
ALFRED R. NEWENS, SOUTH MARTINS )  
STREET, LONMONT, COLORADO. )

PERMIT NO. C-30822

June 11, 1954

## STATEMENT

By the Commission:

The Commission is in receipt of a communication from

Alfred R. Newens

requesting that Permit No. C-30802 be cancelled.

## FINDINGS

## THE COMMISSION FINDS:

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-30802 , heretofore issued to

Alfred R. Nowens

be,

and the same is hereby, declared cancelled effective **May 9, 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 June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
J. F. HARMON, DOING BUSINESS AS )  
"HARMON AUTO CO.," 120 SO. MAIN, )  
LONGMONT, COLORADO. )  
----- )

PERMIT NO. C-29962

-----  
June 11, 1954

STATEMENT

By the Commission:

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

J. F. Harmon, dba "Harmon Auto Co."

requesting that Permit No. C-29962 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-29962, heretofore issued to \_\_\_\_\_

J. F. Harmon, dba "Harmon Auto Co.,"

be,

and the same is hereby, declared cancelled effective May 24, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Vinchell  
Joseph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 11th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
RAY McCLURE, PINE, COLORADO. )

) PERMIT NO. C-5987  
)  
)  
)  
)  
-----)

-----  
June 11, 1954  
-----

STATEMENT

By the Commission:

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

Ray McClure

requesting that Permit No. C-5987 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-5987, heretofore issued to \_\_\_\_\_

Ray McClure

be,

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 11th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
JUAN A. ARCHULETA, 3520 BLAKE STREET, )  
DENVER 5, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. B-4351

-----  
June 11, 1954  
-----

STATEMENT

By the Commission:

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

Juan A. Archuleta

requesting that Permit No. B-4351 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4351, heretofore issued to \_\_\_\_\_

Juan A. Archuleta be,

and the same is hereby, declared cancelled effective May 24, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 11th day of June, 1954.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
COHAGEN TRANSFER & STORAGE CO., )  
600 E. FRONT STREET, NORTH )  
PLATTE, NEBRASKA. )  
-----

PUC NO. 1173-I

-----  
June 11, 1954  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Cohagen Transfer & Storage Co., North Platte, Nebraska, requesting that Certificate of Public Convenience and Necessity No. 1173-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 of Public Convenience and Necessity No. 1173-I, heretofore issued to Cohagen Transfer & Storage Co., North Platte, Nebraska, be, and the same is hereby, declared cancelled effective May 24, 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 11th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ANGELI DI SALLE, 4447 PENNSYLVANIA )  
STREET, DENVER, COLORADO FOR A )  
CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY. )  
----- )

APPLICATION NO. 12904

-----  
June 8, 1954  
-----

Appearances: Marshall Quiat, Esq.,  
Denver, Colorado,  
for applicant;  
Carl Hizel, Denver,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

By application filed with the Commission on May 7, 1954,  
the above-styled applicant sought a certificate of public convenience  
and necessity to operate as a common carrier by motor vehicle, on call  
and demand, for the transportation of ashes, dirt, trash, garbage, rock,  
fertilizer, rubbish, brush, and other waste materials, in the County  
of Adams, State of Colorado, in the area described as follows:

that area of Adams County bounded on the west  
by U. S. Highways 287 and 87; on the north by a  
county road extending east and west between sec-  
tions one and twelve of Township 2 South; on the  
south by the road from Colorado Highway 185 east  
to Welby, Colorado, said road being in sections  
35 and 36, Twp. 2-S, R. 68-W, and the line of said  
road produced to the west to the point where it  
joins the said west boundary; on the east by the  
Platte River between the points said river joins  
the north and south boundaries; in accord with the  
sketch map attached to the instant application.

Said application, pursuant to prior setting, after appropriate  
notice to all parties in interest, was heard at the Hearing Room of the

Commission, 330 State Office Building, Denver, Colorado, June 2, 1954, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

When said application was called for hearing, counsel for applicant moved to amend the application by including the following words:

"Highway 185 where it joins the south boundary of the described applied-for area to the City Limits of Denver, and the trash dump near said City Limits, and further that stretch of country road from the southeast corner of the described area through the Town of Welby, to Adams City, and the trash dump therein."

There being no objection, the application was so amended.

At the hearing, Angeli Di Salle, applicant herein, testified that he has had experience in trucking operations since 1923; that he owns two 1953 Chevrolet pick-up trucks, with which to perform the proposed service; that he will obtain additional equipment, if it is needed; that his net worth is approximately \$130,000.00; that he has made a personal survey in Thornton, and found many people who feel the need for more adequate garbage and trash disposal; that he had a list of fifty-five customers, but was unable to commence rendering service to them until he acquired PUC authority.

Mrs. Donna Fisher, 9085 North Emerson Street, Thornton, Colorado, testified in support of the application that she and her husband had moved into Thornton among the very first families, when less than two blocks of homes were occupied, shortly after the first of the year; that the present population of Thornton was 1254; that the present garbage disposal service was unsatisfactory; that lids were left off garbage cans; that garbage was left in the cans when they were dumped; that she had complained about the service, but there had been no improvement; that there was need for competition in the collection of garbage, in order to give the public protection against the inadequate service which would arise from a monopoly; that she urged the granting of the application; that public convenience and necessity require it, and she would use the service if it was available.

Mrs. Mary Kitson, 9091 North Emerson Street, Thornton, Colorado, testified in support of the application that there was urgent need for competition in the area, in order to assure adequate service; that she had complained at times that the garbage can was not cleaned out, and that at times the lid was left off; that public convenience and necessity require the granting of the application.

Jack D. Skinner, agent for the Equitable Life Assurance Society, testified that he is Vice-President of the Thornton Community Association; that the Officers of the Association favor delay in granting additional authorities until the community is incorporated; that the community cannot incorporate until after it had paid taxes, which would be after March 1, 1955. He also testified that the Officers of the Association felt that competition in utility services was healthy for the community.

The granting of certificates of public convenience and necessity to render service in the area of Thornton will, in no way, hinder the community when it becomes incorporated from limiting the number of local licenses which they grant to trash and garbage haulers.

It is apparent that the need of the community for the proposed service out-weighs any possible impairment of service to presently-authorized carriers.

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

##### THE COMMISSION FINDS:

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

#### O R D E R

##### THE COMMISSION ORDERS:

That public convenience and necessity require the proposed common carrier motor vehicle call and demand transportation service of applicant herein, for the transportation of ashes, dirt, trash, garbage, rock, fertilizer,

rubbish, brush, and other waste materials, in the County of Adams, State of Colorado, in the area described as:

Bounded on the west by U. S. Highways Nos. 287 and 87; on the north by a county road extending east and west between Section 1 and 12 of Township 2-South; on the south by the road from Colorado Highway No. 185 east to Welby, Colorado, said road being in Sections 35 and 36, Township 2-South, Range 68-West, and the line of said road produced to the west to the point where it joins the said west boundary; on the east by the Platte River between the points said river joins the north and south boundaries; Colorado Highway No. 185 (also known as the "North Washington Road") from the point on the above-described area where it joins said area, extending south therefrom to the City Limits of the City and County of Denver, including access to and the area of the Adams County Dump at 53rd Avenue and said Highway No. 185; also that country road extending from the southeast corner of the above area, going southeast through Welby, Adams City, and access in and to that County Dump at Adams City,

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. Hinchell

Frank W. Hensley

Ralph C. Hutton  
Commissioners.

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

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
JAMES F. HAMMOND, DOING BUSINESS AS  
"AVENUE FLORAL DELIVERY," 1469  
WILLIAMS 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. 12909-PP

-----  
June 8, 1954  
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Appearances: John R. Barry, Esq.,  
Denver, Colorado, for  
applicant;  
E. B. Evans, Esq., Denver,  
Colorado, for Swena  
Transfer and Express;  
Norman Blake, Blackhawk,  
Colorado, for Gilpin  
County Freight Line;  
Kenneth Trenberth, Idaho  
Springs, Colorado, for  
Curnow Livery and  
Transfer Company.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of cut flowers, potted plants, funeral wreaths, and miscellaneous floral displays, from and to, to and from, all points within a fifteen-mile radius of the City and County of Denver, on the one hand, and from and to, to and from, points within said radius, to and from, from and to, points within a radius of forty miles of the City and County of Denver, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, June 3, 1954, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.



At the hearing, counsel for applicant moved to amend the application to substitute "Roy Berg and James F. Hammond, co-partners, doing business as 'American Floral Delivery,'" as applicants herein.

There being no objection, the application was so amended.

James F. Hammond, one of applicants herein, testified that he is a co-partner with Roy Berg, doing business as "American Floral Delivery;" that they have been operating within the City Limits of Denver, but need authority to operate outside the City Limits, in order to render proper service to their customers; that they are the owners of a panel truck, and lease another panel truck; that the net worth of the partnership is approximately \$5,000.00; that they had interested retail florists in grouping their deliveries of cut flowers; that in order to deliver cut flowers which are in containers with water, they have devised special racks in the trucks, to prevent the spilling of the water in transit; that they desire authority to deliver cut flowers and potted plants and accessories for floral displays for florists and morticians, only.

Helen E. Gowans testified in support of the application that she operates the Flower Basket, 1522 Park Avenue, Denver, Colorado; that she also presently is using the service of applicants; that the service was most satisfactory; that she had been using the service since applicants had been in business; that there was an urgent need for the service, and that if the authority was granted, she would continue to use the service.

Joella Downs, 901 Sherman Street, Denver, Colorado, testified in support of the application that she is the operator of Joella's Flowers; that she could not operate without the service of applicants; that the service was urgently needed, and that she would use it outside of Denver, if the application is granted.

With the limitations on the service, as described by Mr. Hammond, the protestants withdrew their objections.

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

It did not appear that applicants' proposed service will tend to impair the efficiency of any common carrier service operating in the territory sought to be served by applicants.

### F I N D I N G S

#### THE COMMISSION FINDS:

That "Roy Berg and James F. Hammond, co-partners, doing business as 'American Floral Delivery,'" should be substituted as applicants herein, in lieu of "James R. Hammond, doing business as 'Avenue Floral Delivery.'"

That permit should issue, as set forth in the Order following.

### O R D E R

#### THE COMMISSION ORDERS:

That "Roy Berg and James F. Hammond, co-partners, doing business as 'American Floral Delivery,'" should be, and they hereby are, substituted as applicants herein, in lieu of "James F. Hammond, doing business as 'Avenue Floral Delivery.'"

That Roy Berg and James F. Hammond, co-partners, doing business as "American Floral Delivery," Denver, Colorado, should be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of cut flowers, potted plants, funeral wreaths, miscellaneous floral displays, and accessories for floral displays, from and to, to and from, all points within a radius of fifteen miles of the City and County of Denver, on the one hand, and from and to, to and from, points within said radius, to and from, from and to, points within a radius of forty miles of the City and County of Denver, Colorado.

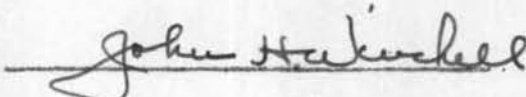
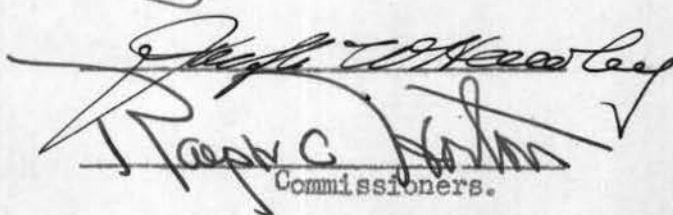
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

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 8th day of June, 1954.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
J. M. BUSSARD AND G. D. BUSSARD, CO- )  
PARTNERS, DOING BUSINESS AS "FORT )  
COLLINS CITY BUS SERVICE," 1008 WEST )  
OAK STREET, FORT COLLINS, COLORADO, )  
FOR AUTHORITY TO TRANSFER PUC NO. )  
1687 TO G. D. BUSSARD, DOING BUSI- )  
NESS AS "BUSSARD BUS LINES," 619 )  
EAST MYRTLE STREET, FORT COLLINS, )  
COLORADO. )  
----- )

APPLICATION NO. 12910-Transfer

-----  
June 8, 1954  
-----

S T A T E M E N T

By the Commission:

By the above-styled application, J. M. Bussard and G. D. Bussard, co-partners, doing business as "Fort Collins City Bus Service," Fort Collins, Colorado, owners and operators of PUC No. 1687, seek authority to transfer said operating rights to G. D. Bussard, doing business as "Bussard Bus Lines," Fort Collins, Colorado, said J. M. Bussard being desirous of withdrawing from said partnership.

Said application was regularly set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, June 3, 1954, at which time and place applicants failed to appear, either in person or by counsel.

Thereupon, the files were made a part of the record, and the matter was taken under advisement.

From the records and files of the Commission it appears that the consideration for the transfer is the sum of \$5,000.00; that said certificate is in good standing; that road tax has been paid; that road-tax deposit of transferors is to be transferred and credited to account of transferee herein; that transferee, pecuniarily and otherwise, is qualified to carry on the operation.

## F I N D I N G S

### THE COMMISSION FINDS:

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

## O R D E R

### THE COMMISSION ORDERS:

That J. M. Bussard and G. D. Bussard, co-partners, doing business as "Fort Collins City Bus Service," Fort Collins, Colorado, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 1687 to G. D. Bussard, doing business as "Bussard Bus Lines," Fort Collins, Colorado, said J. M. Bussard 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 certificate has been formally assigned and that said parties have accepted, and in the future will comply with the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

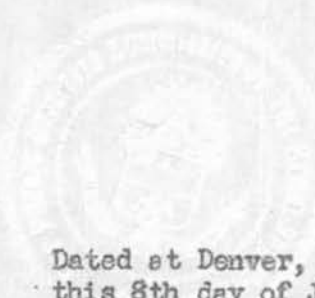
The tariff of rates, rules and regulations of transferors shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

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

That road-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. Linsell

Joseph C. Hawley  
Napht C. Hottel  
Commissioners.

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

ea



original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FRANK C. KLEIN AND COMPANY, INC., )  
3600 EAST 46TH AVENUE, DENVER, COLO- )  
RADO, FOR AUTHORITY TO LEASE PERMIT )  
NO. A-807 TO PETER B. KOOL, 1820 )  
SOUTH ZUNI STREET, DENVER, COLORADO, )  
WITH OPTION TO PURCHASE. )  
----- )

APPLICATION NO. 12912-PP-Lease

-----  
June 8, 1954  
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Appearances: Robert Vogl, Esq.,  
Denver, Colorado,  
for applicants.

S T A T E M E N T

By the Commission:

By the instant application, Frank C. Klein and Company, Inc., Denver, Colorado, seeks authority to lease Permit No. A-807 to Peter B. Kool, Denver, Colorado, with option to purchase.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, June 3, 1954, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Peter B. Kool testified that he is the lessee herein; that he has been driving the truck and managing the operation for Frank C. Klein, Inc., for the past one and one-half months; that he is the owner of one two-ton 1951 International Van, and one 1949 Chevrolet two-ton Van; that since he has been operating the business, the volume of freight has increased to approximately 7,000 pounds per week; that most of the freight consists of groceries, meats, and home appliances; that most of the deliveries are to Granby, Fraser and Tabernash, Colorado; that they operate daily service, five days per week; that he has practically no back-haul, ninety-nine per cent of his business being freight that

originates in Denver; that his net worth is approximately \$6,000.00; that the lease, with option to purchase, is attached to the application.

Frank C. Klein testified that he is the President of Frank C. Klein and Company, Inc., lessor herein; that ton-mile tax deposit on file with the Commission is to be transferred to the credit of lessee; that the lessee is well qualified to conduct the operation; that this operation can be better conducted by an individual, as owner of the operation, rather than as part of a larger operation; that it is in the public interest to approve the lease.

### F I N D I N G S

#### THE COMMISSION FINDS:

That leasing of Permit No. A-807, as set forth in the Lease and Option to Purchase attached to the instant application, which is made a part of these Findings by reference, from Frank C. Klein and Company, Inc., to Peter B. Kooi, is in the public interest, and that application so to lease should be approved by this Commission.

### O R D E R

#### THE COMMISSION ORDERS:

That Frank C. Klein and Company, Inc., Denver, Colorado, should be, and it hereby is, authorized to lease Permit No. A-807 to Peter B. Kooi, Denver, Colorado, as per terms of Lease and Option attached to the instant application.

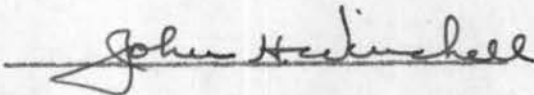

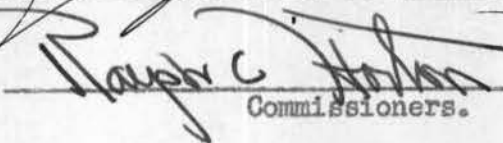
The right of the lessee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by lessor of delinquent reports, if any, covering its operations under said permit up to the time of lease of said permit, and the payment by it or lessee of all unpaid ton-mile tax.

That in the event lessee herein elects to exercise option to purchase said Permit No. A-807, application shall then be made to this Commission for formal transfer of said operating rights to him.

That ton-mile tax deposit of lessor shall be transferred  
and credited to account of lessee 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 8th day of June, 1954.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WILLIE JONES AND ORLANDO JONES, CO- )  
PARTNERS, DOING BUSINESS AS "JONES )  
BROTHERS," 3024 MARION STREET, DEN- )  
VER, COLORADO, FOR A CLASS "B" PER- )  
MIT TO OPERATE AS A PRIVATE CARRIER )  
BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 12807-PP

-----  
June 8, 1954  
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Appearances: Harold Swana, Golden, Colo-  
rado, pro se;  
Barry and Hupp, Esqs., Denver,  
Colorado, and  
Robert H. Kiley, Esq., Denver,  
Colorado, for Denver-Boulder  
Truck Lines;  
R. W. Dinkmeyer, Golden, Col-  
orado, for Golden Ice and  
Hauling.

S T A T E M E N T

By the Commission:

On March 22, 1954, Decision No. 42269 was entered in the above-  
styled matter by the Commission, dismissing said application for lack of  
prosecution.

The Commission is now in receipt of a communication from appli-  
cant herein, stating he was unavoidably out of the city on the date of the  
hearing, and asking the Commission to vacate its order of dismissal and  
set said application for hearing at some future date to be determined by  
the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That applicant's request should be granted.

O R D E R

THE COMMISSION ORDERS:


That Decision No. 42269, of date March 22, 1954, entered by the  
Commission in Application No. 12807-PP, dismissing said application for

lack of prosecution, should be, and the same hereby is vacated, set aside, and held for naught.

That said Application No. 12807-PP should be re-set for hearing at some future date convenient to the Commission, with notice to all parties in interest.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
John H. Lincoln

Joseph W. Hawley  
Ralph C. Hahn  
Commissioners.

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

mls

original

(Decision No. 42784)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CHARLES A. SLUSHER, 6300 SHERIDAN )  
BOULEVARD, ARVADA, COLORADO, FOR ) APPLICATION NO. 12913-PP-Extension  
AUTHORITY TO EXTEND OPERATIONS )  
UNDER PERMIT NO. B-4604. )  
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-----  
June 8, 1954  
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Appearances: Henry S. Sherman, Esq., Denver,  
Colorado, for applicant;  
E. B. Evans, Esq., Denver,  
Colorado, for Swena Transfer  
and Express;  
Kenneth Trenberth, Idaho Springs,  
Colorado, for Curnow Livery  
and Transfer Company;  
Norman Blake, Blackhawk, Colo-  
rado, for Gilpin County  
Freight Line.

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.

Said application was regularly set for hearing at the Hearing  
Room of the Commission, 330 State Office Building, Denver, Colorado,  
June 3, 1954, at ten o'clock A. M.

At the hearing, counsel for applicant moved to vacate the pre-  
sent setting, the matter to be re-set for hearing at a later date to be  
determined by the Commission, with notice to all parties in interest.

There being no objection, the motion was granted.

F I N D I N G S

THE COMMISSION FINDS:

That hearing in the above-styled application should be con-  
tinued to a date to be determined by the Commission.



O R D E R

THE COMMISSION ORDERS:

That the above-styled application is hereby continued, said matter to be re-set for hearing at a later date to be determined by the Commission, with notice to all parties in interest.

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 W. Hecox  
Ralph C. Hinton  
Commissioners.

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

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JACK R. AILES AND CHARLES R. CHAPIN, )  
CO-PARTNERS, DOING BUSINESS AS "THE )  
A. C. TRASH SERVICE," 265 SOUTH )  
CANOSA COURT, DENVER, COLORADO, FOR )  
A CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY. )  
-----

APPLICATION NO. 12903

-----  
June 8, 1954  
-----

Appearances: David D. Richeson, Esq., Denver,  
Colorado, for applicant;  
Carl Hibel, Denver, Colorado,  
pro se;  
George Reichert, Jr., Derby,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

By the above-styled application, applicants herein seek a certificate of public convenience and necessity to operate as a common carrier by motor vehicle.

Said application was regularly set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, June 2, 1954, at ten o'clock A. M.

At the hearing, Jack R. Ailes testified in support of the application that he is one of the co-partners doing business under the firm name and style of "The A. C. Trash Service;" that their trade name has been registered with the State of Colorado. He filed with the Commission a petition, signed by sixty-four residents of Adams County, in the neighborhood of Thornton, supporting the instant application. He further testified that applicants are the owners of a one-half ton Studebaker pick-up truck, and could acquire more equipment, if necessary, to perform the proposed service; that he proposed to devote his full time to the operation; that there was a dump located near Adams City, and one near the

Denver City Limits, at Sheridan Boulevard; that he had had two years experience in the East in this type of service; that he had had seven years trucking experience, and his partner had had five years trucking experience; that the net worth of the partnership was approximately \$6,000.00.

Upon cross-examination, he testified that they did not have a license from the Town of Westminster, but that the acting Council of Thornton had requested them to apply for a certificate of public convenience and necessity, in order to render this service in Thornton; that from personal observation, he had seen a need for such service in Thornton.

Nicholas Pohlit testified in opposition to the granting of the application, stating that Thornton was very clean and presently very adequately served; that Westminster and Shaw Heights are being well taken care of in trash and garbage disposal; that additional competition would hurt the Health Department's program; that eventually the building expansion would require more authorities; that the Brighton situation -- especially as it concerned rat infestation -- was now under survey by his department.

Jack D. Skinner, 1261 East 90th Avenue, testified that he is Vice-President of the Thornton Community Association; that the Officers of that Association were in favor of limiting the authorities until such time as Thornton becomes an incorporated community, which will not be possible until March, 1955.

Upon cross-examination, he admitted that no resolution had been adopted by the Council, authorizing him to represent it at this hearing, and that the Council had, at a prior date, expressed a belief that competition among utility services would be healthy for the community.

Frank A. Ciancio, Welby, Colorado, testified that he is presently a resident of Welby, and has been for all his life, but is now buying a home in Thornton; that he has a ten-year lease on a restaurant and cocktail bar in Thornton; that Mr. Hize's service is satisfactory in Thornton, and that there is no need for additional authority at the present time.



Attorney for applicants then presented a motion that hearing on said application be continued to some future date to be determined by the Commission, which motion was granted.

F I N D I N G S

THE COMMISSION FINDS:

That hearing in the above-styled application should be continued to a date to be later determined by the Commission.

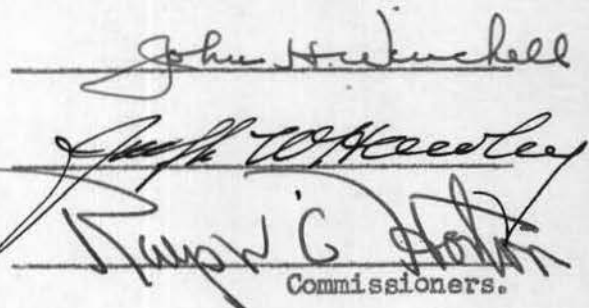
O R D E R

THE COMMISSION ORDERS:

That the above-styled application is hereby continued, said matter to be re-set for hearing at a later date to be determined by the Commission, with notice to all parties in interest.

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 8th day of June, 1954.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
GEORGE C. TOMASI, BEN J. TOMASI,  
AND HUGO L. WILLIS, CO-PARTNERS,  
DOING BUSINESS AS "WILLIS AND  
TOMASI," SILVERTON, COLORADO, TO  
CONVERT THEIR PRESENT PERMIT NO.  
B-2967 TO A COMMON CARRIER CER-  
TIFICATE, AND TO AUTHORIZE TRANS-  
PORTATION FROM SILVERTON, COLORADO,  
TO RIDGWAY, COLORADO.

APPLICATION NO. 12510

June 7, 1954

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing at the Court House, Montrose, Colorado, June 10, 1954, at ten o'clock A. M., due notice thereof being sent to all parties in interest.

The Commission is now in receipt of a communication from Ben J. Tomasi, one of applicants herein, stating applicants do not desire to prosecute said application, and requesting the dismissal thereof.

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 June 10, 1954, at the Court House, Montrose, Colorado, should be, and the same hereby is, vacated.

That Application No. 12510 should be, and the same hereby is, dismissed, at request of applicants.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. McInnis

Ralph W. McInnis  
Ralph C. McInnis  
Commissioners.

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

ea



original

(Decision No. 42787)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ROY SAYERS, BOX 373, RURAL ROUTE 3, )  
COLORADO SPRINGS, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUC NO. 2575 )  
TO J. M. ESTES, 2217 NORTH FRANKLIN )  
STREET, COLORADO SPRINGS, COLORADO. )

APPLICATION NO. 12943-Transfer

June 8, 1954

Appearances: William M. Calvert, Esq.,  
Colorado Springs, Colo-  
rado, for applicants.

S T A T E M E N T

By the Commission:

By Decision No. 40725, of date June 10, 1953, Roy Sayers, Colorado Springs, Colorado, was granted a certificate of public convenience and necessity to operate as a common carrier by motor vehicle, on call and demand, for the transportation of:

"ashes, trash, dirt, rock, fertilizer, rubbish, brush, and other waste materials, between points within a radius of ten miles of the corner of Pikes Peak and Nevada Avenue, in Colorado Springs, Colorado, and the City Dump, located approximately .8 of a mile from the City Limits of Colorado Springs, Colorado, and any dump which is now or which may hereafter be located within the area above described,"

said operating rights being known as "PUC No. 2575."

By the instant application, said certificate-holder seeks authority to transfer said PUC No. 2575 to J. M. Estes, Colorado Springs, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that road tax has been paid; that ton-mile tax deposit of transferor is to be transferred to account of transferee herein; that transferor, because of ill health,

has found it necessary to sell his business; that the consideration for said operating rights is the sum of Five Hundred Dollars (\$500.00); that transferee, pecuniarily and otherwise, is qualified to carry on the operation, having had a great amount of experience in the business of collection and disposal of all types of waste materials, and it does not appear that any useful purpose would be served by setting said application for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said certificate, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

### F I N D I N G S

#### THE COMMISSION FINDS:

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

### O R D E R

#### THE COMMISSION ORDERS:

That Roy Sayers, Colorado Springs, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 2575 -- being the operating rights granted by Decision No. 40725 -- to J. M. Estes, Colorado Springs, 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.

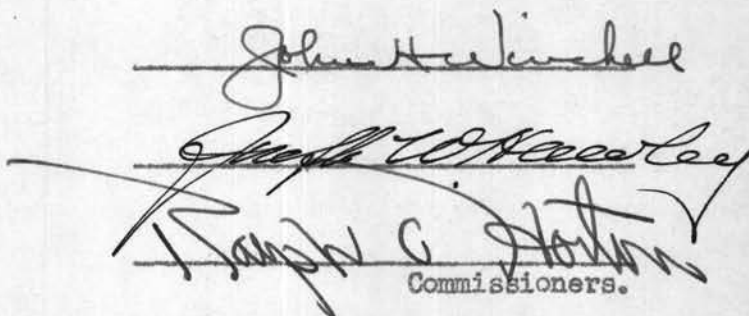
The tariff of rates, rules and regulations of transferor shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

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, and the payment by him or transferee of all unpaid ton-mile tax.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

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

mls



original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
GEORGE REICHERT, JR., BOX 855, DERBY,  
COLORADO, FOR PERMISSION TO EXPAND  
THE NATURE OF SERVICE AND THE AREA  
TO OPERATE A GARBAGE, TRASH, ASH, ETC.,  
COLLECTION ROUTE AND TO DELIVER DIRT  
AND FERTILIZER IN SOUTHERN ADAMS  
COUNTY, COLORADO, AND FOR THE ISSUANCE  
OF A CERTIFICATE OF PUBLIC CONVENIENCE  
AND NECESSITY BY THE PUBLIC UTILITIES  
COMMISSION.

APPLICATION NO. 12875-Extension

June 8, 1954

Appearances: James C. Merbs, Esq.,  
Derby, Colorado, for  
applicant;  
Fred W. Bondy, Denver,  
Colorado, for A. R.  
Pompey, Jr., doing  
business as "F. & P.  
Trash Hauling."

S T A T E M E N T

By the Commission:

George Reichert, Jr., is the owner of Certificate of Public Convenience and Necessity No. PUC-2212, authorizing the transportation on pick-up and delivery, of garbage from point to point, within the following area:

Commencing at the intersection of the city limits of the City and County of Denver and the South Platte River near 52nd and Franklin Streets in Section Fourteen (14), Township Three (3) South, Range 68-West; thence in a northerly direction following the East bank of the South Platte River to the intersection of the East bank of the South Platte River with the North line of Section One (1), Township Three (3) South, Range 68-West; thence East along the North section lines of Section One (1), Township Three (3) South, Range 68-West; and Sections Six (6) and Five (5), Township Three (3) South, Range 67-West to the intersection of the North line of Section 5 with United States Highway 6; thence North along the East right of way line of U. S. Highway 6 to its intersection with the West line of Section Thirty-three (33), Township Two (2) South, Range 67-West; thence South along the West

line of said Section 33, Township 2-South, Range 67 West and continuing South along the West lines of Sections Four (4), Nine (9), Sixteen (16), Township Three (3) South, Range 67-West to the city limits of the City and County of Denver; thence West following the North boundary line of the present City and County of Denver to the point of beginning.

On April 1, 1954, George Reichert, Jr., the applicant herein, filed his application for an extension of his certificate, PUC-2212 for the transportation of garbage, trash, ashes, dirt and fertilizer from the following described territory, to-wit:

Commencing at the intersection of the city limits of the City and County of Denver and the South Platte River near 52nd and Franklin Streets in Section 14, Township 3-South, Range 68-West; thence in a northerly direction following the east bank of the South Platte River to the intersection of the east bank of the South Platte River with the north line of Section 35, Township 1-South, Range 67-West; thence along the north line of Section 35, Township 1-South, Range 67-West to the Northeast corner of Section 32, Township 1-South, Range 66-West; thence South along the east line of Section 32, Township 1-South, Range 66-West, Sections 5, 8, and 17, Township 2-South, Range 66-West to 96th Avenue; thence west along 96th Avenue to the intersection of U. S. Highway 6; thence along the east right of way of U. S. Highway 6 to the east right of way and intersection of Quebec Street with U. S. Highway 6; thence South along the east lines of Section 33, Township 2-South, Range 67-West, and continuing south along the east lines of Sections 4, 9, 16, and 21, Township 3-South, Range 67-West, to the city limits of the City and County of Denver; thence West following the north boundary line of the present City and County of Denver to the point of beginning.

The above application was regularly set for hearing, and heard, at 330 State Office Building, Denver, Colorado, on May 13, 1954, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing held on the above date, Nicholas Politte, a Sanitary Inspector for Adams County, testified that more motor vehicle transportation service is needed for the transportation of garbage, ashes, dirt and fertilizer in the area asked for in the instant application. The witness pointed out that the area is having a building boom and that there are portions of the territory asked for in the application that need additional service. The testimony indicates that the witness is familiar with the territory as he is the sanitary officer for the area, and as said sanitary officer he asks that additional authority be granted to assist in cleaning up the area.

Leon L. Simonson, a building inspector for Adams County, testified as to the large number of new homes presently being built in the area, and he outlined in detail plans for further building in the future.

George Reichert, Jr., stated he is busy operating under Certificate of Public Convenience and Necessity No. PUC-2212, hauling garbage from a major portion of the area asked for in the application. He stated he has had numerous requests in addition to his garbage haul for the hauling of trash, ashes, dirt and fertilizer, and has been unable to perform this service for the public due to the limitations imposed on his certificate. The witness further stated that he has a one-half-ton truck with a 7x12 dump bed, and in addition has a 1954 Chevrolet pick-up, and if said authority is granted, he will increase his equipment as needed. He stated that he plans to file tariffs to serve residences once a week at the rate of \$1.00 per month for garbage, and \$1.00 per month for trash, etc., or, a combined rate of \$1.50 per month. He also plans to file tariffs for business houses and will also file a tariff for hauling by the load. It appears there is one incorporated town in the area, viz: Commerce Town, and Exhibit "D" purports to show that applicant has complied with all the requirements of said town.

The above application was formally protested by A. R. Pompey, Jr., who holds PUC-2084, and is doing business under the name of "F. & P. Trash Hauling." Mr. Pompey in his testimony contended that there is no lack of service for the collection of trash and similar material within his certificated area, and that he stands ready, willing and able to furnish this service. He stated that he answers all calls for service, and his trouble is that he finds residents do not care to pay his tariff charges for the service he renders.

Tony Poireco, who lives at 6895 Dahlia Street, stated that he finds Pompey's service satisfactory to take care of his needs. Barbara Bode, of 7048 Grape Street, Derby, stated that she finds Pompey's service satisfactory, and as far as she is concerned, no other service is needed. Mrs. Mary Godfrey, 5400 East 50th Street, Derby, also finds the Pompey service adequate.



The Commission is faced with the decision of the need for additional service in the major portion of the area now served by Certificate No. PUC-2084. The evidence clearly indicates that the area involved is experiencing a rapid growth and the Sanitary Inspector stated that portions of the area need additional service. If said application is granted, the Commission is not placing a new service in the field as applicant already has authority to transport garbage. It appears from the evidence that the public has been asking for additional service, and as applicant is presently serving in the area, it appears to us that the public needs additional service. We recognize that this is a vital service to the public health of the area, and if there is a doubt as to the availability of service, this doubt should be resolved by giving the public the benefit of that doubt.

We do not wish to indicate that Pompey is not giving an excellent service to his customers, but we are inclined to feel that additional service is needed and that applicant, by virtue of his present authority, is best qualified to give that service.

### F I N D I N G S

#### THE COMMISSION FINDS:

That public convenience and necessity require the proposed extended operations of applicant, and that a certificate of public convenience and necessity should issue therefor, 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 public convenience and necessity require the proposed extended common carrier motor vehicle call and demand service of applicant under Certificate of Public Convenience and Necessity No. PUC-2212, for the transportation on pickup and delivery of garbage, trash, ashes, dirt and fertilizer from point to point within the following area:

Commencing at the intersection of the city limits of the city and county of Denver and the South Platte River near 52nd and Franklin Streets in Section 14, Township 3-South, Range 68-West; thence in a northerly direction following the east bank of the South Platte River to the intersection of the east bank of the South Platte River with the north line of Section 35, Township 1-South, Range 67-West; thence along the north line of Section 35, Township 1-South, Range 67-West to the Northeast corner of Section 32, Township 1-South, Range 66-West; thence South along the east line of Section 32, Township 1-South, Range 66-West, Sections 5, 8, and 17, Township 2-South, Range 66-West to 96th Avenue; thence west along 96th Avenue to the intersection of U. S. Highway 6; thence along the east right of way of U. S. Highway 6 to the east right of way and intersection of Quebec Street with U. S. Highway 6; thence South along the east lines of Section 33, Township 2-South, Range 67-West, and continuing south along the east lines of Sections 4, 9, 16 and 21, Township 3-South, Range 67-West, to the city limits of the City and County of Denver, thence West following the north boundary line of the present City and County of Denver to the point of beginning,

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

That 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. Wheeler*

*Joseph W. Seabury*  
*Joseph G. Hahn*  
Commissioners.

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

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
PETER N. HARKALIS, LYONS, COLORADO, )	
FOR AUTHORITY TO TRANSFER PERMIT NO. )	
B-3672 TO J. E. ECKHARDT, HERBERT )	<u>APPLICATION NO. 12944-PP-Transfer</u>
ECKHARDT, AND ARVENE ECKHARDT, CO- )	
PARTNERS, DOING BUSINESS AS )	
*ECKHARDT TRUCKING COMPANY,* 739 )	
FRANCIS STREET, LONGMONT, COLORADO. )	
----- )	

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June 8, 1954  
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S T A T E M E N T

By the Commission:

By Decision No. 27310, of date January 11, 1947, Clarence Achziger and William Harkalis, co-partners, were authorized to operate as Class "B" private carriers by motor vehicle for hire, for the transportation of:

horses between points within a radius of twenty-five miles of Estes Park, Colorado, and from and to points within said radius, to and from other points in the State of Colorado,

said operating rights being designated "Permit No. B-3672."

Pursuant to authority contained in Decision No. 29601, of date December 20, 1947, Clarence Achziger withdrew from said partnership, and by said Decision No. 29601, said Permit No. B-3672 was transferred to William Harkalis, who, pursuant to authority contained in Decision No. 32066, of date January 26, 1949, transferred said Permit No. B-3672 to Peter N. Harkalis, Lyons, Colorado.

By Decision No. 33968, of date December 22, 1949, said Peter N. Harkalis was authorized to extend operations under Permit No. B-3672 to include the right to transport:

stone from quarries within a radius of ten miles of Lyons, Colorado, to points within a radius of fifty miles of Lyons, Colorado; forest and saw-mill products from forest and sawmills within a twenty-five-mile radius of Lyons, to points within a fifty-mile radius of Lyons, Colorado; cinder blocks from Hygiene, Colorado, to points within a twenty-five-mile radius of Lyons, Colorado; coal from Northern Colorado coal fields to Lyons; no town-to-town service except from Lyons or from Hygiene, Colorado.

By Decision No. 39252, of date September 3, 1952, Peter N.

Harkalis was authorized to further extend operations under Permit No.

H-3672 to include the right to transport:

stone from quarries within a radius of fifteen miles of Lyons, Colorado, to any point in the State of Colorado, with return from delivery points to the quarries of defective or refused shipments.

By the instant application, said permit-holder seeks authority to transfer Permit No. B-3672 to J. E. Eckhardt, Herbert Eckhardt, and Arvene Eckhardt, co-partners, doing business as "Eckhardt Trucking Company," Longmont, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferees; that there are no outstanding unpaid operating obligations against said permit; that transferees, pecuniarily and otherwise, are qualified and able to carry on the operation; that the consideration for transfer of operating rights and certain property described in "Contract," attached to the application herein and made a part hereof by reference, is the sum of Nine Thousand Dollars (\$9,000.00); that it does not appear that any useful purpose would be served by setting said application for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

## F I N D I N G S

### THE COMMISSION FINDS:

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

## O R D E R

### THE COMMISSION ORDERS:

That Peter N. Harkalis, Lyons, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-3672 -- being the operating rights granted by Decisions Nos. 27310, 33968, and 39252 -- to J. E. Eckhardt, Herbert Eckhardt, and Arvene Eckhardt, co-partners, doing business as "Eckhardt Trucking Company," Longmont, 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 transferees, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission.

The right of transferees to operate under this order shall depend upon their compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering his operations under said permit up to the time of transfer of said permit, and the payment by him or transferees of all unpaid ton-mile tax.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hinchell  
Joseph W. O'Sullivan  
Ralph C. Johnson  
Commissioners.

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

en



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RALPH SOUTH, P. O. BOX 335, ORDWAY, )  
COLORADO, FOR AUTHORITY TO EXTEND ) APPLICATION NO. 12945-Extension  
OPERATIONS UNDER PUC NO. 2334. )  
----- )

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June 8, 1954  
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Appearances: John H. Lewis, Esq.,  
Denver, Colorado,  
for applicant.

S T A T E M E N T

By the Commission:

On March 6, 1953, the above-styled application was filed with  
the Commission by Ralph South, Ordway, Colorado.

The Commission is now in receipt of a communication from John H.  
Lewis, Esq., in behalf of applicant, requesting that said application be  
dismissed.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

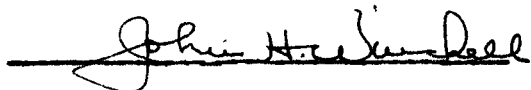
O R D E R

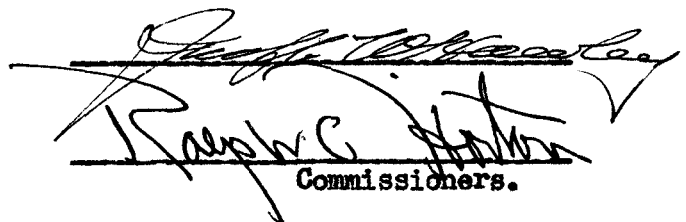
THE COMMISSION ORDERS:

That the above-styled application should be, and the same hereby  
is, dismissed, at 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



  
Commissioners.

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

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
N. B. WOODRUFF, 950 TENNYSON )  
STREET, DENVER, COLORADO. )  
----- )

PERMIT NO. B-2793  
CASE NO. 70623-INS.

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

By the Commission:

On June 1, 1954, in Case No. 70623-Ins., the Commission entered its order, revoking Permit No. B-2793 for failure of respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

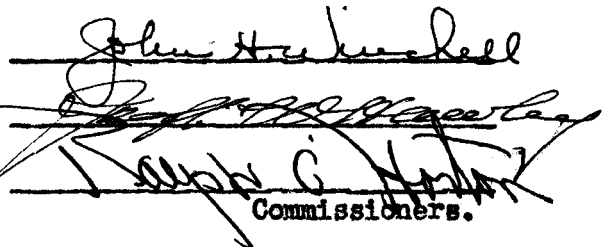
That said permit should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-2793 should be, and the same hereby is, reinstated, as of June 1, 1954, revocation order entered by the Commission on that date in Case No. 70623-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 8th day of June, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
T. VERN HEUSCHKEL, CARBONDALE, ) PUC NO. 1816  
COLORADO. )  
----- )

-----  
December 18, 1953  
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Appearances: Harry F. Claussen, Esq.,  
Glenwood Springs, Colorado,  
for T. Vern Heuschkel.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Harry F. Claussen, Esq., in behalf of T. Vern Heuschkel, requesting that said certificate-holder be authorized to suspend operations under PUC No. 1816 for a period of six months.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

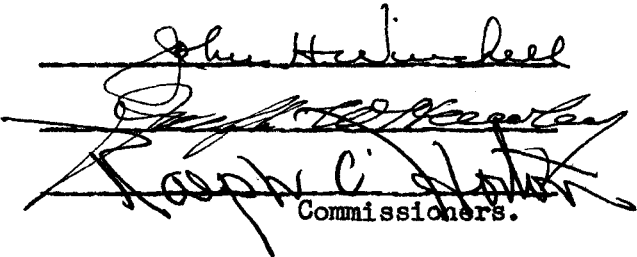
O R D E R

THE COMMISSION ORDERS:

That T. Vern Heuschkel should be, and he hereby is, authorized to suspend operations under PUC No. 1816 until June 18, 1954.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of December, 1953.

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
T. VERN HEUSCHKE, CARBONDALE, ) PUC NO. 1816  
COLORADO. )  
----- )

IN THE MATTER OF THE APPLICATION )  
OF HERBERT L. GARINER, ASSIGNEE )  
FOR THE BENEFIT OF CREDITORS OF )  
T. VERN HEUSCHKE, FOR AUTHORITY ) APPLICATION NO. 12949-Transfer  
TO TRANSFER PUC NO. 1816 TO DARYL )  
HINKLE, CARBONDALE, COLORADO. )  
----- )

-----  
June 9, 1954  
-----

Appearances: Harry F. Claussen, Esq.,  
Glenwood Springs,  
Colorado, for applicants.

S T A T E M E N T

By the Commission:

By Decision No. 28929, of date September 6, 1947, the Commission granted to John A. Heuschkel, Carbondale, Colorado, a certificate of public convenience and necessity, for the transportation:

on call and demand, over irregular routes, of farm products (including livestock and wool in grease), road equipment and machinery, farm supplies and equipment (including emigrant moveables, as defined in Freight Classification No. 17 -- R. C. Fyfe's I. C. C. Classification No. 30), from point to point within a radius of fifteen miles of Carbondale, Colorado, and from and to points in said area, to and from points in the State of Colorado; ores and concentrates, mining supplies and equipment and oil well supplies, from point to point within a radius of twenty miles of Marble, Colorado, and from and to points in said area, to and from points in the State of Colorado; ores and concentrates, mining machinery, equipment, and supplies, between points within a ten-mile radius of Twin Lakes, and from points in said area to Leadville and the Arkansas Valley Smelter, at Malta, near Leadville, and mining machinery, equipment, and supplies from Leadville and Malta, to points within a radius of ten miles of Twin Lakes, excepting service to or from that portion of said ten-mile radius which lies east of the mountain range between Fairplay and

Leadville; livestock between points within the area extending to a line drawn north and south through New Castle on the west, to the first Correction Line on the north, to a line drawn north and south through Independence Pass on the east, and to the Township Line between Townships 11 and 12 on the south, and to and from points in said area, from and to points in the State of Colorado; with the proviso that the transportation of commodities aforementioned — except livestock and farm products in bulk — shall be limited to service from farm to farm, farm to town, and town to farm, with no competition with common carriers by motor vehicle between towns served by them,

said operating rights being designated "PUC No. 1816."

Pursuant to authority contained in Decision No. 37094, of date July 18, 1951, said certificate-holder transferred said operating rights to T. Vern Heuschkel, Carbondale, Colorado.

Subsequently, said certificate-holder was authorized to suspend operations under PUC No. 1816 until June 18, 1954.

On January 4, 1954, "Assignment for the Benefit of Creditors" was filed with the Commission, of date November 27, 1953, whereby Herbert L. Gardner, of Glenwood Springs, Colorado, was appointed Assignee for the benefit of creditors of T. Vern Heuschkel:

"To sell and dispose of said stock of merchandise at retail sales or in bulk as may, to the party of the second part, seem most advantageous, and to collect said notes and accounts by legal process or otherwise,"

as therein set forth, said "Assignment for the Benefit of Creditors" being made a part hereof, by reference.

On May 19, 1954, copy of Order, of date May 17, 1954, entered by Hon. Clifford H. Darrow, Judge in the District Court in and for the County of Garfield, State of Colorado (Civil Action No. 4475), was filed with the Commission, whereby said Assignee was authorized to accept the bid of Daryl Hinkle, Carbondale, Colorado, in the amount of Seventeen Hundred Fifty Dollars (\$1750.00), for said operating rights formerly owned and operated by T. Vern Heuschkel, being PUC No. 1816, subject to approval of The Public Utilities Commission of the State of Colorado.

By the instant application, Herbert L. Gardner, Assignee for the Benefit of Creditors of T. Vern Heuschkel, requests that PUC No. 1816 be reinstated and transferred to Daryl Hinkle, Carbondale, 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 transferee, pecuniarily and otherwise, is qualified and able to carry on the operation, and it does not appear that any useful purpose would be served by setting said application for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

### F I N D I N G S

#### THE COMMISSION FINDS:

That PUC No. 1816 should be reinstated.

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

### O R D E R

#### THE COMMISSION ORDERS:

That PUC No. 1816, heretofore suspended, should be, and the same hereby is, reinstated, as of the date of this Order.

That Herbert L. Gardner, Glenwood Springs, Colorado, Assignee for the benefit of Creditors of T. Vern Heuschkel, Carbondale, Colorado, should be, and he hereby is, authorized to transfer all right, title, and interest of said T. Vern Heuschkel in and to PUC No. 1816 -- being the operating rights granted by Decision No. 28929 -- to Daryl Hinkle, Carbondale, Colorado, subject to payment of outstanding indebtedness against said operation, 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.

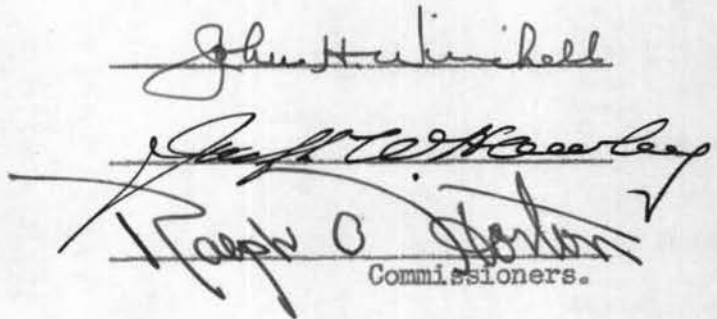
The tariff of rates, rules and regulations of transferor shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

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 T. Vern Heuschkel shall be transferred and credited to account of Daryl Hinkle, Carbondale, Colorado.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 9th day of June, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
KARL BENZEL, PALISADE, COLORADO. )

PERMIT NO. B-1306

-----  
June 11, 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-1306 be suspended for six months from June 2, 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 Karl Benzel, Palisade, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-1306 until December 2, 1954.

That unless said Karl Benzel, Palisade, 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. Wineshall*  
*W. C. H. H. H.*  
*Ralph C. Horton*

Commissioners.

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

mls

*Original*

(Decision 42795)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION  
OF Y-W ELECTRIC ASSOCIATION, INC.,  
A COLORADO CORPORATION, AKRON,  
COLORADO, FOR AN ORDER AUTHORIZING  
THE ISSUANCE OF SECURITIES AND THE  
APPLICATION OF THE PROCEEDS THERE-  
FROM.

APPLICATION NO. 12950  
Securities

June 7, 1954

S T A T E M E N T

By the Commission:

Upon consideration of the application filed June 7, 1954, by  
Y-W Electric Association, Inc., a Corporation, in the above-styled matter:

O R D E R

That a public hearing be held, commencing on June 17, 1954, at  
9:30 O'clock A. M., 330 State Office Bldg., Denver, Colorado, respect-  
ing the matters involved and the issues presented in this proceeding. Any  
interested municipality or any representative of interested consumers or  
security holders of applicant corporation, and any other person whose  
participation herein is in the public interest, may intervene in said pro-  
ceedings. Intervention petitions should be filed with the Commission on  
or before June 14, 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*  
*Ray C. Johnson*  
Commissioners

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

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE VARIOUS CHANGES IN RATES, )  
RULES AND REGULATIONS IN THE )  
MOTOR TRUCK COMMON CARRIERS' )  
ASSOCIATION FREIGHT TARIFF )  
NO. 12, COLO. P.U.C. NO. 6, )  
ISSUED BY J. R. SMITH, CHIEF )  
OF TARIFF BUREAU, 407 DENHAM )  
BUILDING, DENVER 2, COLORADO. )  
-----

CASE NO. 1585

-----  
June 10, 1954  
-----

S T A T E M E N T

By the Commission:

Under the provisions of Rule 18, paragraph C-(1)-(A), of the "Rules of Practice and Procedure" of the Commission, there were filed with the Commission on statutory notice schedules stating new individual rates, rules, charges and regulations, advertised to become effective June 16, 1954, designated as set forth in "Exhibit A", attached hereto and made a part hereof.

Under the provisions of Rule 18, paragraph C-(1)-(A) of the said Rules of Procedure, following the deadline protest (ten days prior to the proposed effective date) an order by the Commission is required prescribing the changes set forth in the proposed new schedules.

No protests have been received in the office of the Commission relative to the proposed changes.

The rate department's investigation of the proposed changes developed the following information.

The 15 per cent increase in the rates in Section 3, have worked to the detriment of the Ahnstedt Truck Line.

The 2nd and 3rd class ratings on Fish represents a reduction, as does the 2nd class rating on Pipe or Culverts, and the 4th class rating on Tractors.



In regard to the increases between Denver and Bennett, Byers and Strasburg, it is the feeling of the involved carriers that the present rates are too low considering the increased cost of operation.

In regard to the increase between Montrose and Placerville, these rates should have been included in a previous increase at other points but inadvertently was overlooked.

In regard to the stop-in-transit privilege and the establishment of rates on Iron or Steel Articles from Minnequa to points in the San Luis Valley is for the purpose of attracting additional traffic to the Rio Grande Motor Way.

The present minimum charge on shipments of Explosives from Louviers to Denver is 50 cents and it is the feeling of the Castle Rock Transfer that it is too low in the face of the present economic conditions.

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

The Commission Finds, that:

The changes set forth in "Exhibit A", attached hereto, and made a part hereof should be authorized and an order should be entered prescribing the said changes.

#### O R D E R

THE COMMISSION ORDERS, that:

- 1 - The statement, findings and "Exhibit A", are made a part hereof.
- 2 - This order shall become effective forthwith.
- 3 - The rates, rules, regulations and provisions set forth in "Exhibit A", shall on June 16, 1954, be the prescribed rates, rules, regulations and provisions of the Commission.
- 4 - 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.
- 5 - On and after June 16, 1954, the named motor vehicle common carriers shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein set forth.

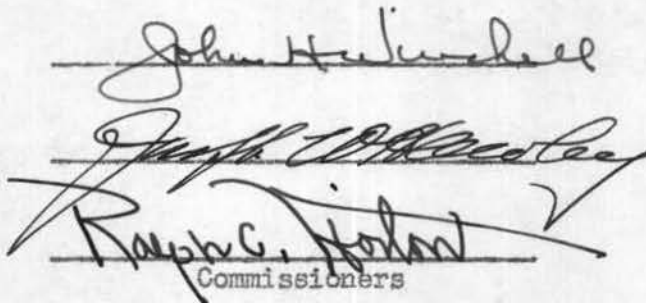
6 - On and after June 16, 1954, all private carriers by motor vehicle, operating in competition with any motor vehicle common carrier affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed.

7 - 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.

8 - 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.

9 - Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado  
this 10th day of June, 1954.

hs



"EXHIBIT A"

Exclude the application of 15 per cent increase in the rates in Section No. 3, M.T.C.C.A., Agent, Freight Tariff No. 12, Colo. P.U.C. No. 6 (Brick and Brick Articles including Cement), on traffic transported by Wendell & Harold Ahnstedt, d/b/a Ahnstedt Truck Line, Holyoke, Colorado.

To establish an exception to ratings of the classification and provide a 2d class rating less-than-truckload, and a 3d class rating subject to a minimum weight of 2,000 pounds on Fish, fresh or frozen, as described under that heading in the current classification for account of The Bee Freight Lines, Inc., Meeker, Colorado.

To establish a 2d class rating on Pipe or Culverts, iron or steel, plate or sheet, over 24 inches in diameter, inside measurement, U.S. Standard Gauge No. 16 or heavier, L.T.L. Also a 4th class rating on Tractors, loaded and unloaded under own power and of a width to fit into truck and not exceeding the maximum width and height permitted by the Uniform Motor Vehicle Act, 1935, for account of G. O. Anderson, d/b/a Castle Rock Transfer, Castle Rock, Colorado.

To increase the L.T.L. class rates by 15 per cent between Denver, Colorado and Bennett, Byers and Stratton, Colorado, or specifically as follows:

		<u>Rates in Cents Per 100 Pounds</u>			
Between Denver, Colorado and		<u>1st</u>	<u>2d</u>	<u>3d</u>	<u>4th</u>
Bennett		81	69	58	44
Byers		89	75	61	48
Strasburg		85	72	59	47

via Ed Tuxhorn, d/b/a Byers-Denver Truck Line and via G. Barnhill, d/b/a Barnhill Truck Line at Bennett and Strasburg.

To increase by 15 per cent the class rates between Montrose, Colorado and Placerville, Colorado, via The Telluride Transfer, Telluride, Colorado, or specifically as follows:

<u>L.T.L.</u>				<u>5,000 lbs.</u>				<u>10,000 lbs.</u>			
<u>1st</u>	<u>2d</u>	<u>3d</u>	<u>4th</u>	<u>1st</u>	<u>2d</u>	<u>3d</u>	<u>4th</u>	<u>1st</u>	<u>2d</u>	<u>3d</u>	<u>4th</u>
128	109	89	70	93	78	67	52	64	55	46	36

To cancel the intrastate L.T.L. class rates between Fort Collins, Colorado, and Walden, Colorado, for account of Denver-Laramie-Walden Truck Line, Denver, Colorado.

This carrier does not operate intrastate between Fort Collins and Walden.

To provide a stop-in-transit privilege subject to a maximum of three stops and destination. Such stops will be allowed at final destination point, at a charge of \$6.00 per stop, on cleaning, scouring or Washing Compounds, Liquid, Granular or Powder, packed in accordance with current classification. Minimum weight 25,000 pounds, From Denver, Colorado to Grand Junction, Colorado at a rate of 73 cents per 100 pounds. For account of Rio Grande Motor Way, Inc., Denver, Colorado.

To provide a minimum charge of 75 cents per shipment in connection with a rate of 38 cents per 100 pounds on Explosives, as described in Item No. 330, from Louviers, Colorado to Denver, Colorado, via Castle Rock Transfer, Castle Rock, Colorado.

To establish the following rates in cents per 100 pounds on Iron or Steel articles, rated 3d class or lower, in the current classification, including pipe or tubing, iron or steel, welded or seamless, outside dimension not exceeding 8 inches.

- (1) Minimum weight 20,000 lbs.
- (2) Minimum weight 30,000 lbs.

From Minnequa, Colorado to Alamosa (1) - 53, (2) - 48; Antonito (1) - 64, (2) - 59; Creede (1) - 70, (2) - 65; Del Norte (1) - 63, (2) 58; Ft. Garland (1) - 53, (2) - 48; Hooper (1) - 55, (2) - 50; La Jara (1) - 54, (2) - 49; Monte Vista (1) - 54, (2) - 49; Romeo (1) - 55, (2) - 50; South Fork (1) - 65, (2) - 60.

Via Rio Grande Motor Way, Inc., Denver, Colo.

To provide a minimum charge of 75 cents per shipment in connection with a rate of 38 cents per 100 pounds on Explosives, as described in Item No. 330, from Louviers, Colorado to Denver, Colorado, via Castle Rock Transfer, Castle Rock, Colorado.

To establish the following rates in cents per 100 pounds on Iron or Steel articles, rated 3d class or lower, in the current classification, including pipe or tubing, iron or steel, welded or seamless, outside dimension not exceeding 8 inches.

- (1) Minimum weight 20,000 lbs.
- (2) Minimum weight 30,000 lbs.

From Minnequa, Colorado to Alamosa (1) - 53, (2) - 48; Antonito (1) - 64, (2) - 59; Creede (1) - 70, (2) - 65; Del Norte (1) - 63, (2) 58; Ft. Garland (1) - 53, (2) - 48; Hooper (1) - 55, (2) - 50; La Jara (1) - 54, (2) - 49; Monte Vista (1) - 54, (2) - 49; Romeo (1) - 55, (2) - 50; South Fork (1) - 65, (2) - 60.

Via Rio Grande Motor Way, Inc., Denver, Colo.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MAX J. DE HERRERA, BOX 419, )  
CENTER, COLORADO. )  
----- )  
PERMIT NO. B-3602  
CASE NO. 70612-INS.

RE MOTOR VEHICLE OPERATIONS OF )  
CHARLES A. RIVAS, 2836 CHAMPA )  
STREET, DENVER, COLORADO. )  
----- )  
PERMIT NO. B-4556  
CASE NO. 70597-INS.

RE MOTOR VEHICLE OPERATIONS OF )  
CHRIS TRUJILLO, CENTER, COLORADO )  
----- )  
PERMIT NO. B-4681  
CASE NO. 70608-INS.

RE MOTOR VEHICLE OPERATIONS OF )  
MERL W. FORNOFF, 2282 SOUTH )  
FRANKLING STREET, DENVER, )  
COLORADO. )  
----- )  
PERMIT NO. C-8086  
CASE NO. 70668-INS.

RE MOTOR VEHICLE OPERATIONS OF )  
JAMES A. BROTHERS, 4719 JOSE- )  
PHINE STREET, DENVER, COLORADO )  
----- )  
PERMIT NO. C-10815  
CASE NO. 70675-INS.

RE MOTOR VEHICLE OPERATIONS OF )  
W. K. CRISP, DOING BUSINESS AS )  
"L. P. GAS SERVICE," BOX 303, )  
FLAGLER, COLORADO. )  
----- )  
PERMIT NO. C-17756  
CASE NO. 70700-INS.

RE MOTOR VEHICLE OPERATIONS OF )  
CARL SIMMONS, 5685 WEST 27TH )  
AVENUE, DENVER, COLORADO. )  
----- )  
PERMIT NO. C-20308  
CASE NO. 70725-INS.

-----  
June 10, 1954  
-----

S T A T E M E N T

By the Commission:

On June 1, 1954, in the above-styled cases, the Commission entered its orders, revoking Permits Nos. B-3602, B-4556, B-4681, C-8086, C-10815, C-17756, and C-20308 for failure of Respondents herein to keep effective insurance on file with the Commission.

Inasmuch as proper insurance has now been filed by said Respondents,

F I N D I N G S

THE COMMISSION FINDS:

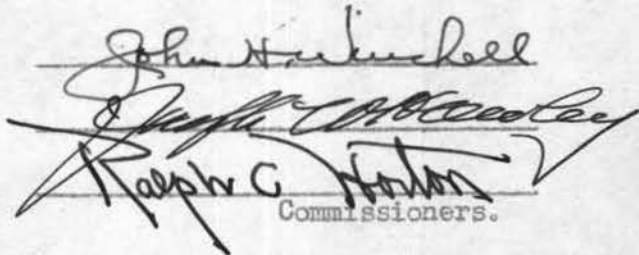
That said permits should be reinstated, effective June 1, 1954.

O R D E R

THE COMMISSION ORDERS:

That Permits Nos. B-3602, B-4556, B-4681, C-8086, C-10815, C-17756, and C-20308 should be, and they hereby are, reinstated, as of June 1, 1954, revocation orders entered by the Commission on said date in the above-styled cases being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of June, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GEORGE N. SOMES, HAROLD N. )  
SOMES, AND JOHN M. SOMES, 1515 )  
EAST SANTA FE DRIVE, PUEBLO, )  
COLORADO. )  
----- )

PERMIT NO. C-643  
CASE NO. 69381-INS.

RE MOTOR VEHICLE OPERATIONS OF )  
POUDRE VALLEY CORPORATION )  
ASSOCIATION, INC., 400 NORTH )  
LINDEN STREET, FORT COLLINS, )  
COLORADO. )  
----- )

PERMIT NO. C-20282  
CASE NO. 69639-INS.

RE MOTOR VEHICLE OPERATIONS OF )  
ROY E. DOSHIER, 2109 EAST WARD )  
STREET, WICHITA, KANSAS. )  
----- )

PERMIT NO. C-26211  
CASE NO. 69806-INS.

-----  
June 10, 1954  
-----

S T A T E M E N T

By the Commission:

On May 21, 1954, the Commission entered its orders, revoking Permits Nos. C-643, C-20282, and C-26211, in the above-styled cases, for failure of Respondents herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filings have been made by said Respondents.

F I N D I N G S

THE COMMISSION FINDS:

That Permits Nos. C-643, C-20282, and C-26211 should be restored to active status.

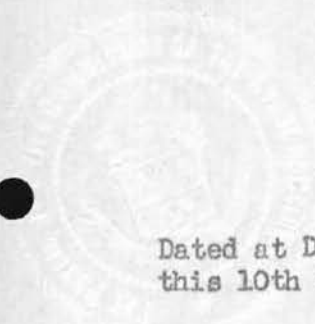
O R D E R

THE COMMISSION ORDERS:

That Permits Nos. C-643, C-20282, and C-26211 should be, and the same hereby are, reinstated, as of May 21, 1954, revocation orders entered by the Commission on said date in Cases Nos. 69381-Ins., 69639-Ins., and 69806-Ins., respectively, being hereby vacated, set aside, and held for naught.



THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
John H. Hinchell  
Ralph C. Hinton  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of June, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )	
CLIFFORD BURGE, 2961 SOUTH )	<u>PERMIT NO. C-24090</u>
CLARKSON STREET, DENVER, COLO- )	<u>CASE NO. 68880-INS.</u>
RADO. )	
----- )	

-----  
June 10, 1954  
-----

S T A T E M E N T

By the Commission:

On April 9, 1954, in Case No. 68880-Ins., the Commission entered its order, revoking Permit No. C-24090 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made by Respondent.

F I N D I N G S

THE COMMISSION FINDS:

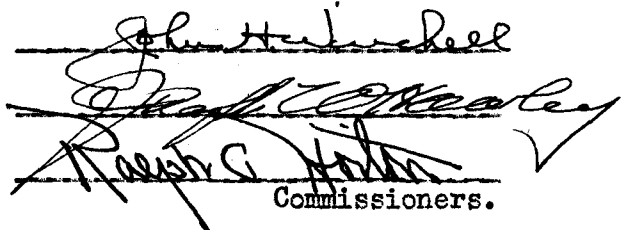
That Permit No. C-24090 should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-24090 should be, and the same hereby is, reinstated, as of April 9, 1954, revocation order entered on said date by the Commission in Case No. 68880-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 10th day of June, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
VELMA N. HARSH, ROUTE 3, BOX )  
396, GREELEY, COLORADO. )  
-----)

PERMIT NO. C-15803  
CASE NO. 68169-INS.

-----  
June 10, 1954  
-----

S T A T E M E N T

By the Commission:

On February 15, 1954, in Case No. 68169-Ins., the Commission entered its order, revoking Permit No. C-15803 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made by said Respondent.

F I N D I N G S

THE COMMISSION FINDS:

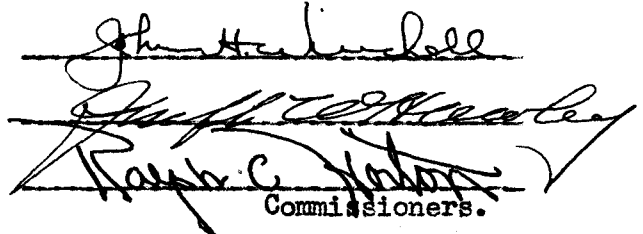
That Permit No. C-15803 should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-15803 should be, and the same hereby is, reinstated, as of February 15, 1954, revocation order entered by the Commission on said date in Case No. 68169-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 10th day of June, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )	
W. L. TAYLOR AND A. F. HOFF- )	<u>PERMIT NO. C-22887</u>
MAN, 805 NORTH LINCOLN STREET, )	<u>CASE NO. 69313-INS.</u>
LOVELAND, COLORADO. )	
----- )	

-----  
June 10, 1954  
-----

S T A T E M E N T

By the Commission:

On May 21, 1954, in Case No. 69313-Ins., the Commission entered its order, revoking Permit No. C-22887 for failure of Respondent herein to keep effective insurance on file with the Commission.

Inasmuch as proper insurance filing has now been made,

F I N D I N G S

THE COMMISSION FINDS:

That Permit No. C-22887 should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-22887 should be, and the same hereby is, reinstated, as of May 21, 1954, revocation order entered by the Commission on said date in Case No. 69313-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. H. H. H.*  
*Joseph C. H. H. H.*  
*Joseph C. H. H. H.*  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of June, 1954.

original

(Decision No. 42802)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
BEE FREIGHT LINES, INC., EAST 52ND )  
AVENUE AND COLORADO BOULEVARD, )  
DENVER, COLORADO, FOR AUTHORITY TO )  
LEASE PUC NO. 1613 TO EDGAR P. MAY, )  
DOING BUSINESS AS "MAY FREIGHT )  
LINE," MEEKER, COLORADO. )

APPLICATION NO. 12951-Lease

-----  
June 10, 1954  
-----

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

S T A T E M E N T

By the Commission:

Pursuant to authority contained in Decision No. 40432, of date May 5, 1953, Bee Freight Lines, Inc. acquired from H. H. Harp, doing business as "Harp Transportation Line," Meeker, Colorado, PUC No. 1613, being the right to operate as a common carrier by motor vehicle, on call and demand, for the transportation of:

farm products, including livestock and wool in grease, farm and ranch supplies, farm machinery and equipment, and building materials, between points in Rio Blanco County, and from and to points in Rio Blanco County, to and from points in the State of Colorado; oil well tools, machinery, and drilling equipment, between points in Rio Blanco County, only, without the right to serve between Meeker and Rifle and Meeker and Craig in competition with the line-haul services of Comet Motor Express, of Craig, Colorado.

By the instant application, Bee Freight Lines, Inc. seeks authority to lease, with option to purchase, said PUC No. 1613 to Edgar P. May, doing business as "May Freight Lines," Meeker, Colorado, according to the terms of "Lease and Purchase Contract," attached to the application herein, and by reference made a part hereof.

## F I N D I N G S

### THE COMMISSION FINDS:

That the leasing of PUC No. 1613, as set forth in "Lease and Purchase Contract," attached to the application herein, is in the public interest, and that application so to lease should be approved by this Commission.

## O R D E R

### THE COMMISSION ORDERS:

That Bee Freight Lines, Inc., Denver, Colorado, should be, and it hereby is, authorized to lease PUC No. 1613 — with authority as set forth in the preceding Statement, which, by reference, is made a part hereof — to Edgar P. May, doing business as "May Freight Line," Meeker, Colorado, as per terms of "Lease and Purchase Contract," attached to the application herein, and by reference made a part hereof.

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

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

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

That in the event lessee herein elects to exercise option to

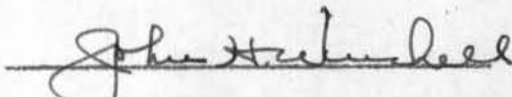
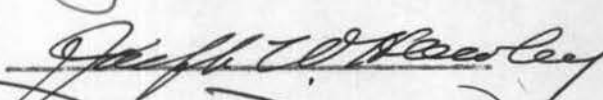
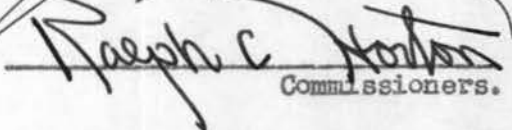


purchase said PUC No. 1613, application shall then be made to this Commission for formal transfer of said operating rights to him.

That road-tax deposit of lessor shall be transferred and credited to account of lessee 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 10th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
KENNETH TRENBERTH, DOING BUSINESS  
AS "CLEAR CREEK TRANSPORTATION COM-  
PANY," IDAHO SPRINGS, COLORADO, FOR  
AUTHORITY TO TRANSFER PUC NO. 1865  
AND PUC NO. 1865-I TO EDWARD B.  
THOMAS AND ROSE M. THOMAS, CO-  
PARTNERS, DOING BUSINESS AS "CLEAR  
CREEK TRANSPORTATION COMPANY," 3455  
SOUTH MARION STREET, ENGLEWOOD,  
COLORADO.

APPLICATION NO. 12952-Transfer

June 10, 1954

Appearances: Raymond B. Danks, Esq., Denver,  
Colorado, for applicants.

S T A T E M E N T

By the Commission:

Kenneth Trenberth, doing business as "Clear Creek Transportation Company," Idaho Springs, Colorado, owner and operator of PUC No. 1865 and PUC No. 1865-I, herein seeks authority to transfer said operating rights to Edward B. Thomas and Rose M. Thomas, co-partners, doing business as "Clear Creek Transportation Company," Englewood, Colorado, said PUC No. 1865 and PUC No. 1865-I being the right to operate as a common carrier by motor vehicle, for the transportation of:

freight, on schedule, between Denver, Idaho Springs, Alice, Dumont, Lawson, Empire, Georgetown, and Silver Plume, Colorado;

same commodities between Pioneer Store, located on U. S. Highway No. 6 and 40, at its junction with Colorado Highway No. 68, and Idaho Springs, Colorado, via U. S. Highway No. 6 and 40, and all intermediate points;

freight from the foot of Mount Vernon Canyon, and the Pioneer Store, situated at Mt. Vernon Canyon, and the transportation of freight between Idaho Springs and Echo Lake and intermediate points;

freight between Denver and Idaho Springs, on U. S. Highway No. 40, with no intermediate rights, in interstate commerce, only, 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 of transferor is to be transferred to account of transferees herein; that there are no outstanding unpaid operating obligations against said certificates; that transferees, pecuniarily and otherwise, are qualified and able to carry on the operations, and it does not appear that any useful purpose would be served by setting said application for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

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

##### THE COMMISSION FINDS:

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

#### O R D E R

##### THE COMMISSION ORDERS:

That Kenneth Trenberth, doing business as "Clear Creek Transportation Company," Idaho Springs, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1865 and PUC No. 1865-I -- with authority as set forth in the preceding Statement, which, by reference, is made a part hereof -- to Edward B. Thomas and Rose M. Thomas, co-partners, doing business as "Clear Creek Transportation Company," Englewood, 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 transferees, 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 transferor shall, upon proper adoption notice, become and remain those of transferees until changed according to law and the rules and regulations of this Commission.

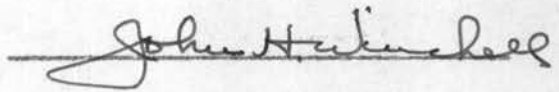
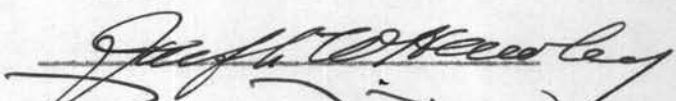
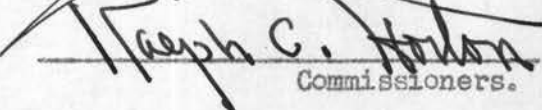
The right of transferees to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificates, and the payment by him or transferees of all unpaid ton-mile tax.

That transfer of interstate operating rights herein authorized is subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RALPH SWIFT, DOING BUSINESS AS )  
"SWIFT TRUCK LINE," WALDEN, COLO- )  
RADO, FOR AUTHORITY TO TRANSFER A )  
PORTION OF PUC NO. 1172 AND PUC NO. )  
1172-I TO PAUL KESSLER, DOING BUSI- )  
NESS AS "KESSLER TRUCK LINE," )  
WALDEN, COLORADO. )  
----- )

APPLICATION NO. 12953-Transfer

-----  
June 10, 1954  
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S T A T E M E N T

By the Commission:

The above-styled application was filed with the Commission  
on April 1, 1954.

The Commission is now in receipt of a communication from  
Ralph Swift, stating that applicants do not desire to prosecute said  
application, and requesting dismissal thereof.

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 above-styled application should be, and the same  
hereby is, dismissed, at request of Ralph Swift, transferor herein.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Hinchel*  
*Paul W. Hecox*  
*Ralph C. Horton*  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of June, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
B. E. COLLINS, CIRCLE, MONTANA, FOR )  
AUTHORITY TO TRANSFER PERMIT NO. ) APPLICATION NO. 12954-PP-Transfer  
B-4695 TO HAROLD T. TUCKER, STEAM- )  
BOAT SPRINGS, COLORADO. )  
----- )

-----  
June 11, 1954  
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S T A T E M E N T

By the Commission:

By Decision No. 41377, of date October 13, 1953, B. E. Collins, Oak Creek, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

"coal from mines within a radius of fifteen miles of Oak Creek, to points within a radius of fifty miles of Oak Creek, Colorado, except that he shall not be authorized to transport coal for the employees of W. D. Dunn from his presently-operated coal mine to Oak Creek, Colorado,"

said operating rights being designated "Permit No. B-4695."

Pursuant to authority contained in Decision No. 41725, of date December 15, 1953, said permit-holder extended operations under said Permit No. B-4695 to include:

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 between points within a twenty-five-mile radius of Oak Creek, Colorado.

By the instant application, authority is sought to transfer Permit No. B-4695 to Harold T. Tucker, Steamboat Springs, Colorado.



Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that ten-mile tax deposit is to be transferred to account of transferee; that transferee, pecuniarily and otherwise, is qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said application for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said permit, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

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

##### THE COMMISSION FINDS:

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

#### O R D E R

##### THE COMMISSION ORDERS:

That B. E. Collins, Circle, Montana, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-4695 -- being the operating rights granted by Decisions Nos. 41377 and 41725 -- to Harold T. Tucker, Steamboat Springs, Colorado, subject to payment of outstanding indebtedness against said operation, whether secured or unsecured, and provided that transferee shall assume and pay ten-mile tax due and owing from transferor on account of operations under said permit.

That said transfer shall become effective only if and when, but not before, transferee, in writing, has advised the Commission that said permit has been formally assigned, and that he has accepted, and in the future will comply with, the conditions and requirements of this Order to be by him, 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 transferee of all unpaid ton-mile tax.

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hinchell

Joseph C. Hinchell

Ralph C. Hinchell  
Commissioners.

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

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION  
OF IOWA ELECTRIC LIGHT AND POWER  
COMPANY, SECURITY BUILDING, CEDAR  
RAPIDS, IOWA, FOR AUTHORITY TO  
ASSUME THE OBLIGATION TO PAY  
CERTAIN SECURITIES.  
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APPLICATION NO. 12955  
Securities

-----  
June 14, 1954  
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S T A T E M E N T

By the Commission:


Upon consideration of the application filed June 11, 1954, by  
Iowa Electric Light and Power Company, a Corporation, in the above-styled  
matter:

O R D E R

THE COMMISSION ORDERS:

That public hearing be held, commencing on June 25, 1954, at  
2:00 O'clock P. M., 330 State Office Building, Denver, Colorado, respect-  
ing the matters involved and the issues presented in this proceeding. Any  
interested municipality or any representative of interested consumers or  
security holders of applicant corporation, and any other person whose  
participation herein is in the public interest, may intervene in said pro-  
ceedings. Intervention petitions should be filed with the Commission on or  
before June 21, 1954, and should set forth the grounds of the proposed  
intervention, and the position and interest of the petitioners, in the pro-  
ceeding, and must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
*John H. Lincoln*  
*Joseph C. Harkin*  
*Joseph C. Harkin*  
Commissioners

Dated at Denver, Colorado,  
this 14th day of June, 1954.

(Decision No. 42807)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
THOMAS MONTOYA, BOX 4, ANTONITO, )  
COLORADO. )  
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PERMIT NO. C-22722

-----  
June 14, 1954  
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S T A T E M E N T

By the Commission:

On June 9, 1954, the Commission entered an order cancelling the above-numbered permit, effective as of May 8, 1954.

The Commission is now in receipt of a communication from Thomas Montoya, Antonito, Colorado, requesting reinstatement of said permit.

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 Decision No. 42754, of date June 9, 1954, be, and hereby is, set aside and held for naught, and Permit No. C-22722 restored to its former status as of May 8, 1954.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,  
this 14th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HARRY RICHARD ELLIS, 2023 BENTON )  
STREET, EDGEWATER, COLORADO, FOR A ) APPLICATION NO. 12905  
CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY. )  
----- )

-----  
June 14, 1954  
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Appearances: William J. Anderson, Esq.,  
Denver, Colorado, for  
applicant;  
Melvin P. Tucker, Denver,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

By the above-styled application, applicant herein seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle, on call and demand, for the transportation of ashes, trash, dirt, sod, fertilizer, garbage, rubbish, junk, coal, wood, top soil, cans, debris, and other forms of waste, from a point beginning at 65th Avenue and Federal Boulevard; thence north to 85th Avenue and Federal Boulevard; thence east to Pecos Street; thence south to 65th Avenue; thence west to 65th Avenue and Federal Boulevard, and north on Federal Boulevard beginning at 85th Avenue to Broomfield, Colorado, between Federal Boulevard and Sheridan, Adams County, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, June 2, 1954, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Harry Richard Ellis, applicant herein, testified that he is presently engaged in trash hauling in the City and County of

Denver; that he has fifty-five customers, and has held a license in the City and County of Denver since October, 1953; that he paid \$5,000.00 for the trash route; that he owns a 1949 one and one-half-ton Ford Truck; that his net worth is approximately \$3,000.00; that he does not desire to render service within the corporate limits of Westminster; that he is presently hauling trash and waste material away from new houses, upon their completion, for a building contractor, Mr. Russell Daughenbaugh; that this contractor has a housing project in Adams County, and desires to employ applicant's services in the same manner in Adams County.

Russell Daughenbaugh, 785 South Bryant Street, Denver, Colorado, testified in support of the application that he is a building contractor; that he is presently engaged in building houses in Barnum; that applicant has been hauling trash away from completed houses for him for the past four months, and rendered very satisfactory service; that he is preparing to build approximately five hundred houses on a project in Adams County within the area described by applicant in his application; that in addition to the houses there will be a shopping center; that there is approximately from one-half truck-load to a full truck-load per house to be hauled away upon completion of the house; that there are no garbage disposal units planned for the houses; that the project lies between 72nd Avenue and the Boulder Turn-Pike and Federal Boulevard and Zuni Street; that it is outside any incorporated area; that he needs, and would use, applicant's service if this authority is granted; that he would continue to use applicant's service for disposal of trash from the shopping center, even after the housing project was completed.

No testimony was offered in support of the hauling of garbage.

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:

The public convenience and necessity require the proposed motor vehicle common carrier service of applicant herein, as limited by the Order



following, and that certificate of public convenience and necessity should issue therefor.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of applicant herein, for the transportation of ashes, trash, dirt, sod, fertilizer, rubbish and debris, between points within the areas described as:

Beginning at West 65th Avenue and North Federal Boulevard; thence north to West 85th Avenue; thence east to Pecos Street; thence south to West 65th Avenue; thence west to the point of beginning; and

Beginning at West 85th Avenue and North Federal Boulevard, west to Sheridan Boulevard; thence north to U. S. Highway No. 287; thence east to the intersection of Colorado Highway No. 128 and North Federal Boulevard; thence south to the point of beginning,

specifically excluding service in Westminster, Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

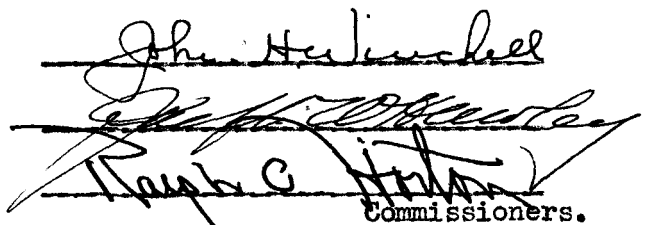
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 14th day of June, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DON A. EDMONDSON, 4903 WASHINGTON )  
STREET, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
----- )

APPLICATION NO. 12911-PP

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June 14, 1954  
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Appearances: Don A. Edmondson, Denver,  
Colorado, pro se;  
E. B. Evans, Esq., Denver,  
Colorado, for Swena Transfer  
and Express, Westway Motor  
Freight, Inc.

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 brick and sewer pipe from brick yards and supply points within a radius of twenty-five miles of Denver, Colorado, to points in said area.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, June 3, 1954, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Don A. Edmondson, Denver, Colorado, testified that he is the applicant herein; that he is presently operating under temporary authority granted by the Commission; that he is the owner of a one and one-half-ton 1937 Dodge Truck, with a stake body; that he has had eight years trucking experience; that his net worth is approximately \$4,000.00; that he desires to haul for only the one customer, viz.,

Denver Sewer Pipe and Clay Company, and only from their 45th and Fox Street Plant, in Denver, to jobs within a radius of twenty-five miles of Denver; that he is presently hauling for the Denver Sewer Pipe and Clay Company from its Fox Street plant; that he goes out to the plant every weekday morning, and the orders received by the plant are allocated to motor carriers in the order of their seniority; that he does not receive an assignment for hauling every day, but that he does report and holds himself available every day; that he has made various hauls for the Denver Sewer Pipe and Clay Company -- mostly within the City Limits of Denver -- but he has had requests to haul to jobs in the Broomfield and Littleton areas, and to other points in the fringe territory around Denver.

John Bokah, Golden, Colorado, testified in protest to the granting of the application that he is the President of Westway Motor Freight, Inc.; that a transfer of the authority of Swena Transfer and Express to the corporation is contemplated; that it was in process at the time; that he has \$11,000.00 invested in PUC No. 701; that he does not know, of his own knowledge, whether Swena Transfer and Express has hauled any brick for the Denver Sewer Pipe and Clay Company from its Fox Street Plant within the last six months, but that he feels the granting of additional authorities would possibly take business away from the Swena authority.

The Commission requested counsel for Swena Transfer and Express Company to submit to the Commission, as a late-filed exhibit, a statement of the truck-loads of brick hauled by Swena Transfer and Express from the Fox Street Plant of the Denver Sewer Pipe and Clay Company during the past six months.

On June 8, 1954, Mr. Evans filed, on behalf of Protestant, a statement showing that 1111 loads of brick had been hauled by Swena during 1953 from the Golden Brick Yard, north of Golden; that 37 loads of brick had

been hauled from the Golden Brick Yard in the first five months of 1954. The statement also showed that during the Year 1953, two truck-loads of sand, two truck-loads of freight, and two truck-loads of buildings had been hauled by Swena from the Fox Street Plant, and that there had been an additional call for one truck. The statement does not list any brick hauled from the Fox Street Plant during 1953, and indicates that there have been no calls for any type of hauling from the Fox Street Plant during the first five months of 1954.

The testimony indicates that the applicant is rendering a specialized type of hauling for the Denver Sewer Pipe and Clay Company which is not available to them from a common carrier; that the Swena Transfer and Express will not be injured by the loss of business if the instant application is granted, restricted to the Denver Plant, since it has been getting no business from the Denver Plant.

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 permit should issue, as limited by the Order following.

### O R D E R

#### THE COMMISSION ORDERS:

That Don A. Edmondson, 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 brick, for the Denver Sewer Pipe and Clay Company, only, from its Fox Street Plant, in Denver, Colorado, only, to points within a radius of twenty-five miles of Denver.

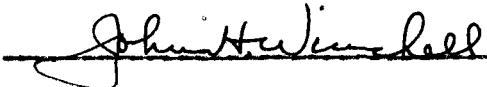
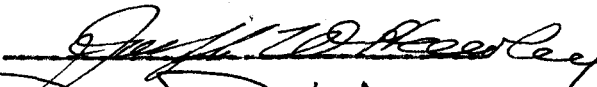
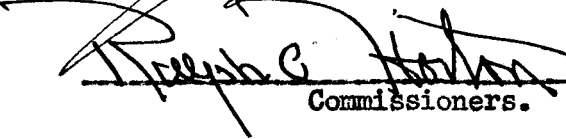
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 14th day of June, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ROBERT E. REHM AND MILDRED REHM, CO- )  
PARTNERS, DOING BUSINESS AS "KIOWA )  
TRUCK LINES," EADS, COLORADO, FOR ) APPLICATION NO. 12914-Extension  
CLARIFICATION, OR EXTENSION, OF PUC )  
NO. 890. )  
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-----  
June 14, 1954  
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Appearances: Bruce Ownbey, Esq., Denver,  
Colorado, for applicants;  
H. L. Martin, Kit Carson,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was filed with the Commission on  
February 9, 1954.

Said application, pursuant to prior setting, after appropriate  
notice to all parties in interest, was heard at the Hearing Room of the  
Commission, 330 State Office Building, Denver, Colorado, June 4, 1954, at  
ten o'clock A. M., and, at the conclusion of the evidence, the matter was  
taken under advisement.

At the hearing, counsel for applicant made a statement for the  
benefit of the Commission, setting forth the fact that the present oper-  
ators of PUC No. 890, and their predecessors in business, had been con-  
ducting the operation under the belief that they had authority from the  
Commission to transport the authorized commodities from points outside  
Kiowa County to points therein, and that it was not until the Enforcement  
Department of the Commission so informed them that they knew such opera-  
tion exceeded their authority.

Robert E. Rehm, Eads, Colorado, testified that he is one of the  
co-partners operating under the authority granted by PUC No. 890; that he



had been operating under this authority since 1951; that, prior to that, viz., from 1938 to about 1942, he worked for Art Covey, under the same authority, and that, from about 1948 to 1950, he worked for Harold Covey, intermittently, under this same authority; that, during that time, and since he and his partner acquired the authority, the operation had been conducted under the belief that they had authority to transport the authorized commodities from points outside Kiowa County to points therein; that their ton-mile tax reports showed a report on such operations, and the tax paid thereon; that there was a need by ranchers and farmers for the transportation of livestock and farm equipment into the area, and a need by contractors for the transportation of equipment into the area; that no transportation was rendered between points served by line-haul scheduled operations; that their equipment list was on file with the Commission; that contractors needed cement hauled from Portland to Eads, and that there was no line-haul operation between these points; that they were requesting the clarification of their authority to permit transportation from outside the area into Kiowa County; that they already had the authority to haul into that portion of Cheyenne County authorized under their certificate.

Mr. Martin withdrew his protest, since his only interest was in Cheyenne County.

Russell E. Dixon, Eads, Colorado, testified in support of the application that he is a farmer and rancher; that he used the applicants' service for the transportation of livestock; that the applicants have the only cattle truck in the vicinity; that there was an urgent need for transportation by the applicants into Kiowa County; that he needs the service, and will use it if the authority herein sought is granted; that it is necessary to haul feed into Kiowa County, especially during drouth years, and to haul livestock to grass, and back again.

George Crow, Eads, Colorado, testified in support of the application that he is a contractor, and operates a contracting business and

ready-mix cement plant; that applicants are the only means of getting cement hauled in from Portland; that he needs applicants' services, and will continue to use them, if the application is granted; that there is no other service available, and that there is no scheduled haul between Portland and Eads; that, if the application is not granted, it will be necessary for him to acquire his own equipment.

Marvin Watts, a farmer and rancher residing six miles northeast of Eads, Colorado, testified in support of the application that he presently used the applicants' service; that there is an urgent need for the granting of the application; that, if it is granted, he will continue to use applicants' service; that during the drouth years, such as the present one, there is a need to haul hay into the area to feed cattle, and to haul livestock to grass and back into the county, or to market.

Gerald E. McNiell, automobile and implement dealer at Eads, Colorado, testified in support of the application that he uses applicants' service; that public convenience and necessity require the granting of the application; that he personally will suffer financial loss if the application is not granted, since he has no other means of getting some of his transportation needs served; that there is a scheduled line-haul between Denver and Eads, but that it does not have the type of equipment necessary to haul in farm machinery, such as a combine or a tractor.

No one appeared to protest the granting of the authority sought, and it appears to the Commission that public convenience and necessity require the extension of the authority, and that the granting of the authority sought will, in no way, impair the ability of any common carrier to render adequate service.

### F I N D I N G S

#### THE COMMISSION FINDS:

That public convenience and necessity require the extended motor vehicle common carrier transportation of applicants herein, on call and demand, as set forth in the Order following, and that certificate of public

convenience and necessity should issue therefor.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the extended motor vehicle common carrier call and demand transportation service of applicants herein, under PUC No. 390, for the transportation of presently-authorized commodities from points outside Kiowa County to points therein, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

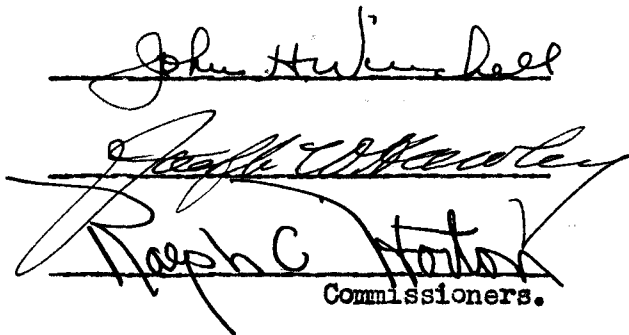
That applicants shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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 14th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION )  
OF KANSAS-NEBRASKA NATURAL GAS )  
COMPANY, INC., PHILLIPSBURG, KANSAS, ) APPLICATION NO. 12956-Securities  
FOR AN ORDER AUTHORIZING ISSUE AND )  
SALE OF DEBENTURES. )  
----- )

-----  
June 14, 1954  
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S T A T E M E N T

By the Commission:

Upon consideration of the application filed June 14, 1954, by Kansas-Nebraska Natural Gas Company, Inc., a Corporation, in the above-styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on June 25, 1954, at 2:30 P.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 June 21, 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. Hinchel*  
*Ray C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 14th day of June, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
W. ALLEN CLARK AND ARCHIE C. WOOL- )  
SEY, CO-PARTNERS, DOING BUSINESS AS )  
"CLARK AND WOOLSEY," 30TH AND BASE )  
LINE, BOULDER, COLORADO, FOR AUTHOR- )  
ITY TO EXTEND OPERATIONS UNDER PER- )  
MIT NO. B-4625. )

APPLICATION NO. 12899-PP-Extension

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June 16, 1954  
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Appearances: W. Allen Clark, Boulder,  
Colorado, for applicants;  
Donald G. Brotzman, Esq.,  
Boulder, Colorado, for  
Pherson Truck Line.

S T A T E M E N T

By the Commission:

By the above-styled application, applicants herein seek author-  
ity to extend operations under Permit No. B-4625 to include the right to  
transport sand, gravel, dirt, stone, and other road-surfacing materials,  
from pits and supply points located within a radius of twenty miles of  
Boulder, Colorado, to points within said area.

Said application, pursuant to prior setting, after appropriate  
notice to all parties in interest, was heard at the Hearing Room of the  
Commission, 330 State Office Building, Denver, Colorado, June 1, 1954, at  
ten o'clock A. M., and, at the conclusion of the evidence, the matter was  
taken under advisement.

At the hearing, W. Allen Clark testified in support of the  
application, stating that he is a co-partner with Archie C. Woolsey, do-  
ing business as "Clark and Woolsey;" that they had many calls for service  
to deliver sand and gravel and other road-surfacing materials within a  
radius of twenty miles of Boulder, Colorado, which they were unable to  
care for because of their limited authority; that most of these calls

came from people who complained they were unable to get a truck from authorized carriers to make the delivery at the time they needed it.

Harold H. Short, 2250 Blue Belle Street, Boulder, Colorado, Vice-President and General Manager of Boulder Gravel Products, Inc., and Milne Ready-Mix Concrete, Inc., testified in support of the application that Pherson Truck Line had never contacted him and solicited business; that there was another trucking company with authority to render this service, but that his company did not like to do business with them because that trucking company was slow in paying its bills; that until this hearing, he did not know that Pherson had authority to render this service.

Mr. Short testified that in most cases the purchaser of the sand and gravel arranged for the transportation, but, in some cases, the purchaser asked his company to arrange for such transportation.

Mr. Brotzman, on behalf of his client, Pherson Truck Line, protested the granting of the extension herein sought.

The applicants have authority to serve the Milne Ready-Mix Concrete, Inc., and it would appear from the testimony that the service which they herein seek authority to perform could not be adequately rendered under a Class "B" permit, but would require a certificate of public convenience and necessity, since the Boulder Gravel Products, Inc. would not know in advance who the purchasers of their products would be, and it is these purchasers who would be paying for the transportation.

## F I N D I N G S

### THE COMMISSION FINDS:

That, for the reasons set forth in the foregoing Statement, which, by reference, is made a part of these Findings, the instant application should be denied.



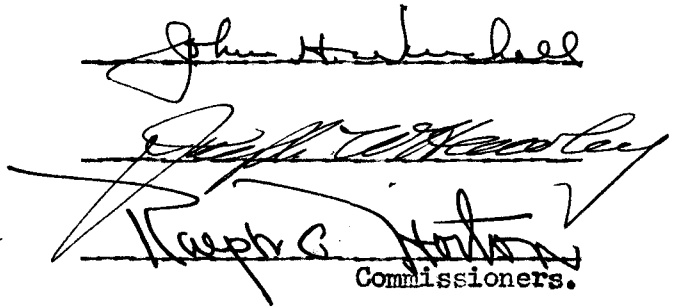
O R D E R

THE COMMISSION ORDERS:

That the above-styled application should be, and the same hereby is, denied.

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 16th day of June, 1954.

mls

*Original*

(Decision No. 42813)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ROCKY MOUNTAIN NATURAL GAS COMPANY, )  
INC., 1441 WELTON STREET, DENVER, )  
COLORADO, FOR A CERTIFICATE OF CON- )  
VENIENCE AND NECESSITY TO EXERCISE )  
FRANCHISE RIGHTS IN THE TOWN OF NUNN, )  
WELD COUNTY, COLORADO, FOR THE PUR- )  
CHASE, DISTRIBUTION, AND SALE OF GAS, )  
EITHER NATURAL, ARTIFICIAL OR MIXED, )  
IN SAID TOWN OF NUNN, AND FOR THE )  
PURCHASE, DISTRIBUTION, AND SALE OF )  
GAS IN THE AREA IMMEDIATELY ADJACENT )  
TO SAID TOWN. )

APPLICATION NO. 12933

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June 16, 1954  
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Appearances: Grant E. McGee, Esq., Denver,  
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:

On May 27, 1954, the Rocky Mountain Natural Gas Company, Inc., by its attorney, filed an application with this Commission for a certificate of public convenience and necessity to exercise franchise rights in the Town of Nunn, Weld County, Colorado, for the distribution, purchase and sale of gas in said Town and in the area immediately adjacent to said Town.

The matter was set for hearing, and heard, by the Commission on June 14, 1954, at the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, after due notice to all interested parties, and at the conclusion of the said hearing, the matter was taken under advisement.

Applicant is a corporation duly organized and existing under the laws of the State of Colorado, with authority to do business in said State, and its Articles of Incorporation, have heretofore been filed with this Commission in the instant application as Exhibit No. 2.

Applicant is a public utility, as defined in Section 3, Chapter 137, 1935 Colorado Statutes Annotated, and proposes to engage in the business of purchasing, transmitting and distributing gas either natural, artificial or mixed to various cities and towns within the State. The post office address and principal office of applicant is Room 219 Wilda Building, 1441 Welton Street, Denver, Colorado.

Testimony at the hearing revealed that if the instant application is granted, applicant proposes to construct a natural gas distribution system in the Town of Nunn and also in the area contiguous to said Town. Submitted at the hearing as Exhibit No. 4 was a map showing the proposed location of the distribution system in the Town of Nunn. Also submitted at the hearing as Exhibit No. 3 was an estimate of the amount of money to be spent by the applicant in the construction of the distribution system in Nunn. This latter exhibit shows that applicant will spend approximately \$18,000 for the distribution and general plant system with an additional \$2,000 for engineering and supervision, making a total of about \$20,000 for the proposed construction.

Under date of November 3, 1953, Mr. Ernest C. Porter was granted a franchise by the Town of Nunn, in and by virtue of Ordinance No. 89. A copy of said Ordinance is attached to the instant application and, by reference, is made a part hereof. This Ordinance is for a period of twenty-five years, and on November 6, 1953, Mr. Porter accepted the terms and conditions of said Ordinance. Since this Ordinance was obtained by Mr. Porter as an individual, it was necessary to transfer said Ordinance to Rocky Mountain Natural Gas Company, Inc., applicant herein, and Mr. Porter has stated that this has been done and that there was no monetary consideration involved in the transfer. Mr. Porter is also the President of the Rocky Mountain Natural Gas Company, Inc.

Applicant has on hand cash and certain materials and supplies with which to start construction of the gas distribution system sought herein just as soon as the certificate is issued. Witness for applicant further stated that permanent financing of the Company would be made at a later date and at said time an application would be made to the Commission for its approval for the issuance of any securities involved.

It was estimated by the witness that the present population of Nunn is about two hundred and the Company has contacted fifty proposed customers in said Town. The development of the area adjacent to the Town will depend upon future business since applicant at the present time does not have any firm customers signed up for service in this area. It is believed by the witness, however, that some business would eventually develop in this outside area.

Applicant proposes to obtain its gas from the Colorado-Wyoming Gas Company from a transmission line that lies adjacent to said Town. Permission has been given by the Federal Power Commission to Colorado-Wyoming Gas Company to sell gas at wholesale to applicant for service in the Town of Nunn and in the area adjacent thereto.

There is no other utility engaged in the business of selling gas in the Town of Nunn or its vicinity and no one appeared at the hearing in opposition to the authority sought. Attached to the instant application was a letter from Mr. Porter to Mr. Gerald Schlessman, President of the Greeley Gas Company, the nearest public utility rendering gas service in Weld County. In said letter, Mr. Porter inquired whether or not the Greeley Gas Company objected to the instituting of gas service by the Rocky Mountain Natural Gas Company, Inc. Also attached to the application was a reply to the above letter addressed to Mr. Porter in which the Greeley Gas Company stated in effect that the Greeley Gas Company did not object to the proposed gas service in Nunn by the applicant herein.

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

##### THE COMMISSION FINDS:

That the above Statement, by reference, should be made a part hereof.

That public convenience and necessity require the granting of the authority sought.

#### O R D E R

##### THE COMMISSION ORDERS:

That the public convenience and necessity require, and will require, the furnishing of gas, either natural, artificial or mixed, to and among the present and future inhabitants of the Town of Nunn, Weld County,

Colorado, and to residents in the environs and fringe area of said Town by applicant, Rocky Mountain Natural Gas Company, Inc., and the exercise by said applicant of the franchise rights granted by the Board of Trustees of the Town of Nunn in and by Ordinance No. 89, of November 3, 1953, attached to the instant application herein as Exhibit A, which, by reference, is made a part hereof, and this order shall be taken deemed, and held to be a certificate of public convenience and necessity therefor.

That the figure of \$20,000, estimated by applicant to be spent in capital outlay during the life of the franchise, shall be used as a basis for the charge for the issuance of the certificate sought herein, but said figure shall not be binding upon the Commission in any subsequent investigation where valuation may be an issue.

That within ninety (90) days after the completion of the construction of the gas distribution sought herein, applicant shall file with the Commission in writing, the actual amount of money spent in said construction together with a map showing the location of the gas distribution mains as constructed.

That applicant shall odorize all of the gas in its distribution mains supplying gas to the customers in the Town of Nunn and in the area immediately adjacent thereto.

That at least ten (10) days prior to the rendering of gas service in the Town of Nunn or the area immediately adjacent thereto, applicant shall file with this Commission the gas rates, rules and regulations under which it proposes to render gas service.

That applicant shall commence construction of the natural gas distribution system contemplated herein within six (6) months of the date hereof and shall complete such construction of said facilities within the one (1) year period from the date hereof or this certificate shall become null and void.

That applicant shall advise the Commission in writing of the date of commencement of said construction and of the date of completion thereof.

That applicant shall, at the time when gas service is first instituted by it to its customers, set up its books and accounts in accordance with the Uniform System of Accounts for gas utilities prescribed

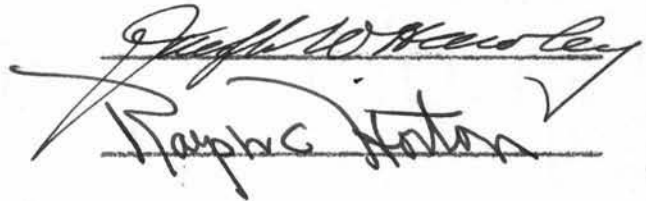
by this Commission and shall bring all practices as to meter testing, records of meters, complaints and operations in compliance with the requirements of this Commission.

That applicant shall otherwise and at all times comply with the rules and regulations of this Commission.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

(Chairman Winchell not participating)

Two handwritten signatures are present. The top signature is 'Joseph W. Hawley' and the bottom signature is 'Ralph C. Anton'. Both signatures are written in dark ink and are somewhat stylized.

Dated at Denver, Colorado,  
this 16th day of June, 1954.

bf



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
ROCKY MOUNTAIN NATURAL GAS COMPANY,  
INCORPORATED, FOR A CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO EXERCISE  
FRANCHISE RIGHTS IN THE TOWN OF WELL-  
INGTON, LARIMER COUNTY, COLORADO, FOR  
THE PURCHASE, DISTRIBUTION AND SALE OF  
GAS, EITHER NATURAL, ARTIFICIAL OR  
MIXED, IN SAID TOWN OF WELLINGTON, AND  
FOR THE PURCHASE, DISTRIBUTION AND SALE  
OF GAS IN THE AREA IMMEDIATELY ADJACENT  
TO SAID TOWN.

APPLICATION NO. 12934

June 16, 1954

Appearances: Grant E. McGee, Esq., Denver,  
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:

On May 27, 1954, the Rocky Mountain Natural Gas Company, Inc., by its attorney, filed an application with this Commission for a certificate of public convenience and necessity to exercise franchise rights in the Town of Wellington, Larimer County, Colorado, for the distribution, purchase and sale of gas in said Town and in the area immediately adjacent to said Town.

The matter was set for hearing, and heard, by the Commission on June 14, 1954, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, after due notice to all interested parties, and at the conclusion of said hearing, the matter was taken under advisement.

Applicant is a corporation duly organized and existing under the laws of the State of Colorado, with authority to do business in said State, and its Articles of Incorporation have been filed with this Commission in Application No. 12933.

Applicant is a public utility, as defined in Section 3, Chapter 137, 1935 Colorado Statutes Annotated, and proposes to engage in the business of purchasing, transmitting and distributing gas either natural, artificial or mixed, to various cities and towns within the State. The post office address and principal office of applicant is Room 219 Wilda Building, 1441 Welton Street, Denver, Colorado.

Testimony at the hearing revealed that if the instant application is granted, applicant proposes to construct a natural gas distribution system in the Town of Wellington and also in the area contiguous to said Town.

Submitted at the hearing as Exhibits Nos. 2 and 3, were maps showing the proposed location of the distribution system in Wellington and the area contiguous to the Town. Outlined in red in Exhibit No. 2 is shown the location of the transmission system that applicant will build to connect with the Colorado-Wyoming Gas Company in order to purchase its supply of gas. Permission has been given by the Federal Power Commission to Colorado-Wyoming Gas Company to sell gas at wholesale to applicant for service to the Town of Wellington and the area adjacent thereto.

Also submitted at the hearing was Exhibit No. 4, being an estimate of the amount of money to be spent by the applicant in the construction of the transmission and distribution system to serve Wellington. The overall estimate for this service is listed as approximately \$35,000.00.

On August 12, 1952, Mr. Ernest C. Porter was granted a franchise by the Town of Wellington in and by virtue of Ordinance No. 2-1952. A copy of said Ordinance is attached to the instant application as Exhibit A, and, by reference, is made a part hereof. This Ordinance is for a period of twenty-five years, and on September 30, 1952, Mr. Porter accepted the terms and conditions of said Ordinance. Since this Ordinance was obtained

by Mr. Porter as an individual, it was necessary to transfer said Ordinance to Rocky Mountain Natural Gas Company, Inc., the applicant herein. The record herein discloses that Mr. Porter assigned said Ordinance to the Rocky Mountain Natural Gas Company, Inc., on May 24, 1954. Mr. Porter is also the President of the Rocky Mountain Natural Gas Company, Inc., and as such, he stated at the hearing that there was no monetary consideration involved in the transfer.

Applicant has on hand cash and certain materials and supplies with which to start construction of the gas distribution system sought herein just as soon as the certificate is issued. Witness for applicant further stated that permanent financing of the Company would be made at a later date, and at said time an application would be made to the Commission for its approval for the issuance of any securities involved.

The witness estimated that the present population of Wellington is 600, and that the Company expected to serve approximately 125 customers in the Town. The witness further estimated that there were an additional 300 people in the area contiguous to the Town, and the Company hoped to serve 63 additional customers in this area.

There is no other utility engaged in the business of selling gas in the Town of Wellington or its vicinity, and no one appeared at the hearing in opposition to the granting of the authority sought. The records of the Commission disclose that under date of June 3, 1954, a letter was received from Mr. D. E. Jack, Vice-President of the Greeley Gas Company, which stated in effect that the Greeley Gas Company would not oppose the granting of the instant application. The Greeley Gas Company serves certain communities in Weld County several miles south and east of the Town of Wellington.

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

##### THE COMMISSION FINDS:

That the above Statement, by reference, should be made a part hereof.

That public convenience and necessity require the granting of the authority sought.

## O R D E R

### THE COMMISSION ORDERS:

That public convenience and necessity require, and will require, the furnishing of gas, either natural, artificial or mixed, to and among the present and future inhabitants of the Town of Wellington, Larimer County, Colorado, and to residents in the environs and fringe area of said Town by applicant, Rocky Mountain Natural Gas Company, Inc., and the exercise by said applicant of the franchise rights granted by the Board of Trustees of the Town of Wellington in and by Ordinance No. 2-1952, of August 12, 1952, attached to the instant application as Exhibit No. A, which, by reference, is made a part hereof, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That the figure of \$35,000.00, estimated by applicant to be spent in capital outlay during the life of the franchise, shall be used as a basis for the charge for the issuance of the certificate sought herein, but said figure shall not be binding upon the Commission in any subsequent investigation where valuation may be an issue.

That within ninety (90) days after the completion of the construction of the gas distribution system sought herein, applicant shall file with the Commission, in writing, the actual amount of money spent in said construction, together with a map showing the location of the gas distribution mains as constructed.

That applicant shall odorize all of the gas in its distribution mains supplying gas to the customers in the Town of Wellington and in the area immediately adjacent thereto.

That at least ten (10) days prior to the rendering of gas service in the Town of Wellington or the area immediately adjacent thereto, applicant shall file with this Commission the gas rates, rules and regulations under which it proposes to render gas service.

That applicant shall commence construction of the natural gas distribution system contemplated herein within six (6) months of the date hereof, and shall complete such construction of said facilities within the one (1) year period from the date hereof or this certificate shall become null and void.


That applicant shall advise the Commission, in writing, of the date of commencement of said construction and the date of completion thereof.

That applicant shall, at the time when gas service is first instituted by it to its customers, set up its books and accounts in accordance with the Uniform System of Accounts for Gas Utilities prescribed by this Commission, and shall bring all practices as to meter testing, records of meters, complaints and operations in compliance with the requirements of this Commission.

That applicant shall otherwise and at all times comply with the rules and regulations of this Commission.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

CHAIRMAN WINCHELL NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 16th day of June, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )	
ALBERT PRAZNIK, ROUTE 1, BOX )	<u>PERMIT NO. C-27335</u>
254, STOCKYARDS STATION, DEN- )	<u>CASE NO. 70780-INS.</u>
VER, COLORADO. )	
----- )	

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June 18, 1954  
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S T A T E M E N T

By the Commission:

On June 1, 1954, in Case No. 70780-Ins., the Commission entered its order, revoking Permit No. C-27335 for failure of respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance was on file on said date by respondent, but through an oversight, was not posted to the record covering Permit No. C-27335.

F I N D I N G S

THE COMMISSION FINDS:

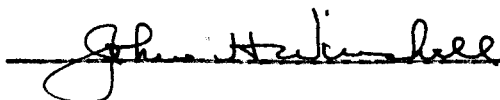
That said Permit No. C-27335 should be reinstated, as of June 1, 1954.

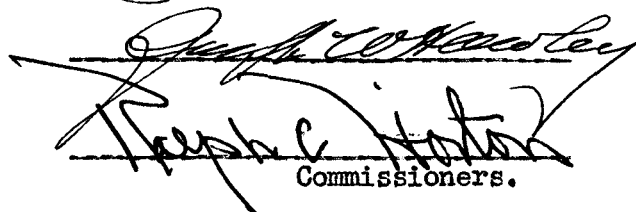
O R D E R

THE COMMISSION ORDERS:

That Permit No. C-27335 should be, and the same hereby is, reinstated, as of June 1, 1954, revocation order entered by the Commission on said date in Case No. 70780-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 18th day of June, 1954.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )	
MANUEL BLEA, 3652 GILPIN )	<u>PERMIT NO. B-4208, CASE NO. 70584-INS.</u>
STREET, DENVER, COLORADO. )	<u>PERMIT NO. C-21021, CASE NO. 70728-INS.</u>
----- )	

-----  
June 18, 1954  
-----

S T A T E M E N T

By the Commission:

On June 1, 1954, the Commission entered its orders in the above-styled cases, cancelling Permits Nos. B-4208 and C-21021 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filings have been made by said Respondent.

F I N D I N G S

THE COMMISSION FINDS:

That said permits should be restored to active status, as of June 1, 1954.

O R D E R

THE COMMISSION ORDERS:

That Permits Nos. B-4208 and C-21021 should be, and they hereby are, reinstated, as of June 1, 1954, revocation orders entered by the Commission on said date in Cases Nos. 70584-Ins. and 70728-Ins., respectively, being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Winkler

Ralph C. Healey

Ralph C. Horton  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of June, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )	
E. K. CAMPBELL COMPANY, 1809 )	<u>PERMIT NO. C-21818</u>
MANCHESTER STREET, KANSAS )	<u>CASE NO. 1290-R</u>
CITY, MISSOURI. )	
----- )	

RE MOTOR VEHICLE OPERATIONS OF )	
EAST TEXAS STEEL CASTINGS COM- )	<u>PERMIT NO. C-23298</u>
PANY, P. O. BOX 2469, LONGVIEW, )	<u>CASE NO. 1331-R</u>
TEXAS. )	
----- )	

-----  
June 18, 1954  
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S T A T E M E N T

By the Commission:

On June 10, 1954, in the above-styled cases, the Commission entered its orders, revoking Permits Nos. C-21818 and C-23298 for failure of Respondents herein to file certain monthly road-tax reports.

It now appears that said delinquent reports have been filed.

F I N D I N G S

THE COMMISSION FINDS:

That Permits Nos. C-21818 and C-23298 should be restored to active status, as of June 10, 1954.

O R D E R

THE COMMISSION ORDERS:

That Permits Nos. C-21818 and C-23298 should be, and they hereby are, reinstated, as of June 10, 1954, revocation orders entered by the Commission on said date in Cases Nos. 1290-R and 1331-R, respectively, being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Wheeler*  
*John D. Hawley*  
*Ralph C. Norton*  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of June, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GEORGE SHANTEAU, 204 HARRISON )  
AVENUE, LEADVILLE, COLORADO. )  
----- )

PERMIT NO. C-20367  
CASE NO. 1262-R

RE MOTOR VEHICLE OPERATIONS OF )  
MC NAMAR BOILER AND TANK COM- )  
PANY, ROCKFORD AVENUE AND )  
FRISCO TRACK, TULSA, OKLAHOMA. )  
----- )

PERMIT NO. C-21747  
CASE NO. 1287-R

RE MOTOR VEHICLE OPERATIONS OF )  
CHAMBERS' MILL, EAGLE, COLORADO )  
----- )

PERMIT NO. C-22130  
CASE NO. 1297-R

RE MOTOR VEHICLE OPERATIONS OF )  
OTIS H. SNOOKS, BAYFIELD, COLO- )  
RADO. )  
----- )

PERMIT NO. C-22253  
CASE NO. 1299-R

RE MOTOR VEHICLE OPERATIONS OF )  
INTERMOUNTAIN OIL DISTRIBUTORS, )  
462 WEST FIFTH SOUTH STREET, )  
BOUNTIFUL, UTAH. )  
----- )

PERMIT NO. C-23651  
CASE NO. 1344-R

RE MOTOR VEHICLE OPERATIONS OF )  
DENVER ROCK VENEER COMPANY, 700 )  
WEST COLFAX AVENUE, DENVER, )  
COLORADO. )  
----- )

PERMIT NO. C-24066  
CASE NO. 1360-R

RE MOTOR VEHICLE OPERATIONS OF )  
MOSEY WHOLESALE PRODUCE, 140 )  
OAK STREET, COLORADO CITY, )  
TEXAS. )  
----- )

PERMIT NO. C-24292  
CASE NO. 1369-R

-----  
June 18, 1954  
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S T A T E M E N T

By the Commission:

On June 10, 1954, in the above-styled cases, the Commission entered its orders, revoking Permits No.s C-20367, C-21747, C-22130, C-22253, C-23651, C-24066, and C-24292 for failure of Respondents herein to file certain monthly road-tax reports with the Commission.

Inasmuch as said delinquent reports have now been filed,

F I N D I N G S

THE COMMISSION FINDS:

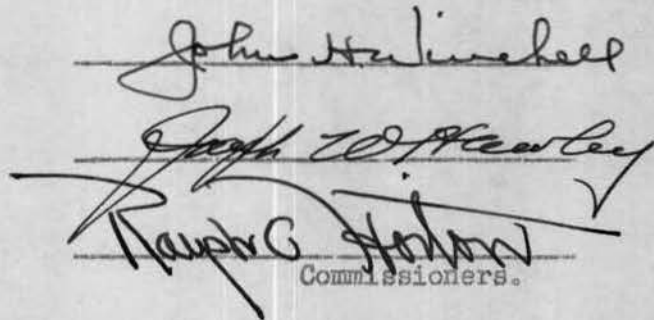
That said permits should be restored to active status,  
as of June 10, 1954.

O R D E R

THE COMMISSION ORDERS:

That Permits Nos. C-20367, C-21747, C-22130, C-22253, C-23651,  
C-24066, and C-24292 (heretofore revoked by the Commission in Cases Nos.  
1262-R, 1287-R, 1297-R, 1299-R, 1344-R, 1360-R, and 1369-R, respectively),  
should be, and the same hereby are, reinstated, as of June 10, 1954,  
revocation orders entered by the Commission on said date in said cases  
being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of June, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
SAM KRAMER, NATURITA, COLORADO, )  
FOR AN EXTENSION OF PERMIT NO. ) APPLICATION NO. 12765-PP-Extension  
B-4273. )  
-----)

-----  
June 18, 1954  
-----

Appearances: Sam Kramer, Naturita,  
Colorado, pro se;  
W. L. Anderson, Naturita,  
Colorado, for Vanadium  
Corporation of America.

S T A T E M E N T

By the Commission:

Sam Kramer, the applicant herein, is the owner of Private  
Carrier Permit No. B-4273, which authorizes the transportation of:

"Perlite from any of the Great Lakes Carbon  
Corporation mines located in Huerfano, Custer,  
and Fremont Counties, to their plants at  
Colorado Springs, El Paso County, and Florence,  
in Fremont County, or to rail shipping points."

On January 11, 1954, applicant herein filed his application  
seeking an extension of his authority under said Permit No. B-4273  
to include:

"transportation of vanadium and uranium ore  
between points within a radius of fifty miles  
from the company mines to Vanadium Corporation  
of America mill at Naturita, Colorado."

The matter was originally set for hearing at Montrose, Colo-  
rado, on March 4, 1954, and as a result of said hearing, the Commission,  
by Decision No. 42228, denied the application for the reason that appli-  
cant did not have a customer-witness and said application was protested  
by common carriers serving the area.

Thereafter, on March 22, 1954, Sam Kramer, the applicant herein, filed a Motion for Rehearing, for the reason that he was unable to obtain witnesses for the original hearing. This motion was granted by our Decision No. 42327, and the matter was again set for further hearing at the Court House at Montrose, Colorado, on June 10, 1954, at which time and place a further hearing was had.

At the hearing, applicant testified as to his present authority and as to the equipment he presently has, and further stated that he had a net worth of approximately \$10,000.00; that he had been requested by the Vanadium Corporation of America to haul uranium and vanadium ores from its properties to its mills at Naturita, Colorado. Applicant also stated that he had further requests to haul for the Four Corners Uranium Corporation.

W. L. Anderson, General Superintendent of Vanadium Corporation of America, testified that he had been using applicant's service under the permit held by that corporation; that service was not available and it was necessary for him to put applicant on his payroll and lease applicant's equipment to secure adequate service. His company desires that applicant be awarded a private carrier permit so that his company can have its ore hauled by a carrier for hire. He stated he found applicant's service satisfactory and his company needs applicant's service.

Robert Williams, of Norwood, Colorado, who is connected with the Four Corners Uranium Corporation, also testified that he was acquainted with applicant and his equipment. He also desired that applicant be granted a permit so that he could be in a position to render service for his corporation.

No one appeared protesting the extension at the hearing held on June 10, 1954, and it therefore appears to the Commission that applicant's service is definitely needed by the Vanadium Corporation of America and Four Corners Uranium Corporation. It does not appear that the common carriers are giving adequate service in that particular area, and we cannot



see where the granting of the instant application would impair any common carrier service.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the application for extension of Permit No. B-4273 should be granted.

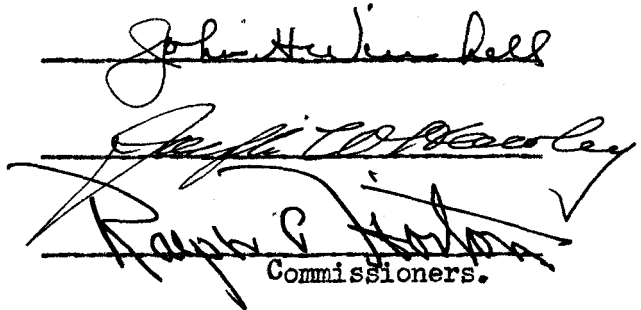
### O R D E R

#### THE COMMISSION ORDERS:

That Sam Kramer, of Naturita, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-4273 to include the transportation of vanadium and uranium ore between points within a radius of 50 miles from company mines of Vanadium Corporation of America and Four Corners Uranium Corporation to mills and reduction plants located at Naturita, Colorado.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of June, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
LYLE D. ARNOLD, MEEKER, COLORADO, )	
FOR A CLASS "B" PERMIT TO OPERATE )	<u>APPLICATION NO. 12915-PP</u>
AS A PRIVATE CARRIER BY MOTOR VE- )	
HICLE FOR HIRE. )	
----- )	

-----  
June 18, 1954  
-----

Appearances: Lyle D. Arnold, Meeker,  
Colorado, pro se;  
Richard H. Estes, Rifle,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

On May 3, 1954, Lyle D. Arnold, the applicant herein,  
filed his application for a Class "B" permit to operate as a private  
carrier by motor vehicle for hire for the transportation of:

coal from coal mines in Axial Basin and Rio  
Blanco County to Craig, Colorado, and Rifle,  
Colorado, and all intermediate points; sand  
and gravel, and other road-surfacing materials  
from pits and supply points in Colorado to  
jobs within a radius of 50 miles of said pits  
and supply points, excluding service in Boulder,  
Clear Creek, and Gilpin Counties and all ter-  
ritory within a radius of 50 miles of Denver,  
Colorado.

The above matter was regularly set for hearing, and heard,  
at the Court House in Glenwood Springs, Colorado, on June 8, 1954, and at  
the conclusion of the hearing, the matter was taken under advisement.

At the hearing, applicant testified that he had a request from  
the Taylor Coal Company to haul coal from its mines in Axial Basin to  
Craig, Colorado and Rifle, Colorado, and applicant desires to haul sand,  
gravel and other road-surfacing materials from pits and supply points in

Colorado to jobs within a radius of 50 miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties, and all territory within a radius of 50 miles of Denver, Colorado.

It appears that applicant has a net worth of approximately \$15,000.00, is the owner of a 1954 2-ton Ford dump truck, and is well qualified by experience to operate a private carrier permit.

After listening to the testimony introduced at the hearing, the Commission cannot say that the granting of this permit would impair operations of common carriers authorized to serve in the area. The Commission is satisfied that the road contractors need carriers for hauling gravel and other road-surfacing materials to complete their jobs, and to grant permits for said operation is definitely in the public interest. It also appears that the Taylor Coal Company needs trucks to haul its coal to market, and we cannot see from the evidence, where the common carriers could adequately take care of this transportation problem.

#### 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 Lyle D. Arnold, Meeker, Colorado, be, and he is hereby, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of coal from coal mines in Axial Basin and Rio Blanco County to Craig, Colorado, and Rifle, Colorado, and all intermediate points; sand and gravel and other road-surfacing materials from pits and supply points in Colorado to jobs within a radius of 50 miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties and all territory within a radius of 50 miles of Denver, Colorado.

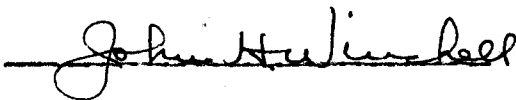
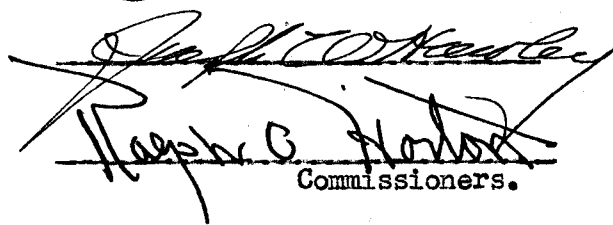
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

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 18th day of June, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
FENTON BLACKBURN, MEEKER, COLORADO, )	
FOR A CLASS "B" PERMIT TO OPERATE )	APPLICATION NO. 12916-PP
AS A PRIVATE CARRIER BY MOTOR VE- )	
HICLE.FOR HIRE. )	
----- )	

-----  
June 18, 1954  
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Appearances: Fenton Blackburn, Meeker,  
Colorado, pro se;  
Richard H. Estes, Rifle,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

On May 3, 1954, Fenton Blackburn, the applicant herein,  
filed his application for a Class "B" permit to operate as a private  
carrier by motor vehicle for hire for the transportation of:

coal from coal mines in Axial Basin and Rio Blanco  
County, to Craig, and Rifle, and all intermediate  
points; sand and gravel and other road-surfacing  
materials, from pits and supply points in Colorado  
to jobs within a radius of 50 miles of said pits  
and supply points, excluding service in Boulder,  
Clear Creek and Gilpin Counties, and a 50-mile  
radius of all territory around Denver, Colorado;  
uranium and vanadium ores from mines in Rio Blanco  
County to Plants in Durango, Grand Junction,  
Naturita, Rifle and Uravan, Colorado.

The matter was regularly set for hearing, and heard, at the  
Court House, Glenwood Springs, Colorado, on June 8, 1954, and at the  
conclusion of the hearing, the matter was taken under advisement.

At the hearing, applicant testified that he had a request from  
the Taylor Coal Company to haul coal from its mines in Axial Basin to  
Craig, Colorado, and Rifle, Colorado, and applicant desires to haul sand,  
gravel and other road-surfacing materials from pits and supply points in  
Colorado to jobs within a radius of 50 miles of said pits and supply points,  
excluding service in Boulder, Clear Creek and Gilpin Counties, and all  
territory within a radius of 50 miles of Denver, Colorado.

It appears that applicant is financially responsible, has ample equipment, and is well qualified by experience to operate as a private carrier.

After listening to the testimony introduced at the hearing, the Commission cannot say that the granting of this permit would impair operations of common carriers authorized to serve in the area. The Commission is satisfied that the road contractors need carriers for hauling gravel and other road-surfacing materials to complete their jobs, and to grant permits for said operation is definitely in the public interest. It also appears that the Taylor Coal Company needs trucks to haul its coal to market, and we cannot see from the evidence where the common carriers could adequately take care of this transportation problem.

#### 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 Fenton Blackburn, Meeker, Colorado, be, and he is hereby, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of coal from coal mines in Axial Basin and Rio Blanco County to Craig and Rifle, and all intermediate points; sand and gravel and other road-surfacing materials, from pits and supply points in Colorado to jobs within a radius of 50 miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties and a 50-mile radius of all territory around Denver, Colorado; uranium and vanadium ores from mines in Rio Blanco County to plants in Durango, Grand Junction, Naturita, Rifle and Uravan, Colorado.

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

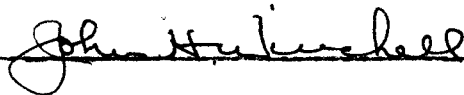
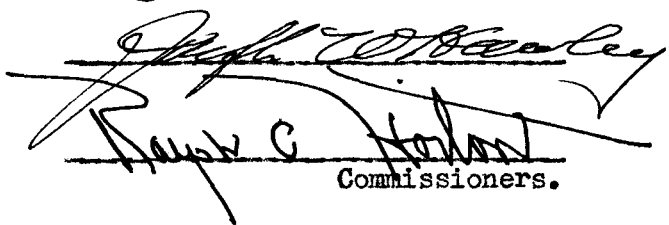


That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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 18th day of June, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF	)	
ALBERT KIRKPATRICK, MEEKER, COLORADO,	)	
FOR A CLASS "B" PERMIT TO OPERATE AS	)	<u>APPLICATION NO. 12917-PP</u>
A PRIVATE CARRIER BY MOTOR VEHICLE	)	
FOR HIRE.	)	
-----	)	

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June 18, 1954  
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Appearances: Albert Kirkpatrick,  
                  Meeker, Colorado,  
                  pro se;  
                  Richard H. Estes, Rifle,  
                  Colorado, pro se.

S T A T E M E N T

By the Commission:

On September 29, 1953, Albert Kirkpatrick, the applicant herein, filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire, for the transportation of:

sand, gravel and other road-surfacing materials used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points; and for the transportation of sand, gravel, dirt, stone, and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs; coal and ore within a radius of 50 miles of Meeker, Colorado.

The matter was regularly set for hearing, and heard, at the Court House in Glenwood Springs, Colorado, on June 8, 1954, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, applicant testified that he had a request from the Taylor Coal Company to haul coal from its mines in Axial Basin to Craig, Colorado and Rifle, Colorado, and applicant desires to haul sand, gravel and other road-surfacing materials from pits and supply points in Colorado to jobs within a radius of 50 miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties, and all territory within a radius of 50 miles of Denver, Colorado.

It appears that applicant is financially responsible, has ample equipment and is well qualified by experience to operate a private carrier permit.

After listening to the testimony introduced at the hearing, the Commission cannot say that the granting of this permit would impair the operations of common carriers authorized to serve in the area. The Commission is satisfied that the road contractors need carriers for hauling gravel and other road-surfacing material to complete their jobs, and to grant permits for said operation is definitely in the public interest. It also appears that the Taylor Coal Company needs trucks to haul its coal to market, and we cannot see from the evidence where the common carriers could adequately take care of this transportation problem.

#### 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 Albert Kirkpatrick, of Meeker, 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; coal and ore within a radius of 50 miles of Meeker, Colorado.

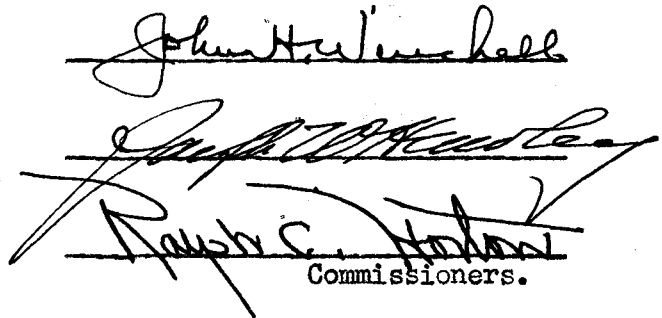
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of June, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF	)	
DONALD J. PRETTI, SILT, COLORADO,	)	
FOR A CLASS "B" PERMIT TO OPERATE	)	<u>APPLICATION NO. 12918-PP</u>
AS A PRIVATE CARRIER BY MOTOR VE-	)	
HICLE FOR HIRE.	)	
-----	)	

-----  
June 18, 1954  
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S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing at the Court House in Glenwood Springs, Colorado, on Tuesday, June 8, 1954, at ten o'clock A. M., due notice of the time and place of hearing being forwarded to parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing, nor were there any protestants to the application, but one of the applicants in another case announced at the hearing that applicant in the instant matter was no longer interested in securing a private carrier permit.

The matter was taken under advisement.

F I N D I N G S

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

O R D E R

THE COMMISSION ORDERS:

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hulse  
Joseph C. Horton  
Joseph C. Horton  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of June, 1954.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
JOE PROCKUP, MEEKER, COLORADO, FOR )	
A CLASS "B" PERMIT TO OPERATE AS A )	APPLICATION NO. 12919-PP
PRIVATE CARRIER BY MOTOR VEHICLE )	
FOR HIRE. )	
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-----  
June 18, 1954  
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Appearances: Joe Prockup, Meeker,  
Colorado, pro se;  
Neil S. Mincer, Esq.,  
Glenwood Springs,  
Colorado, for Daryl  
Hinkle, Ray Ful-  
bright, Ralph Earn-  
est and Richard  
Estes.

S T A T E M E N T

By the Commission:

On March 29, 1954, Joe Prockup, Meeker, Colorado, the applicant herein, filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of sand, gravel and other road-surfacing materials used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek and Gilpin Counties; coal between points within a radius of 50 miles of Meeker, Colorado.

The matter was regularly set for hearing, and heard, June 8, 1954, at the Court House in Glenwood Springs, Colorado, and, at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant is the owner of two Ford dump trucks and has a net worth of approximately \$10,000.

It appears from the evidence that applicant is well fitted, both by experience and financial responsibility, to operate a private carrier permit. Applicant stated that he desires, principally, to serve road building contractors throughout the State of Colorado, and after protests on the coal operation, it appears that applicant has no customers for said operation and would operate as a common carrier if said authority is granted.

Several certificate-holders appeared at the hearing and protested the granting of authority for the coal haul, and Richard Estes and Ray Fulbright protested the hauling of road-surfacing materials.

We cannot see from the evidence before us that the granting of authority for the hauling of road-surfacing materials would impair the operation of common carriers who protested at the hearing. It is our judgment that Colorado needs private carriers employed by road contractors in the construction of the roads, and the granting of permits to render said service is in the public interest.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the instant application, as hereinafter limited, should be granted, for the reasons set forth in our Statement which, by reference, is made a part of these Findings.

We further find that the hauling of coal applied for in the instant application might impair the services of some common carriers, and for that reason that part of the application with respect to the hauling of coal should be denied.

### O R D E R

#### THE COMMISSION ORDERS:

That Joe Prockup, of Meeker, 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.

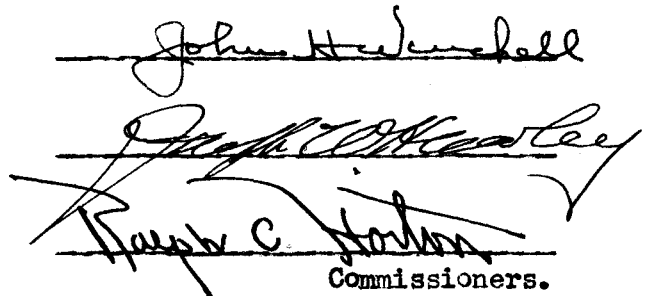
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 18th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RAYMOND JANES, MEEKER, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE ) APPLICATION NO. 12920-PP  
AS A PRIVATE CARRIER BY MOTOR VE- )  
HICLE FOR HIRE. )  
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-----  
June 18, 1954  
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Appearances: Raymond Janes, Meeker,  
Colorado, pro se;  
Richard H. Estes, Rifle,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

On May 10, 1954, Raymond Janes, the applicant herein, filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of sand, gravel and other road-surfacing materials used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 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.

The matter was regularly set for hearing, and heard, June 8, 1954, at the Court House in Glenwood Springs, Colorado, and, at the conclusion of the hearing, the matter was taken under advisement.

It appears that applicant owns a three-ton dump truck with a five-yard capacity, and desires to work for construction companies in the building of roads throughout the State of Colorado. It also appears from the evidence that applicant has suitable equipment, is financially responsible, and is well fitted to operate a private carrier permit.

Richard H. Estes, of Rifle, Colorado, who operates Certificate of Public Convenience and Necessity No. PUC-1971, and Commercial Carrier Permit No. C-879, stated that he had equipment which was not busy at all times, and that for road construction jobs within a radius of twenty miles of Rifle, Colorado, he felt his equipment under his common carrier authority should be kept busy before any additional private carrier permits were granted covering his twenty-mile radius.

It has been the experience of the Commission that for the betterment of our road program, that private carrier permits are needed for the transportation of sand, gravel and other road-surfacing materials if we are to build and improve our highway system in Colorado. Protestant Estes failed to show where the granting of this permit would in any way impair the service he is presently offering to the area he is certificated to serve. It, therefore, appears, after listening to the evidence at the above hearing, that the granting of the instant application is in the public interest, and that common carriers, such as protestant herein, cannot adequately serve the needs of road contractors.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the instant application should be granted 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 Raymond Janes, Meeker, 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 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.

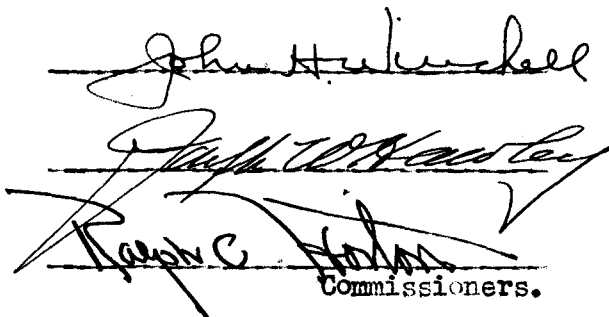
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 18th day of June, 1954.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LEONARD A. HAWKINS, 402 GRAND MESA )  
AVENUE, GRAND JUNCTION, COLORADO, ) APPLICATION NO. 12923-PP-Extension  
FOR AN EXTENSION OF PERMIT NUMBER )  
B-4683. )  
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-----  
June 18, 1954  
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Appearances: Leonard A. Hawkins, Grand  
Junction, Colorado, pro se.

S T A T E M E N T

By the Commission:

By Decision No. 41166, of date September 10, 1953, Leonard A. Hawkins, the applicant herein, was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

sand, gravel and road-surfacing materials, between  
points within a radius of fifty miles of Grand  
Junction, Colorado,

and Permit No. B-4683 issued to him.

On February 16, 1954, applicant filed his application for an extension of said Permit No. B-4683 to include the transportation of sand, gravel and other road-surfacing materials used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek and Gilpin Counties.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House in Grand Junction, Colorado, on June 9, 1954, and, at the conclusion of the evidence, the matter was taken under advisement.

The evidence disclosed that applicant is financially responsible and has ample equipment to carry on the proposed extended operation.

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.

The operating experience and financial stability 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.

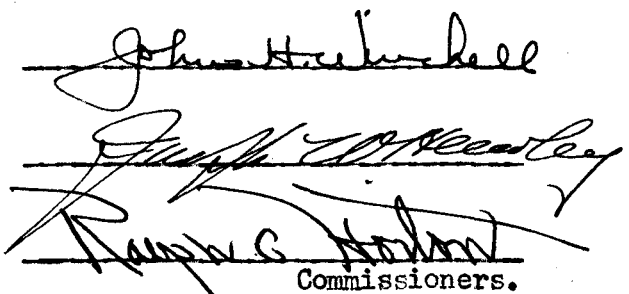
### O R D E R

#### THE COMMISSION ORDERS:

That Leonard A. Hawkins, of 402 Grand Mesa Avenue, Grand Junction, Colorado, be, and he hereby is, authorized to extend his operations under Permit No. B-4683 to include the transportation of sand, gravel and other road-surfacing materials used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs within a radius of 50 miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone and refuse from and to building construction jobs to and from points within a radius of 50 miles of said jobs, excluding service in Boulder, Clear Creek and Gilpin Counties.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JACOB GEIST, 372 SOUTH CORONA )  
STREET, DENVER, COLORADO, FOR AN EX- ) APPLICATION NO. 12941-PP-Extension  
TENSION OF PERMIT NO. B-2364. )  
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-----  
June 18, 1954  
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Appearances: Jacob Geist, Denver, Colo-  
rado, pro se.

S T A T E M E N T

By the Commission:

On June 5, 1939, by Decision No. 13617, Jacob Geist was author-  
ized to operate as a Class "B" private carrier by motor vehicle for hire  
for the transportation of:

sand, gravel, dirt, rock and road-surfacing  
materials from pits and supply points within  
a radius of 50 miles of Denver to road and  
building construction jobs within said radius,  
excluding service in Boulder, Clear Creek and  
Gilpin Counties; and the transportation of  
coal from the northern Colorado coal fields  
to Denver,

and Permit No. B-2364 issued to him.

By the instant application, Jacob Geist, the applicant herein,  
filed his application for an extension of said Permit No. B-2364, to in-  
clude 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; and coal from mines in the north-  
ern Colorado coal fields to Denver; to Valmont Plant of Public Service Com-  
pany near Boulder; Great Western Sugar Company and Kuner-Empson Company

plants located within a 50-mile radius of Denver, 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 330 State Office Building, Denver, Colorado, on June 15, 1954, and, at the conclusion of the evidence, the matter was taken under advisement.

The evidence disclosed that applicant has ample equipment and is well qualified to carry on his proposed operations. His operating experience and financial responsibility were established to the satisfaction of the Commission.

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 common carrier motor vehicle service with which he will compete.

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

##### THE COMMISSION FINDS:

That the authority sought should be granted.

#### O R D E R

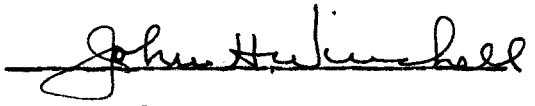
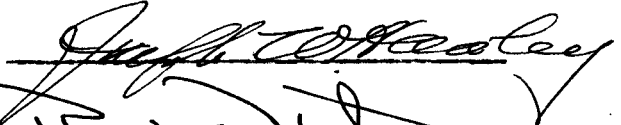
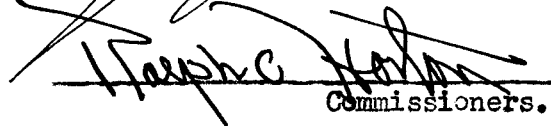
##### THE COMMISSION ORDERS:

That Jacob Geist, 372 South Corona Street, Denver, Colorado, be, and he is hereby, authorized to extend operations under Permit No. B-2364, so that operating rights under said Permit No. B-2364, as extended, shall be as follows:

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; and coal from mines in the northern Colorado coal fields to Denver; to Valmont Plant of Public Service Company near Boulder; Great Western Sugar Company and Kurer-Empson Company plants located within a 50 mile radius of Denver, and to Rocky Mountain Arsenal northeast of Denver, Colorado.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ANTHONY MILANO, BOX 2, LOUISVILLE, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 12942-PP

-----  
June 18, 1954  
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Appearances: Anthony Milano, Louisville,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

On March 1, 1954, Anthony Milano, of Louisville, Colorado, the applicant herein, filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of coal from the northern Colorado coal fields to points within a radius of 15 miles of Louisville, Colorado.

The matter was regularly set for hearing, and heard, at 330 State Office Building, Denver, Colorado, on June 15, 1954, and at the conclusion of the hearing, the matter was taken under advisement.

It appears from the evidence that applicant is financially responsible, has ample equipment, and is well qualified by experience to operate as a private carrier.

No one appeared in opposition to the granting of the authority sought, and it does not appear that the proposed service of applicant will impair the efficiency of any common carrier motor vehicle service operating in the territory which applicant seeks to serve.

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 Anthony Milano, of Box 2, Louisville, Colorado, be, and he hereby is, authorized to operate as a private carrier by motor vehicle for hire for the transportation of coal from the northern Colorado coal fields to points within a radius of 15 miles of Louisville, Colorado.

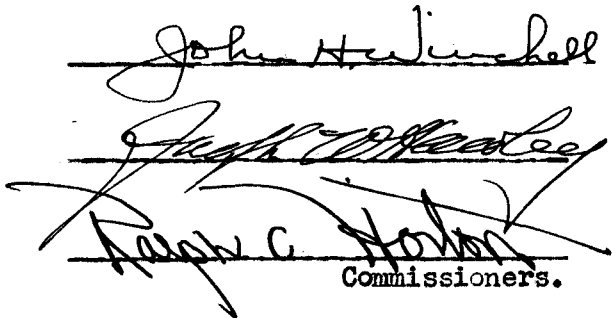
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 18th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FLORENTINO ROMERO, 671 BALAPAGO )  
STREET, DENVER, COLORADO. )  
-----

PERMIT NO. B-3428  
CASE NO. 70360-INS.

-----  
June 18, 1954  
-----

S T A T E M E N T

By the Commission:

On June 1, 1954, in Case No. 70360-Ins., the Commission entered its order, revoking Permit No. B-3428 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that effective insurance had been obtained by said Respondent, but due to an oversight on the part of the insurance agent, Certificate of Insurance was not forwarded to this Commission. Proper Certificate of Insurance has now been filed.

F I N D I N G S

THE COMMISSION FINDS:

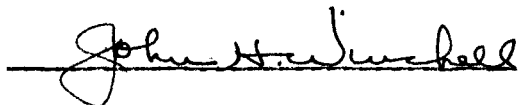
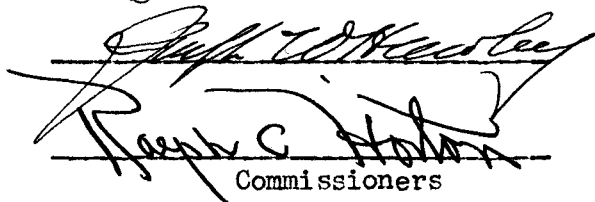
That Permit No. B-3428 should be reinstated, as of June 1, 1954.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3428 should be, and the same hereby is, reinstated, as of June 1, 1954, revocation order entered by the Commission on said date in Case No. 70360-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 18th day of June, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ERNEST J. TRUJILLO, ROUTE 2, )  
ALAMOSA, COLORADO. )  
-----

PERMIT NO. C-21846  
CASE NO. 1291-R

-----  
June 18, 1954  
-----

S T A T E M E N T

By the Commission:

On June 10, 1954, in Case No. 1291-R, the Commission entered its order, revoking Permit No. C-21846 for failure of Respondent herein to file certain monthly road-tax reports.

It now appears that said delinquent reports have been filed.

F I N D I N G S

THE COMMISSION FINDS:

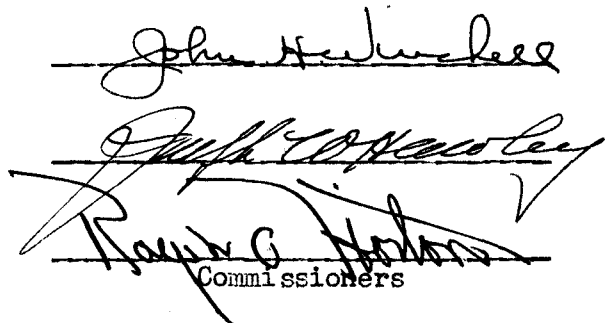
That Permit No. C-21846 should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-21846 should be, and the same hereby is, reinstated, as of June 10, 1954, revocation order entered by the Commission on said date in Case No. 1291-R being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 18th day of June, 1954

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
Y-W ELECTRIC ASSOCIATION, INC., A )  
COLORADO CORPORATION, AKRON, COLO- )  
RADO, FOR AN ORDER AUTHORIZING THE )  
ISSUANCE OF SECURITIES AND THE AP- )  
PLICATION OF THE PROCEEDS THEREFROM.)  
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APPLICATION NO. 12950-Securities

-----  
June 18, 1954  
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Appearances: Leon L. Hines, Esq., Benkelman,  
Nebraska, for applicant;  
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:

By the instant application, the Y-W Electric Association, Inc., Akron, Washington County, Colorado, seeks authorization and approval of this Commission for the issuance of stock or membership certificates in the corporation, as provided in its Articles of Incorporation and By-Laws, and for authorization, ratification, and approval of certain securities, as hereinafter enumerated.

The matter was set for hearing, after due notice to all interested parties, on June 17, 1954, at 9:30 o'clock A. M., at the Hearing Room of the Commission, 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, generating, transmitting, and distributing electric energy to members and non-members of the Association, in Yuma and Washington Counties, Colorado. The principal office of applicant is located in Akron, Colorado.

Testimony at the hearing revealed that applicant is a corporation,

formed without purpose of gain or profit to itself, and authorized to issue 6,000 shares of Capital Stock at the 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 Association. Applicant herein has amended its Articles of Incorporation to serve non-members on lines purchased from public utility corporations, all in compliance with the Commission's Order in Application No. 9048, Decision No. 30010, of date February 25, 1948.

Introduced at the hearing herein by applicant, as Exhibit No. 1, is a true and correct copy of the Articles of Incorporation of said Association, together with all amendments thereto, including the amendment mentioned above, to serve non-members. Any and all persons in the rural areas served by the Association 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, Rules and Regulations of the Corporation, are entitled to one electric service connection. Membership to customers on acquired lines is optional with such non-members. Applicant at this time is serving 3,452 customers, of which 3,320 are members in the Association, and 132 are non-members.

Membership fees in the corporation are refundable upon surrender of 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 the By-Laws of this corporation.

In Application No. 9048, previously referred to, applicant was authorized by this Commission to purchase certain properties owned and operated by the Commonwealth Utilities Corporation, and to acquire the certificate of public convenience and necessity held by said Commonwealth Utilities Corporation for the rendering of electric service in the Towns of Akron and Otis and certain adjacent rural areas. It was contemplated at the time of purchase and sale of the Commonwealth properties, that the



purchase price would be in the neighborhood of \$200,700.00.

Introduced at the hearing herein was an original copy of the settlement papers of said purchase, and said paper reveals that the actual final purchase price, as paid by the Y-W Electric Association, Inc., amounted to \$195,692.49. Applicant requested and permission was granted to substitute photostatic copies of Exhibit No. 16 in the record herein.

For the purpose of providing the necessary funds for the construction, operation, and maintenance of an adequate electric system and service within the territory and the area served by the Y-W Electric Association, Inc., and for the acquisition of electric facilities theretofore existing within said territory in accordance with Rural Electrification Act of 1936, as amended, Y-W Electric Association, Inc., made and entered into a certain Loan Contract with the United States of America, through the Administrator of the Rural Electrification Administration, dated as of May 6, 1936, wherein and whereby the United States of America agreed to loan Y-W Electric Association, Inc., a sum not exceeding \$608,000.00, upon the terms and conditions and provisions authorized by the aforesaid Rural Electrification Act of 1936, as amended.

Subsequent to the date of the original Loan Contract, applicant herein has made various amendments to said Loan Contract, whereby the parties in interest have agreed in writing to increase the aggregate amount of the original loan.

Set out below is a list of the amendments to the original Loan Contract, showing the date of said amendments and the aggregate amount of increase of the loan.

December 17, 1947	\$ 958,000.00
August 4, 1949	\$1,250,000.00
December 19, 1949	\$2,525,000.00
October 23, 1950	\$2,980,000.00
July 27, 1951	\$3,380,000.00
November 4, 1953	\$3,820,000.00

In accordance with the terms and provisions of said contracts, this Corporation has agreed to evidence its indebtedness to the United States of America by the execution and delivery of promissory notes for the divers



sums advanced to it by the Rural Electrification Administration and to secure same and the sums so received by a first lien and mortgage on all of the real and personal property of the corporation constructed or acquired with the proceeds of the said loan.

Introduced at the hearing herein as Exhibit No. 12 is a copy of said mortgage and, by reference, is made a part of this Statement.

Thereafter, from time to time, as required by applicant in its electrification program, sums have been advanced by the Rural Electrification Administration, and for value received, Y-W Electric Association, Inc., has executed in favor of the United States of America, the following promissory notes, all payable in quarterly installments over twenty-five (25), thirty (30), or thirty-five (35) year periods, and bearing interest at the rate of two per cent (2%) per annum, dated and in the amounts as set forth in the following tabulation:

Exhibit No.	Date	Title	Amount	Final Maturity
3	Dec. 18, 1947	Mortgage Note	\$ 193,410.00	Dec. 18, 1972
4	Dec. 18, 1947	" "	414,590.00	Dec. 18, 1982
5	Aug. 5, 1949	" "	14,752.00	Aug. 5, 1974
6	Aug. 5, 1949	" "	277,248.00	Aug. 5, 1984
7	Dec. 20, 1949	" "	630,000.00	Dec. 20, 1984
8	Aug. 14, 1950	" "	345,000.00	Aug. 14, 1985
9	Oct. 26, 1950	" "	300,000.00	Oct. 26, 1985
10	Feb. 1, 1951	" "	455,000.00	Feb. 1, 1986
11	July 30, 1951	" "	400,000.00	July 30, 1986
13	June 24, 1952	" "	13,746.72	Apr. 9, 1982
14	Nov. 5, 1953	" "	440,000.00	Nov. 5, 1988
			<u>\$3,483,746.72</u>	

Interest is payable only on such sums as are actually advanced under the aforesaid notes, and as of this date applicant has not obtained from the Rural Electrification Administration all of the funds evidenced by the said Promissory Notes. In fact, the Rural Electrification Program of this corporation is not completed, and sums not heretofore advanced will be made available as the same are required by applicant.

Of the total amount of money obtained by applicant so far from Rural Electrification Administration, the following amounts have been expended on the acquired properties, and on a new office building in Akron, a part of which is to serve customers in the acquired territory:

\$195,692.49	- Purchase of Commonwealth properties
83,239.06	- Rehabilitation of Commonwealth properties
50,000.00	- Pro rata share in new office building
<u>\$328,931.55</u>	- Total

Set out below is a Balance Sheet, as of December 31, 1953, and an Operating Statement for the twelve months ending December 31, 1953:

Balance Sheet, as of December 31, 1953

Assets and Other Debits

Utility Plant in Service	\$3,220,637.86	
Less: Reserve for Depreciation	<u>496,959.54</u>	
Net Utility Plant		\$2,723,678.32
Utility Plant Acquisition Adjustment	123,955.13	
Less: Reserve for Acquis. Adjust.	<u>69,208.32</u>	
Net Utility Plant Acquisition Adjustment		\$ 54,746.81
Construction Work in Progress		118,340.83
Net Utility Plant		\$2,896,765.96

Current and Accrued Assets:

Various	345,181.54
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Other Deferred Debits

Unamortized Loan Expense	\$ 4,466.47	
Extraordinary Property Losses	<u>96,862.66</u>	101,329.13

Total Assets and Other Debits	<u>\$3,343,276.63</u>
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Liabilities and Other Credits

Capital Structure

Capital Stock		
(Membership Fees)	\$ 16,735.00	
Other Capital	<u>806.11</u>	
Total Capital Stock		\$ 17,541.11

Surplus

Operating Margin	( 53,162.88 )	
Non-Operating Margin	<u>2,388.87</u>	
Total Surplus		\$ ( 50,774.01 )
Total Equity		\$ ( 33,232.90 )

Long Term Debt

Total Capital Structure	3,332,377.34
	<u>\$3,299,144.44</u>

Current and Accrued Liabilities

Various	\$ 40,958.58
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Contributions, Aid in Construction

Various	401.76
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Other Deferred Credits

Various	<u>2,771.89</u>
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Total Liability and Other Credits	<u>\$3,343,276.63</u>
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( ) - Denotes Red Figure.

Operating Statement  
12 Months Ending Dec. 31, 1953

Operating Revenue and Patronage Capital

Elect. Revenues	\$384,440.21	
Forfeited Discounts and Penalties	2,207.25	
Misc'l Elect. Revenues	2.01	
Total Operating Rev. and Patron. Capital		<u>\$386,649.47</u>

Cost of Electric Service

Cost of Elect. Generation	\$ 2,083.32	
Cost of Purch. Power	75,082.94	
Transmission Exc.	4,328.27	
Distribution Exp. Oper	21,815.00	
Distribution Exp. Maint.	17,215.06	
Rents	6.00	
Consumers Acct. and Coll.	15,022.85	
Uncollectible Cons. Accts.	180.00	
Power-Use Exp.	6,409.97	
Gen'l. Off. Sal. and Exp.	16,499.94	
Special Services	2,720.70	
Insur. Int. and Damages	3,633.18	
Emp. Welfare Exp. and Ins.	8,448.32	
Misc'l Gen'l Exp.	7,110.76	
Maint. Gen'l Ppty. and Rents	3,388.54	
Total Oper. Exp.		<u>\$183,944.85</u>

Dep'r of Elect. Plant	\$108,470.84	
Dep'r of Gen'l Plant	3,613.89	
Total Dep'r Exp.		<u>\$112,084.73</u>

Property Taxes	\$ 21,198.02	
Social Security Taxes	949.23	
Other Taxes	15.00	
Total Tax Exp.		<u>\$ 22,162.25</u>

Amort. Acquis. Adj.	\$ 12,395.52	
Amort. Loan Exp.	600.00	
Int. Long Term Debt	61,853.56	
Other Int. Charges	120.00	
Total Other Deductions		<u>\$ 74,969.08</u>

Total Cost Electric Service	<u>\$393,160.91</u>
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Patronage Capital	( <u>\$ 6,511.44</u> )
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( ) Denotes Red Figure.

F I N D I N G S

THE COMMISSION FINDS:

That this Commission has jurisdiction of the Y-W Electric Association, Inc., as to the properties acquired under the certificate 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 issuance by the Y-W Electric Association, Inc. of stock or membership certificates in the corporation, as provided in its Articles of Incorporation, as amended, and by its By-Laws, should be ratified and approved.

That the issuance of Mortgage Notes made by Y-W Electric Association, Inc., to the United States of America, and as more fully set forth in Exhibits Nos. 3 to 11, inclusive, and Exhibits Nos. 13 and 14, should be ratified and approved.

That the execution of the Mortgage made by Y-W Electric Association, Inc., to the United States of America, as more fully shown by Exhibit No. 12, should be ratified 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.

That the application of the proceeds of the loans obtained from the United States of America by the Y-W Electric Association, Inc., should be ratified and approved.

#### O R D E R

##### THE COMMISSION ORDERS:

That the issuance by the Y-W Electric Association, Inc., of stock or membership certificates in the Corporation, as provided in its Articles of Incorporation, as amended, and its By-Laws, should be, and the same is hereby, ratified and approved.

That the issuance of Mortgage Notes made by Y-W Electric Association, Inc., to United States of America, and as more fully set forth in Exhibits Nos. 3 to 11, inclusive, and Exhibits Nos. 13 and 14, should be, and they are hereby, ratified and approved.

That the execution of the Mortgage made by Y-W Electric Association, Inc., to the United States of America, and as more fully set forth

in Exhibit No. 12, be, and the same is hereby, ratified and approved.

That the application of the proceeds of the loans obtained from the United States of America by the Y-W Electric Association, Inc., should be, and the same hereby is, ratified and approved.

That the ratifications and approvals above given apply only to the portions of the above-described Mortgage Notes and Mortgage which have to do with the properties acquired under the certificate 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 retains jurisdiction of this proceeding to the end that it may make such further order, or orders, in the premises as to it may seem to be proper and desirable.

That 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. Huchell  
Joseph W. Healey  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,  
this 18th day of June, 1954.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
G. A. LEWIS, 229 SOUTH UNION )  
STREET, PUEBLO, COLORADO. )  
-----)

PERMIT NO. C-13064  
CASE NO. 57779-INS.

-----  
June 18, 1954  
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S T A T E M E N T

By the Commission:

On July 19, 1951, in Case No. 57779-Ins., the Commission entered its order, cancelling Permit No. C-13064 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance has been on file with the Commission, but through an oversight, was not properly recorded.

F I N D I N G S

THE COMMISSION FINDS:

That said permit should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-13064 should be, and the same hereby is, reinstated, as of July 19, 1951, revocation order entered by the Commission on said date in Case No. 57779-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John H. Hinchell

Ralph C. Horton  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of June, 1954.



original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
GRANT G. GIFFORD, SILVERTON, COLO-  
RADO, FOR AN EXTENSION OF CERTIFI-  
CATE NO. PUC-1081.

APPLICATION NO. 12927-Extension

June 18, 1954

Appearances: T. L. Brooks, Esq., Montrose,  
Colorado, for applicant;  
T. A. White, Esq., Denver,  
Colorado, for Rio Grande  
Motor Way, Inc.;  
A. J. Fregeau, Denver, Colo-  
rado, for Weicker Transfer  
and Storage Company;  
Orville Dunlap, Montrose,  
Colorado, for West End  
Freight Lines;  
C. J. Schuler, Telluride,  
Colorado, for Telluride  
Transfer.

S T A T E M E N T

By the Commission:

On March 1, 1954, applicant herein filed his application for an extension of authority under his Certificate of Public Convenience and Necessity No. PUC-1081, to include the transportation of mining and milling equipment and supplies from and to all points in Colorado, to and from mines and mills in San Juan County, Colorado.

The matter was regularly set for hearing at the Court House in Montrose, Colorado, on June 10, 1954, at ten o'clock A. M., with due notice to all interested parties.

When the matter was called for hearing, T. L. Brooks, Esq., attorney for applicant herein, asked that the matter be continued for the reason that witnesses were not available.

There being no objection to the motion, it was granted.

FINDINGS

THE COMMISSION FINDS:


That the motion of attorney for applicant be granted, and that said matter be continued to a future date convenient to the Commission.

ORDER

THE COMMISSION ORDERS:

That hearing on the instant application should be, and it hereby is, continued, to be heard at some future date, convenient to the Commission, with notice to all interested parties.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
John H. Wheeler  
Joseph C. Hooley  
Ralph C. Norton  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of June, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
HARVEY E. HICKS, 721 NORTH BOULEVARD, )	
GUNNISON, COLORADO, FOR A CLASS "B" )	APPLICATION NO. 12929-PP
PERMIT TO OPERATE AS A PRIVATE CAR- )	
RIER BY MOTOR VEHICLE FOR HIRE. )	
----- )	

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June 18, 1954  
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Appearances: T. L. Brooks, Esq., Montrose,  
Colorado, for applicant;  
T. A. White, Esq., Denver,  
Colorado, for Rio Grande  
Motor Way, Inc.

S T A T E M E N T

By the Commission:

On March 9, 1954, Harry E. Hicks, of 721 North Boulevard, Gunnison, Colorado, filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of:

logs, lumber, mining timbers and mining props,  
between points within a radius of 50 miles of  
Gunnison, Colorado, and from and to points in said  
area to and from points in the State of Colorado.

The above application was regularly set for hearing, and heard, at the Court House in Montrose, Colorado, on June 10, 1954, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that temporary authority was authorized by the Complaint and Investigation Division of the Commission to applicant to transport lumber from the vicinity of Sapinero to Montrose, Colorado. The evidence also disclosed that applicant is well fitted financially, has suitable equipment, and has had considerable experience in motor vehicle for-hire operations.

Mrs. Delvin Gray, of Sapinero, Colorado, whose husband operates a sawmill at Sapinero, testified as to the need of her husband's operation for the service of applicant. She stated that applicant had operated for her husband under temporary authority from this Commission; that applicant's service was satisfactory; that he had suitable equipment, and her husband needed a private carrier to take care of his deliveries to Montrose and to other points in the State of Colorado.

L. W. Ousley, of Sargents, Colorado, who also is engaged in the timber business, stated he would also like to use applicant's service for the transportation of his lumber, mine props, etc., to market.

No evidence was introduced in opposition to the granting of the instant application. The evidence clearly indicates that common carriers authorized to serve are not interested in this type of hauling, and from their silence, we do not feel that the granting of this permit would impair their operations.

### 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 Harvey E. Hicks, 721 North Boulevard, Gunnison, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of logs, lumber, mining timbers and mining props, between points within a radius of 50 miles of Gunnison, Colorado, and from and to points in said area to and from points in the State of Colorado.

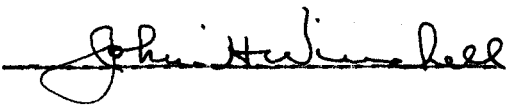

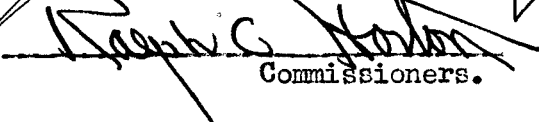
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of June, 1954.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOSEPH E. PARTCH AND JAMES E. )  
PARTCH, DOING BUSINESS AS "PARTCH ) APPLICATION NO. 12930-PP  
BROTHERS," GUNNISON, COLORADO, FOR )  
A CLASS "B" PERMIT TO OPERATE AS )  
A PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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-----  
June 18, 1954  
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Appearances: Joseph E. Partch, Gunnison,  
Colorado, pro se;  
T. A. White, Esq., Denver,  
Colorado, for Rio Grande  
Motor Way, Inc.

S T A T E M E N T

By the Commission:

On May 20, 1954, Joseph E. Partch and James E. Partch, a co-partnership, operating under the firm name and style of "Partch Brothers," Gunnison, Colorado, filed their application for a Class "B" permit to operate as a private carrier by motor vehicle for hire, for the transportation of coal from Smith Hill Anthracite Dump to Salida, Colorado.

The application was regularly set for hearing, and heard, on June 10, 1954, at the Court House, Montrose, Colorado, and, at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that the co-partnership is the owner of adequate equipment and has a net worth of approximately \$75,000.00. The evidence further disclosed that applicants have a contract with the King Coal Company, of Crested Butte, Colorado, for the transportation of slack coal from the Smith Hill Anthracite Mine to Salida, Colorado.

On June 2, 1954, the Salida Transfer Company, by letter, indicated that a representative would be at the hearing in Montrose, Colo-



rado, on June 10th to protest the granting of the instant application. By telephone, the Commission was informed that it would be impossible for their witnesses to appear, nevertheless, the hearing was had and, on the record, it appears that applicants are competent, willing and able to enter into the contract for the hauling of coal from the Smith Hill Dump to the railhead at Salida. We cannot see from the record before us that the granting of the instant application would impair common carrier service authorized to serve.

### 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 Joseph E. Partch and James E. Partch, doing business as "Partch Brothers," Gunnison, Colorado, be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from the Smith Hill Anthracite Dump in Gunnison County to the railhead at Salida, Colorado.

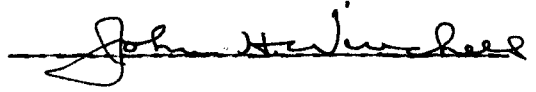
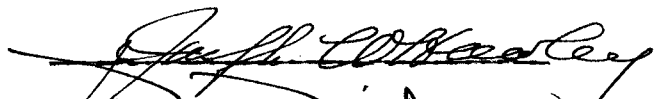
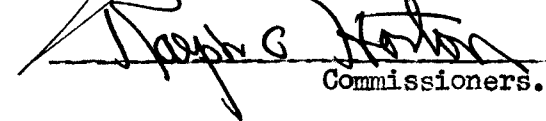
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
 Commissioners.

Dated at Denver, Colorado,  
this 18th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HENRY M. TEBO AND MILDRED TEBO, )  
ROUTE 1, PATTERSON ROAD, GRAND )  
JUNCTION, COLORADO, FOR A CLASS "B" )      APPLICATION NO. 12926-PP  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )  
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June 18, 1954  
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Appearances: Henry M. Tebo, Grand  
Junction, Colorado,  
pro se.

S T A T E M E N T

By the Commission:

On February 8, 1954, Henry M. Tebo and Mildred Tebo, husband and wife, filed their application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of trash and garbage and ashes within a radius of ten miles of Grand Junction, Colorado, including the Towns of Palisade and Fruita, Colorado, but not including the City of Grand Junction; nor shall applicant under this authority be permitted to serve the following firms: United Fruit Growers Co-op, Pacific Growers Company, and the Colorado Flavo Canning Company.

The above-styled application was regularly set for hearing, and heard, at the Court House in Grand Junction, Colorado, on June 9, 1954, and, at the conclusion thereof, the matter was taken under advisement.

At the hearing, the evidence disclosed that Henry M. Tebo, the applicant herein, is the owner of two 1-ton Dodge trucks which he will use in his operation.

On April 19, 1954, the Complaint and Investigation Division of

the Commission issued to applicant a temporary authority for the transportation of trash, garbage and ashes within the area asked for by applicant. Applicant has filed the necessary insurance and is financially responsible, and the service asked for by applicant is needed in the area.

No one appeared to protest the granting of the application, and in the opinion of the Commission from a review of the evidence, we cannot see that the service of any common carrier would be impaired if the instant application is granted.

### 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 Henry M. Tebo and Mildred Tebo, Route 1, Patterson Road, Grand Junction, Colorado, be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of trash, and garbage and ashes, within a radius of ten miles of Grand Junction, Colorado, including the Towns of Palisade and Fruita, Colorado, but not including the City of Grand Junction, Colorado; nor shall applicants, under this authority, be permitted to serve the following firms: United Fruit Growers Co-op, Pacific Growers Company, and the Colorado Flavo Canning Company.

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

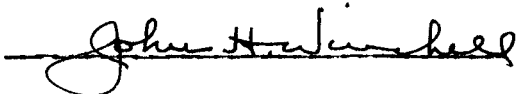

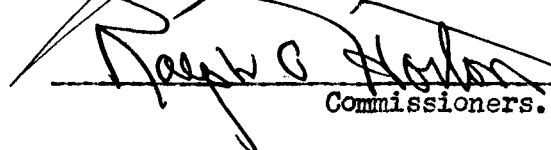
That this order is the permit herein provided for, but it shall not become effective until applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and have secured identification cards.

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

lations 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 18th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
SAM McCLURE & SONS, EATON, )  
COLORADO. )  
-----

PERMIT NO. B-2066

-----  
June 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-2066 be suspended for six months from June 21, 1954.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

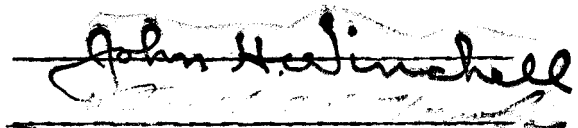

O R D E R

THE COMMISSION ORDERS:

That Sam McClure & Sons, Eaton, Colorado, be, and they are hereby, authorized to suspend their operations under Permit No. B-2066 until December 21, 1954.

That unless said Sam McClure & Sons, Eaton, 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 permis, 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 28th day of June, 1954.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOHN H. LANG, 1253 SYRACUSE, )  
DENVER, COLORADO. )  
-----

PERMIT NO. B-3767

-----  
June 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-3767 be suspended for six months from June 26, 1954.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

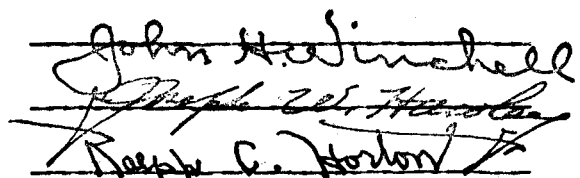
O R D E R

THE COMMISSION ORDERS:

That John H. Lang, Denver, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-3767 until December 26, 1954.

That unless said John H. Lang, 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

  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of June, 1954.

*Original*

(Decision No. 42339)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF  
COLORADO CENTRAL POWER COMPANY, A  
CORPORATION, 3470 SOUTH BROADWAY,  
ENGLEWOOD, COLORADO, FOR AUTHORITY  
TO ISSUE AND SELL \$1,900,000 PRINCIPAL  
AMOUNT OF 3-3/4% SINKING FUND DEBEN-  
TURES MATURING JUNE 1, 1974, FOR THE  
PURPOSE OF REFUNDING \$1,919,000 PRIN-  
CIPAL AMOUNT OF OUTSTANDING DEBEN-  
TURES.  
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APPLICATION NO. 12961  
Securities

-----  
June 23, 1954  
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S T A T E M E N T

By the Commission:

Upon consideration of the application filed June 21, 1954, by  
Colorado Central Power Company, a Corporation, in the above-styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on July 12, 1954, at  
9:30 O'clock A. M., 330 State Office Building, Denver, Colorado, respect-  
ing the matters involved and the issues presented in this proceeding. Any  
interested municipality or any representative of interested consumers or  
security holders of applicant corporation, and any other person whose par-  
ticipation herein is in the public interest, may intervene in said proceed-  
ings. Intervention petitions should be filed with the Commission on or  
before July 7, 1954, and should set forth the grounds of the proposed inter-  
vention, and the position and interest of the petitioners, in the proceed-  
ing, and must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
  
*John H. Wheeler*  
*John H. Wheeler*  
*Ralph C. Stotter*  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of June, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LESTER CRAIN, DOVE CREEK, COLO- )  
RADO. ) PERMITS NOS. B-4219 & B-4219-I  
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-----  
June 28, 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 Permits Nos. B-4219 and B-4219-I be suspended for six months from June 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 Lester Crain, Dove Creek, Colorado, be, and he is hereby, authorized to suspend his operations under Permits Nos. B-4219 and B-4219-I until December 13, 1954.

That unless said Lester Crain, Dove Creek, Colorado, shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permits, file insurance and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permits, 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. Linchell*  
*Joseph C. Horton*  
\_\_\_\_\_  
Commissioners.

Dated at Denver, Colorado,  
this 23th day of June, 1954.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GAYLE PATTERSON, WESTCLIFFE, )  
COLORADO. )  
-----

PERMIT NO. A-1335

-----  
June 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. A-1335 be suspended for six months from June 24, 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 Gayle Patterson, Westcliffe, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. A-1335 until December 24, 1954.

That unless said Gayle Patterson, Westcliffe, 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. Mitchell*  
*Joseph C. Horton*  
*Joseph C. Horton*  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DENVER-BOULDER BUS COMPANY, BOULDER, )  
COLORADO, FOR AN EXTENSION OF CER- ) APPLICATION NO. 12711-Extension  
TIFICATE NUMBER PUC-43. )  
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-----  
June 29, 1954  
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Appearances: D. B. James, Boulder,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

On December 2, 1953, the above-styled application was filed  
with the Commission.

By letter, of date of June 19, 1954, applicant requested that  
said application be dismissed.

F I N D I N G S

THE COMMISSION FINDS:

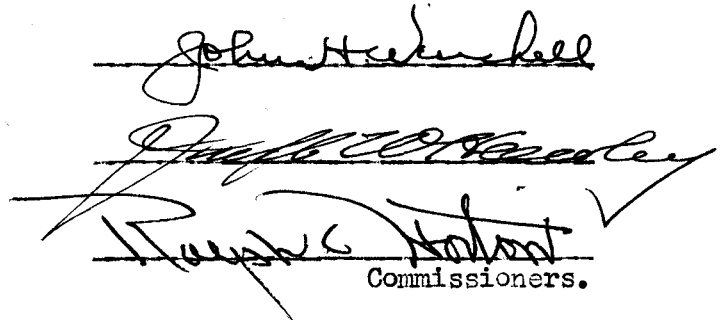
That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application should be, and it is hereby,  
dismissed, at request of applicant.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 29th day of June, 1954.

mls

original

(Decision No. 42843)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
IOWA ELECTRIC LIGHT AND POWER COM- )  
PANY, CEDAR RAPIDS, IOWA, FOR AUTH- )  
ORITY TO ASSUME THE OBLIGATION TO )  
PAY CERTAIN SECURITIES. )  
----- )

APPLICATION NO. 12955-Securities

-----  
June 23, 1954  
-----

Appearances: Barry and Hupp, Esqs.,  
Denver, Colorado, and  
Oswald Maland, Esq.,  
Chicago, Illinois, 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:

The instant application of Iowa Electric Light and Power Company (herein called the "Petitioner") was filed June 11, 1954, and set for hearing on June 25, 1954, upon notice, by this Commission.

The matter was, pursuant to such notice, duly heard June 25, 1954, at two o'clock P. M., at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, and there taken under advisement.

No protests were filed against the granting of the authority sought to consummate the transactions set forth herein.

The evidence shows that the Petitioner is a corporation, organized, created and existing under and by virtue of the laws of the State of Iowa and is lawfully transacting a public utility business in the State of Colorado, in that it owns and operates a gas system engaged in the distribution of natural gas to the public in the City of Sterling, Colorado. The Petitioner also owns extensive public utility properties situated within the States of Iowa, Minnesota and Nebraska.



The gas properties located in the City of Sterling, Colorado, above referred to, are relatively a very small part of the properties now owned by the Petitioner, constituting less than one per cent of the value of the system of the Petitioner.

The instant application seeks authority of this Commission for Petitioner to assume the obligation to pay \$755,000 principal amount of First Mortgage Bonds, Series A, of Northwestern Light and Power Company, a Delaware corporation (herein referred to as "Northwestern"), in connection with the acquisition by the Petitioner of all the assets of Northwestern and to consummate related transactions, all as set forth in the application.

At the hearing on said application, the Petitioner stated that it desired to assume the obligation to pay \$755,000 principal amount of First Mortgage Bonds, Series A, of Northwestern, dated as of August 1, 1941, maturing on August 1, 1966 and bearing interest at the rate of 4% per annum payable semi-annually in connection with the acquisition and as part payment for the properties to be acquired from Northwestern, and further stated the assumption of such obligations will be made in consideration for the transfer of public utility properties located in the State of Iowa by the Petitioner.

At said hearing, the Petitioner further stated that the Board of Directors of Petitioner had authorized the acquisition of all of the assets of Northwestern consisting of public utility properties and current assets and the assumption by Petitioner of all of the liabilities and obligations of Northwestern, other than its obligations to its stockholders, including the assumption by the Petitioner of the bonds of Northwestern above referred to.

The Petitioner has outstanding as of the close of business on April 30, 1954, 146,415 shares of its 4.80% Cumulative Preferred Stock having a par value of \$50 per share, 120,000 shares of 4.30% Cumulative Preferred Stock having a par value of \$50 per share and 1,544,296 shares of

Common Stock having a par value of \$5 per share. The authorized 4.80% Cumulative Preferred Stock of the Petitioner consists of One Hundred and Forty-Six Thousand Five Hundred and Seventy-Eight (146,578) shares, the authorized 4.30% Cumulative Preferred Stock consists of One Hundred and Twenty Thousand (120,000) shares and the authorized Common Stock of the Petitioner consists of Two Million (2,000,000) shares.

As shown by the financial statements submitted in evidence, it appears the net earnings of Petitioner will be adequate to attend to payment by Petitioner of interest on all of its outstanding indebtedness, including interest on bonds of Northwestern to be assumed by the Petitioner.

The evidence shows that, after the assumption by the Petitioner of said bonds, the aggregate long term indebtedness of the Petitioner will be in the principal amount of \$36,050,000 and that the annual interest charges on such long term indebtedness will be \$1,161,319, and that the earnings of Petitioner for the twelve months period ending April 30, 1954, adjusted to reflect the acquisition by Petitioner of the properties of Northwestern available for interest on indebtedness, will be approximately  $3\frac{1}{2}$  times the principal amount of such annual interest charges. The evidence further shows that, after the assumption by Petitioner of the said bonds of Northwestern and after giving effect to the issuance by Petitioner of 120,000 shares of 4.30% Cumulative Preferred Stock of Petitioner by Order of this Commission entered on May 12, 1954, the equity capital of Petitioner will be 50% of the total capitalization and the long term debt of Petitioner will be 50% of the total capitalization.

The balance sheet of the Company is shown below as of April 30, 1954, with appropriate changes made to reflect the issuance and sale of 120,000 shares of 4.30% Cumulative Preferred Stock authorized by this Commission by Order entered on May 12, 1954, and the assumption of bonded indebtedness petitioned in this application.

	BALANCE SHEET <u>4/30/54</u>	ADJUSTMENTS DR. CR.	PRO FORMA BALANCE SHEET <u>4/30/54</u>	% TOTAL CAPITAL STRUCT.
<u>ASSETS</u>				
Utility Plant in Service	\$78,662,812.19	\$1,768,000.00	\$80,430,812.19	
Less: Reserve for Depr.	<u>17,552,431.57</u>		<u>17,552,431.57</u>	
Net Utility Plant in Serv.	<u>61,110,380.62</u>		<u>62,878,380.62</u>	
Investments	2,346,634.48		2,346,634.48	
Current Assets	8,983,079.26	6,263,092.06	15,246,171.32	
Deferred Charges	<u>193,426.02</u>	1,762.39	<u>195,188.41</u>	
Total Assets & Other Debits	<u>\$72,633,520.38</u>		<u>\$80,666,374.83</u>	
<u>LIABILITIES</u>				
<u>CAPITAL STRUCTURE</u>				
<u>EQUITY CAPITAL</u>				
<u>CAPITAL STOCK</u>				
Common Stock	\$ 7,721,480.00		\$ 7,721,480.00	10.65
Preferred	<u>7,320,750.00</u>	\$6,000,000.00	<u>13,320,750.00</u>	18.38
Total Capital Stock	<u>15,042,230.00</u>		<u>21,042,230.00</u>	29.03
<u>SURPLUS</u>				
Paid in Surplus	11,608,394.63		11,608,394.63	16.02
Earned Surplus	<u>3,825,592.51</u>	50,000.00	<u>3,775,592.51</u>	5.21
Total Surplus	<u>15,433,987.14</u>		<u>15,383,987.14</u>	21.23
Total Equity Capital	<u>30,476,217.14</u>		<u>36,426,217.14</u>	50.26
<u>LONG TERM DEBT</u>				
Bonds	31,395,000.00	755,000.00	32,150,000.00	44.36
Debentures	<u>3,900,000.00</u>		<u>3,900,000.00</u>	5.38
Total Long Term Debt	<u>35,295,000.00</u>		<u>36,050,000.00</u>	49.74
Total Capital Structure	<u>65,771,217.14</u>		<u>72,476,217.14</u>	100.00
Current Liabilities	6,473,048.69	1,327,854.45	7,800,903.14	
NET PREMIUM ON LONG TERM DEBT	199,254.55		199,254.55	
RESERVE FOR INSURANCE WORK COMP.	<u>190,000.00</u>		<u>190,000.00</u>	
TOTAL LIABILITIES & OTHER CREDITS	<u>\$72,633,520.38</u>		<u>\$80,666,374.83</u>	



## F I N D I N G S

After careful consideration of the evidence adduced, and upon all the files, records, and proceedings herein, the Commission is of the opinion, and finds, as follows:

1. That the Commission has jurisdiction over, and with respect to, the Petitioner in connection with its operations and the assumption by the Petitioner of the \$755,000 principal amount of First Mortgage Bonds, Series A, of Northwestern; also that the interest of the consumers of the Petitioner will not be adversely affected by the proposed assumption of bonded indebtedness of Northwestern.

2. That the proposed assumption by Petitioner of the obligation to pay said bonds of Northwestern as consideration for the acquisition by the Petitioner of certain public utility properties is consistent with and permitted by the provisions of Chapter 137, 1935 Colorado Statutes Annotated, as amended, and is consistent with public interest; that the purpose of the assumption of such bonded indebtedness consisting of the acquisition of the public utility properties by the Petitioner is permitted by the applicable laws of Colorado.

3. That no authority is required from this Commission for the acquisition by the Petitioner of public utility properties to be acquired as set forth in the application and that no authorization from this Commission is required in connection with the issuance by the Petitioner of its promissory note as part consideration for such properties inasmuch as such note will mature within less than twelve months from date of issuance.

4. That the evidence shows that as provided by the Indenture of Mortgage heretofore referred to under which the First Mortgage Bond, Series A, of Northwestern have been issued, now bear distinctive numbers identifying such bonds and that such identification is sufficient to comply with the laws of the State of Colorado requiring the identification of securities authorized by this Commission.

5. That the foregoing Statement is made a part of the Findings

herein, and, by reference, is incorporated in these Findings.

O R D E R

THE COMMISSION ORDERS:

To the full extent that its approval and authorization are required by the laws of Colorado, that the application of the Petitioner is hereby granted or approved; and

1. That the assumption by Petitioner of the obligation to pay \$755,000 principal amount of First Mortgage Bonds, Series A, of Northwestern, heretofore described, as part consideration of payment of properties by the Petitioner is hereby authorized and approved.

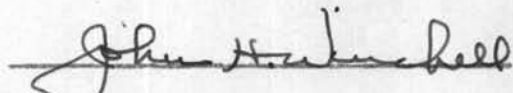
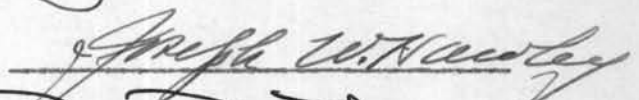
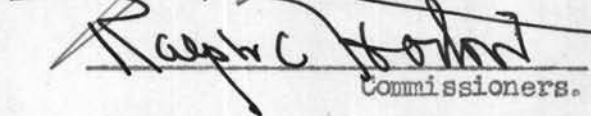
2. That the Petitioner is hereby authorized to take such further steps, actions and proceedings as may in conformity with applicable law and regulation, be necessary, incidental, or appropriate to the full accomplishment of the transaction hereinabove approved and authorized.

The Commission further orders that, within ninety (90) days from and after consummation of the transaction proposed, and in any event on or before November 1, 1954, the Petitioner shall file its report with this Commission showing the consummation of the transactions herein authorized.

Nothing herein 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.

This Order shall become effective from and after this date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of June, 1954.

mls

*Original*

(Decision No. 42844)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
CAROL L. VELASQUEZ, 512 TENTH STREET, )  
GLENWOOD SPRINGS, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A PRI- )  
VATE CARRIER BY MOTOR VEHICLE FOR )  
HIRE. )  
-----

APPLICATION NO. 12922-PP

-----  
June 29, 1954  
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Appearances: Robert Delaney, Esq.,  
Glenwood Springs,  
Colorado, for applicant;  
Neil S. Mincer, Esq.,  
Glenwood Springs,  
Colorado, for Daryl Hinkle,  
Ray Fulbright, Ralph Earnest,  
and Richard Estes.

S T A T E M E N T

By the Commission:

On September 16, 1953, Carol L. Velasquez, the applicant herein, filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of coal and coke, including mine timbers, rock dust, and other necessary mining supplies, from Carbondale, Colorado, to Thompson Creek Coal Mines, and a radius of 35 miles from Carbondale to sources of mining supplies.

The above application was regularly set for hearing, and heard, June 8, 1954, at the Court House in Glenwood Springs, Colorado, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, it appeared that Carol L. Velasquez has formed a corporation, consisting of himself and wife and other minor stockholders, to carry on this operation under the name and style of "Crystal River Trucking Corporation." He asks that the name "Crystal River Trucking Corporation" be substituted as the applicant in the instant application. The Amendment was permitted as no one appearing at the hearing offered any objection.



Mr. Velasquez, the President of the corporation, stated the corporation owns four trucks and has a worth of approximately \$32,000.00; that his corporation has been requested by the Thompson Creek Coal and Coke Corporation, which owns two coal mines in Pitkin County, to haul coal from its mine to the railhead at Carbondale. Mr. Velasquez stated that he is willing to have all service limited under his permit to the Thompson Creek Coal and Coke Corporation, and that for the hauling of this coal, he has special equipment fitted for that purpose.

Ernest M. Keenan, President of the Thompson Creek Coal and Coke Corporation, stated his company had dealt with the corporation which was to give them exclusive service to take care of their hauling. It appears they have a large contract in Utah and it will be necessary for them to move several hundred tons of coal daily to railheads to be transferred to Utah; that they are familiar with applicant corporation and its equipment and feel they are entitled to a carrier who will serve them, and them only,, for the movement of this coal.

It does not appear from the evidence that the granting of the application would impair common carrier service. The evidence clearly indicates that the service needed by the Thompson Creek Coal and Coke Corporation is that of a private carrier. It is a service that requires special equipment and a large investment, and they require that their bins be kept empty at all times. This, of its very nature, is not a common carrier service, and in our judgment, the application should be granted.

#### 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 the Crystal River Trucking Corporation, a Colorado corporation, be, and it hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal and coke, including mine timbers, rock dust, and other necessary supplies, between Carbondale, Colorado, and the Thompson Creek Coal and Coke Corporation, it

being definitely understood that the source of the mining supplies will be within a radius of 35 miles of Carbondale, Colorado, said service to be limited to service for the Thompson Creek Coal and Coke Corporation 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 its 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 its 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. Winkler  
John C. Winkler  
John C. Winkler  
Commissioners.

Dated at Denver, Colorado,  
this 29th day of June, 1954

bf

*Original*

(Decision No. 42845)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
NEWTON STEVENS, CARBONDALE, COLORA- )  
DO, FOR AN EXTENSION OF PERMIT NO. )  
B-3486. )  
-----

APPLICATION NO. 12921-PF  
EXTENSION

-----  
June 29, 1954  
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Appearances: Newton Stevens, Carbondale,  
Colorado, pro se;  
Neil S. Mincer, Esq., Glenwood  
Springs, Colorado, for  
Daryl Hinkle, Ray Fulbright,  
Ralph Earnest and Richard Estes.

S T A T E M E N T

By the Commission:

Newton Stevens, of Carbondale, Colorado, is the owner of Private Carrier Permit No. B-3486 which authorizes the transportation of farm products, except livestock, between points within the area bounded by imaginary lines on both sides of The Denver and Rio Grande Western Railroad Company's line between Carbondale and Aspen, Colorado, drawn parallel to, and five miles from, said line.

On July 29, 1953, applicant asked to extend his operation under his Permit No. B-3486 to include the transportation of coal from the Thompson Creek Coal and Coke Company to loading dock, a distance of 12 miles, and the transportation of furniture between Aspen and Glenwood Springs, Colorado; (individual moving from house to house).

The above application was regularly set for hearing, and heard, at the Court House in Glenwood Springs, Colorado, on June 8, 1954, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, applicant stated that he had leased his truck to the Thompson Creek Coal and Coke Company and had been employed by that company as a driver; that he now requests authority to haul coal for hire.



He stated he was presently hauling farm products but there were times of the year when he could be gainfully employed hauling coal; that he had requests from the Thompson Creek Coal and Coke Company for his services. Applicant is well qualified and financially responsible.

Ernest M. Keenan, President of Thompson Creek Coal and Coke Company, stated his company desires the services of applicant, and that they would use him if this application is granted.

In applicant's application, he asked authority for a furniture haul between Aspen and Glenwood Springs, Colorado. It appears he would like to haul for anyone wishing to move between the above-named points. In other words, the service would be that of a common carrier.

Protestants vigorously protested the granting of the furniture haul and it appears that there are common carriers now stationed at Glenwood Springs and Carbondale who can, and will, take care of this business if they are called upon so to do.

We cannot see from the evidence where the granting of authority to haul coal would impair common carrier service, but we are inclined to believe that applicant has failed to show any need for the transportation of furniture.

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

##### THE COMMISSION FINDS:

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


#### O R D E R

##### THE COMMISSION ORDERS:

That Newton Stevens, of Carbondale, Colorado, be, and he hereby is, authorized to extend his service under Permit No. B-3486 to include the transportation of coal from the Thompson Creek Coal and Coke Company mines in Pitkin County to railheads, a distance of approximately 12 miles, and that in all other respects the application is denied.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
John H. Winchell  
Joseph C. Wooten  
Joseph C. Wooten  
Commissioners.

Dated at Denver, Colorado,  
this 29th day of June, 1954.

bf

*Original*

(Decision No. 12846)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DARWIN L. ALLIES AND VERDIE H. )  
ALLIES, DOING BUSINESS AS "ALLIES )  
BROS.", ROUTE 1, BOX 247, MONTROSE, )  
COLORADO, FOR AUTHORITY TO TRANSFER )  
PERMIT NO. B-1365 TO HARRY B. HAWKS, )  
421 SOUTH NINTH STREET, MONTROSE, )  
COLORADO. )  
-----

APPLICATION NO. 12928-PP  
TRANSFER

-----  
June 29, 1954  
-----

Appearances: T. L. Brooks, Esq., Montrose,  
Colorado, for Transferors  
and Transferee.

S T A T E M E N T

By the Commission:

By Decision No. 38680, of date May 14, 1952, Darwin Allies  
and Verdie Allies, doing business as "Allies Brothers," Route 1, Box 345a,  
Montrose, Colorado, were authorized to operate as Class "B" private car-  
riers by motor vehicle for hire for the transportation of:

Farm produce (including livestock but excepting  
wool in grease), coal, used household goods and  
farm implements, from and to points within a radius  
of fifty miles of Montrose, Colorado, to and from  
points in the State of Colorado, and the further  
right to transport peaches from the Palisade  
district to the nearest railroad loading point,

said operating rights being known as "Permit No. B-1365."

By the instant application, said permit-holders seek authority  
to transfer Permit No. B-1365 to Harry B. Hawks, 421 South 9th Street, Mon-  
trose, Colorado.

The matter was set for hearing, and heard, at the Court House,  
Montrose, Colorado, on June 10, 1954, and at the conclusion thereof, the  
matter was taken under advisement.

It appeared from the evidence that the consideration for the  
transfer is the amount of \$300.00. The operating experience and financial  
responsibility of transferee were established to the satisfaction of the  
Commission, his net worth being approximately \$23,727.00.



It also appeared that the road tax deposit of transferors is to be transferred and credited to the account of transferee 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 Darwin L. Allies and Verdie H. Allies, doing business as "Allies Bros.," Route 1, Box 247, Montrose, Colorado, be, and they hereby are, authorized to transfer all their right, title and interest in and to Permit No. B-1365 -- being the operating rights granted by Decision No. 38680 -- to Harry B. Hawks, 421 South 9th Street, Montrose, Colorado, subject to payment of outstanding indebtedness against said operations, if any there be, whether secured or unsecured.

That the right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by 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.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Winchell*

*Joseph C. Johnson*

*Joseph C. Johnson*  
Commissioners.

Dated at Denver, Colorado,  
this 29th day of June, 1954.

bf

original

(Decision No. 42847)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
KANSAS-NEBRASKA NATURAL GAS COM- )  
PANY, INC., HASTINGS, NEBRASKA, )  
FOR AN ORDER AUTHORIZING ISSUE AND )  
SALE OF DEBENTURES. )  
-----

APPLICATION NO. 12956-Securities

-----  
June 28, 1954  
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Appearances: Lee, Bryans, Kelly, and Stans-  
field, Esqs., Denver, Colo-  
rado, and  
James D. Conway, Esq., Hastings,  
Nebraska, for applicant;  
Joseph M. McNulty, Denver, Colo-  
rado, and  
W. George Denny, Jr., Denver,  
Colorado, for the Commission.

S T A T E M E N T

By the Commission:

The instant application was filed June 14, 1954, and set for hearing June 25, 1954, upon proper notice by this Commission. The matter was, pursuant to such notice, duly heard June 25, 1954, at 2:30 P. M., at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, and there taken under advisement.

The application is for authority to issue and sell Sinking Fund Debentures, 3-5/8% Series Due 1974, to mature May 1, 1974, and to bear interest at the rate of 3-5/8%, payable semi-annually on May 1 and November 1 in each year, and to sell such debentures to private purchasers for a cash consideration equal to the principal amount of said debentures plus accrued interest thereon from May 1, 1954 to the date of delivery.

No protests were filed against the granting of authority here sought to consummate the transactions referred to.

The applicant is incorporated under the laws of the State of Kansas, with its principal place of business in Phillipsburg, Kansas, and is properly qualified to do business in the State of Colorado.

The applicant is directly engaged in the public utility business in the States of Kansas, Nebraska, and Colorado, and is a natural gas utility, transporting and distributing natural gas from and in the States of Kansas, Nebraska and Colorado. The applicant distributes natural gas at retail in the Towns of Julesburg and Ovid, in the State of Colorado, pursuant to a certificate of public convenience and necessity issued by this Commission.

The evidence shows that the applicant has heretofore executed and delivered a certain Indenture dated February 1, 1948, and Supplemental Indenture dated May 1, 1954, to the Continental Illinois National Bank and Trust Company of Chicago, Chicago, Illinois, as Trustee, which authorized the issuance and sale of said debentures.

The evidence shows that in accordance with the terms of the Indenture and Supplemental Indenture that it is contemplated that the debentures of applicant in the aggregate principal amount of \$9,000,000.00 will be issued under and in accordance with the terms of said Indenture and Supplemental Indenture. From the evidence, it appears that the Company plans to make expenditures during the Year 1954 in an approximate amount of \$8,861,183.00, and that the proceeds of the debentures will be partly used to retire \$4,500,000.00 of 4-3/4% Series Due 1973 Sinking Fund Debentures, and short term loans in the amount of \$750,000.00, and the remainder, together with operations and working capital and the sale of Common and Preferred Stock, will be used to complete the 1954 construction program of the Company. There was introduced in evidence in these proceedings, exhibits which include: (1) 1954 construction budget and proposed financing including detailed breakdown of 1954 construction program in the states in which the Company operates; (2) Actual Balance Sheet, as of April 30, 1954, and pro-forma Balance Sheet, after giving effect to new construction,



financing, and cash generated from operations; (3) Earnings Statement for the twelve months ending April 30, 1954; (4) Plant and property account, as of April 30, 1954; (5) Summary Basis of application and ratios of Funded Debt to Capital; (6) Resolution of the Company authorizing the debenture issue and this application; (7) Detail of expenses in connection with issuance of new debentures and expenses in connection with the refunding of \$4,500,000.00, 4-3/4% Series Due 1973 Sinking Fund Debentures; (8) Copy of Supplemental Indenture, dated May 1, 1954; (9) Copy of purchase agreement covering these debentures; (10) List of purchasers of debentures.

From the evidence, it further appears that after giving effect to the issuance of \$9,000,000.00 Sinking Fund Debentures, 3-5/8% Series Due 1974, as herein applied for, the aggregate principal amount of funded indebtedness of the Company which will be outstanding after the issuance of said debentures will not exceed 51.2% of the total capital structure of the Company.

From the evidence submitted in support of the application, it is evident that the earnings available for the interest on the debentures of the Company and other funded debt of the Company will be adequate, and further that the amount of outstanding funded indebtedness of the Company, as compared with the total capitalization of the Company, is not excessive.

The annual sinking fund requirements of the \$9,000,000.00 Sinking Fund Debentures, 3-5/8% Series Due 1974, will be the annual amount of 2-1/2% per year for the first eleven years, payment date commencing May 1, 1955, and each succeeding May 1st, to and including May 1, 1965; that the annual amount of 8% per year for the next eight years, payment date commencing May 1, 1966 and each succeeding May 1st to and including May 1, 1973; the annual amount of 8-1/2% on May 1, 1974; that the debentures are redeemable on any date prior to maturity, from time to time on notice and in the manner provided for in the Supplemental Indenture dated May 1, 1954 at a premium of 3.63% for the period ending May 1, 1954, and with a gradual reduction each year thereafter in the amount of .19% each year, to and including May 1, 1974,

together with interest thereon to the date of redemption.

The applicant proposes to use the proceeds derived from the sale of the Sinking Fund Debentures, 3-5/8% Series Due 1974, in the amount of \$9,000,000.00, for the construction, completion, extension, and improvement of the facilities of the applicant, and for refunding of its presently outstanding \$4,500,000.00 of 4-3/4% Series Due 1973 Sinking Fund Debentures and short-term loans.

KANSAS-NEBRASKA NATURAL GAS CO., INC.  
Balance Sheet, as Adjusted, April 30, 1954

	Amount	Adjustments		Amount	% to Total Capital Structure
		Dr.	Cr.		
<u>ASSETS</u>					
Plant & Equipment	\$42,220,422.00			\$42,220,422.00	
Less:					
Reserves for De- preciation, Depletion and Amortization	7,315,385.00			7,315,385.00	
Net Plant and Equipment	\$34,905,037.00			\$34,905,037.00	
Investment & Special Funds	1,987,150.00			1,987,150.00	
<u>Current &amp; Accrued Assets</u>					
Cash and Working Funds	\$ 663,379.00	\$8,913,400.00 2,881,070.00	\$4,696,212.00	\$ 7,761,637.00	
Accounts Re- ceivable, Less Reserve	1,250,930.00			1,250,930.00	
Materials & Supplies	3,894,255.00			3,894,255.00	
Pre-Payments	128,877.00			128,877.00	
Total Current & Accrued Assets	\$ 5,937,441.00			\$13,035,699.00	
Deferred Charges	124,606.00			124,606.00	
Capital Stock Exp.	118,662.00	46,000.00		164,662.00	
Unamortized Debt Discount and Exp.	120,198.00	86,600.00 196,212.00		403,010.00	
TOTAL ASSETS	\$43,193,094.00			\$50,620,164.00	

KANSAS-NEBRASKA NATURAL GAS CO., INC.

Balance Sheet, as Adjusted, April 30, 1954  
(Continued)

	Amount	Adjustments		Amount	% to Total Capital Structure
		Dr.	Cr.		
<b>LIABILITIES</b>					
Capital Stock Issued					
Common, 850,909 shares	\$ 4,254,545.00		\$ 425,450.00	\$ 4,679,995.00	10.39%
Preferred, 75,000 shares	7,500,000.00		1,000,000.00	8,500,000.00	18.88
Total Capital Stock out- standing	\$11,754,545.00			\$13,179,995.00	29.27
Surplus					
Capital Surplus	\$ 4,591,919.00	\$ 30,000.00	\$1,531,620.00	\$ 6,093,539.00	13.53
Earned Surplus	2,703,171.00			2,703,171.00	6.01
Total Surplus	\$ 7,295,090.00			\$ 8,796,710.00	19.54
Total Equity	\$19,049,635.00			\$21,976,705.00	48.81
Long Term Debt Outstanding					
First Mortgage Sinking Fund Bonds	\$12,122,163.00			\$12,122,163.00	26.92
Debentures-- Unsecured	6,425,000.00	4,500,000.00	9,000,000.00	10,925,000.00	24.65
Total Long Term Debt Outstanding	\$18,547,163.00			\$23,047,163.00	51.19%
Total Capital Structure	\$37,596,798.00			\$45,023,868.00	100.00%
Current Liabilities					
Various	\$ 4,623,472.00			\$ 4,623,472.00	
Reserves-- Miscellaneous	\$ 320,796.00			\$ 320,796.00	
Other Liabilities & Credits -- Various	\$ 652,028.00			\$ 652,028.00	
TOTAL LIABILITIES	\$43,193,094.00			\$50,620,164.00	

F I N D I N G S

After careful consideration of the evidence adduced and upon all the files, records, and proceedings herein, the Commission is of the opinion, and finds, as follows:

1. That the applicant, Kansas-Nebraska Natural Gas Company, Inc., a Kansas Corporation, is a public utility, as defined by Section 3, Chapter 137, 1935 Colorado Statutes Annotated, as amended.

2. That the Commission has jurisdiction over and with respect to



the applicant and the issuance of the debentures proposed to be issued, and is fully advised in the premises.

3. That the proposed issue and sale by the applicant of \$9,000,000.00 principal amount of Sinking Fund Debentures, as hereinabove set forth, and the purposes for which said debentures are to be issued, to-wit: for the construction, completion, extension, and improvement of facilities, and for the lawful refunding of the presently-outstanding short-term obligations of the Company, and of \$4,500,000.00 of 4-3/4% Series Due 1973 Sinking Fund Debentures of applicant, are consistent with and permitted by the provisions of Chapter 137, 1935 Colorado Statutes Annotated, as amended, and are consistent with the public interest, and that the order sought for the issuance and sale of the Sinking Fund Debentures should issue, and should be made effective forthwith.

4. That the foregoing Statement is made a part of these Findings herein, and by reference is incorporated in these Findings.

#### O R D E R

##### THE COMMISSION ORDERS:

To the full extent that its authority is required by the laws of the State of Colorado:

1. That Kansas-Nebraska Natural Gas Company, Inc., be, and it hereby is, authorized and empowered to issue \$9,000,000.00 principal amount of Sinking Fund Debentures, 3-5/8% Series Due 1974, as authorized by the Indenture dated February 1, 1948, and the Supplemental Indenture dated May 1, 1954, to the Continental Illinois National Bank and Trust Company of Chicago, Chicago, Illinois, as Trustee, hereinabove described, and to sell such Sinking Fund Debentures for a sum equal to the principal amount of the debentures, plus accrued interest thereon from May 1, 1954 to date of delivery.

2. That applicant be, and it is hereby, authorized to use and apply the proceeds derived from the issuance and sale of the \$9,000,000.00 principal amount of said Sinking Fund Debentures for the construction, completion, extension, and improvement of the facilities of the applicant, and

for the lawful refunding of \$4,500,000.00 of 4-3/4% Series Due 1973 Sinking Fund Debentures of applicant, together with presently-outstanding short-term obligations of the applicant, and it is further

ORDERED, That the applicant is hereby authorized to take such steps, actions, and proceedings as may, in conformity with applicable laws and regulations, be necessary, incidental, or appropriate to the full accomplishment of the transaction, and each of them, hereinabove authorized, and it is further

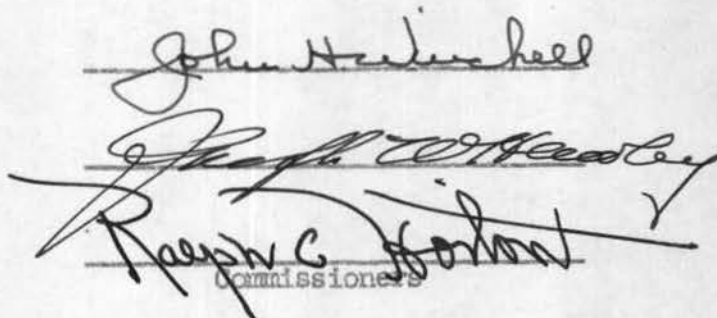
ORDERED, That within ninety (90) days from and after the completion and consummation of the transactions proposed, the applicant shall file its report with this Commission showing consummation of such transactions, and it is further

ORDERED, That each security issued by the applicant, as proposed, shall bear a distinguishing number which may consist of "Colo. Pub. Util. Comm. No. \_\_\_\_\_," and it is further

ORDERED, That nothing herein contained shall be construed to imply any recommendation or guarantee or any obligation with respect to said securities on the part of the State of Colorado, and it is further

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 28th day of June, 1954.

nw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
WILFORD M. KERR, SR., WILFORD M. )	
KERR, JR., AND WILMA F. KERR, DOING )	<u>APPLICATION NO. 12924-PP-Extension</u>
BUSINESS AS "KERR TRUCK CO.," CAMEO, )	
COLORADO, FOR AUTHORITY TO EXTEND )	
PERMIT NO. B-4373. )	
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-----  
June 29, 1954  
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Appearances: Wilford M. Kerr, Jr., Cameo,  
Colorado, for applicants.

S T A T E M E N T

By the Commission:

On February 2, 1954, Wilford M. Kerr, Sr., Wilford M. Kerr, Jr., and Wilma F. Kerr, doing business as "Kerr Truck Co.," Cameo, Colorado, filed the instant application to extend Permit No. B-4373 to include the transportation of mine and mill supplies from the Climax Uranium Company in Grand Junction to their mines in the Monogram Ridge Area, which is located about eleven miles southwest of Naturita, Colorado.

The above matter was regularly set for hearing, and heard, at the Court House, in Grand Junction, Colorado, on June 9, 1954, and, at the conclusion of the hearing, the matter was taken under advisement.

It appears that under their present permit, applicants are authorized to transport uranium and vanadium ore, uranium and vanadium concentrates between points within a radius of 100 miles of Cameo, Colorado, including the Towns of Naturita, Uravan, Paradox, Gateway, Uncompaghere Plateau, Whitewater, Grand Junction, and Rifle, Colorado. Further, they have the authority for the transportation of sand, gravel and other road-surfacing materials from pits and supply points in the State of Colorado to road and building construction jobs located within a radius of 50 miles

of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties.

It appears from the testimony of applicant Wilford M. Kerr, Jr., that he has been hauling uranium ores for the Climax Uranium Company with headquarters at Grand Junction. This company now desires, on the return haul from the mines, to transport mine and mill supplies from their headquarters at Grand Junction to their mines in the Monogram Ridge area located about eleven miles southwest of Naturita, Colorado.

Bob Preuss, Superintendent of Production for Climax Uranium Company at Grand Junction, stated they are presently using applicant's service for the transportation of concentrates and uranium ore; that on many occasions they need deliveries of certain supplies to their mines, and that on very short notice; that they would like to use the service of applicant herein so that he may be permitted to haul these supplies on his back haul to the mines.

We cannot see from the evidence before us where the granting of this extension would in any way impair the service of common carriers, and it further appears that said service is needed by the Climax Uranium Company and said extension should be granted.

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

##### THE COMMISSION FINDS:

That the instant application for extension should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Wilford M. Kerr, Sr., Wilford M. Kerr, Jr., and Wilma F. Kerr, doing business as "Kerr Truck Co.," Cameo, Colorado, be, and they hereby are, authorized to extend operations under their Permit No. B-4373 to include the transportation of mine and mill supplies from the Climax Uranium Company in Grand Junction to their mines in the Monogram Ridge area, which is located about 11 miles southwest of Naturita, Colorado.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,  
this 29th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
W. M. THOMPSON, 1312 HIGHLAND )  
AVENUE, PUEBLO, COLORADO, FOR A CER- )  
TIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY. )

APPLICATION NO. 12754  
SUPPLEMENTAL ORDER

-----  
June 29, 1954  
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Appearances: Matt J. Kikel, Esq., Pueblo,  
Colorado, for applicant.

S T A T E M E N T

By the Commission:

On March 3, 1954, by Decision No. 42140, the above-styled applicant was granted a certificate of public convenience and necessity, for the transportation, among other things, 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 Pueblo County only, and for the transportation of sand, gravel, dirt, stone and refuse from and to building construction jobs, to and from points within Pueblo County, only."

The Commission is now in receipt of a communication from W. M. Thompson, applicant herein, wherein he requests that said authority be restricted to service in Pueblo County, only.

F I N D I N G S

THE COMMISSION FINDS:

That operating rights granted by Decision No. 42140, of date March 3, 1954, should be restricted, as requested by applicant.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 42140, of date March 3, 1954, should be, and hereby is, amended, nunc pro tunc, as of said 3rd day of March, 1954, by

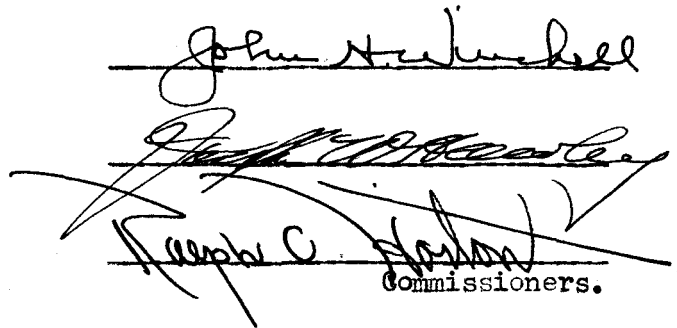


striking therefrom the third paragraph of the Order contained in said Decision No. 42140, and inserting in lieu thereof, the following:

"That public convenience and necessity require the proposed common carrier motor vehicle call and demand service of applicant, 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 Pueblo County, Colorado, to road jobs within Pueblo County, only, and for the transportation of sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within Pueblo County, only, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor."

That, except as herein amended, said Decision No. 42140 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 29th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
KENNETH A. SANDERS, 622 WEST 15TH )  
STREET, PUEBLO, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUC NO. 2785 ) APPLICATION NO. 12962-Transfer  
TO EUIL L. HIGGINS, ROUTE 2, BOX )  
625, PUEBLO, COLORADO. )  
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June 29, 1954  
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Appearances: Franklin R. Stewart, Esq.,  
Pueblo, Colorado, for  
applicants.

S T A T E M E N T

By the Commission:

By Decision No. 41695, of date December 11, 1953, Kenneth A. Sanders, Pueblo, Colorado, was granted a certificate of public convenience and necessity to operate as a common carrier, on call and demand, for the transportation of:

frame buildings between points in the County  
of Pueblo, Colorado,

said operating rights being designated "PUC No. 2785."

By the instant application, said certificate-holder seeks authority to transfer said PUC No. 2785 to Euil L. Higgins, Pueblo, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said certificate; that transferee, pecuniarily and otherwise, is qualified and able to carry on the operation, and it does not appear that any useful purpose would be served by setting said application for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission

determined to hear, and has heard, said 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 Kenneth A. Sanders, Pueblo, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 2785 — being the operating rights granted by Decision No. 41695 — to Buil L. Higgins, Pueblo, 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, 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 transferees herein.

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

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 T. O'Shea  
Ralph C. Hinton  
Commissioners.

Dated at Denver, Colorado,  
this 29th day of June, 1954.

mls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF  
EVEREADY FREIGHT SERVICE, INC.,  
BUENA VISTA, COLORADO.

CASE NO. 5073

June 29, 1954

Appearances: William T. Secor, Esq., Denver,  
Colorado, Assistant Attorney  
General of the State of Colo-  
rado, for the staff of the  
Commission;  
J. M. Boyle, Esq., Salida, Colo-  
rado, for Eveready Freight  
Service, Inc.;  
T. A. White, Esq., Denver, Colo-  
rado, for Rio Grande Motor  
Way, Inc.

S T A T E M E N T

By the Commission:

Eveready Freight Service, Inc., Respondent herein, is the owner  
of FUC No. 486, which was originally issued on July 29, 1930, wherein the  
following authority was granted, to-wit:

"Transportation of freight in the town of Buena  
Vista and in Chaffee County and for occasional  
service throughout the State of Colorado and in  
each of the counties thereof, subject to the  
following conditions:

- "(a) For the transportation of commodities other  
than household goods between points served  
singly or in combination by scheduled rail and  
motor vehicle carriers, the applicant shall  
charge rates which shall be at least twenty  
percent (20%) in excess in all cases than those  
charged by the scheduled carriers;
- "(b) The applicants shall not operate on schedule  
between any points;
- "(c) The applicants shall not be permitted with-  
out further authority from the Commission to  
establish a branch office or to have any agent  
employed in any other town or city than Buena

Vista for the purpose of developing business.

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

On May 12, 1954, the Enforcement Division of the Commission, by Louis J. Carter, Supervisor, reported to the Commission that the Eveready Freight Service, Inc., operating under FUC No. 486, is now engaged in the transportation of:

cement between Portland, Colorado, and Climax, Colorado, for the Climax Molybdenum Company,

and further reports that said Eveready Freight Service has also, for some time past, been engaged in the transportation of:

gasoline between Dupont, Colorado, and Salida, Colorado, for the Keeling Oil Company.

In his report to the Commission, Mr. Carter contends that all of the above transportation is over and beyond the authority granted under said FUC No. 486, and is all contrary to the provisions of Rule No. 6 of the Rules and Regulations Governing Common Carriers heretofore promulgated, adopted, and approved by this Commission.

As a result of said Complaint, the Commission, on March 18, 1954, by Decision No. 42241, issued its Order to Show Cause and Notice of Hearing to Eveready Freight Service, Inc., Buena Vista, Colorado, and ordered that an investigation be had concerning the operations of Eveready Freight Service, Inc., and that said Respondent be required to show cause, on or before the 20th day of April, 1954, why an order should not be entered, revoking FUC No. 486, on account of violations complained of.

To this Order to Show Cause, Respondent, Eveready Freight Service, Inc., filed its Answer on May 13, 1954, wherein it admitted the transportation of cement for the Climax Molybdenum Company, from Portland, Colorado, to Climax, Colorado, and also admitted the transportation of gasoline from the Wyo-Colo Pipe Line, at or near Dupont, Colorado, to the Keeling Oil



Company, at Salida, Colorado, but by its Answer, Respondent contends that said transportation is authorized under its certificate of public convenience and necessity, and that it entered upon said hauling program in good faith and in reliance upon the belief that the authority under PUC No. 486 included said hauling.

The instant case was originally set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, May 17, 1954, at 10:00 o'clock A. M., but was continued, at the request of Attorney for Respondent, to 10:30 o'clock A. M., May 20, 1954, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, at which time and place the above case was heard and taken under advisement.

At the hearing held on the above date, it appeared that PUC No. 486 was originally issued to H. D. Flowers and W. E. Turner, on July 29, 1930, and after several conveyances, was eventually transferred to Eveready Freight Service, Inc., a Colorado corporation, Respondent herein. It further appeared that Shirley Avery is the President of said corporation, and is its Acting Manager.

The evidence is clear and convincing that the Respondent has been making the hauls complained of -- that is, the cement haul from Portland, Colorado, to Climax, Colorado, and gasoline, or petroleum products, from Dupont, Colorado, to Salida, Colorado. The exact nature of the contracts is not quite clear, but it appears, and is not contradicted by Respondent, that the hauls are in the nature of regular hauls, whereby the Climax Molybdenum Company is regularly supplied with bulk cement, and it appears that a load of 36,000 pounds has been transported approximately every-other day for the past several weeks, and may continue, if said service is satisfactory, for several years.

The gasoline, or petroleum products, haul is in the nature of a regular and continuous haul for the past year.

After a careful study of the record and the evidence submitted at the hearing, it does not appear that there is any substantial factual

difference between the evidence of the officers of the Enforcement Division of the Commission and of the Respondent herein.

X The basic question the Commission is called upon to determine in the instant matter is: "Does Respondent, under its authority as granted by this Commission, have authority to offer and perform the cement haul from Portland, Colorado, to Climax, Colorado, for the Climax Molybdenum Company, and the gasoline haul for the Keeling Oil Company, from Dupont, Colorado, to Salida, Colorado?"

In answering the above question, we must consider and analyze the authority now held by the Respondent corporation. During the Years of 1929 and 1930, the Commission granted some thirty certificates of public convenience and necessity, in which PUC No. 486 was included. It appears from the records on file with the Commission that the certificates were granted under the Grandfather Theory. In other words, there were located in many of the cities and towns of Colorado, general cartage and transfer businesses who, for many years, had been taking care of the local hauling business. After passage of the Motor Carrier Act, and after decisions of the Court had determined that these carriers were public utilities, the Commission attempted to give these carriers certificates of public convenience and necessity covering the service they then offered to the public. The exact wording of the certificate is somewhat peculiar and hard to understand, in the light of present-day conditions. On July 29, 1930, the Commission granted authority designated as "PUC No. 486," which included the following, to-wit:

"Transportation of freight in the Town of Buena Vista and in Chaffee County and for occasional service throughout the State of Colorado and in each of the counties thereof, subject to the following conditions:

" \*\*\*\*\*

"(d) Jurisdiction of the application herein shall be and the same is hereby retained to the end that if and as occasion may arise, appropriate orders may be made to prevent improper encroachment by the applicants upon the field of business occupied by the scheduled carriers, and at the same time allow the ap-

plicants reasonable latitude in the carrying on of its business as it may develop in the future."

In placing an interpretation upon the above grant of authority, let us briefly examine and discuss the authority granted.

First, authority was granted for the transportation of:

"Freight in the Town of Buena Vista and the County of Chaffee."

The records, in the judgment of the Commission, indicate that the principal transportation business of Respondent's predecessors was conducting a general cartage business in Buena Vista and Chaffee County. The record further indicates, in our judgment, that on occasions they had performed infrequent service outside of Chaffee County. The Commission apparently recognized this occasional or infrequent service, and awarded them:

"occasional service throughout the State of Colorado and each of the Counties thereof."

It therefore now appears that the above service complained of must, of necessity, be offered by Respondent under "occasional service."

The further question now confronting the Commission is: "What was meant by 'occasional service.'"

Webster's new Collegiate Dictionary, Second Edition, defined "occasional" as follows:

"recurring now and then, casual, incidental; also infrequent."

For the purpose of answering these questions, let us consider first the bulk cement haul from Portland, Colorado, to Climax, Colorado, made by Respondent. Eveready Freight Service, Inc., in its ton-mile tax report for the Month of March, 1954 to the Commission, discloses the following cement hauls made from Portland to Climax:

"From Portland to Climax -- Miles, 143.

"1954		
March	1	69,140 lbs.
"	2	106,390 "
"	8	42,070 "
"	9	42,200 "
"	11	42,490 "
"	15	41,600 "
"	16	42,860 "
"	18	41,350 "



"1954		
March	22	42,100 lbs.
"	24	42,000 "
"	25	42,100 "
"	26	41,970 "
"	27	42,210 "
"	30	41,810 "

This would be a typical month for the cement haul between Portland and Climax, as we interpret the evidence. During the Month of March, 1954, movements of freight were made on fourteen separate and distinct days, totalling 680,290 pounds of freight. This did not originate or terminate in Buena Vista or Chaffee County. The movement was between points outside and independent of Chaffee County. If we say that this type of service comes within the "occasional service," we then say that Respondent has an all-inclusive authority within and between all the Counties of the State of Colorado. It does not appear to us as a reasonable construction that the then Commission intended to authorize this service. If said broad interpretation is made, it would tend to destroy that which the Legislature intended by the passage of the Motor Carrier Acts to regulate competition. We would, by said interpretation, place thirty carriers running wild over the State of Colorado, with no practical restrictions. It is apparent that the Commission, in our judgment, attempted to limit this authority by restricting it to "occasional service," and that in the well-accepted meaning of the term, meaning "occasional" as defined by Webster.

In considering the gasoline haul, we find that that also is a regular haul for the Month of March, 1954, and the ton-mile tax report for that month discloses the following:

"From Denver to Salida -- Miles, 140

"1954		
March	4	30,000 lbs.
"	5	30,000 "
"	8	30,000 "
"	9	30,000 "
"	22	30,000 "
"	23	30,000 "
"	24	30,000 "

We have picked this as a typical month for the gasoline haul from Dupont to Salida, for the Keeling Oil Company. We find, during the

Month of March, seven hauls were made, or a total of 210,000 pounds. This transportation, if authorized, is also under "occasional service."

This particular question -- that is, the oil haul -- is more difficult to answer. In the first place, we only have seven hauls for the Month of March, and while the pattern is regular, the destination of the shipments is Chaffee County, the home or base county of the certificate. The Commission, in its original order, recognized that the function of this certificate was to serve Buena Vista and Chaffee County, and so provided in the Order:

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

We feel that the Commission, by its original grant of authority, intended to offer a complete common carrier motor vehicle service for Chaffee County, as that was the home and base county of the applicants, and in the words of the Order, we should allow reasonable latitude in the carrying on of its business as it may develop in the future.

In considering the above interpretation of this authority, we should be ever mindful of the needs of the general public. Chaffee County is entitled to, and needs, a locally-domiciled carrier, with broad authority to take care of its needs. It is our best judgment that the then Commission was cognizant of that need, and attempted to give to the public of Chaffee County that service, while on the other hand, the granting of unlimited rover authority would not be in the public interest, because this authority, if so construed, could raid the territory of locally-domiciled certificated carriers.

The Commission, in our judgment, took care of that situation by restricting said authority to "occasional service."

The question was raised at the hearing as to the Commission's

authority to construe certificates of public convenience and necessity. We are of the opinion that we not only have authority to construe and interpret certificates, but that it is our duty so to do.

Motion was made by Respondent that this complaint be dismissed and quashed for failure to sustain the burden of proof, as set out in the Show Cause Order. This motion is denied.

In conclusion, we do not believe that the acts of Respondent were willful evasions of the rules and regulations of this Commission. In fact, we feel there is some merit to Respondent's contention, and we are in accordance partially with his views, as they pertain to the gasoline haul; while, on the other hand, we feel he has clearly and definitely no right to render the service he is now giving the Climax Molybdenum Company in its cement haul from Portland to Climax, Colorado.

### F I N D I N G S

#### THE COMMISSION FINDS:

1. That the Eveready Freight Service, Inc., has violated its authority granted it under FUC No. 486, by transporting bulk cement under its present contract from the Ideal Cement Plant, at Portland, Colorado, to the mines and property of Climax Molybdenum Company, at Climax, Colorado, for the reasons heretofore set forth in the preceding Statement, which, by reference, is made a part of these Findings.
2. That in all other respects, the Complaint should be dismissed.
3. For the reasons enumerated above, we are not inclined to revoke Respondent's certificate, but feel that it should be given an opportunity to correct its operation.

### O R D E R

#### THE COMMISSION ORDERS:


1. That Respondent, Eveready Freight Service, Inc., should be, and it hereby is, ordered to cease and desist its present operation of hauling bulk cement between Portland, Colorado, and Climax, Colorado, for the Climax Molybdenum Company.
2. That as to the gasoline haul between Dumont, Colorado, and



Salida, Colorado, for the Keeling Oil Company, the complaint should be,  
and the same is hereby, dismissed.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
John H. Linschell  
John H. Linschell  
Ralph C. Glendon  
Commissioners

Dated at Denver, Colorado,  
this 29th day of June, 1954.

HW

Original

(Decision No. 42852)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: PRESCRIBED RATES TO COVER )  
THE OPERATION OF WALTER STORZ )  
AND BERTHA J. STORZ, GREELEY, )  
COLORADO. )  
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CASE NO. 1585

-----  
June 29, 1954  
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S T A T E M E N T

By the Commission:

On August 25, 1948, Decision No. 31072, the Commission issued its order authorizing Floyd Schneider, Greeley, Colorado to operate as a Class "B" private carrier as follows:

"Transportation of merchandise between the stores and warehouses of Montgomery Ward and Company within the City of Greeley, Colorado, and between said stores and warehouses on the one hand, and on the other, points and places within a radius of twenty-five miles of Greeley, Colorado."

The statement of the Commission under the above referred to decision, sets forth, among other things the following:

"Mr. Lafferty, testifying in opposition, among other things, stated in response to question as to the effect the proposed operation would have on his common carrier service that, 'We still would have plenty business', and probably would not have any detrimental effect, because, 'We have so much business now that we are running around trying to keep up', and are 'Paying over-time'."

"Inasmuch as it was conceded that Lafferty's common carrier service is adequate, we could not grant the authority here sought, if it had not also appeared from the testimony of Mr. Lafferty that, 'the proposed operation of applicant will not impair the efficient public service' of Lafferty."

In view of Mr. Lafferty's testimony, the application must be granted."

On December 17, 1948, Decision No. 31713, the Commission entered its further order authorizing the following extension in the above permit:

"Merchandise between the stores and warehouses of Montgomery Ward and Company within the City of Greeley, Colorado, and between said stores and warehouses on the one hand, and, on the other, points and places within a radius of fifty (50) miles of Greeley, Colorado, with return of new and used merchandise to said stores and warehouses in Greeley, Colorado."

The statement of the Commission under this further decision sets forth, among other things the following:

"A. B. Statt, of Montgomery Ward and Company Store at Greeley, Colorado, appeared and testified that his stores need the services of the applicant in the extended territory, and that the service of common carriers do not adequately take care of their needs.

"No testimony was introduced on behalf of protestants.

"The evidence did not disclose, nor did it appear, that the proposed extended operation of applicant will tend to impair the efficiency of any motor vehicle common carrier service with which applicant will compete."

Inasmuch as the Commission has stated in both of its decisions herein, that the operation and service of the applicant would not tend to impair the efficiency of any motor vehicle common carrier service, and further, that the service of the applicant is specialized for the need and convenience of one customer only, viz: Montgomery Ward and Company. Therefore it appears to the Commission that its prescribed rates and rules should not be applicable to this operation.

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

##### THE COMMISSION FINDS:

That, the prescribed rates and rules in Case No. 1585 should not apply to this operation.

#### O R D E R

##### THE COMMISSION ORDERS, That:

- 1 - This order shall become effective forthwith.
- 2 - The rates, rules and regulations prescribed by the Commission in Case No. 1585 on February 5, 1936, as since amended, shall not apply to the private carrier by motor vehicle operation of Walter and Bertha J. Storz, 1524 - 9th Street, Greeley, Colorado (B-3908) who is serving exclusively Montgomery Ward and Company.
- 3 - Jurisdiction is retained to make such further order as may be just and reasonable.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Wheeler*  
*Frank J. Storz*  
*Joseph C. Storz*  
Commissioners

Dated at Denver, Colorado  
this 29th day of June, 1954.

original

(Decision No. 42853)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
W. L. FULLER, DOING BUSINESS AS )  
"COLORADO SCENIC TOURS," 716 PASEO )  
STREET, COLORADO SPRINGS, COLORADO, )  
FOR AUTHORITY TO TRANSFER PUC NO. )  
106 TO J. O. MORGAN AND DOROTHY M. )  
MORGAN, CO-PARTNERS, DOING BUSINESS )  
AS "MORGAN MOTOR TOURS," 472 EL )  
PASO BOULEVARD, MANITOU SPRINGS, )  
COLORADO. )

APPLICATION NO. 12964-Transfer

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June 29, 1954  
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Appearances: Weldon M. Tarter, Esq., Colo-  
rado Springs, Colorado, for  
applicants.

S T A T E M E N T

By the Commission:

By the instant application, W. L. Fuller, doing business as  
"Colorado Scenic Tours," Colorado Springs, Colorado, owner and operator  
of PUC No. 106, seeks authority to transfer said operating rights to J.  
O. Morgan and Dorothy M. Morgan, co-partners, doing business as "Morgan  
Motor Tours," said PUC No. 106 being the right to operate as a common  
carrier by motor vehicle, for the transportation of:

Passengers in sightseeing service from Colorado  
Springs to points in the Pikes Peak Region,  
round-trip operations, only, limited to one car;  
one-way operations from Colorado Springs to the  
summit of Pikes Peak, or from the summit of  
Pikes Peak to Colorado Springs, on conjunction  
with the Manitou & Pikes Peak Railway Company;

transportation of passengers from Colorado Springs  
to the various scenic attractions in the Pikes  
Peak Region, subject to the following terms and  
conditions:

(a) that all sightseeing and tourist operations  
by applicant shall be limited to round-trip oper-  
ations, originating and terminating at the point  
of origin of the service;



(b) that no one-way transportation of passengers is permitted to any points in the Pikes Peak Region;

(c) that the quantity of equipment to be used in this operation is two automobiles;

auto livery service between all points in the Pikes Peak Sightseeing Region, and from and to said points, to and from other points in the State of Colorado, subject to the following restrictions:

(a) service to be furnished in passenger cars only of the type used in sightseeing service;

(b) all operations conducted on prescribed rates, to-wit: 15¢ per mile for all trips over 10 one-way miles for 3 passengers or less; 20¢ per mile for 4 passengers; 25¢ per mile for 5 passengers; 30¢ per mile for 6 passengers; and 35¢ per mile for 7 or more. For trips 10 one-way miles or under this rate shall be 20¢ per mile, without regard to whether 1 or 5 passengers are carried; all rates based on round-trip mileage, and where waiting time of over ten minutes is involved, the charge shall be \$10.00 per hour, or a portion thereof, or fraction of an hour for the full waiting period;

(c) auto livery service shall not be advertised outside the County of El Paso by means of literature or other written or printed advertising.

Limited to three cars in all of the above service.

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

## F I N D I N G S

### THE COMMISSION FINDS:

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

## O R D E R

### THE COMMISSION ORDERS:

That W. L. Fuller, doing business as "Colorado Scenic Tours," Colorado Springs, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 106 -- being the operating rights set forth in the preceding Statement, which, by reference, is made a part hereof -- to J. O. Morgan and Dorothy M. Morgan, co-partners, doing business as "Morgan Motor Tours," Manitou Springs, 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 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 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 transferees until changed according to law and the rules and regulations of this Commission.

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


That passenger-mile tax deposit of transferor shall be transferred



and credited to account of transferees herein.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
John H. Hinchell

Joseph W. Hensley

Ralph C. Horton  
Commissioners.

Dated at Denver, Colorado,  
this 29th day of June, 1954.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JACK BYRD AND GLEN BYRD, MT. DORA, )  
NEW MEXICO, FOR AUTHORITY TO TRANS- )  
FER INTERSTATE OPERATING RIGHTS TO )  
GLEN BYRD, MT. DORA, NEW MEXICO. )  
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PUC NO. 2426-I-Transfer

-----  
June 29, 1954  
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S T A T E M E N T

By the Commission:

Heretofore, Jack Byrd and Glen Byrd, co-partners, Mt. Dora, New Mexico, 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. 2426-I issued to them.

Said certificate-holders now seek authority to transfer said operating rights to Glen Byrd, said Jack Byrd 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 the proposed transfer is compatible with the public interest, and should be authorized.

O R D E R

THE COMMISSION ORDERS:

That Jack Byrd and Glen Byrd, co-partners, Mt. Dora, New Mexico, should be, and they hereby are, authorized to transfer all their right, title and interest in and to PUC No. 2426-I to Glen Byrd, Mt. Dora, New Mexico, said Jack Byrd 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

John H. H. H. H.

Joseph C. Keweenaw

~~Harph C. Johnson~~  
Commissioners.

Dated at Denver, Colorado,  
this 29th day of June, 1954.

mls