

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JAMES T. WOODLEY, DOING BUSINESS AS)	
"WOODLEY'S EXPRESS & LIGHT HAULING,")	
880 KNOX COURT, DENVER, COLORADO,)	
FOR AUTHORITY TO TRANSFER PUC NO.)	APPLICATION NO. 15667-Transfer
3454 TO CARL F. YODER, DOING BUSI-)	
NESS AS "CARL'S EXPRESS & LIGHT)	
HAULING," 1521 MARION STREET, DENVER,)	
COLORADO.)	
-----)	

September 3, 1957

Appearances: Carl F. Yoder, Denver,
Colorado, pro se.

S T A T E M E N T

By the Commission:

James T. Woodley, doing business as "Woodley's Express
& Light Hauling," 880 Knox Court, Denver, Colorado, is the owner
and operator of PUC No. 3454, authorizing:

Transportation of general commodities between
points within the City and County of Denver,
State of Colorado, subject to the following
restrictions:

equipment to be used in the conduct of the
operation herein authorized shall consist of
one one-half-ton truck, and no single item
weighing more than three hundred pounds may
be transported.

By the instant application filed July 15, 1957, said
James T. Woodley seeks authority to transfer said operating rights
to Carl F. Yoder, doing business as "Carl's Express & Light Hauling,"
1521 Marion Street, Denver, Colorado.

Said application, pursuant to prior setting, after appro-
priate notice to all interested parties, was heard at 330 State
Office Building, Denver, Colorado, August 23, 1957, and at the
conclusion of the evidence, the matter was taken under advisement.

Carl F. Yoder, the transferee herein, appeared at the hearing and testified that the consideration for the transfer of the certificate is the sum of \$895.00, which has been paid. He stated that his net worth is \$35,000, and that he has had experience in the trucking business. Transferor did not appear, and no one appeared in opposition to the granting of the transfer. Transferee appears well qualified to operate hereunder.

No reason appears why the transfer should not be authorized, and an Order will be entered accordingly.

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 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 James T. Woodley, doing business as "Woodley's Express & Light Hauling," Denver, Colorado, should be, and he hereby is, authorized to transfer all his right, title and interest in and to PUC No. 3454 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Carl F. Yoder, doing business as "Carl's Express & Light Hauling," Denver, Colorado, subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days

from the effective date of this Order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission upon proper application.

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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Watson
John P. Thompson
Joseph F. Harris
Commissioners.

Dated at Denver, Colorado,
this 3rd day of September, 1957.

ea

original

(Decision No. 48626)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILLARD PETERSON, BOX 219, CASTLE)
ROCK, COLORADO, FOR AUTHORITY TO) APPLICATION NO. 15669-Transfer
TRANSFER PUC NO. 1134 TO WARREN E.)
GRESHAM, ELBERT, COLORADO.)
-----)

September 3, 1957

Appearances: Willard Peterson, Castle
Rock, Colorado, pro se;
Warren E. Gresham, Elbert,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Willard Peterson, Castle Rock, Colorado, is the owner
and operator of PUC No. 1134, authorizing:

Transportation of milk to Larkspur, Colorado,
from farmers and milk producers residing in
the area described as:

Beginning at the town of Elbert, Colorado,
thence east 12 miles; thence south 5 miles;
thence west to East Cherry Creek, a distance
of approximately 21 miles; thence north along
the east bank of Cherry Creek a distance of
9 miles; thence east a distance of 9 miles;
thence south 4 miles to the point of beginning.

By the instant application, filed July 29, 1957, said
certificate-holder seeks authority to transfer said PUC No. 1134
to Warren E. Gresham, Elbert, Colorado.

Said application, pursuant to prior setting, after
appropriate notice to all interested parties, was heard at 330
State Office Building, Denver, Colorado, August 23, 1957, and at
the conclusion of the evidence, the matter was taken under advise-
ment.

Both transferor and transferee appeared at the hearing
in support of the application, and the testimony disclosed that
the consideration for said transfer is \$3,500.00 cash, which

includes equipment. The evidence further disclosed that transferee's net worth is \$2,600.00, and that he is well qualified by experience and financially to carry on his operations under said certificate.

No one appeared in opposition to the proposed transfer and no reason appears why the same should not be granted. An Order will be entered accordingly.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is hereby made a part of these Findings by reference.

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 Willard Peterson, Box 219, Castle Rock, Colorado, be, and hereby is, authorized to transfer all his right, title and interest in and to PUC No. 1134 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Warren E. Gresham, Elbert, Colorado, subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

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

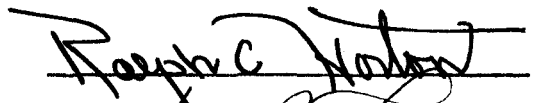


be extended by the Commission upon proper application.

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.

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 September, 1957.

ea

original

(Decision No. 48627)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
LEONARD GUDGEL, DOING BUSINESS AS)	
"RELIABLE RUBBISH REMOVAL," 2078)	
SOUTH WINONA COURT, DENVER, COLORADO,)	
FOR AUTHORITY TO TRANSFER PUC NO.)	APPLICATION NO. 15668-Transfer
3343 TO DONALD L. HENTSCHEL, DOING)	
BUSINESS AS "DENVER CLEANUP SERVICE,")	
1880 SOUTH TENNYSON STREET, DENVER,)	
COLORADO.)	

September 3, 1957

Appearances: Leonard Gudgel, Denver,
Colorado, pro se;
Early & Keller, Esqs.,
Denver, Colorado, for
Transferee.

S T A T E M E N T

By the Commission:

Leonard Gudgel, doing business as "Reliable Rubbish Removal,"
2078 South Winona Court, Denver, Colorado, is the owner and operator of
PUC No. 3343, authorizing:

Transportation of ashes, trash, and other refuse,
between points in the City and County of Denver,
and from points in the City and County of Denver,
to regularly-designated and approved dumps and
disposal places in the Counties of Adams, Arapa-
hoe, and Jefferson, State of Colorado.

By the instant application, filed August 2, 1957, said certi-
ficate-holder seeks authority to transfer said certificate to Donald L.
Hentschel, doing business as "Denver Cleanup Service," 1880 South Tenny-
son Street, Denver, Colorado.

Said application, pursuant to prior setting, after appro-
priate notice to all parties in interest, was heard at 330 State Office
Building, Denver, Colorado, August 23, 1957, and at the conclusion of
the evidence, the matter was taken under advisement.

At the hearing, the evidence disclosed that the consideration for said transfer is \$700.00; that transferee is well qualified by experience and financially to carry on these operations, his net worth being approximately \$9,000.

No one appeared in opposition to said transfer, and transferee's financial responsibility and operating experience being established to the satisfaction of the Commission, it would appear that the transfer should be authorized.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is hereby made a part of these Findings by reference.

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 Leonard Gudgel, doing business as "Reliable Rubbish Removal," 2078 South Winona Court, Denver, Colorado, be, and hereby is, authorized to transfer all his right, title and interest in and to PUC No. 3343 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Donald L. Hentschel, doing business as "Denver Cleanup Service," 1880 South Tennyson Street, Denver, Colorado, subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted, and in the future will comply with the conditions and requirements of this order, to be by them, or

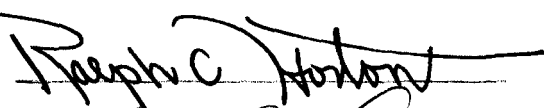


either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of the Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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.

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 September, 1957.

mls

original

(Decision No. 48628)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HUGH W. GRAHAM, DOING BUSINESS AS)
"GRAHAM'S LOST VALLEY RANCH," 4640)
SOUTH DOWNING, ENGLEWOOD, COLORADO,)
FOR AUTHORITY TO TRANSFER PUC NO.) APPLICATION NO. 15670-Transfer
1815 TO RICHARD M. PATTERSON, DOING)
BUSINESS AS "PATTERSON'S LOST VALLEY)
RANCH," BOX 1202, SEDALIA, COLORADO.)

September 3, 1957

Appearances: Richard M. Patterson, Sedalia,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Hugh W. Graham, doing business as "Graham's Lost Valley Ranch," 4640 South Downing, Englewood, Colorado, is the owner and operator of PUC No. 1815, authorizing:

Transportation of guests and their baggage, from Denver and Colorado Springs, Colorado, to his guest ranch, located in Township 10-South, Range 71-West, Jefferson County, Colorado, (said location being about 13 miles south and west of Deckers, Colorado), and return, said service to be limited to guests of said ranch.

By the instant application, filed June 24, 1957, said certificate-holder seeks authority to transfer said PUC No. 1815 to Richard M. Patterson, doing business as "Patterson's Lost Valley Ranch," Box 1202, Sedalia, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at 330 State Office Building, Denver, Colorado, August 23, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Richard Patterson, the transferee herein,

appeared and testified that the consideration for the transfer is the sum of \$15.00, his net worth being \$150,000.

No one appeared in opposition to the transfer of said operating rights, and inasmuch as transferee's operating experience and financial stability were established to the satisfaction of the Commission, it would appear that the transfer should be authorized.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is hereby made a part of these Findings by reference.

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 Hugh W. Graham, doing business as "Graham's Lost Valley Ranch," 4640 South Downing, Englewood, Colorado, should be, and is hereby, authorized to transfer all his right, title and interest in and to PUC No. 1815 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Richard M. Patterson, doing business as "Patterson's Lost Valley Ranch," Box 1202, Sedalia, Colorado, subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted, and in the future will comply with the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of the Order shall automatically revoke the authority herein

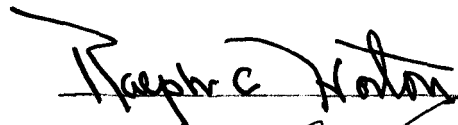

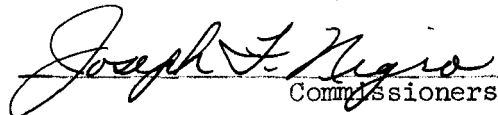
granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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.

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 September, 1957.

mls

Original

(Decision No. 48629)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LEONARD AMATO AND MICHAEL HILBURN,)
CO-PARTNERS, 954 PERRY STREET, DEN-)
VER, COLORADO, FOR AUTHORITY TO) APPLICATION NO. 15671-PP-Transfer
TRANSFER PERMIT NO. B-4996 TO LEONARD)
AMATO, 954 PERRY STREET, DENVER,)
COLORADO.)

September 3, 1957

S T A T E M E N T

By the Commission:

Leonard Amato and Michael Hilburn, co-partners, 954 Perry Street, Denver, Colorado, are the owners and operators of Permit No. B-4996, authorizing:

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, mixer, and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insul-rock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points; coal from mines in the northern Colorado coal fields to Denver; to Valmont Plant of Public Service Company, located near Boulder, Colorado; to Great Western Sugar Company and Kurer-Empson Company plants, within a fifty mile radius of Denver, Colorado, and to Rocky Mountain Arsenal, located northeast of Denver, Colorado.

By the instant application, filed July 12, 1957, said permit-holders seek authority to transfer said operating rights to Leonard Amato, 954 Perry Street, Denver, Colorado, Michael Hilburn, one of

transferors herein, being desirous of withdrawing from said partnership.

The application, pursuant to prior setting, after appropriate notice to all parties in interest, was called up for hearing at 330 State Office Building, Denver, Colorado, on August 23, 1957.

Notwithstanding said notice, applicants did not appear, either in person or by counsel, at the time and place designated for hearing, and no one appeared in opposition to the transfer of said permit.

The files were thereupon made a part of the record and the matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is hereby made a part of these Findings by reference.

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 Leonard Amato and Michael Hilburn, co-partners, 954 Perry Street, Denver, Colorado, be, and hereby are, authorized to transfer all their right, title, and interest in and to Permit No. B-4996 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Leonard Amato, 954 Perry Street, Denver, Colorado, subject to payment of outstanding indebtedness against said permit, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferors and transferee, in writing, have advised the Commission that said permit has been formally assigned and

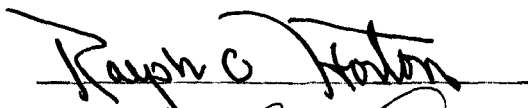
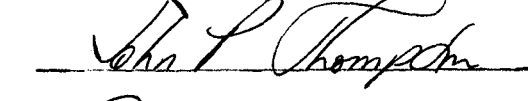
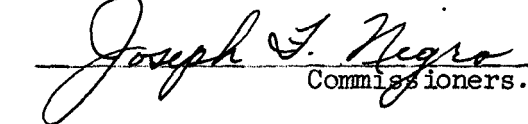
that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of the Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 3rd day of September, 1957.

mls

original

(Decision No. 48630)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HIGHLINE ELECTRIC ASSOCIATION, A)
CORPORATION, HOLYOKE, COLORADO, FOR)
AN ORDER APPROVING THE ISSUANCE OF) APPLICATION NO. 15612-Securities
SECURITIES AND FOR AN ORDER AUTHOR-)
IZING THE ISSUANCE OF THE SECURITIES)
AND THE APPLICATION OF THE PROCEEDS)
THEREFROM TO CERTAIN LAWFUL PURPOSES.)

September 3, 1957

Appearances: Arnold and Ross, Esqs.,
Sterling, Colorado, by
Baxter W. Arnold, Esq.,
for Applicant;
J. M. McNulty, Denver,
Colorado,
P. M. Brown, Denver, Colo-
rado, and
E. R. Thompson, Denver,
Colorado, for the Commis-
sion.

S T A T E M E N T

By the Commission:

By the instant application, Highline Electric Association seeks authority from this Commission to execute an amendment to amending loan contract, dated as of May 20, 1957, and a mortgage note in the amount of \$1,520,000 dated May 21, 1957, insofar as such agree-ments pertain to certain properties acquired by Highline Electric Association from the Sedgwick County Electric Company; and to use the proceeds therefrom for the purpose of improving electric facilities in that part of the system so acquired.

Applicant acquired lines from Maynard E. Isaacson and Georgia W. Isaacson, doing business as the Sedgwick County Electric Company, by Deed and Bill of Sale dated May 22, 1943, and recorded on May 26, 1943, in Book 81, Page 174, of the records of the Sedgwick

County Clerk and Recorder, Julesburg, Colorado. The transfer from the Sedgwick County Electric Company to the Highline Electric Association was authorized by this Commission, by Decision No. 20742, on April 7, 1943, relative to Applications Nos. 765-AA and 799-AA.

The matter was set for hearing, after due notice to all interested parties, on Wednesday, August 21, 1957, at 11:00 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.

No protests were filed with the Commission in regard to this matter and no one appeared at the hearing in opposition to the granting of the authority sought.

Applicant is engaged in the business of purchasing, generating, accumulating and acquiring electric energy, transmitting, distributing, furnishing and selling electricity to its member and non-member consumers on lines purchased from a public utility corporation in the County of Sedgwick, State of Colorado. In addition to the acquired properties, the Applicant owns and operates additional distribution and transmission lines and facilities in the State of Colorado and Nebraska which are not under the Commission's jurisdiction.

Principal office of the Applicant is located in the County of Sedgwick, Holyoke, Colorado.

For the purpose of furnishing electric energy to persons not receiving central station electric service; and for the purpose of improving and rebuilding its distribution lines, the Applicant has entered into a loan negotiation with the United States of America, acting through the Administrator of the Rural Electrification Administration.

Testimony at the hearing revealed that Applicant desires to improve its entire system, including improvements, additions and betterments to some extent within the territorial area of the acquired proper-

ties.

Of the \$1,520,000 loan, approximately one eighth (1/8) or \$190,000 will be used for the improvement and extension of electric facilities within the certificated areas, namely, the towns of Ovid and Sedgwick, Colorado, and along acquired transmission lines and in the contiguous territory.

Exhibit A was introduced into evidence at the hearing and consisted of an amending loan contract designated as "Colorado 29T Phillips" Amendment, dated as of May 20, 1957, to Amending Loan Contract, dated as of May 8, 1952, as amended, between Highline Electric Association and United States of America and is hereby incorporated in this Statement by reference. This amending loan contract provides for increasing the aggregate amount of the loan by an amount not in excess of \$1,520,000 and limits loans to not in excess of \$5,967,000. Also introduced at the hearing was a mortgage note, identified as "Colorado 29T Phillips" Mortgage Note, made by Highline Electric Association to United States of America, dated May 21, 1957, and is hereby incorporated in this Statement by reference. This mortgage note provides for the payment of \$1,520,000 in repaying of a loan for the same principal amount at interest at two (2) per centum per annum and for a period of 35 years.

The Applicant introduced, as Exhibit C, the Association's monthly financial and statistical report consisting mainly of the statement of operations for last year and this year to date, the balance sheet as of June 30, 1957, and certain operating statistics. The Applicant's witness testified that the interest and principal payments due are paid up to date. Applicant's financial statement indicated that it is in a satisfactory earnings and cash position.

Through its Attorney, Applicant agreed to file with this Commission, as a late filed exhibit, a conformed copy of its executed mortgage.

F I N D I N G S

THE COMMISSION FINDS:

That this Commission has jurisdiction of the lines of Highline Electric Association in the acquired properties as to the subject matter of the instant application, as defined in 115-1-4, Colorado Revised Statutes, 1953.

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 Highline Electric Association, of the agreement, Exhibit A, entitled "Colorado 29T Phillips" Amendment, dated May 20, 1957, to the Amending Loan Contract, dated as of May 8, 1952, should be authorized and approved.

That the issuance of the mortgage note entitled "Colorado 29T Phillips" Mortgage Note, made by Highline Electric Association to United States of America, dated May 21, 1957, should be authorized and approved.

That the above authorization relates to that portion of the above transactions which have to do with the Applicant's expenditures of borrowed money within the area of the acquired properties.

That within one hundred and twenty (120) days after the date hereof, or date of the execution of the documents referred to, Applicant should advise the Commission in writing of the final execution of said documents.

O R D E R

THE COMMISSION ORDERS:

That the issuance by the Highline Electric Association of the Agreement, dated May 20, 1957, entitled "Colorado 29T Phillips" Amendment, dated as of May 20, 1957, to Amending Loan Contract, dated as of May 8, 1952, as is fully set out in Exhibit A, be, and the same is hereby, authorized and approved.

That the issuance by Highline Electric Association of the Mortgage Note, dated May 21, 1957, designated "Colorado 29T Phillips" as fully set out in Exhibit B, be, and the same is hereby, authorized and approved.

That this Order relates to that portion of the above described transactions which have to do with Applicant's expenditure of borrowed money within the area of the Acquired Properties.

That within one hundred and twenty (120) days after the date hereof, or date of execution of said Amending Loan Contract and Mortgage Note, Applicant shall file with the Commission a statement in writing to the effect that said documents have been executed.

That Highline Electric Association, within one hundred twenty (120) days of date hereof or date of execution, shall file, as a late filed exhibit, a conformed copy of the executed mortgage or supplemental mortgage given as security for the above stated mortgage note.

That Applicant shall pay a fee of \$190.00 for the issuance of this certificate, pursuant to rate set forth in Chapter 115-6-5 of the Colorado Revised Statutes, 1953.

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 these proceedings to the end that it may make such further Order or Orders in the premises as it may deem proper and desirable.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John P. Thompson
Joseph F. Negro
Commissioners.

14-30000
Dated at Denver, Colorado,
this 3rd day of September, 1957.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
SAN MIGUEL POWER ASSOCIATION, INC.,)
A COLORADO CORPORATION, NUCLA, COLO-)
RADO, FOR AN ORDER AUTHORIZING THE) APPLICATION NO. 15614-Securities
ISSUANCE OF SECURITIES AND APPLICA-)
TION OF THE PROCEEDS THEREFROM.)

September 3, 1957

Appearances: George V. Kempf, Esq., Mont-
rose, Colorado, for Appli-
cant;
P. M. Brown, Denver, Colorado,
J. M. McNulty, Denver, Colo-
rado, and
E. R. Thompson, Denver, Colo-
rado, for the Commission.

S T A T E M E N T

By the Commission:

By the instant application, San Miguel Power Association, Inc., a Colorado corporation, seeks authority from this Commission to amend Amending Loan Contract, dated as of April 3, 1953, as amended; to issue a mortgage note in the principal amount of \$409,000 payable to the United States of America, dated June 1, 1957, bearing interest at the rate of two (2) per centum per annum and payable within thirty-five (35) years after the date thereof; and to execute a supplemental mortgage to the United States of America, dated as of June 3, 1957.

The matter was set for hearing, after due notice to all interested parties, on August 21, 1957, at 9:30 o'clock A. M., in 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 a cooperative association, a corporation

organized and existing under the laws of the State of Colorado, and particularly under the provisions of Chapter 31, of the Colorado Revised Statutes, 1953. Applicant's principal office and place of business is in Nucla, Montrose County, Colorado.

Applicant is engaged in the business of purchasing, acquiring, accumulating, transmitting, distributing, furnishing and selling electricity to its members and non-member consumers on its lines in the Counties of Montrose, San Miguel and Dolores, in Colorado, and in San Juan County, Utah.

Under Application No. 14358, Decision No. 47067, of this Commission, dated January 7, 1957, a certificate of public convenience and necessity was granted to Applicant herein for the extension of its lines and services in Counties of Montrose, San Miguel, and Dolores, Colorado, as set forth in that Decision and Order.

Testimony at the hearing revealed that the Applicant needs additional funds for improvement in its system and for the construction, completion, extension and improvement of its properties and for the improvement and maintenance of its service. Applicant estimates that of the \$409,000, approximately \$306,000 will be utilized for the construction of transmission lines from Monogram in Paradox Valley, Colorado, to LaSalle, Utah, and from Monogram southward approximately 12 miles, constituting a total of 51 miles of transmission lines. The remaining amount will be used for system improvements and maintenance of its service. Of the total \$409,000, approximately 80% will be spent within the Association's service area in the State of Colorado.

The necessity for the construction of the transmission lines is to secure additional power from the Utah Power and Light Company to meet current requirements prior to the completion of the Colorado-Ute Electric Association, Inc., power plant now under construction at Nucla, Colorado. The power purchased from Utah Power and Light Com-

pany will be first sold to the Western Colorado Power Company, who will sell the power to Colorado-Ute Electric Association, who, in turn, will deliver it and sell it to San Miguel. Delivery will be made at the Nucla and Monogram substations. Such purchased power will be at a considerably lower cost than that generated by the present diesel equipment; estimated cost will be approximately at 1¢ per kwh instead of at 3¢ per kwh. San Miguel is one of four members of the Colorado-Ute Electric Association.

Applicant's witness testified at the hearing that San Miguel Power Association, Inc., was current on all its payments of interest and re-payments of loans to the R. E. A. In support of the Company's financial condition, Applicant introduced, as Exhibit D, the Association's monthly financial and statistical report consisting of the Association's statement of operations for last year, for the year to date, and balance sheet as of July 31, 1957, and certain operating statistics. The balance sheet indicates that the Company is in a strong financial condition with regard to margin reserves and general cash funds. However, the operating statement shows an operating margin loss of approximately \$18,000. Applicant explained that this is caused primarily by unusually high operating and depreciation expense on the diesel motor generating equipment.

To obtain additional money for capital, Applicant has entered into an Amending Loan Contract with the United States of America, acting through the Administrator of the Rural Electrification Administration, dated as of May 28, 1957, whereby the Government agrees to loan and Applicant agrees to borrow \$409,000, and whereby the loan contract is amended to limit total borrowing to \$3,065,000. A copy of the said Amending Loan Contract was filed at the hearing as Exhibit A and is made a part of this Statement by reference.

Filed as Exhibit B, at the hearing, was a copy of the mortgage note of the form that the Applicant desires to have approved by

this Commission in principal amount of \$409,000 for a period of thirty-five (35) years with interest at two (2) per centum per annum. Filed as Exhibit C was a copy of the supplemental mortgage made by San Miguel Power Association, Inc., to the United States of America, dated as of June 3, 1957, in the form that the Applicant desires to have approved by this Commission. Exhibits B and C are hereby made a part of this Statement by reference.

No protests were filed with the Commission in regard to this matter and no one appeared at the hearing in opposition to the granting of the authority sought.

The basis for the fee for the issuance of this certificate is based upon 80% of \$409,000, or \$327,200, estimated to be spent for capital facilities within the State of Colorado.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of San Miguel Power Association, Inc., as to the subject matter of the instant application.

That the Commission is fully advised in the premises.

That the issuance by San Miguel Power Association, Inc., of the agreement entitled Amendment, dated as of May 28, 1957, to Amending Loan Contract, dated as of April 3, 1953, as Amended, as fully set forth in Exhibit A of these proceedings, should be authorized and approved.

That the issuance by San Miguel Power Association, Inc., of a Mortgage Note, in the principal amount of \$409,000, payable to the United States of America, bearing interest at the rate of two (2) per centum per annum, and payable thirty-five (35) years after date thereof, as set forth in Exhibit B in the instant proceedings, should be authorized and approved.

That the execution and delivery by San Miguel Power Associ-

ation, Inc., of the Supplemental Mortgage, a copy of which is filed herein as Exhibit C, as security for the payment of the above mortgage note and other mortgage notes as set forth in said mortgage, should be authorized and approved.

That within one hundred and twenty (120) days of date hereof, or of date of execution of any of the instruments authorized herein, Applicant should file conformed copies of said instruments with the Commission.

O R D E R

THE COMMISSION ORDERS:

That the issuance by San Miguel Power Association, Inc., of the agreement entitled Amendment, dated as of May 28, 1957, to Amending Loan Contract, dated as of April 3, 1953, as Amended, as is fully set forth in Exhibit A of these proceedings, be, and it hereby is, authorized and approved.

That the issuance by San Miguel Power Association, Inc., of a Mortgage Note in the principal amount of \$409,000, payable to the United States of America, bearing interest at the rate of two (2) per centum per annum and payable thirty-five (35) years after date thereof, as set forth in Exhibit B in the instant proceedings, be, and it hereby is, authorized and approved.

That the execution and delivery by San Miguel Power Association, Inc., of a Supplemental Mortgage, a copy of which has been filed as Exhibit C herein, as security for payment of the above Mortgage Note, and other Mortgage Notes, as set forth in said Supplemental Mortgage, be, and it hereby is, authorized and approved.

That within one hundred and twenty (120) days of the date hereof, or date of execution of any of the instruments authorized herein, Applicant shall file conformed copies of said instruments with the Commission.

That Applicant shall pay a fee of \$327.20 for the issuance

of this certificate, pursuant to rate set forth in Chapter 115-6-5 of the Colorado Revised Statutes, 1953.

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 being made effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Weston
John P. Thompson
Joseph F. Nigro
Commissioners.

Dated at Denver, Colorado,
this 3rd day of September, 1957.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
TRUCK CENTER, INC., A CORPORATION,)
3010 ILLINOIS, COLORADO SPRINGS,)
COLORADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 15578-PF
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

September 3, 1957

Appearances: W. G. Huffman, Colorado
Springs, Colorado,
for Applicant;
Stanley Blunt, Canon City,
Colorado, for South-
western Transportation
Company;
Marion F. Jones, Esq.,
Denver, Colorado, and
Alvin J. Meiklejohn, Jr.,
Esq., Denver, Colorado,
for R.B."Dick"Wilson, Inc.

S T A T E M E N T

By the Commission:

By application filed July 8, 1957, applicant seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, road-surfacing materials, dirt, stone, refuse, and insulrock, the application being in the usual form.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the City Auditorium, Colorado Springs, Colorado, July 29, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

W. G. Huffman, Vice-President of the applicant corporation, appeared in support of the application. He testified that the corporation is a Colorado corporation; that its net worth is approximately \$25,000; that they have work lined up to do, if authority sought is granted; and that they will abide by the rules and regulations of the Commission.

It appears that the applicant owns and uses truck-trailer combinations for a part of its work, and that such equipment might be made suitable to the transportation of cement petroleum, or petroleum products. No showing was made that any such service is needed or desired by any shipper, and Mr. Huffman, on behalf of the applicant, agreed that the authority should be limited to the use of dump trucks and dump trailers, with a restriction against the transportation of cement, petroleum or petroleum products in trailers. The authority will be restricted accordingly.

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

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

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference.

That authority sought should be granted, as limited in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Truck Center, Inc., a corporation, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points;

sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations hereunder to be limited to the use of dumptrucks, or dump trailers, only; and with the further limitation that no cement, petroleum or petroleum products shall be transported in any trailer.

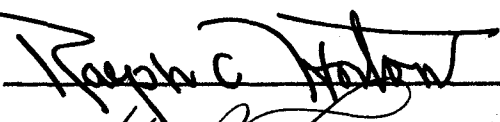

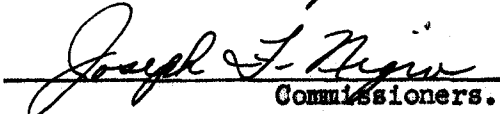
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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.

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 September, 1957.

ea

original

(Decision No. 48633)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
FRANK E. MILLER AND KEITH MILLER,)	
CO-PARTNERS, DOING BUSINESS AS)	
"FRANK E. MILLER & SON," BOX 332,)	<u>APPLICATION NO. 15637-PP-Extension</u>
WRAY, COLORADO, FOR AUTHORITY TO)	
EXTEND OPERATIONS UNDER PERMIT)	
NO. B-3570.)	
-----)	

September 3, 1957

S T A T E M E N T

By the Commission:

By application filed July 8, 1957, applicant seeks authority to extend operations under Permit No. B-3570, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points; pea gravel, and rocks, from Denver, Colorado, to points within a radius of fifty miles of Wray, Colorado, for roofing, water wells, and private driveways.

Said application was regularly set for hearing at the Court House, Fort Morgan, Colorado, August 26, 1957, due notice of the time and place being forwarded to all parties in interest.

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

The files were made a part of the record, and the matter was taken under advisement.

No one appeared in opposition to the granting of the authority sought, and if operations thereunder are restricted to dump truck operations, it does not appear that the granting of said permit, and operations by applicant thereunder, will tend to impair the efficiency of any common carrier service with which he will compete.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Frank E. Miller and Keith Miller, co-partners, doing business as "Frank E. Miller & Son," Wray, Colorado, should be, and they hereby are, authorized to extend operations under Permit No. B-3570, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points; pea gravel, and rocks, from Denver, Colorado, to points within a radius of fifty miles of Wray, Colorado, for roofing, water wells,

and private driveways; provided, however, that the applicants in the exercise of this authority shall use no vehicles except dump trucks.

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

Ralph C. Holman
John P. Thompson
Joseph F. Neier
Commissioners.

Dated at Denver, Colorado,
this 3rd day of September, 1957.

ea

original

(Decision No. 48634)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FLOYD K. CUMLEY, DOING BUSINESS AS)
"F. K. (BUD) CUMLEY," WRAY, COLO-)
RADO, FOR AUTHORITY TO EXTEND OPER-) APPLICATION NO. 15636-PP-Extension
ATIONS UNDER CLASS "B" PERMIT GRANTED)
TO HIM IN APPLICATION NO. 15340-PP,)
DECISION NO. 47973.)
- - - - -)

- - - - -
September 3, 1957
- - - - -

Appearances: Joseph T. Callahan, Esq.,
Wray, Colorado, for
Applicant;
Paul Hickman, Yuma, Colo-
rado, for Yuma County
Transportation Company
and Buckingham Trans-
portation Company.

S T A T E M E N T

By the Commission:

The applicant is presently authorized to operate as a motor vehicle private carrier for the transportation of eggs, between points within a radius of forty miles of Wray, Colorado, and from Wray to Denver, Colorado, with back-haul of feed to the High Quality Feed Company, only, of Wray, Colorado.

By his present application, as filed, the applicant seeks to have this authority extended to authorize the transportation of cream and produce between points within forty miles of Wray, Colorado.

The matter was initially set down for hearing in Fort Morgan, Colorado, on August 23, 1957, but when the matter was called on for hearing, and before any evidence was heard, the applicant stated that the application should be broadened so that in addition to the local transportation around Wray, it would ask for authority to transport the same commodities into Denver. The applicant asked that the matter be continued for

hearing at some future time convenient to the Commission, upon due notice to interested parties, and stated that, before that subsequent hearing, he would file an amended application setting forth in detail all of the authority he now seeks.

There being no objection, the matter will be continued at a time and place convenient to the Commission, upon due notice to all interested persons.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be continued, to be re-set at some future date convenient to the Commission, with notice to all interested parties.

O R D E R

THE COMMISSION ORDERS:

That the instant application should be, and the same hereby is, continued, to be re-set for hearing at some future date convenient to the Commission, with notice to all interested parties.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(C. L. 23)
APPROVED BY AGENCY
[Signature]

Joseph C. Hutton
John P. Thompson
Joseph F. Nigro
Commissioners.

Dated at Denver, Colorado,
this 3rd day of September, 1957.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

CARL MARTIN, 1104 MANNING STREET,
WINFIELD, KANSAS.

PERMIT NO. B-4784-I

September 10, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Carl Martin

requesting that Permit No. B-4784-I be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4784-I, heretofore issued to _____

Carl Martin be,

and the same is hereby, declared cancelled effective July 18, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Gordon
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1957.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

WILLA MAE STEPP, 2929 GILPIN STREET,)
DENVER 5 COLORADO.)
-----)

PERMIT NO. B-5169

September 10, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Willa Mae Stepp

requesting that Permit No. B-5169 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5169, heretofore issued to _____

Willa Mae Stepp _____ be,

and the same is hereby, declared cancelled effective August 27, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Gordon
John P. Thompson
Joseph F. Tigro
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1957.

CANCELLATION--COMMON CARRIER

(Decision No. 48637)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
VERNON G. MC CLAREN, 424 WEST)
NEW YORK, CANON CITY, COLORADO.)
-----)

CERTIFICATE NO. 3476-I

September 10, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from _____

Vernon G. McClaren

requesting that Certificate of Public Convenience and Necessity No. 3476-I
_____ be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate No. 3476-I heretofore issued to _____

Vernon G. McClaren

be, and the same is hereby declared cancelled effective August 8, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph G. Holden
John Thompson
Joseph F. Negro

Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1957.

mjm

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
 HARRY E. MAROLF AND JOE B.)
 SULLIVAN, DOING BUSINESS AS)
 "UNITED DISPOSAL COMPANY", 817)
 DAHLIA STREET, SECURITY,)
 COLORADO SPRINGS, COLORADO.)
 -----)

PUC NO. 2969

September 10, 1957

S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named certificate-holders requesting that their PUC No. 2969 be suspended for six months from August 5, 1957.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Harry E. Marolf and Joe B. Sullivan, d/b/a
United Disposal Company
be, and they are hereby, authorized to suspend operations under PUC No. 2969 until February 5, 1958.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Gordon
John P. Thompson
Joseph F. Negro
 Commissioners

Dated at Denver, Colorado,
 this 10th day of September 1957.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
FRANK INMAN, 1011 EAST NINTH)
STREET, TRINIDAD, COLORADO.)
)
)
)
-----)

PUC NO. 1401

September 10, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that his PUC No. 1401 be suspended for six months from August 28, 1957.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Frank Inman

be, and he is hereby, authorized to suspend operations under PUC No. 1410 until February 28, 1958.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Johnston
James L. Higgins
Commissioners

Dated at Denver, Colorado,
this 10th day of September 1957.

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 48640)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ROY MARSH, 8038 NORTH FEDERAL)
BOULEVARD, WESTMINSTER,)
COLORADO.)

PERMIT NO. B-5153

September 10, 1957

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-5153 be suspended for six months from July 15, 1957.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Roy Marsh

be, and is hereby, authorized to suspend his operations under Permit No. B-5153 until January 15, 1958.

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 by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Woodmont
John P. Thompson
Joseph F. Higgins
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1957.

mjm

CANCELLATION--COMMON CARRIER

(Decision No. 48641)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
PAUL E. CASE, DOING BUSINESS AS)
"MOBILE HOME SERVICE", 1345 TWELFTH)
AVENUE, SIDNEY, NEBRASKA.)
-----)

CERTIFICATE NO. PUC 3329-I

September 10, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from _____

Paul E. Case, d/b/a Mobile Home Service.

requesting that Certificate of Public Convenience and Necessity No. 3329-I
_____ be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate No 3329-I heretofore issued to _____

Paul E. Case, d/b/a Mobile Home Service

be, and the same is hereby declared cancelled effective April 30, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ray C. Hodson

John P. Thompson

Joseph F. Higgins

Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1957.

mjm

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE HAXTUN TELEPHONE COMPANY, HAXTUN,)
COLORADO, FOR AUTHORIZATION TO PUR-)
CHASE THE FLEMING TELEPHONE EXCHANGE) APPLICATION NO. 15552-Transfer
AND FOR A CERTIFICATE OF PUBLIC CON-)
VENIENCE AND NECESSITY TO OPERATE)
THE FLEMING TELEPHONE EXCHANGE.)
-----)

August 30, 1957

Appearances: Karl C. Falch, Esq.,
Sterling, Colorado,
for Applicant;
P. M. Brown, Denver,
Colorado,
Everett R. Thompson,
Denver, Colorado,
and
J. M. McNulty, Denver,
Colorado, for the
Commission.

S T A T E M E N T

By the Commission:

The above-entitled application was filed on behalf of the Haxtun Telephone Company "Applicant", with the Commission on July 9, 1957, and, after due notice to all interested parties, the matter was set for hearing, and heard, in the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, on Wednesday, August 21, 1957, at two o'clock P. M. At the conclusion of the hearing, the Commission took the matter under advisement.

The Haxtun Telephone Company is a Colorado corporation, and its Articles of Incorporation, together with all amendments thereto, have heretofore been filed with this Commission. Applicant is a public utility subject to the jurisdiction of this Commission, and has been rendering telephone service in the incorporated Towns of Haxtun and Paoli, in Phillips County, Colorado,

and the Town of Crook, in Logan County, Colorado, as well as in rural areas adjacent and contiguous to said towns. It has been rendering said telephone service by virtue of a certificate of public convenience and necessity heretofore granted to Applicant by this Commission. The address of Applicant is Haxtun, Colorado.

By the instant application, the Haxtun Telephone Company seeks the approval of this Commission for the purchase of the Fleming Telephone Exchange, including lines, poles, phone installations, easements, switchboards, equipment, and supplies, and certain real property, and including all permits, franchise rights and service territory either certificated or served under "Grandfather Rights." Introduced at the hearing as Exhibit No. 1 was an executed copy of a Contract of Sale by and between Thomas A. Clarke and Dorothy G. Clarke, present owners of the Fleming Telephone Exchange, and the Haxtun Telephone Company. This contract sets forth in detail the property to be transferred and manner of payment, all subject to the approval of this Commission.

The testimony revealed that the Haxtun Telephone Company proposed by the above-mentioned Contract of Sale to purchase the Fleming Telephone Exchange for \$13,500. If said sale and purchase is approved by this Commission, it was Applicant's intent to borrow funds from the Rural Electrification Administration in Washington, D. C. telephone division, for the purpose of improving and extending telephone service in the area presently served by the Fleming Telephone Exchange. Also introduced as Exhibit No. 1 at the hearing was a map showing the territory presently served by the Fleming Telephone Exchange. Set forth in the application was a metes and bounds description of said territory, as outlined on Exhibit No. 1. If the application is granted, Applicant proposes to adopt the present rates, rules and regulations of the Fleming Telephone Exchange now on file with the Commission, all in accordance with Rule 21 of the Rules of Practice and Procedure promulgated by this Commission.

As has been previously stated, Applicant is presently rendering telephone service in certain towns and areas in Phillips and Logan Counties, and if the present application is granted, it is proposed by Applicant to install a modern dial telephone system at Fleming which will eventually become an integrated part of the Haxtun Telephone Company. Fleming is located approximately twelve miles westerly from Haxtun on U. S. Highway No. 6, and there is a certain community of interest between the towns. It is believed that with the addition of the customers and territory of the Fleming Telephone Exchange, the Haxtun Telephone Company will be able to render a better service to the present and proposed customers located in the Fleming Telephone Exchange. At such time as Fleming is converted to dial service, Applicant proposes to apply for new rates to the Commission to support the additional investment needed for the improved dial telephone service. If this application is granted, Applicant will proceed with due diligence to obtain the loan from the Rural Electrification Administration in order to build the new dial telephone service.

There were no protests received by the Commission in regard to this matter, and no one appeared at the hearing in opposition to the granting of the authority sought.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of Applicant and of the Fleming Telephone Exchange.

That the Commission is fully advised in the premises.

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

That the Haxtun Telephone Company should be authorized to purchase the Fleming Telephone Exchange.

That a certificate of public convenience and necessity should be issued to the Haxtun Telephone Company to render telephone

service in the area heretofore served by the Fleming Telephone Exchange, all as set forth in the Order to follow.

That Haxtun Telephone Company should adopt the rates, rules and regulations of the Fleming Telephone Exchange presently on file with this Commission, all in accordance with Rule 21 of the Rules of Practice and Procedure Before the Public Utilities Commission of the State of Colorado, until changed according to law and the rules and regulations of this Commission.

That Haxtun Telephone Company should notify this Commission in writing within thirty (30) days of the consummation of purchase and sale contemplated herein.

O R D E R

THE COMMISSION ORDERS:

That the Haxtun Telephone Company be, and it hereby is, authorized to purchase the Fleming Telephone Exchange, all in accordance with the Contract of Sale introduced at the hearing as Exhibit No. 1.

That this Order shall be taken, deemed and held to be a certificate of public convenience and necessity to the Haxtun Telephone Company to render telephone service in the area set forth as follows:

Bounded on the east by the Haxtun Telephone Exchange, being along a line as follows: Beginning at the mid-point of the east line of Section 12, T. 9-N., R. 49 W.; thence south $1\frac{1}{2}$ miles to the SE corner of Section 13, thence west approximately $1\frac{1}{2}$ miles to the mid-point of the north line of Section 23, T. 9 N., R. 49-W.; thence south approximately $1\frac{1}{2}$ miles along the center line of Sections 23 and 26 to the center of said Section 26, T. 9 N., R. 49 W.; thence east approximately 1 mile to the center of Section 25; thence south approximately $1\frac{1}{2}$ miles to a point on the south line of Section 36, T. 9 N., R. 49 W.; thence east approximately $\frac{1}{4}$ mile on said section line, being also the Second Correction Line North, to the mid-point of the north line of Section 6, T. 8 N., R. 48-W.; thence south approximately $18\frac{1}{2}$ miles along the center line of said Section 6, T. 8 N., R. 48-W., as extended to the mid-point of the south line of Section 31, T. 6 N., R. 48-W., said section line being also on the south County line of Logan County.

Bounded on the south by the south County line of Logan County beginning at the mid-point of the south line of Section 31, T. 6 N., R. 48-W.; thence west approximately $8\frac{1}{2}$ miles to the SW corner of Section 35, T. 6 N., R. 50-W.

Bounded on the west by a line beginning at the SW corner of Section 35, T. 6 N., R. 50-W., thence north approximately 6 miles to the SE corner of Section 34, T. 7 N., R. 50-W., thence west approximately $\frac{1}{2}$ mile to the center of the south line of said Section 34; thence directly north approximately $6\frac{1}{2}$ miles to the center of Section 34, T. 8 N., R. 50-W; thence west approximately $1\frac{1}{2}$ miles to the center of the west line of Section 33, T. 8 N., R. 50-W; thence north approximately $4\frac{1}{2}$ miles to the line of the Chicago, Burlington & Quincy Railroad at the SW corner of Section 4, T. 8 N., R. 50-W.

Bounded on the north by a line beginning at the SW corner of Section 4, T. 8 N., R. 50-W., thence northeasterly along the C. B. & Q. Rail line to the east line of said Section 4; thence north to the NE corner of said Section 4, thence east approximately $\frac{3}{4}$ mile along the Second Correction Line North, to the SW corner of Section 34, T. 9 N., R. 50-W; thence north approximately $\frac{1}{2}$ mile to the center of the west line of said Section 34; thence east approximately $3\frac{1}{2}$ miles along the section center line as extended to the center of Section 31, T. 9 N., R. 49-W; thence north 1 mile to the center of Section 30; thence east one mile to the center of Section 29, T. 9 N., R. 49-W; thence north $\frac{1}{2}$ mile to the mid-point of the north line of said Section 29; thence east approximately 2 miles to the mid-point of the south line of Section 22, T. 9 N., R. 49-W; thence north approximately $2\frac{1}{2}$ miles along the section center line as extended to the center of Section 10, T. 9 N., R. 49-W; thence east approximately $2\frac{1}{2}$ miles along the section center line as extended to the mid-point of the east line of Section 12, T. 9 N., R. 49-W., being the point of beginning.

That the Haxtun Telephone Company shall adopt the rates, rules and regulations of the Fleming Telephone Exchange presently on file with this Commission, all in accordance with Rule 21 of the Rules of Practice and Procedure Before The Public Utilities Commission of the State of Colorado, until changed according to law and the rules and regulations of this Commission.

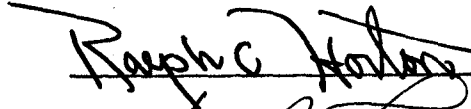

That the Haxtun Telephone Company shall notify this Commission in writing within thirty (30) days of the consummation of the purchase and sale contemplated herein.

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

in the matter.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 30th day of August, 1957.

ea

Original

(Decision No. 48643)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DELBERT G. BUSSARD, DOING BUSINESS)
AS "BUSSARD BUS CO.," 3395 SOUTH)
LINCOLN STREET, ENGLEWOOD, COLORADO,) APPLICATION NO. 15640-Transfer
FOR AUTHORITY TO TRANSFER PUC NO.)
312 TO BILL R. WINGO, DOING BUSINESS)
AS "GREELEY BUS SERVICE," ROUTE 4,)
BOX 192, GREELEY, COLORADO.)

September 4, 1957

Appearances: Delbert G. Bussard, Engle-
wood, Colorado, pro se;
Bill R. Wingo, Greeley,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Delbert G. Bussard, doing business as "Bussard Bus Co.,"
Englewood, Colorado, is the owner and operator of PUC No. 312,
authorizing:

Transportation of passengers within the City Limits
of the City of Greeley, Colorado;

Occasional motor coach service by special charter
for the transportation of passengers from and to
Greeley, Colorado, to and from other points within
the State of Colorado, subject to the following
conditions:

All authority shall be limited to the specific auth-
ority sought in said application. Applicant shall
not be permitted, without further authority from
this Commission, to establish a branch office or to
have any agent employed in any town or city other
than Greeley, Colorado.

By the instant application filed July 25, 1957, said Del-
bert G. Bussard, doing business as "Bussard Bus Co.," Englewood,
Colorado, seeks authority to transfer PUC No. 312 to Bill R. Wingo,
doing business as "Greeley Bus Service," Greeley, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Fort Collins, Colorado, August 29, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

Delbert G. Bussard, Englewood, Colorado, the transferor, appeared in support of the application. He identified the Agreement of Sale for the certificate and the equipment and stated that the authority is not being mortgaged. He testified that he has no other authority from this Commission; that his net profit for the year 1956 was \$4,191.00, and that the receipts so far this year have been the same; that there are no debts connected with the operation, except a mortgage on one bus and to Pioneer Mutual, which he will pay. He identified a letter from the City Manager to the effect that the City had no objection to the transfer.

Bill R. Wingo, Greeley, Colorado, the transferee, appeared in support of the application. He identified the Agreement of Sale, and Exhibit 2, being his financial statement as of July 15, 1957. He testified that he has operated under the certificate for two months and is familiar therewith; that he has no other authority from this Commission; that the busses only are to be mortgaged; that he has no other source of income, but is satisfied that he can earn a living from operations under the certificate; that he plans to operate six days a week; that he is familiar with the rules and regulations of the Commission, and will abide by them.

No one appeared in opposition to the proposed transfer, and no reason appears why the same should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is hereby made a part of these Findings by reference.

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 Delbert G. Bussard, doing business as "Bussard Bus Co.," Englewood, Colorado, should be, and he hereby is, authorized to transfer PUC No. 312 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Bill R. Wingo, doing business as "Greeley Bus Service," Greeley, Colorado, subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

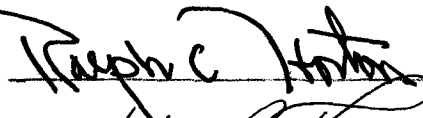

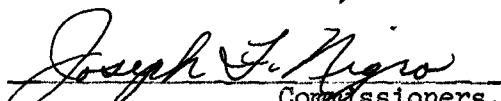
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements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

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.

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 September, 1957.

mls

original

(Decision No. 48644)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
A. T. BURBRIDGE TRUCK, INC., 1212)
TENTH STREET, GREELEY, COLORADO,)
FOR AUTHORITY TO LEASE PERMIT NO.)
A-20 TO CLIFFORD M. BURBRIDGE, 927) APPLICATION NO. 15642-Lease
23RD STREET, GREELEY, COLORADO, FOR)
A PERIOD OF TEN YEARS, VIZ., FROM)
SEPTEMBER 3, 1957, TO SEPTEMBER 3,)
1967.)

September 4, 1957

Appearances: Clifford M. Burbridge, Greeley,
Colorado, pro se, and for
Transferor.

S T A T E M E N T

By the Commission:

By Decision No. 28909, dated August 27, 1947, A. T. Burbridge Truck, Inc., Greeley, Colorado, was authorized to lease its Permit No. A-20 to Clifford M. Burbridge, Greeley, Colorado, for a period of five years, commencing September 3, 1947, at a monthly rental of Two Hundred Dollars (\$200.00).

By Decision No. 39326, dated September 2, 1952, said lease was renewed for an additional period of five years, commencing September 3, 1952, at the same rental of \$200.00 per month.

By the instant application filed July 1, 1957, said A. T. Burbridge Truck, Inc., Greeley, Colorado, seeks authority to lease Permit No. A-20 for an additional period of ten years, commencing September 3, 1957.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Fort Collins, Colorado, August 29, 1957, and at the conclu-

sion of the evidence, the matter was taken under advisement.

Clifford M. Burbridge, Greeley, Colorado, the lessee, appeared in support of the application. He testified that he has leased said Permit No. A-20 since 1947, and that the lease he now has is expiring and he is desirous of having it renewed for a period of ten years; that the lease is the same as before, except for a longer period of time; that there is no mortgage involved; that the equipment and operations under said permit will be managed the same as previously; and that there is no provision for the purchase of said permit.

No one appeared in opposition to the proposed lease, and no reason appears why the same should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is hereby made a part of these Findings by reference.

That the proposed lease 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 A. T. Burbridge Truck, Inc., Greeley, Colorado, should be, and it hereby is, authorized to lease all its right, title, and interest in and to Permit No. A-20 to Clifford M. Burbridge, Greeley, Colorado, for a period of ten years, commencing September 3, 1957, at a monthly rental of Two Hundred Dollars (\$200.00) per month.

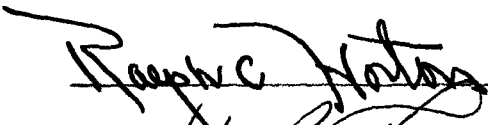

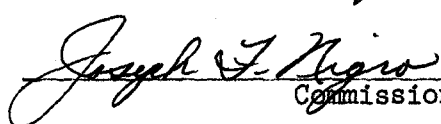
The right of lessee to operate under this Order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by lessor of delinquent reports, if any, covering operations under said permit,

up to the time of transfer of said permit.

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

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 September, 1957.

mls

Original

(Decision No. 48645)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
V. S. COOK, 601 COLORADO, FORT)	
COLLINS, COLORADO, FOR A CLASS "B")	APPLICATION NO. 15643-PP
PERMIT TO OPERATE AS A PRIVATE CAR-)	
RIER BY MOTOR VEHICLE FOR HIRE.)	

September 4, 1957

Appearances: V. S. Cook, Fort Collins,
Colorado, pro se.

S T A T E M E N T

By the Commission:

By application filed June 7, 1957, applicant herein seeks authority to operate as a Class "B" motor vehicle private carrier, for the transportation of logs and rough lumber, from Red Feather Lakes area, and from Chambers Lake area, to Fort Collins, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Fort Collins, Colorado, August 29, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

V. S. Cook, Fort Collins, Colorado, appeared in support of his application. He testified that he owns a GI 6 x 6 one piece straight truck, and plans to get two more to use, if the authority is granted; that he has work lined up to do; that his net worth is approximately \$12,000; that he is familiar with the rules and regulations of the Commission, and will abide by them.

No one appeared in opposition to the granting of the authority sought, and no reason appears why the same should not be granted.

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in

the territory which applicant seeks to serve.

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

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is hereby made a part of these Findings by reference.

That authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That V. S. Cook, Fort Collins, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs and rough lumber, from Red Feather Lakes Area, and from Chambers Lake Area, to Fort Collins, Colorado.

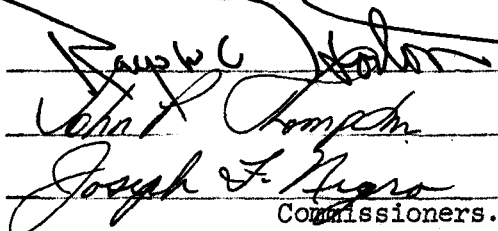
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 September, 1957.
mls

original

(Decision No. 48646)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
REUBEN JACOBY, JOHNSTOWN, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE) APPLICATION NO. 15644-PP
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

September 4, 1957

Appearances: Reuben Jacoby, Johnstown,
Colorado, pro se.

S T A T E M E N T

By the Commission:

By application filed May 29, 1957, applicant herein seeks authority to operate as a Class "B" motor vehicle private carrier 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Fort Collins, Colorado, August 29, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

The applicant, Reuben Jacoby, Johnstown, Colorado, appeared in support of his application. He testified that he is the owner of a 1954 Ford Dump Truck; that he has work lined up to do; that he will agree to the limitation of dump trucks only; that his net worth is approximately \$4,000; that he is familiar with the rules and regulations of the Commission, and will abide by them, if the authority is granted.

No one appeared in opposition to the granting of the application, if the same is limited to the use of dump trucks only.

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

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference.

That authority sought should be granted, as limited in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Reuben Jacoby, Johnstown, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of

said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, said operations hereunder being limited to the use of dump trucks only.

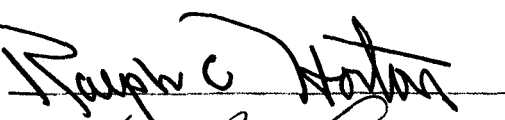

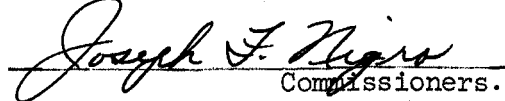
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 4th day of September, 1957.

mls

original

(Decision No. 48647)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CLIFFORD H. ALLEN, HOTCHKISS, COLO-)
RADO, FOR A CLASS "A" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY) APPLICATION NO. 15626-PP
MOTOR VEHICLE FOR HIRE.)
-----)

September 4, 1957

Appearances: Felix L. Sparks, Esq.,
Delta, Colorado,
for Applicant;
Sam Fairlamb, Esq.,
Delta, Colorado, for
Harvey Head and
Lawrence Dorsey;
Marion Smyser, Esq.,
Denver, Colorado, for
Rio Grande Motor Way,
Inc.

S T A T E M E N T

By the Commission:

This matter was duly set for hearing on August 22,
1957, at the Court House, Montrose, Colorado, upon due and
proper notice to all interested parties.

Upon motion duly made by the attorney for applicant,
and for good cause shown, and without objection from protestants
who appeared, the setting heretofore made and entered by the
Commission was vacated, and continued, for re-setting at a time
and place convenient to the Commission.

F I N D I N G S

THE COMMISSION FINDS:

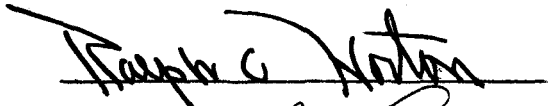

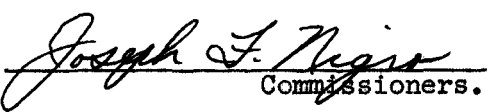
That the setting in the instant matter should be vacated,
and continued for re-setting at a time and place convenient to
the Commission.

O R D E R

THE COMMISSION ORDERS:

That the setting in Application No. 15626-PP should be,
and is hereby, vacated, and continued for re-setting at a time
and place convenient to the Commission.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 4th day of September, 1957.

ea

original

(Decision No. 48648)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) H. L. WINN, RIFLE, COLORADO, FOR) AUTHORITY TO EXTEND OPERATIONS) UNDER PERMIT NO. B-4523.) -----)	APPLICATION NO. 15617-PP-Extension
--	------------------------------------

September 4, 1957

Appearances: Cecil S. Haynie, Esq.,
Grand Junction, Colo-
rado, for Applicant;
Lincoln D. Coit, Esq.,
Grand Junction, Colo-
rado, for Estes Trucking
Company, of Rifle, Colo-
rado, Protestant;
Marion Smyser, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc.

S T A T E M E N T

By the Commission:

This application for extension of authority under Permit No. B-4523 was duly set for hearing on the 21st day of August, 1957, at the Court House, Grand Junction, Colorado, upon due and proper notice to all parties in interest.

On the 19th day of August, 1957, there was filed with the Commission a request for continuance of the matter, which request was renewed orally at the hearing.

There being no objection from any of the parties appearing and upon good cause shown, the setting heretofore made and entered herein was duly vacated, and continued to be re-set at Grand Junction, Colorado, at a time and place convenient to the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That the setting in the instant matter should be vacated and continued, to be re-set at Grand Junction, Colorado, at a time

and place convenient to the Commission.

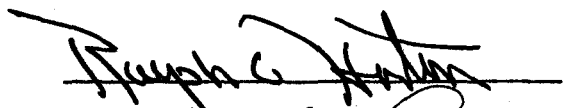

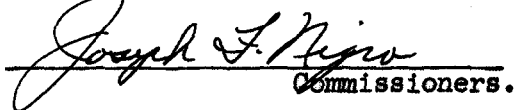
O R D E R

THE COMMISSION ORDERS:

That the setting in Application No. 15617-PP-Extension be, and the same is hereby, vacated, to be continued and heard at Grand Junction, Colorado, at a time and place convenient to the Commission.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 4th day of September, 1957.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN L. KESTER, BOX 749, PALISADE,)
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY TO) APPLICATION NO. 15616
OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

September 4, 1957

Appearances: Owen Aspinall, Esq., Grand
Junction, Colorado, for
Applicant;
Cecil S. Haynie, Esq., Grand
Junction, Colorado, for
Amos Crosby, doing business
as "57 Transit."

S T A T E M E N T

By the Commission:

This matter was heard on the 21st day of August, 1957,
at the Court House, Grand Junction, Colorado, upon due and proper
notice to all parties in interest.

Applicant seeks authority to operate a taxicab for the
transportation of passengers and their baggage for hire within a
15-mile radius of Palisade, Colorado.

Applicant John L. Kester has been a night watchman and
is the Deputy Town Marshal of Palisade. He has also had experience
in an auto wrecking yard, and had experience in taxi operation for
a year and one-half in Leavenworth, Kansas. He testified that
there is no cab service in Palisade and the immediate area, and
that although the town of Palisade did have available to it cab
service from Grand Junction to transport passengers to and from
Grand Junction, it necessitated calling the cab company in Grand
Junction and ordering the cab to come to Palisade. This has proved
to be very inconvenient to the public.

W. T. Patterson and Edna Kinser, old age pensioners, Lawrence D. Kareus, Osteopath-Physician and Surgeon of Palisade Colorado, Reverend Harold Pearson, of the Church of the Nazarene, Zenna Ninneo, an employee of the County Treasurer's Office, and William H. Lorenzen, the editor of the Palisade Tribune, all testified in support of the application. A summary of their testimony is that Palisade is a town of from 900 to 1,000 people. It is the residence of many elderly citizens, many of whom are on pension, and who do not have automobiles available, or who cannot drive cars. Oftentimes, sick or infirm patients require taxicab service to and from the doctor's office. There is likewise no service within the town of Palisade itself to transport people from one end of town to the other, which, it is conceded, is a mile or better in length. They also assert that there is no service to and from Grand Junction other than the inconvenient method of attempting to secure the "57 Transit" cabs from Grand Junction to Palisade. This, it is felt, is a very inconvenient method and highly uneconomical to both the passenger and 57 Transit.

There are likewise numerous residents living in the area of Palisade beyond the city limits who are also without taxicab service of any nature.

At the conclusion of applicant's testimony, the applicant and 57 Transit, protestant herein, stipulated that applicant would limit his application for taxicab service to provide the transportation of passengers and their baggage for hire from point to point within a radius of fifteen miles of Palisade, excluding, however, an area which includes the City of Grand Junction and a radius of four miles thereof from the City Limits as they now exist or may exist in the future, with the further provision that applicant shall have the right to transport passengers to and from the base territory to and from the excluded area. On the basis of this stipulation, the protest was withdrawn.

The financial worth of applicant was established to the satisfaction of the Commission, as well as his ability to serve with the equipment he has available.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is made a part of these Findings by reference.

That public convenience and necessity require the granting of an authority to provide taxicab service in the area hereinafter provided.

That the granting of such authority will not impair the service of any existing common carrier.

That applicant is well qualified by training, experience and financially, to render the service so required.

O R D E R

THE COMMISSION ORDERS:

That the applicant, John L. Kester, Palisade, Colorado, be, and hereby is, granted a certificate of public convenience and necessity authorizing the transportation of passengers and their baggage by motor vehicle for hire from point to point within a fifteen-mile radius of Palisade, Colorado, excluding, however, the City of Grand Junction and an area encompassed within a four-mile radius of the present City Limits of said city, or as they may exist in the future, provided, however, that the said John L. Kester shall have the authority to transport passengers and their baggage to and from said base area to and from the excluded area; that he may start operations immediately, 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.

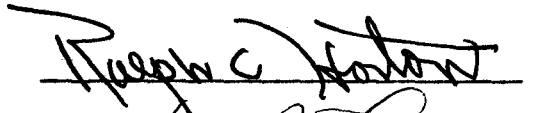


That applicant shall operate his carrier system in accordance with the order of the Commission except when prevented by

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 forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 4th day of September, 1957.

ea

original

(Decision No. 48650)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) WILFORD M. KERR, JR., WILMA F. KERR,) AND MIRIAM KERR, CO-PARTNERS, DOING) BUSINESS AS "KERR TRUCK COMPANY,") CAMEO, COLORADO, FOR AUTHORITY TO) TRANSFER PERMIT NO. B-4373 TO KERR) TRUCK COMPANY, A CORPORATION, CAMEO,) COLORADO.) -----)	APPLICATION NO. <u>15615-PP-Transfer</u>
--	--

September 5, 1957

Appearances: Cecil S. Haynie, Esq.,
Grand Junction, Colo-
rado, for Applicants.

S T A T E M E N T

By the Commission:

This matter was duly heard on the 21st day of August, 1957, at the Court House in Grand Junction, Colorado, upon due and proper notice to all parties in interest.

It appears that Wilford M. Kerr, Jr., Wilma F. Kerr, and Miriam Kerr, are co-partners, doing business as "Kerr Truck Company," of Cameo, Colorado, and as such are the holders of Private Permit No. B-4373. It is the desire of the partnership to transfer all of their right, title and interest in and to the permit to a corporation, to be known as "Kerr Truck Company," which will be owned by Wilford M. Kerr, Jr., and his wife, Miriam Kerr. The former partner, Wilma F. Kerr is selling all of her right, title and interest in the partnership to Miriam Kerr, the wife of Wilford M. Kerr, Jr.

The corporation will continue this same operation, there will be the same management and equipment, and there will be no change in service of any nature. The corporation was shown to have a net worth of \$250,000, and the only obligation it will be assuming is less than \$7,000, being mortgages on equipment.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is made a part of these Findings by reference.

That the proposed transfer is compatible with the public interest and should be authorized.

O R D E R

THE COMMISSION ORDERS:

That Wilford M. Kerr, Jr., Wilma F. Kerr and Miriam Kerr, co-partners, doing business as "Kerr Truck Company," Cameo, Colorado, be, and they are hereby, authorized to assign, set over and transfer Private Carrier Permit No. B-4373, being the same authority as heretofore granted to transferors, to Kerr Truck Company, a Colorado corporation, of Cameo, Colorado, subject to the assumption of outstanding indebtedness, if any.

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

The right of transferee to operate under this Order shall depend upon its compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferors of delinquent reports, if any, covering operations under said permit up to time of transfer of said permit.

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

Dated at
this 5th

Ralph C. Hutton
John P. Thompson
Joseph F. Hagan
Commissioners.

Dated at Denver, Colorado,
this 5th day of September, 1957.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
HARVEY HEAD, DOING BUSINESS AS)	
"DELTA TAXI SERVICE," 251 MAIN)	
STREET, DELTA, COLORADO, FOR AUTH-)	APPLICATION NO. 15646-Transfer
ORITY TO TRANSFER PUC NO. 2019 TO)	
LAWRENCE W. DORSEY, PAONIA HOTEL,)	
PAONIA, COLORADO.)	

IN THE MATTER OF THE APPLICATION OF)	
HARVEY HEAD, DOING BUSINESS AS)	
"DELTA MOTOR WAY," 251 MAIN STREET,)	
DELTA, COLORADO, FOR AUTHORITY TO)	APPLICATION NO. 15647-Transfer
TRANSFER PUC NO. 3338 TO LAWRENCE W.)	
DORSEY, PAONIA HOTEL, PAONIA, COLO-)	
RADO.)	
-----)	

September 5, 1957

Appearances: Sam Fairlamb, Esq., Delta,
Colorado, for Applicants.

S T A T E M E N T

By the Commission:

This matter was duly heard on the 22nd day of August, 1957, at the Court House in Montrose, Colorado, upon due and proper notice to all interested parties. At the hearing, the two matters were consolidated for hearing.

Transferor Harvey Head, doing business as "Delta Motor Way," is the holder of PUC No. 3338, providing for the transportation of passengers, express and baggage between Delta, Colorado, and Paonia, Colorado, and Paonia, Colorado, and Somerset, Colorado, except charter rights originating in Delta, Colorado. He is likewise the owner of PUC No. 2019, providing for the transportation of passengers and their baggage, in taxicab service, in the City of Paonia, Colorado, and within a radius of twenty-five miles of said city.

These two authorities Harvey Head seeks to transfer to Lawrence W. Dorsey under contract of sale providing for the consideration of \$2,000, on terms of \$1,000 cash, and the balance to be paid in monthly installments of \$50.00, bearing interest at the rate of 6% per annum.

The transferee's financial stability, training and experience were established to the satisfaction of the Commission.

No one appeared in opposition to the transfer of said authorities.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement should be made a part of these Findings by reference.

That the transfer sought herein is compatible with the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That Harvey Head, doing business as "Delta Taxi Service," Delta, Colorado, be, and he is hereby, authorized to transfer all his right, title and interest in and to PUC No. 2019 -- with authority as set forth in the above and foregoing Statement, which is made a part hereof by reference -- to Lawrence W. Dorsey, Paonia, Colorado, subject to outstanding indebtedness, if any.

That Harvey Head, doing business as "Delta Motor Way," Delta, Colorado, be, and he is hereby, authorized to transfer all his right, title and interest in and to PUC No. 3338 -- with authority as set forth in the above and foregoing Statement, which is made a part hereof by reference -- to Lawrence W. Dorsey, Paonia, Colorado, subject to payment of outstanding indebtedness, if any.

That the transfer of PUC No. 2019 and PUC No. 3338 shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said

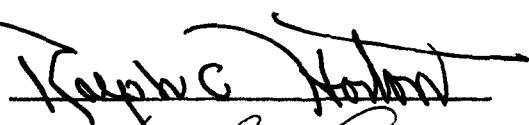
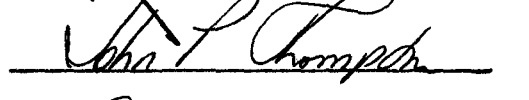

certificates have been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30)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

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 certificates up to the time of transfer of said certificates.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 5th day of September, 1957.

ea

original

(Decision No. 48652)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
E. E. TURNER AND JACK E. TURNER, CO-)
PARTNERS, DOING BUSINESS AS "TURNER)
BROS. TRUCKING CO.," P. O. BOX 421,) APPLICATION NO. 15513-PP-Transfer
ELK CITY, OKLAHOMA, FOR AUTHORITY TO)
TRANSFER PERMIT NO. B-4766 TO JACK)
E. TURNER, JACK TURNER, AND E. E.)
TURNER, CO-PARTNERS, DOING BUSINESS)
AS "TURNER BROS. TRUCKING CO.," P.)
O. BOX 4626, OKLAHOMA CITY, OKLAHOMA.)

September 5, 1957

Appearances: E. E. Turner, Elk City,
Oklahoma, for Trans-
ferors and Transferees.

S T A T E M E N T

By the Commission:

E. E. Turner and Jack E. Turner, co-partners, doing busi-
ness as "Turner Bros. Trucking Co.," Elk City, Oklahoma, are the
owners and operators of Permit No. B-4766, authorizing:

Transportation of machinery, equipment,
materials and supplies used in or in
connection with the discovery, develop-
ment, production, refining, manufacture,
processing, storage, transmission and
distribution of natural gas and petro-
leum and their products and by-products
and machinery, materials, equipment, and
supplies used in or in connection with
the construction, operation, repair, ser-
vice, maintenance and dismantling of pipe
lines, including the stringing and pick-
ing up thereof, except in connection with
main or trunk pipe lines, said service to
originate at or be destined to supply
houses, warehouses, or railheads within a
radius of one hundred fifty (150) miles
of Fort Morgan, Colorado, provided, how-
ever, that applicants shall not be per-
mitted to haul in competition with line-
haul common carriers between towns.

By the instant application filed May 27, 1957, said permit-

holders seek authority to transfer said Permit No. B-4766 to Jack E. Turner, Jack Turner, and E. E. Turner, co-partners, doing business as "Turner Bros. Trucking Co.," Oklahoma City, Oklahoma.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Fort Morgan, Colorado, August 26, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

E. E. Turner appeared in support of the application, both for the transferors and for the transferees. He testified that Jack Turner is his brother, and that Jack E. Turner is a nephew; that they are expanding to include his brother, in conformance with other authorities held; that there will be no change in the actual ownership, nature of the operation, equipment, or the permit.

No one appeared in opposition to the proposed transfer and no reason appears why the same should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

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 E. E. Turner and Jack E. Turner, co-partners, doing business as "Turner Bros. Trucking Co.," Elk City, Oklahoma, should be, and they are hereby, authorized to transfer all their right, title, and interest in and to Permit No. B-4766 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Jack E. Turner, Jack Turner, and E. E. Turner, co-partners, doing business as "Turner Bros. Trucking Co.," Oklahoma

City, Oklahoma, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

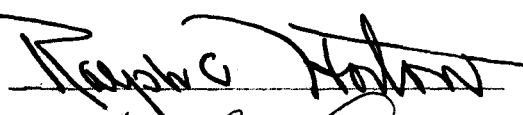
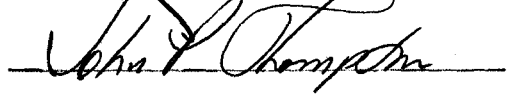

That said transfer shall become effective only if and when, but not before, said transferors and transferees, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of 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, unless such time shall be extended by the Commission, upon proper application.

The right of transferees to operate under this Order shall depend upon their compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferors of delinquent reports, if any, covering operations under said permit up to the time of transfer of said permit.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 5th day of September, 1957.

mls

original

* * *

APPLICATION NO. 15633

September 5, 1957

Applicant.

S T A T E M E N T

By the Commission:

By application filed July 5, 1957, the applicant seeks authority to operate as a motor vehicle common carrier for the transportation of "garbage, trash, and all kinds of personal property, except freight, express and mail," between points within the City of Wray, Colorado, and including the right to transport trash and garbage to disposal grounds outside the City limits of Wray.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Fort Morgan, Colorado, August 26, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

The applicant testified in support of his application. It appears from the evidence that the City of Wray is a home-rule City in which this Commission had no jurisdiction prior to the adoption of Article XXV of the State Constitution by the People of the State in November, 1954. This application merely seeks recognition of the "Grandfather Rights" of the applicant to continue to perform the services he was performing at the time the Amendment be-

came effective.

It appears that the applicant has operated within the corporate limits of the City of Wray since June, 1950. His principal occupation has been the removal of trash, junk and garbage, although he has infrequently been called upon to move a single piece of household furniture or some other similar commodity. He has a pickup truck, manufacturer rated at one-half ton, which has been a sufficiently large vehicle during his entire operation. He has not engaged in any local transportation from merchants to customers, or from rail-sidings, or truck load platforms to merchants. When the words of exclusion "except freight, express and mail" were included in his application, he intended them to refer to traffic which originates at the railroad station, he said. There is another carrier engaged in the general cartage business in the City, and his application should not be construed to duplicate or conflict with the authority sought by that carrier, who is Ray Ralph, doing business as "Murphy's Transfer."

No one appeared in protest to the application and no reason appears why the same should not be granted, as restricted in the following Order.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference.

That public convenience and necessity require the granting of the proposed motor vehicle common carrier service of applicant.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed

common carrier motor vehicle, call and demand, service of Bernard F. Devlin, Wray, Colorado, for the transportation of trash, junk, and garbage, between points within the corporate limits of the City of Wray, Colorado, and from such points to disposal grounds outside the City Limits; and for the transportation of general commodities between points within the corporate limits of Wray, Colorado, specifically excluding, however, the delivery of any commodity from the railroad station, or from the dock of the Burlington Truck Line in that City, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That in the exercise of this authority, the holder thereof shall use no vehicle having a manufacturer's rating larger than one-half ton.

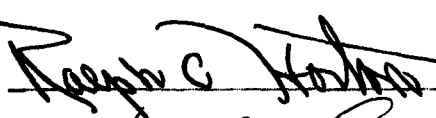


That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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 5th day of September, 1957.

mls

original

(Decision No. 48654)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAY RALPH, DOING BUSINESS AS)
"MURPHY'S TRANSFER," 234 EIM STREET,)
WRAY, COLORADO, FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY TO)
OPERATE AS A COMMON CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 15634

September 5, 1957

Appearances: Joseph T. Callahan, Esq.,
Wray, Colorado, for
Applicant.

S T A T E M E N T

By the Commission:

By application filed July 5, 1957, the applicant seeks authority to operate as a motor vehicle common carrier, for the transportation of freight, express, mail, trash, and general dray service, including pick-up and delivery of all kinds of personal property, except garbage between points within the corporate limits of Wray, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Fort Morgan, Colorado, August 26, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

The applicant testified in support of his application. It appears from the evidence that the City of Wray is a home-rule City in which this Commission had no jurisdiction prior to the adoption of Article XXV of the State Constitution by the People of the State in November, 1954. This application merely seeks recognition of the "Grandfather Rights" of the applicant to continue to perform the ser-

vices he was performing at the time the Amendment became effective.

It appears that the applicant has been engaged in the transportation business in Wray, Colorado, since 1941. A large part of his work is the distribution of rail freight, and Burlington Truck Line freight, arriving in Wray. He also transports the mail from the railroad station to the Post Office, and distributes goods arriving by rail express. He occasionally hauls household goods or office furniture from point to point within the City and occasionally makes a delivery from a store to a customer. He has never hauled garbage and does not seek authority for such transportation by this application, as that work is well handled at present by his companion carrier, Bernard F. Devlin. It appears from the evidence that although Mr. Devlin is principally a trash and garbage hauler and this applicant is principally a carrier of dray freight, the two do cooperate on occasion in the transportation of some particular quantity of one type of article or another. Each recognizes, however, that this applicant is the principal cartage company in the City.

No one appeared in opposition to the granting of the application, and no reason appears why the same should not be granted.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

That public convenience and necessity require the granting of the proposed motor vehicle common carrier service of applicant.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed common carrier motor vehicle, call and demand, service of Ray Ralph,

doing business as "Murphy's Transfer," Wray, Colorado, for the transportation of freight, express, mail, trash, and general dray service, including pick-up and delivery of all kinds of personal property, except garbage between points within the corporate limits of Wray, Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

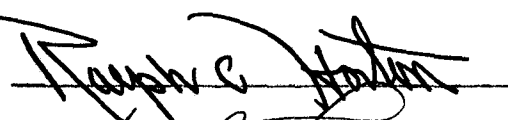

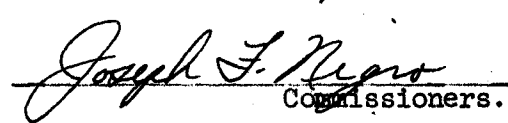
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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 5th day of September, 1957.

mls

original

(Decision No. 48655)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
SOUTHERN SAN LUIS VALLEY RAILROAD)
COMPANY, FOR AN ORDER AUTHORIZING)
ABANDONMENT OF A PORTION OF ITS) APPLICATION NO. 15645
LINE IN COSTILLA COUNTY, COLORADO.)
-----)

September 5, 1957

S T A T E M E N T

By the Commission:

On April 29, 1957, Southern San Luis Valley Railroad Company applied to the Interstate Commerce Commission for permission to abandon the southern portion of its line of railroad extending from a point approximately 1 mile south of the station at McClintock, to and including the southern terminus thereof at Jaroso, approximately 29 miles, in Costilla County, Colorado.

The attorney for applicant has petitioned this Commission to adopt the Findings and Order of the Interstate Commerce Commission in Finance Docket No. 19745, and moved that an ex parte order be issued by this Commission.

Neither this Commission nor any other state commission objected to the granting of the application for abandonment of approximately 29 miles of rail line in Costilla County, Colorado, and it appears from the record and the abandonment order that the principal shippers concurred in the petition for abandonment; that the principal shipper is a principal stockholder and a director of applicant, and that adequate transportation facilities can be provided by the use of motor carrier transportation. Five other shippers advised the Interstate Commerce Commission that they had no objection to the abandonment.

The local owners request the instant abandonment because of recent developments in shipping and marketing the fresh produce and the substitution of new materials for building block aggregate. These items have been the major source of revenue which is all freight, no passenger service being offered.

The staff of the Commission has made a field investigation and verified the above facts, and also that the movement of produce has been adjusted so that adequate service can be provided using a southern terminal at McClintock. A modern vacuum quick-cooling process plant has been installed at McClintock where lettuce is cleaned and packed, cooled, and loaded directly into refrigerator cars or refrigerated trucks. All traffic to McClintock can be provided by present motor carriers. There is no indication that there is any public need for continuance of the 29-mile segment of the applicant's railroad.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is made a part of these Findings by reference.

That the Findings of the Interstate Commerce Commission in Finance Docket No. 19745 be, and hereby are, made a part of these Findings.

That public convenience and necessity do not require further operation in intrastate commerce, by Southern San Luis Valley Railroad Company of that portion of its line sought to be abandoned.

That continued operation of this segment of the line would impose an undue and unnecessary burden upon the applicant.

O R D E R


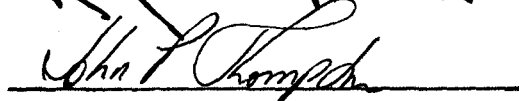
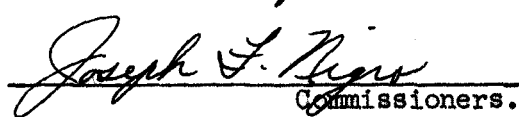
THE COMMISSION ORDERS:

1. That present and future public convenience and necessity do not require the operation by Southern San Luis

Valley Railroad Company of that portion of its line, in intra-state commerce, in Costilla County, Colorado, extending from a point approximately one mile south of the station at McClintock, and all stations between said point and the terminus at Jaroso, Colorado, being approximately 29 miles of track and all intermediate points, and the abandonment thereof is hereby approved.

2. This certificate for abandonment shall take effect and be in force from and after twenty-one days from the date hereof. Tariffs applicable to the portion of the line herein permitted to be abandoned shall be cancelled upon notice to this Commission and to the general public by not less than one day's filing and posting in the manner prescribed by the rules and regulations of this Commission, and that when filing schedules cancelling tariffs applicable to the portion of the line herein authorized, the Southern San Luis Valley Railroad Company shall refer to this certificate by date and docket number.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 5th day of September, 1957.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOE P. SCHMALZ, ROUTE 2, BOX 108,)
DELTA, COLORADO, FOR A CLASS "A")
PERMIT TO OPERATE AS A PRIVATE CAR-) APPLICATION NO. 15630-PP
RIER BY MOTOR VEHICLE FOR HIRE, FOR)
THE TRANSPORTATION OF NEWSPAPERS)
FROM DELTA, COLORADO, TO SOMERSET,)
COLORADO, AND INTERMEDIATE POINTS.)
-----)

September 5, 1957

Appearances: R. N. Stewart, Esq., Delta,
Colorado, for Applicant;
Sam Fairlamb, Esq., Delta,
Colorado, for Harvey Head
and Lawrence Dorsey;
Marion Smyser, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc.

S T A T E M E N T

By the Commission:

This matter was heard on the 22nd day of August, 1957,
at the Court House, Montrose, Colorado, upon due and proper
notice to all interested parties.

At the commencement of the hearing, counsel for
Messrs. Head and Dorsey moved that the hearing be continued for
the reason that no prior notice had been served upon Harvey Head,
the holder of a certificate of public convenience and necessity.
This motion was taken under advisement.

This is an application for authority to operate as a
private carrier for the transportation of newspapers from Delta
to Somerset, and intermediate points. Applicant Joe P. Schmalz,
of Delta, Colorado, is the Star Route mail carrier who has a
contract with the United States of America for the carriage of
mail deliveries and Parcel Post from Delta to Somerset. He
operates on a schedule which leaves Delta at approximately 8:40 A.M.,

seven days a week. He testified that the Denver Post desires service since no other carrier goes from Paonia to Somerset. Mr. Schmalz also testified that he was unaware that authority was required from this Commission to carry the Denver Post, and that he has been hauling this newspaper for some time. His average daily load has been 600 pounds.

L. E. Eichinger, of Rio Grande Motor Way, Inc., testified that the company he represents has a scheduled haul, Monday through Friday, from Delta to Paonia, and as service demands to Somerset, but it does not provide seven-day service.

Harvey Head, of the Delta Motor Way, likewise testified that his company provides two round trips from Delta to Paonia, seven days a week, but is only on call to Somerset, and that the granting of this authority would impair the income of his company, having lost approximately \$12,000 in 1955, and \$6,000 in 1956.

Mr. Schmalz testified that his charges are 1¢ per pound for this service, and Delta Motor Way produced evidence that they have a regularly-filed tariff of 3¢ per pound for this type of service.

It was adduced at the hearing that other newspapers are carried by mail, and that the Denver Post could be mailed, which would require the use of this carrier for no compensation.

It is evident that while a new permit is sought, the service rendered in the business that is available is not now available to present existing carriers. There is no assurance that if this permit were denied that the service would be turned over to existing carriers. The total volume of this business -- even at the rate of 3¢ per pound -- would amount to a gross of approximately \$200.00 per month, with the added requirement that presently existing carriers would necessarily have to make the trip daily to Somerset from Paonia, in all kinds of weather, on what amounts to a line-haul, for one commodity. It is difficult to perceive how this business, standing alone, would aid an

existing carrier, or how the granting of this permit would impair the ability of existing carriers to serve.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is made a part of these Findings by reference.

That the service sought to be rendered is compatible with the public interest, and that the application for the permit should be granted.

That the granting of said permit will not impair the service of existing common carriers.

O R D E R

THE COMMISSION ORDERS:

That Joe P. Schmalz, of Delta, Colorado, be, and he hereby is, authorized to operate as a Class "A" private carrier by motor vehicle for hire, for the transportation of the Denver Post only, from Delta, Colorado, to Paonia, Colorado, and from Paonia to Somerset, Colorado, and all intermediate points, on a daily scheduled haul.

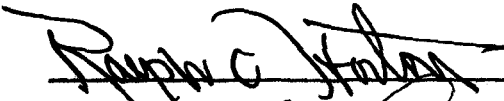


That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 5th day of September, 1957.

ea

original

(Decision No. 48657)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THOMAS A. CLARKE AND DOROTHY G.)
CLARKE, FLEMING, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE THE FLEMING)
TELEPHONE EXCHANGE, FLEMING, LOGAN)
COUNTY, STATE OF COLORADO.)

APPLICATION NO. 13293

September 5, 1957

Appearances: Kreager and Sublett, Esqs.,
Sterling, Colorado, by
Charles W. Kreager, Esq.,
for Applicant;
Wolvington & Carlton, Esqs.,
Sterling, Colorado, for
Protestants;
P. M. Brown, Denver, Colo-
rado, and
J. M. McNutly, Denver, Colo-
rado, for the Commission.

S T A T E M E N T

By the Commission:

By Decision No. 46907, of November 29, 1956, in the above-entitled application, after a hearing duly held, the Commission denied said application. In accordance with the rules and regulations so provided, Applicant petitioned the Commission for a rehearing and said petition was granted. The matter was re-heard on May 14, 1957, in the District Court Room in Sterling, Colorado, and, at the conclusion of the rehearing, the matter was taken under advisement.

The Order of the Commission in the rehearing of this matter had not been issued when an application was filed with the Commission by the Haxtun Telephone Company to purchase the Fleming Telephone Exchange, and all of the interests of Thomas A. and Dorothy G. Clarke. By Decision No. 48642, under date of August 30, 1957, in Application

No. 15552, the Commission authorized the Haxtun Telephone Company to purchase the Fleming Telephone Exchange. In view of the situation, the matter in Application No. 13293 has become moot and hence no further Order of the Commission on the merits need be issued. However, in order to clear the files of the Commission, we will issue an Order closing said docket.

F I N D I N G S

THE COMMISSION FINDS:

That the matters contained in Application No. 13293 having become moot the record in said matter should be closed.

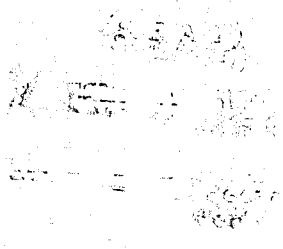
O R D E R

THE COMMISSION ORDERS:

That the docket in Application No. 13293 be, and it hereby is closed.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Ray C. Haxtun
John P. Thompson
Joseph F. Nye
Commissioners.

Dated at Denver, Colorado,
this 5th day of September, 1957.

mls

original

(Decision No. 48658)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
TALTON L. BLAIR, DOING BUSINESS AS)
"FAST TAXI SERVICE," 340 NORTH CAS-)
CADE, MONTROSE, COLORADO, FOR AUTH-)
ORITY TO TRANSFER PUC NO. 1648 TO) APPLICATION NO. 15624-Transfer
RONALD LEE POWELL AND VELTA POWELL,)
CO-PARTNERS, DOING BUSINESS AS "FAST)
TAXI SERVICE," 340 NORTH CASCADE,)
MONTROSE, COLORADO.)

IN THE MATTER OF THE APPLICATION OF)
TALTON L. BLAIR, DOING BUSINESS AS)
"FAST TAXI SERVICE," 340 NORTH CAS-)
CADE, MONTROSE, COLORADO, FOR AUTH-)
ORITY TO TRANSFER PUC NO. 3680 TO) APPLICATION NO. 15625-Transfer
RONALD LEE POWELL AND VELTA POWELL,)
CO-PARTNERS, DOING BUSINESS AS "FAST)
TAXI SERVICE," 340 NORTH CASCADE,)
MONTROSE, COLORADO.)

September 5, 1957

Appearances: T. L. Brooks, Esq., Montrose,
Colorado, for Applicant
Talton L. Blair;
Charles A. Petrie, Esq., Mont-
rose, Colorado, for Trans-
ferees.

S T A T E M E N T

By the Commission:

This matter was duly heard August 22, 1957, at the Court
House, Montrose, Colorado, after due and proper notice to all
parties in interest. The two matters were consolidated for hearing.

Talton L. Blair, doing business as "Fast Taxi Service,"
Montrose, Colorado, is the holder of PUC No. 1648, which provides
for the:

Transportation of passengers and their
baggage in the Town of Telluride, and
the transportation of passengers and

their baggage from the Town of Telluride on the one hand, to and from all points in the Counties of Montrose, San Miguel, San Juan, Ouray, Hinsdale and Gunnison, on the other hand, all in the State of Colorado.

The said Talton L. Blair, doing business as "Fast Taxi Service," Montrose, Colorado, is likewise the holder of PUC No. 3680, providing for:

Transportation of passengers in cabs of not to exceed 5-passenger capacity, between points in the area within a radius of 12 miles of and including the City of Montrose, and the transportation of passengers in cabs of not to exceed 5-passenger capacity, each, between the City of Montrose and all points in the Counties of Montrose, San Miguel, San Juan, Ouray, Hinsdale and Gunnison, said passenger haul originating or terminating within the City of Montrose; transportation of passengers from Montrose to Delta, only, with the right to carry the same passengers from Delta back to Montrose in round-trip service, only; transportation of passengers on call and demand from points within a radius of 12 miles of Montrose, Colorado, including the City of Montrose, to Grand Junction Airport and Grand Junction, only, with further restriction that service to and from Grand Junction and to Grand Junction Airport is limited to one-way service to Grand Junction and the Grand Junction Airport from the Montrose Area to Grand Junction and the Grand Junction Airport and return with the same passengers, or passenger, in the same vehicle, with waiting time in Grand Junction not to exceed one hour;

Transportation of passengers and baggage as common carrier by motor vehicle between points in the area within a radius of 12 miles of, and including, the City of Montrose on the one hand, and, on the other, points and places in that part of the State of Colorado within a radius of 60 miles of Montrose;

Transportation of passengers and baggage on sightseeing service on conducted all-expense tours within the City of Ouray on the one hand, and, on the other, points and places in that part of the State of Colorado lying west of the Continental Divide.

By virtue of these applications, it is sought to transfer the respective certificates to Ronald Lee Powell and Velta Powell, co-partners, doing business as "Fast Taxi Service," Montrose, Colorado.

On the 16th day of November, 1954, said Talton L. Blair entered into a contract for the sale of said certificates to the transferees Ronald Lee Powell and Velta Powell, for the total consideration of \$6,000, upon terms providing for \$1,750 down, the balance, with interest at 6% per annum, at the rate of \$100 per month. It appears that all but \$ 00 or \$300 of said purchase price has been paid, as provided in the contract. During the time of said payments, the certificates were leased to the transferees with the permission of this Commission.

The financial ability, training and experience of the transferees were established to the satisfaction of the Commission.

No one appeared in opposition to the transfer of these certificates.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is made a part of these Findings by reference.

That the transfer of these two certificates is compatible with the public interest and should be authorized.

O R D E R

THE COMMISSION ORDERS:

That Talton L. Blair, doing business as "Fast Taxi Service," Montrose, Colorado, be, and hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1648 -- being the authority set forth in the above and foregoing Statement, which is made a part hereof by reference -- to Ronald Lee Powell and Velta Powell, co-partners, doing business as "Fast Taxi Service," Montrose, Colorado, subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

That Talton L. Blair, doing business as "Fast Taxi Service," Montrose, Colorado, be, and hereby is, authorized to transfer all his

right, title and interest in and to PUC No. 3680 -- with authority as set forth in the above and foregoing Statement, which is made a part hereof by reference -- to Ronald Lee Powell and Velta Powell, co-partners, doing business as "Fast Taxi Service," Montrose, Colorado, subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

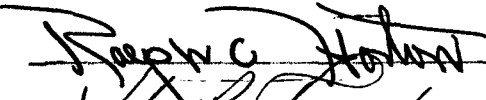
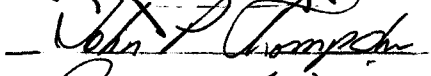
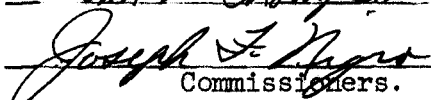
That said transfer shall become effective only if and when, but not before, said transferor and transferees, in writing, have advised the Commission that said certificates have been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements 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, unless such time shall be extended by the Commission, upon proper application.

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 operations under said certificate up to the time of transfer of said certificate.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 5th day of September, 1957.
mls

original

(Decision No. 48659)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JACK MC MILLION, AKRON, COLORADO,)
FOR AUTHORITY TO LEASE PERMIT NO.) APPLICATION NO. 15635-PP-Lease
B-3986 TO KENNETH N. CHURCHILL,)
AKRON, COLORADO.)

September 5, 1957

Appearances: Jack McMillion, Akron,
Colorado, pro se;
Kenneth N. Churchill,
Akron, Colorado, pro
se.

S T A T E M E N T

By the Commission:

Jack McMillion, Akron, Colorado, is the owner and operator
of Permit No. B-3986, authorizing:

Transportation of milk along U. S. Highway
No. 34 for a distance of 15 miles on either
side of said highway from the point where
it intersects the Colorado-Nebraska State
line, to the Washington County-Morgan
County line, and from any and all points in
Washington County and Yuma County, Colorado,
to be hauled to the McLagan Creamery at
Brush, Colorado, with back-haul of empty
cans;

Transportation of milk, in bulk, in tank ve-
hicles from farm milk producers in Washing-
ton and Yuma Counties, Colorado, to Denver,
Colorado.

By the instant application, said permit-holder seeks
authority to lease said Permit No. B-3986 to Kenneth N. Churchill,
Akron, Colorado.

Said application, pursuant to prior setting, after appro-
priate notice to all parties in interest, was heard at the Court
House, Fort Morgan, Colorado, August 26, 1957, and at the conclu-
sion of the evidence, the matter was taken under advisement.

Jack McMillion, the lessor, appeared in support of the application. He testified that he has no other authority from this Commission; that there is no indebtedness against the permit, but he will pay any that appears; that he will have no interest in the operation of the permit; that the lessee is buying the equipment; and that no mortgage is involved. He identified the lease agreement, which is for a term of two years, commencing July 1, 1957, and expiring on July 1, 1959, with option to renew for another term of two years. By the terms of the lease, the lessee agrees to pay as rental for said permit a sum equal to ten per cent of the gross revenue obtained from hauling in the operation of the milk hauling route covered by the above described permit. The lease agreement also covers an option to purchase said permit prior to July 1, 1959, for a total purchase price of \$5,000.

Kenneth N. Churchill, Akron, Colorado, the lessee, appeared in support of the application. He testified that he has no other authority from this Commission; that he has been familiar with the operations under this permit since July; that he will use the present equipment; that he is familiar with the rules and regulations of this Commission, and will abide by them. He identified his financial statement attached to the application, showing a net worth of approximately \$13,500. He also identified the lease agreement and the terms thereof, and stated that he understands that he will have to apply separately for the transfer of the permit, if he exercises the option contained in the lease, prior to July 1, 1959.

No one appeared in opposition to the proposed transfer, and no reason appears why the same should not be granted.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

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 Jack McMillion, Akron, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to Permit No. B-3986 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Kenneth N. Churchill, Akron, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said lease shall become effective only if and when, but not before, said lessor and lessee, 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 lease, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

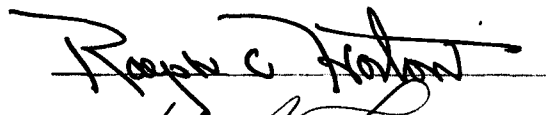

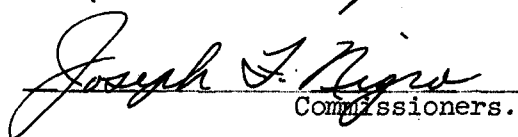
The right of lessee to operate under this Order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by lessor of delinquent reports, if any, covering operations under said permit up to the time

of lease of said permit.

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

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 5th day of September, 1957.

mls

Original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JACK C. MC CLELLAND, 694 SOUTH)
QUITMAN STREET, DENVER, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY TO OPERATE AS A)
COMMON CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 15541

September 5, 1957

Appearances: Jack C. McClelland, Denver,
Colorado, pro se;
Robert E. McLean, Esq., Den-
ver, Colorado, for Asso-
ciated Rubbish Removal
Association, Harvey C.
Davis, Arapahoe Rubbish Re-
moval, Englewood-Littleton
Pickup Service, Inc.,
Freddy's Rubbish Removal,
A. Wimberly, Weber's Haul-
ing Service, William J.
Allspach, Joseph G. Alls-
pach, Ellis Disposal,
Broomfield Heights Waste
Disposal, Aurora Ash &
Trash Co., Derby Waste Dis-
posal, Sam's Ash & Trash
Service, Cook's Disposal,
Lakewood Disposal Company,
Aurora Removal Service,
Aurora and East Denver
Trash Disposal.

S T A T E M E N T

By the Commission:

On June 12, 1957, Jack C. McClelland, Denver, Colorado,
applicant herein, filed his application with the Commission for a
certificate of public convenience and necessity, authorizing trans-
portation of ashes and trash within the Metropolitan Area of Denver,
State of Colorado.

Said application was originally set for hearing July 17,

1957, but the Commission, by its Decision No. 48398, recessed said hearing, said matter to be re-set for hearing at a future date to be determined by the Commission.

Said matter was finally set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, August 23, 1957, at ten o'clock A. M., and after the taking of evidence, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant presently is operating under a Class "M" Permit, and is in the business of selling top soil and fertilizer for lawns. The evidence indicates that applicant's real business is in rejuvenating lawns and doing yard work for residents within the City and County of Denver. Applicant stated that in the performance of these duties, he is often called upon to haul off rubbish occasioned by said work, and he is asking for this certificate so that he can take care of the people he is serving in his present employment. It appears that he does not intend to enter into competition with ash and trash haulers.

Applicant had no witnesses present to testify in support of his application.

In opposition, protestants, by their attorney, appeared protesting the granting of any authority. The witnesses who testified, however, were not residents of the City and County of Denver, and it appeared they did not have authority that extended into the City and County of Denver, and offices of both protestants who appeared and testified were outside the City and County of Denver.

Ordinarily, and if we interpret the law strictly, applicant should not be entitled to a certificate of public convenience and necessity, for the reason that the evidence failed to show a need for his services beyond his direct testimony. However, the Commission has been handling ash and trash services for a number of years, and only within the last three years has the City and County of Denver

come under the jurisdiction of the Commission. This is a service that the Commission, in the last two reports to the Governor and the Legislature, has indicated that they fail to see where the service was one of transportation, but was rather a health measure, and recommended to the Legislature that the hauling of ashes and trash be officially declared to be not a matter of transportation, and jurisdiction taken away from the Commission.

The problem presented by this application points that problem up. Frankly, the hauling of trash within the City Limits of Denver is not a transportation problem; it is one of health and cleanliness, and we are of the opinion, from our experience in the granting of ash and trash certificates, that applicant's proposed service is needed, and we feel we would be remiss in our duties to the public residing in the City and County of Denver if we do not grant said application.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require applicant's proposed motor vehicle common carrier call and demand transportation services, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the motor vehicle common carrier call and demand transportation services of Jack C. McClelland, Denver, Colorado, for the transportation of trash, from points within the City and County of Denver, to authorized City Dumps, either within the City and County of Denver, or in the Metropolitan Area of Denver, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor, operations hereunder to be restricted to operations of one truck, not

to exceed one-half-ton capacity.

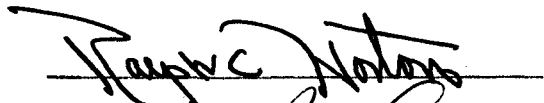

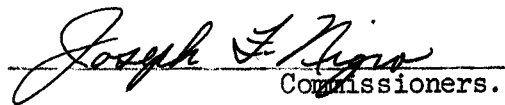
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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 5th day of September, 1957.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN KAPUSHION, DOING BUSINESS AS)
"CRESTED BUTTE TRUCK LINE,"CRESTED)
BUTTE, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY,)
AUTHORIZING EXTENSION OF OPERATIONS)
UNDER PUC NO. 2070.)
-----)

APPLICATION NO. 15618-Extension

September 5, 1957

Appearances: Ed Dutcher, Esq., Gunnison,
Colorado, for Applicant;
Jack Coleman, Gunnison,
Colorado, for Gunnison
Truck Line.

S T A T E M E N T

By the Commission:

This matter was duly heard on August 22, 1957, at the Court House, Montrose, Colorado, upon due and proper notice to all parties in interest.

Applicant John Kapushion, doing business as "Crested Butte Truck Line," under PUC No. 2070 and I, provides for the transportation of:

Baggage, mail and express between Gunnison, Colorado, and Crested Butte, Colorado, and all intermediate points, over State Highway No. 135; general commodities between Gunnison, Colorado, and Crested Butte, Colorado, and intermediate points over Colorado Highway No. 135.

General commodities between Gunnison, Colorado, and Crested Butte, Colorado, and intermediate points, over Colorado Highway No. 135, in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

By virtue of this application, he seeks authority to amend and extend said PUC No. 2070 to authorize him to transport general commodities between Crested Butte and Gunnison and intermediate points over Colorado Highway No. 135, and off-route points within ten miles of Crested Butte and thence back over Colorado Highway No. 135 to Gunnison, including ore and ore concentrates, baggage, mail and express, and to include service to all intermediate points over State Highway No. 135 and off-route points within ten miles of Crested Butte, Colorado.

John Kapushion has the authority to conduct most of the operations sought in interstate commerce. It is his desire, however, to likewise serve the Keystone Mine, within three miles of Crested Butte, the Mt. Kebler Mine, eight miles west of Crested Butte, Red Well Basin, five miles north of Crested Butte, Skyline Camp, three miles east of Crested Butte, and Springtime Camp.

Applicant has been hauling ore and ore concentrates from these mines for some time, some of which could be construed to be interstate commerce and other shipments that are purely intrastate commerce, for which he does not have authority. He has adequate equipment, financial responsibility, and experience for this operation as well as to transport all of the other commodities he desires to haul in intrastate commerce.

It appears that he is the only operator providing service on general commodities, baggage, mail and express between Gunnison and Crested Butte, and all intermediate points on State Highway No. 135 and off-route points within ten miles of Crested Butte. However, Jack Coleman of the Gunnison Truck Line, and John Partch are common carriers with authority to haul ore and ore concentrates in the area sought by applicant.

This Commission takes official notice of the fact that there has been a serious curtailment in the mining industry in Western Colorado, and especially in and around Crested Butte, Colorado.

The only evidence adduced by the applicant to establish the need for his services on ore and ore concentrates were several letters from mine operators. Although these letters were received into evidence without objection, they, standing alone, are insufficient to establish public convenience and necessity, especially where one or more common carriers are authorized to perform the services which the applicant seeks. It has been repeatedly stated by this Commission that public convenience and necessity under such circumstances must be established by shipper witnesses, giving evidence bearing probative value.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is made a part of these Findings by reference.

That public convenience and necessity require the granting of a certificate for the transportation of general commodities, excluding ore and ore concentrates but including baggage, mail and express, between Gunnison and Crested Butte and all intermediate points, over State Highway No. 135 and off-route points within ten miles of Crested Butte, thence back to Gunnison over State Highway No. 135.

That there has been a failure of proof that public convenience and necessity require the transportation of ore and ore concentrates by the applicant in said area and over said routes, and that the granting of such an authority would impair the services now being rendered by authorized common carriers and that public convenience and necessity do not require said service.

O R D E R

THE COMMISSION ORDERS:

That Applicant John Kapushion, doing business as "Crested Butte Truck Line," Crested Butte, Colorado, be, and he hereby is, granted a certificate of public convenience and necessity authorizing him to haul and transport general commodities, baggage, mail

and express between Gunnison and Crested Butte, Colorado, and all intermediate points, over State Highway No. 135, and off-route points within ten miles of Crested Butte, thence back to Gunnison over Colorado Highway No. 135, excluding, however, the right to transport and haul ore and ore concentrates, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

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

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

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

That in all other respects the application of applicant be, and the same is hereby, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hobart
John P. Thompson
Joseph F. Negro
Commissioners.

Dated at Denver, Colorado,
this 5th day of September, 1957.

ea

original

(Decision No. 48662)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RULES AND REGULATIONS PERTAINING TO)	
RAILROADS AND EXPRESS COMPANIES)	
OPERATING IN THE STATE OF COLORADO)	CASE NO. 5023
-----)	<u>NOTICE OF HEARING</u>

September 4, 1957

S T A T E M E N T

By the Commission:

By Decision No. 35761, dated December 11, 1950, in the above-numbered case, the Commission promulgated certain "Rules and Regulations Pertaining to Railroads and Express Companies Operating in Colorado." These rules became effective by the terms of the Commission's order on January 1, 1951.

The Forty-first General Assembly of the State of Colorado enacted House Bills Nos. 185 and 187, and these bills were duly signed by the Governor and became effective on April 22, 1957. House Bill No. 185 has to do with electric marker warning lights on the rear of all trains and also with adequate electrical wiring in cabooses. House Bill No. 187 has to do with the installation and maintenance by railroads of sanitary drinking water facilities and the installation of first-aid kits in railroad cabooses. A copy of House Bill No. 185 and No. 187 is attached to this order and made a part of this Statement by reference. By the terms of these bills, the Commission is empowered to prescribe certain standards of health, sanitation and safety and, consequently, in order to carry out the mandate of the General Assembly, it is incumbent upon the Commission to prescribe the necessary rules to carry out the provision of the aforesaid bills.

Attached to the instant order and made a part of this Statement by reference are proposed Rules Nos. 7, 8, 9 and 10, which have to do with the matters concerned in House Bills Nos. 185 and 187. It is proposed to add the above rules, or some modification thereof, to the "Rules and Regulations Pertaining to Railroads and Express Companies Operating in the State of Colorado."

In order that the Commission may be fully advised in this matter, we propose to serve copies of this Order, together with copies of the House Bills Nos. 185 and 187, and the proposed rules pertaining to the matters in said bills, upon all railroads operating in the State of Colorado and those railroad labor unions and brotherhoods which might have an interest in these matters, and to hold a public hearing thereon.

F I N D I N G S

THE COMMISSION FINDS:

That in the interests of health, sanitation and safety, the Commission, on its own motion, should re-open Case No. 5023 and hold a hearing regarding the matter of the "Rules and Regulations Pertaining to Railroads and Express Companies Operating in the State of Colorado" for the purpose of adding thereto certain proposed rules as set forth and attached hereto.

That a hearing should be held in regard to this matter in the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, on October 15, 1957, at 10:00 o'clock A. M.

That copies of this Order, together with copies of House Bills Nos. 185 and 187, and the proposed addition to the railroad rules, should be served on all railroads operating within the State of Colorado and upon those railroad labor unions and brotherhoods affected by said proposed rules.

O R D E R

THE COMMISSION ORDERS:

That the matter of the proposed addition to the "Rules and

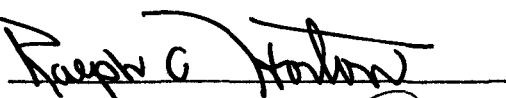

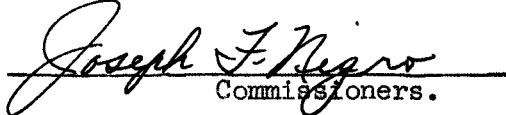
Regulations Pertaining to Railroads and Express Companies
Operating in the State of Colorado," be, and it hereby is,
set for hearing in the Commission's Hearing Room, 330 State
Office Building, Denver, Colorado, on October 15, 1957, at
10:00 o'clock A. M.

That a copy of this Order be served on all railroads
operating within the State of Colorado, and all railroad labor
unions and brotherhoods that might be affected by said proposed
rules.

That any interested party wishing to submit any proposed
changes in said proposed rules should file, in writing, with the
Commission, three (3) copies of the changes as proposed, at least
ten days prior to the above hearing date.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 4th day of September, 1957.

ea

AN ACT

HOUSE BILL NO. 185

BY REPRESENTATIVES HOLLAND, WEST
MASSARI, STRELTZER, KENDRICK,
O'DONNELL, BURK, ALLEN, DAMERON,
KELLEY, JENKINS, BYRNE, KLEIN,
MOORE, KANE, SALZ AND SLATTERY
also; SENATORS BENNETT, ROTH, CLEARY,
BISHOP, BROWN, DUNKLEE AND CLARKE.

RELATING TO EMPLOYERS AND EMPLOYEES OF RAILROADS, AND PROVIDING FOR THE REGULATION OF HEALTH AND SAFETY CONDITIONS IN PLACES OF RAILROAD EMPLOYMENT.

Be It Enacted by the General Assembly of the State of Colorado:

SECTION 1. Duties of the commission. For the purpose of protecting the health and safety of employees of railroads, the public utilities commission, hereinafter called the "commission", shall prescribe standards of safety and safety devices concerning:

(1) The installation and maintenance by railroads of electric marker warning lights on the rear of all trains with sufficient candle power to be visible at a distance of three thousand feet under ordinary atmospheric conditions; and

(2) The installation and maintenance by railroads of adequate electrical lighting within cabooses for clerical work.

SECTION 2. Compliance (1) It shall be the duty of all persons engaged in the operation of railroads to comply with any regulation or order of the commission issued under the provisions of this act, and to furnish any information required by the commission for purposes of this act. The provisions of this act shall not apply, however, to any caboose operated on tracks of less than standard gauge, nor to any caboose used only in yard service.

(2) The Commission or its authorized agent may, during reasonable hours, enter the place of operation of any person engaged in the operation of railroads for the purpose of ascertaining whether the standards prescribed by authority of this act are being complied with.

SECTION 3. Hearing upon complaint. Whenever an employee shall file a complaint with the commission charging violation of the regulation of the commission, or the commission upon its own initiative issues a complaint, the person complained of shall be served with a copy thereof and shall, within twenty days, file a written answer with the Commission. Within ten days after an answer is filed, the commission shall set a date for a hearing of the complaint at a place convenient to both the complainant and the person complained of. The commission may, in its discretion, permit any interested person or organization to intervene. A party to the hearing may appear and be heard in person or by his representative, and may examine or cross-examine witnesses or present other evidences. On motion of a party, the commission may allow a continuance of not to exceed thirty days.

SECTION 4. Order Within forty-five days after the conclusion of a hearing held under the provisions of this act, the commission shall issue an order dismissing the complaint or requiring compliance with a regulation of the commission. The commission may, in its discretion, allow the employer not to exceed sixty days within which to comply with an order. Upon petition any order of the commission shall be reviewed by the district court of the county in which the place of employment is located, and in such action the chairman of the commission shall be designated as the defendant. The decision of the district court may be appealed to the state supreme court.

SECTION 5. Penalty. Any person failing to comply with an order or regulation of the commission authorized by this act shall be liable to a penalty of twenty-five dollars for each day of noncomplying use of said caboose or cabooses. The attorney general shall file suit on behalf of the state for any unpaid penalty within one year after the penalty accrues.

SECTION 6. Extension of time. Any common carrier railroad which

is unable to equip its cabooses as prescribed by any regulation or order issued hereunder by the commission within the time prescribed therein for compliance may apply to the commission for an extension of time. The commission shall grant additional time not to exceed one year from the effective date of any such regulation or order of the commission, and during such period of extension the common carrier railroad shall not be subject to the fine prescribed by SECTION 5.

SECTION 7. The General Assembly hereby finds, determines and declares that this act is necessary for the immediate preservation of the public peace, health and safety.

Charles B. Conklin
SPEAKER OF THE HOUSE OF
REPRESENTATIVES

Frank L. Hays
President of the Senate

Lee Mathis
CHIEF CLERK OF THE HOUSE OF
REPRESENTATIVES

Mildred H. Crisswell
SECRETARY OF THE SENATE

APPROVED April 22nd 1957 at 10 35 pm.

Stephen L. R. McNichols
GOVERNOR OF THE STATE OF COLORADO

AN ACT

HOUSE BILL NO. 187

BY REPRESENTATIVES HOLLAND, WEST,
MASSARI, STRELTZER, KENDRICK,
O'DONNELL, BURK, ALLEN, DAMERON,
KELLEY, JENKINS, BYRNE, KLEIN,
KANE, MOORE, SALAZ, WOODHOUSE
and SLATTERY: also SENATORS
CLEARY, BENNETT, ROTH, BISHOP,
BROWN, DUNKLEE and CLARKE.

RELATING TO EMPLOYERS AND EMPLOYEES OF RAILROADS, AND PROVIDING FOR THE
REGULATION OF HEALTH AND SAFETY CONDITIONS IN PLACES OF RAILROAD EMPLOYMENT.

Be It Enacted by the General Assembly of the State of Colorado:

SECTION 1. Duties of the commission. For the purpose of protecting
the health and safety of employees of railroads, the public utilities commission,
hereinafter called "the commission", shall prescribe standards of health, sani-
tation and safety concerning:

(1) The installation and maintenance by railroads of sanitary drinking water
coolers of the glass bottle design securely fastened in an appropriate location
within all cabooses used in road service, and other service if deemed necessary by
the commission, for the use of the employees of said railroads.

(2) The installation and maintenance by railroads of individual paper
drinking cups and dispenser within such cabooses as described in subsection (1)
of this section for the use of said employees.

(3) The installation and maintenance by railroads of first-aid kits within
such cabooses as described in said subsection (1), of a type and with contents
as shall be determined by the commission, for use in administering first-aid to
said employees.

SECTION 2. Compliance. (1) It shall be the duty of all persons engaged
in the operation of railroads to comply with any regulation or order of the
commission issued under the provisions of this act, and to furnish any information

required by the commission for purposes of this act. The provisions of this act shall not apply, however, to any caboose operated on tracks of less than standard gauge, nor to any caboose used only in yard service.

(2) The commission or its authorized agent may, during reasonable hours, enter the place of operation of any person engaged in the operation of railroads for the purpose of ascertaining whether the standards prescribed by authority of this act are being complied with.

SECTION 3. Hearing upon complaint. Whenever an employee shall file a complaint with the commission charging violation of the regulation of the commission, or the commission upon its own initiative issues a complaint, the person complained of shall be served with a copy thereof and shall, within twenty days, file a written answer with the commission. Within ten days after an answer is filed the commission shall set a date for a hearing of the complaint at a place convenient to both the complainant and the person complained of. The commission may, in its discretion, permit any interested person or organization to intervene. A party to the hearing may appear and be heard in person or by his representative, and may examine or cross-examine witnesses or present other evidences. On motion of a party, the commission may allow a continuance of not to exceed thirty days.

SECTION 4. Order. Within forty-five days after the conclusion of a hearing held under the provisions of this act, the commission shall issue an order dismissing the complaint or requiring compliance with a regulation of the commission. The commission may, in its discretion, allow the employer not to exceed sixty days within which to comply with an order. Upon petition any order of the commission shall be reviewed by the district court of the county in which the place of employment is located, and in such action the chairman of the commission shall be designated as the defendant. The decision of the district court may be

appealed to the state supreme court.

SECTION 5. Penalty. Any person failing to comply with an order or regulation of the commission authorized by this act shall be liable to a penalty of twenty-five dollars for each day of noncomplying use of said cabooses or cabooses. The attorney general shall file suit on behalf of the state for any unpaid penalty within one year after the penalty accrues.

SECTION 6. Extension of time. Any common carrier railroad which is unable to equip its cabooses as prescribed by any regulation or order issued hereunder by the commission within the time prescribed therein for compliance may apply to the commission for an extension of time. The commission shall grant additional time not to exceed one year from the effective date of any such regulation or order of the commission, and during such period of extension the common carrier railroad shall not be subject to the fine prescribed by section 5.

SECTION 7. The General Assembly hereby finds, determines and declares that this act is necessary for the immediate preservation of the public peace, health and safety.

Charles R. Conklin
SPEAKER OF THE HOUSE OF
REPRESENTATIVES

Frank L. Hays
PRESIDENT OF THE SENATE

Lee Mathies
CHIEF CLERK OF THE HOUSE OF
REPRESENTATIVES

Mildred H. Cresswell
SECRETARY OF THE SENATE

APPROVED April 22nd 1957 at 10 40 p.m.

Stephen L. R. McNicholls
GOVERNOR OF THE STATE OF COLORADO

PROPOSED NEW RULES PERTAINING TO RAILROAD AND
EXPRESS COMPANIES PURSUANT TO HOUSE BILL NOS.
185 AND 187 ENACTED BY THE FORTY-FIRST GENERAL
ASSEMBLY OF THE STATE OF COLORADO

RULE NO. 7

Installation and Maintenance by Railroads of
Electric Marker Warning Lights on Rear of Trains.

On or before the thirty-first (31st) day of December, 1958, unless said time shall have been extended by order of this Commission, it shall be the duty of all persons engaged in the operation of railroads in the State of Colorado to install and thereafter maintain and operate rear-end warning protection devices as follows:

1. Such marker warning light or lights as are required and will conform with the operating rules of the individual railroads; said lights to be electrically lighted with sufficient candle power to be visible at a distance of 3,000 feet between sunset and sunrise under ordinary atmospheric conditions.

2. Said marker installation shall apply only to equipment operating in road service over standard gauge tracks.

3. Equipment requiring said marker light or lights shall be the rear car of passenger trains and the caboose on freight trains.

All other factors of compliance, complaint, order, penalty and extension of time shall be in accordance with said House Bill No. 185.

RULE NO. 8

Installation and Maintenance by Railroads of
Adequate Electrical Lighting within Caboose.

On or before the thirty-first (31st) day of December, 1958, unless said time shall have been extended by order of this Commission, it shall be the duty of all persons engaged in the operation of railroads in the State of Colorado to install and

maintain adequate electrical lighting at the conductor's desk where clerical work is done in all cabooses operating in road service over standard gauge tracks.

All other factors of compliance, complaint, order, penalty and extension of time shall be in accordance with said House Bill No. 185.

RULE NO. 9

Installation and Maintenance by Railroads of Sanitary Drinking Water Facilities in Cabooses.

On or before the thirty-first (31st) day of December, 1958, unless said time shall have been extended by order of this Commission, it shall be the duty of all persons engaged in the operation of railroads in the State of Colorado to install and maintain the following drinking water facilities in all cabooses in active use and operating over standard gauge lines:

1. A sanitary closed drinking water container and cooler to be provided with a proper spigot and securely fastened in an appropriate location within said cabooses for the use of railroad employees on the train of which such caboose is a part.

2. A container or dispenser containing individual paper drinking cups for the use of above railroad employees.

All other factors of compliance, complaint, order, penalty and extension of time shall be in accordance with said House Bill No. 187.

RULE NO. 10

Installation and Maintenance by Railroads of First Aid Kits in Cabooses.

On or before the thirty-first (31st) day of December, 1958, unless said time shall have been extended by order of this Commission, it shall be the duty of all persons engaged in the operation of railroads in the State of Colorado to install and maintain the following first aid facilities in all cabooses in

active use and operating over standard gauge lines:

First aid kit for use in providing emergency first aid treatment, said kit to have not less than the following contents:

- 2 Sterilized pads 3" x 3"
- 1 Gauze bandage 2" x 6 yards
- 1 Adhesive tape $\frac{1}{2}$ " x 5 yards
- 8 Plastic bandages
- Antiseptic petroleum jelly
for medical use.

All other factors of compliance, complaint, order, penalty and extension of time shall be in accordance with said House Bill No. 187.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PLATEAU NATURAL GAS COMPANY, 1605)
SOUTH TEJON STREET, COLORADO SPRINGS,)
COLORADO, FOR AN ORDER GRANTING TO)
IT A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY AUTHORIZING THE)
CONSTRUCTION OF A NATURAL GAS DIS-)
TRIBUTION SYSTEM FOR THE TRANSMIS-)
SION, DISTRIBUTION AND SALE OF)
NATURAL GAS IN THE UNINCORPORATED)
COMMUNITY OF PENROSE, FREMONT COUNTY,)
COLORADO, AND AREAS ADJACENT THERETO.)

APPLICATION NO. 15638

September 5, 1957

Appearances: Lee, Bryans, Kelly and Stans-
field, Esqs., Denver, Colo-
rado, by E. A. Stansfield,
Esq., for Plateau Natural
Gas Company;
J. M. McNulty, Denver, Colo-
rado,
E. R. Thompson, Denver, Colo-
rado, and
Paul M Brown, Denver, Colo-
rado, for the Commission.

S T A T E M E N T

By the Commission:

This is an application by Plateau Natural Gas Company
(Applicant) for a certificate of public convenience and necessity
to construct a natural gas distribution system in, and to engage
in the business of distributing and selling natural gas in, the un-
incorporated community of Penrose, Fremont County, Colorado, and to
construct a distribution main consisting of approximately 14,500
feet of 2.375 inches O.D. pipeline and 4,000 feet of 1.660 inches
O.D. pipeline from a point near the southwest town limits of Pen-
rose, Colorado, to a point of proposed interconnection with the
existing high pressure transmission pipeline of Colorado Interstate

Gas Company (Interstate), a natural gas company subject to the jurisdiction of the Federal Power Commission, in the Southeast Quarter (SE 1/4) of Section Twelve (12), Township Nineteen (19), Range Sixty-nine (69) West.

Applicant also seeks by the instant application a certificate of public convenience and necessity to render natural gas service at retail to residential, commercial and industrial customers as they develop from time to time in the following sections in Fremont County, Colorado, adjacent to the proposed initial service in the unincorporated community of Penrose:

<u>Section No.</u>	<u>Township</u>	<u>Range</u>
1 & 12	19 South	69 West
36	18 South	69 West
3, 4, 5, 6, 7, 8, 9 & 10	19 South	68 West
31, 32, 33 & 34	18 South	68 West

The hearing on said application was held, after due notice to all parties, on August 21, 1957, at 3:00 o'clock P. M., at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, and at the conclusion thereof, the matter was taken under advisement.

No petitions of intervention were filed with the Commission prior to the hearing, and no one appeared at the hearing in opposition to the authority sought by Applicant in this matter.

Applicant is a corporation duly organized and existing under the laws of the State of Colorado, and its Articles of Incorporation, as amended, have heretofore been filed with this Commission.

Applicant is a public utility operating company, subject to the jurisdiction of this Commission, engaged in the purchase, distribution, and sale of natural gas to domestic, commercial and industrial customers in the City of Florence and Town of Portland and areas adjacent thereto, in Fremont County, Colorado, as well as elsewhere in the State of Colorado. The post office address and principal office of

Applicant is 1605 South Tejon Street, Colorado Springs, Colorado. As a public utility operating company, Applicant is the holder of several certificates of public convenience and necessity from this Commission, and in particular is the holder of a certificate of public convenience and necessity authorizing it to distribute and sell gas in an area immediately adjacent to the area sought to be certificated by this application.

Applicant had made a feasibility study of the proposed distribution system in Penrose, Colorado, and the area adjacent thereto, which was introduced at the hearing as Exhibit E, and supported by Exhibits E-1 and E-2. These latter Exhibits showed respectively the anticipated annual and peak day requirements for the year 1958 through 1962 and the estimated cost of gas to Applicant for the same years, based upon Interstate's existing G-1 rate. For the year 1958, these Exhibits showed that Applicant's estimated annual requirements would approximate 10,651 MCF, that its peak day requirements would be 85 MCF, and that its cost of purchased gas, computed at Interstate's existing G-1 rate, would be \$3,651.20. Exhibit E reflected estimated net operating income for the years 1958 through 1962 to range from \$736.35 for 1958 to \$1,216.71 for 1962.

The facilities proposed to be constructed, together with the estimated cost thereof were shown on Applicant's Exhibit B introduced at the hearing, such total estimated cost being the sum of \$16,753.68. This figure will be used as the basis for the fee to be charged for the issuance of the certificate in this matter, but will not be binding upon the Commission for any subsequent investigation where evaluation may be an issue.

There was also introduced at the hearing as Exhibit A, a sketch map showing the location of the distribution system and distribution main to be initially constructed by Applicant, and also the point of interconnection of Applicant's proposed facilities with the high

pressure transmission line of Interstate. Applicant's balance sheet as of June 30, 1957, was introduced as Exhibit C and its statement of income for the nine months ended June 30, 1957, introduced as Exhibit D. The evidence at the hearing further disclosed that Applicant will construct the proposed facilities from its own funds, and that included in such proposed facilities would be suitable equipment to odorize all gas to be sold to prospective customers.

Applicant proposes to obtain natural gas to make service available in the areas for which it seeks a certificate from Interstate which presently supplies natural gas to Applicant for distribution and sale in the City of Florence, the Town of Portland and areas adjacent thereto in Fremont County, Colorado. There was introduced at the hearing as Exhibit F, copy of a letter dated August 21, 1957, to Applicant from Interstate's Manager of Gas Contracts advising, subject to Applicant's obtaining the requisite regulatory authority to render service in the community of Penrose, Colorado, that Interstate would apply to the Federal Power Commission for a certificate of public convenience and necessity to supply gas to Applicant for resale and for authority also to install the necessary metering and regulating facilities at the proposed point of interconnection of Applicant's distribution system with Interstate's existing high pressure transmission pipeline.

In addition to initially supplying the inhabitants of Penrose, Colorado, and areas adjacent thereto, Applicant will supply gas to prospective customers located along the route of its proposed distribution main. The rates at which Applicant proposes to render service to customers in its proposed new area of service are those currently on file with this Commission, and under which Applicant is selling gas to customers in and adjacent to the communities of Florence and Portland, Colorado.

There is no utility other than Applicant engaged in the busi-

ness of distributing and selling natural gas in the eastern portion of Fremont County, Colorado. The Greeley Gas Company is engaged in the business of distributing and selling natural gas in the cities of Canon City, East Canon and South Canon City and areas adjacent thereto, all in the central portion of Fremont County, Colorado.

The evidence disclosed that Applicant is fully qualified to conduct the operation proposed in the instant application.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of Applicant herein, Plateau Natural Gas Company, and of the subject matter involved in the instant application.

That the Commission is fully advised in the premises.

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

That Applicant, within ninety (90) days after completion of construction of the facilities authorized herein, should file with the Commission the "as constructed" map of the system, together with the actual cost of construction, itemized in accordance with the Uniform System of Accounts for Gas Utilities as prescribed by the Commission.

That public convenience and necessity requires and will require the construction, operation and maintenance of a natural gas distribution system in the community of Penrose, Colorado, and in the areas adjacent thereto, the construction of a distribution main as proposed by Applicant to connect such system with the existing transmission pipeline of Colorado Interstate Gas Company in the Southeast Quarter (SE 1/4) of Section Twelve (12), Township Nineteen (19) South, Range Sixty-nine (69) West, and the furnishing of natural gas to customers in said areas and the areas adjacent thereto as requested by Applicant in its application; and that a certificate of public conven-

ience and necessity should issue therefor.

That Applicant should file amended tariffs to include the area of service to be granted herein.

O R D E R

THE COMMISSION ORDERS:

That this Order shall be taken, deemed and held to be a certificate of public convenience and necessity to Plateau Natural Gas Company, to construct, maintain and operate a natural gas distribution system in the community of Penrose, Colorado, and areas adjacent thereto, a distribution main as proposed by Applicant to connect such system with the existing transmission pipeline of Colorado Interstate Gas Company, and to distribute and sell natural gas to residential, commercial and industrial customers as they develop from time to time in the following sections in Fremont County, Colorado:

<u>Section No.</u>	<u>Township</u>	<u>Range</u>
1 & 12	19 South	69 West
36	18 South	69 West
3, 4, 5, 6, 7, 8, 9 & 10	19 South	68 West
31, 32, 33, & 34	18 South	68 West

That Applicant shall install, maintain and operate equipment to odorize all gas delivered through the distribution mains of Applicant, pursuant to this Order.

That Applicant, within ninety (90) days after completion of construction of the facilities authorized herein, shall file with the Commission the "as constructed" map of the system, together with the actual cost of construction, itemized in accordance with the Uniform System of Accounts for Gas Utilities as prescribed by the Commission.

That Applicant shall otherwise, and at all times, comply with the rules and regulations of this Commission; and shall notify the Commission in writing of the date of commencement of the construc-


tion of the facilities authorized herein, within fifteen (15) days after such commencement.

That at least fifteen (15) days before gas service is rendered under the certificate granted herein, Applicant shall file tariffs to include the new area it proposes to serve.

That the Commission shall retain jurisdiction of the instant matter to make such further Order, or Orders, as may be required in the premises.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Ralph C. Hutton
John P. Thompson
Joseph F. Negro
Commissioners.

Dated at Denver, Colorado,
this 5th day of September, 1957.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE DENVER AND RIO GRANDE WESTERN)
RAILROAD COMPANY TO INSTALL AUTO-)
MATIC FLASHING LIGHT CROSSING PRO-)
TECTION AT M. P. 195 PLUS 3706 FEET)
NEAR PLEASANTON, FREMONT COUNTY,)
COLORADO.)

APPLICATION NO. 15496

September 9, 1957

S T A T E M E N T

By the Commission:

On June 17, 1957, the Denver and Rio Grande Western Railroad Company, by T. A. White, its Attorney, filed an application with this Commission seeking authority to install and maintain automatic flashing light crossing signals at the public grade crossing of an unnumbered County road over its tracks and right-of-way at Mile Post 195 plus 3706 feet, near Pleasanton, Fremont County, Colorado.

Attached to the instant application are the following exhibits to denote the situation and proposed protective devices:

Exhibit No. 1: Map to show crossing of unnumbered County road over the main track, passing track and industry track of the Rio Grande Railroad. Also shown are the other features of: Arkansas River and County Road Bridge, industry loading hopper and location of proposed automatic signals.

Exhibit No. 2: Drawing print to show type of flashing light signal devices proposed for protection of the crossing.

The carloading hopper and other facilities as shown on Exhibit No. 1 at the north side of the industry track are maintained and used by the Fibreboard Paper Corporation for processing and carloading of gypsum rock which is hauled by truck over the instant

County road and grade crossing to the loading hopper. Request to the Rio Grande was made by Fibreboard Paper Corporation for the proposed signals and who will also pay for same.

Upon investigation in behalf of the Commission, it was determined that mining and processing of gypsum on the present scale was a very recent development; further, that extensive maintenance work consisting of road repairs, construction of a new river bridge, new plank with some alignment adjustment at the crossing and other grading has been completed in order to secure a serviceable roadway that would accommodate the gypsum hauling trucks. Previous traffic over the road has been very minor, consisting of only fishermen, forest ranger patrols and employees of some small mining operations. The present crossing protection is by means of standard crossbuck signs. While vision at the crossing is fairly open, the new and increased roadway traffic justifies the added crossing protection.

As stated in the application, there has developed considerable movement of trucks over the crossing; that Applicant operates one passenger train and three freight trains daily in each direction over the crossing. Truck speeds are variable and train speeds to 45 miles per hour are authorized.

Estimated costs incident to the construction of proposed automatic flashing signal protection will be \$5,658.00, all of which will be borne by the Fibreboard Paper Corporation. The signals, after installation thereof, will be maintained and operated by the Railroad Company.

The Board of County Commissioners of Fremont County, Colorado, has shown its agreement to the proposed protection in the form of a letter to the Railroad Company, dated August 15, 1957, and which has been forwarded to this Commission as a part of the files herein and is quoted as follows:

"The Board of County Commissioners of Fremont County unanimously grants the right to your company to install a flashing light signal at the Denver and Rio Grande Railroad crossing at Pleasanton (Coaldale) Fremont County. They feel this installation will add greatly to the public safety of this crossing."

It appearing that no public utilities or adjacent property owners will be adversely affected by the proposed improvement, that there will be a betterment of the public safety and as all other matters required by the Commission's rules have been complied with, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That it is informed in the instant matter, and the foregoing Statement, by reference, is made a part hereof.

That public safety, convenience and necessity require the improvement of existing grade crossing protection through the installation, operation and maintenance of automatic flashing light signals at the unnumbered County road grade crossing over the tracks and right-of-way of the Denver & Rio Grande Western Railroad Company, at Mile Post 195 plus 3706 feet, near Pleasanton, Fremont County, Colorado.

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

O R D E R

THE COMMISSION ORDERS:

That Applicant, the Denver & Rio Grande Western Railroad Company, be, and hereby is, granted a certificate of public convenience and necessity authorizing the installation, maintenance and operation of automatic flashing light crossing signals at the grade crossing where the County road crosses over the tracks and right-of-way of said Railroad Company at Mile Post 195 plus 3706 feet, near

Pleasanton, Fremont County, Colorado.

That the work to be done, installation and maintenance of the proposed automatic flashing light signals shall be as indicated in the preceding Statement, said Statement and Exhibits 1 and 2, as attached to the instant application, all, by reference, being made a part hereof.

That the protective devices and installation as designated herein shall conform with the Bulletin of the Association of American Railroads' Joint Committee on Railroad Protection.

That the customary installation of reflectorized Advance Warning Signs will be completed by Fremont County and thereafter maintained by said County.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Holton
John P. Thompson
Joseph F. Nigro
Commissioners.

Dated at Denver, Colorado,
this 9th day of September, 1957.

mls

system are now citizens of Fort Collins and served by the Fort Collins municipal system, and the water company owns no facilities at all with which to render service, and as the public no longer has any need for the service of the water company as a public utility, no reason now appears why the application should not be granted. An Order will be entered accordingly.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is hereby made a part of these Findings by reference.

That the Tiley Water System, Fort Collins, Colorado, should be allowed to abandon its public utility water system adjacent to Fort Collins, Colorado.

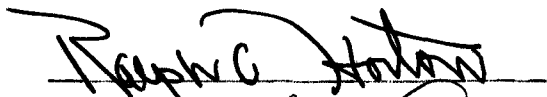


O R D E R

THE COMMISSION ORDERS:

That the Tiley Water System, Fort Collins, Colorado, be, and hereby is, authorized to abandon its public utility water system adjacent to Fort Collins, 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 September, 1957.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LYLE KINNISON, PIERCE, COLORADO,)
FOR AUTHORITY TO TRANSFER PUC NO.)
1595 TO LEROY A. LONHART, DOING) APPLICATION NO. 15641-Transfer
BUSINESS AS "LONHART MILK LINE,")
701 25TH AVENUE, GREELEY, COLORADO.)

September 9, 1957

Appearances: Lyle Kinnison, Pierce, Colo-
rado, pro se;
LeRoy A. Lonhart, Greeley,
Colorado, pro se;
William E. Ankeny, Greeley,
Colorado, for Welco Milk
Lines.

S T A T E M E N T

By the Commission:

Lyle Kinnison, Pierce, Colorado, is the owner and operator
of PUC No. 1595, authorizing:

Transportation of milk to Fort Collins, from
the territory described as:

Beginning at the NW corner of Section 8, T. 7
N., R. 67 W.; thence east 4 miles to the NE
corner of Section 11, T. 7 N., R. 67 W.;
thence south 8 miles to the SE corner of Sec-
tion 14, T. 6 N., R. 67 W.; thence west 2 miles
to the SW corner of Sec. 15, T. 6 N., R. 67 W.;
thence south 2 miles to the SE corner of Sec-
tion 28, T. 6 N., R. 67 W.; thence west 1 mile
to the SW corner of Section 28; thence north 3
miles to the NW corner of Section 16, T. 6 N.,
R. 67 W.; thence west 1 mile to the SW corner
of Section 8, T. 6 N., R. 67 W.; thence north
2 miles to the NW corner of Section 5, T. 6 N.,
R. 67 W.; thence west 1 mile to the SW corner
of Section 31, T. 7 N., R. 67 W.; thence north
2 miles to the NW corner of Section 30, T. 7 N.,
R. 67 W.; thence east 1 mile to the NW corner
of Section 29, T. 7 N., R. 67 W.; thence north
3 miles to the point of beginning.

Also the right to transport milk on both sides
of the road along said boundary;

original

(Decision No. 48665)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
TILEY WATER SYSTEM, 2500 SOUTH)
COLLEGE AVENUE, FORT COLLINS, COLO-) APPLICATION NO. 15639-Abandonment
RADO, FOR AUTHORITY TO ABANDON ITS)
WATER SYSTEM.)

September 9, 1957

Appearances: Eugene E. Mitchell, Esq.,
Fort Collins, Colorado,
for Applicant;
Harley Tiley, Fort Collins,
Colorado, for Mrs. Tiley;
Howard Evans, Fort Collins,
Colorado, for City of
Fort Collins.

S T A T E M E N T

By the Commission:

By application filed May 20, 1957, the applicant seeks authority to abandon its public utility water system adjacent to Fort Collins, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Fort Collins, Colorado, August 29, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

Mr. Howard Evans, Fort Collins City Engineer, and Mr. Harley Tiley, husband of the applicant, testified in support of the abandonment application. It appears from the evidence that the Tiley Water System was a public utility constructed to serve territory lying in the boundary of the City of Fort Collins. The territory has now been annexed by the City, and the City has acquired the physical facilities of the water company and is now serving all of the customers formerly served by the water company. As all of the customers of the water

Also the right to transport milk from both sides of the road common to Section 19 and Section 20, T. 7 N., R. 67 W.; all of said area being in Weld County, State of Colorado, except that collections may be made from that territory in Weld County lying adjacent to Sections 30 and 31, T. 7 N., R. 67 W.

By the instant application, said certificate-holder seeks authority to transfer said PUC No. 1595 to LeRoy A. Lonhart, doing business as "Lonhart Milk Line," Greeley, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Fort Collins, Colorado, August 29, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

The transferor and transferee testified in support of the application. Mr. William E. Ankeny, of Welco Milk Lines, at Greeley, testified in protest. It appears from the evidence that the transferor owns two common carrier milk authorities; the other, numbered PUC No. 3195, adjoins the territory of the authority to be transferred on the northeast. In the two territories, the seller serves approximately 40 customers, of whom about 16 live in the territory which is being transferred. These 16 ship perhaps 2,900 pounds of milk per day with gross revenue per day averaging \$7.50. The route through the territory to be transferred is about 25 miles long as presently conducted, but could be shortened somewhat if combined with the authority of the buyer. All agreed, however, that if the territory to be served must be served separate and independent from any other operation, the operation is not economically feasible. The seller stated that he originally bought the authority to be transferred because he had empty space on his trucks at that time; the territory he is retaining now produces so much milk, however, that he is unable to handle the two territories efficiently, but he can handle the territory he is retaining.

It seems there is no written agreement for the purchase, but

that the purchase price is \$1,500, payable \$200 a month, plus 8% interest, of which \$800 principal has been paid to date. No mortgage of the authority is involved, and the sale is not a conditional sale.

It is clear that the buyer has the experience, equipment and finances adequate to serve the customers in the territory under consideration. The buyer presently owns Private Carrier authority No. B-4612, which partly overlaps the authority now sought to be transferred. He plans to combine the routes under the two authorities and stated that they can only be operated effectively by such a combination. He is aware that this would violate our Common and Private Carrier Rule 8, which prohibits the transportation of goods as both private and common carrier at the same time in the same vehicle. He is also aware that in the overlapping territory he would hold authority both as a common carrier and as a private carrier to perform the same service and that, as the duties and responsibilities of the two types of carriers are quite different, this would result in difficulties for himself, for the enforcement officials, and for the public he serves. Nevertheless, he states that he does not wish to have the authority transferred unless the operation thereunder can be combined with his present operation.

It will be remembered that the authority under consideration is for the transportation of milk from farms in an area near Greeley to dairies located at Fort Collins. The authority the seller is retaining also authorizes service only to Fort Collins dairies. The protestant has authority to serve Greeley dairies from a portion of the territory which the seller is retaining. The objection of the protestant is that, if the seller is permitted to sell this authority, he will presumably have some empty space on his vehicles and, in an attempt to make efficient use of his vehicles, will accordingly solicit milk producers, who now ship to Greeley via the protestant,

to ship their milk instead to Fort Collins via the seller. The protest is thus not directed particularly at the transfer to this buyer, but rather is directed against any sale at all by the seller, since he would thereby possibly leave himself empty space on his vehicles, which he might attempt to fill at the expense of the protestant. We are not prepared at this time and on these facts to place a complete embargo on the sale of this authority.

In view of the peculiar circumstances attendant in this territory and in the milk carrier industry in the territory, we are disposed to allow the applicant buyer to combine operations under the two authorities. No reason appears, however, to warrant allowing him to serve as both a private and common carrier in the same territory at the same time, nor to allow him to abandon any part of the common carrier authority. We will, therefore, require as a condition of the transfer and the combining of operations, that the buyer surrender for cancellation that part of his private carrier authority which is overlapped by the common carrier authority, and will direct him to prepare a new description of his private carrier territory, in accordance with this Order and submit the same as a condition of the transfer. Orders will be entered accordingly.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is hereby made a part of these Findings by reference.

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any, and as further qualified in the following Order.

That an exception should be authorized to the applicability of Rule 8 of the Price Carrier and Common Carrier Rules and Regulations in connection with the operation of PUC No. 1595, so that it may be operated in conjunction with Permit No. B-4612; and the applicant

buyer should be required to surrender for cancellation that portion of the territory of Permit No. B-4612 which is overlapped by Common Carrier authority PUC No. 1595.

O R D E R

THE COMMISSION ORDERS:

That Lyle Kinnison, Pierce, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1595 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to LeRoy A. Lonhart, doing business as "Lonhart Milk Line," Greeley, Colorado, subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

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

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.

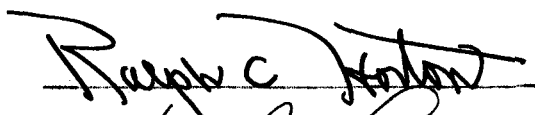
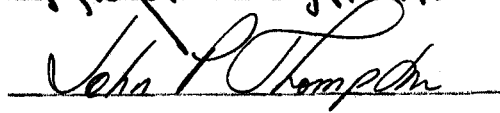

That an exception should be, and hereby is, authorized to the applicability of Rule 8 of the Private Carrier and Common Carrier Rules and Regulations in connection with the operation of PUC No. 1595, so that it may be operated in conjunction with Permit No. B-4612.

That the applicant buyer should be, and hereby is, required to surrender for cancellation that portion of the territory of Permit No. B-4612, which is overlapped by Common Carrier authority PUC No. 1595.

That as a condition of the transfer, the applicant buyer shall prepare and submit to the Commission a new description of the territory covered by Permit No. B-4612, after the overlapping territory of PUC No. 1595 has been removed from Permit No. B-4612.

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 9th day of September, 1957.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF APPLICATION
FOR AUTHORITY TO ISSUE CERTAIN
SECURITIES

SOUTHERN UNION GAS COMPANY
APPLICANT.

APPLICATION NO. 15702
Securities

S T A T E M E N T

By the Commission:

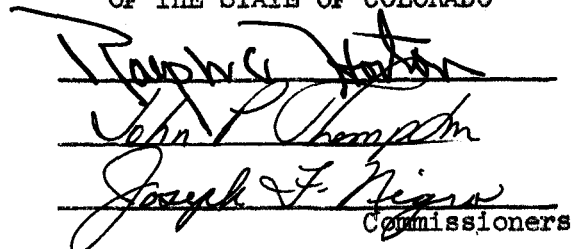
Upon consideration of the application filed September 4,
1957, by Southern Union Gas Company, a Corporation, in the above-styled
matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on September 16,
1957, at 9:30 o'clock A. M., 330 State Office Building, Denver, Colorado,
respecting the matters involved and the issues presented in this proceeding.
Any interested municipality or any representative of interested consumers
or security holders of applicant corporation, and any other person whose
participation herein is in the public interest, may intervene in said pro-
ceedings. Intervention petitions should be filed with the Commission on
or before September 11, 1957, and should set forth the grounds of the
proposed intervention, and the position and interest of the petitioners,
in the proceeding, and must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 5th day of September, 1957

original

(Decision No. 48668)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
UNION RURAL ELECTRIC ASSOCIATION,)	
INC., FOR AUTHORITY TO EXTEND)	
FACILITIES IN SECTION 34, TOWNSHIP)	APPLICATION NO. 15688-Extension
1-SOUTH, RANGE 72-WEST, GILPIN)	
COUNTY.)	
- - - - -)	

- - - - -
September 6, 1957
- - - - -

S T A T E M E N T

By the Commission:

On August 20, 1957, Union Rural Electric Association, Inc., Brighton, Colorado, filed an application with this Commission for authority to extend its lines to serve Russell Durand and the Bricky Highlands No. 2 Subdivision owned by Mr. Durand. The extension will consist of 4,510 feet of additional lines to serve the subdivision located in Section 34, Township 1-South, Range 72-West, Gilpin County, Colorado. The estimated cost of construction is \$2,963.

This application was filed pursuant to the Commission's order in Application No. 13576, Case No. 5108, Decision No. 47074, of January 7, 1957, which set forth the procedure for obtaining authority to extend facilities distances exceeding 300 feet in length. Applicant has elected by the instant application plan (b) of said Order, which provides for the Commission to issue the authority without a hearing if it so decides, and if there are no protests.

The Commission has examined the record and files herein and believes that this matter is one which can be decided without a formal hearing, and being fully informed in the matter, will issue its Order granting the construction as requested. The

Commission has received a letter from the Public Service Company of Colorado, dated August 29, 1957, and a letter from the Colorado Central Power Company, dated August 22, 1957, both of said letters stating, in effect, that the respective companies have no objection to the granting of the authority sought by the instant application.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission is fully advised in the premises.

That Applicant has complied with the Commission's Order in Decision No. 47074 previously referred to, and there being no objection by interested parties, the authority, as requested, should be issued without hearing.

That public convenience and necessity require the rendering of electric service to Russell Durand and the Brickly Highlands No. 2 Subdivision at a location in Section 34, Township 1-South, Range 72-West, Gilpin County, Colorado, and that Union Rural Electric Association, Inc., should be authorized to render said service.

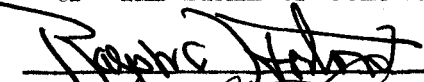


O R D E R

THE COMMISSION ORDERS:

That Union Rural Electric Association, Inc., Brighton, Colorado, be, and it hereby is, granted a certificate of public convenience and necessity to extend its facilities to serve Russell Durand and the Brickly Highlands No. 2 Subdivision at a location in Section 34, Township 1-South, Range 72-West, Gilpin County, Colorado, all in accordance with the application for electric service signed by and between the parties, a copy of which was filed with the Commission in the instant matter, and which, by reference, is made a part hereof.

Dated at Denver, Colorado, this 6th day of September, 1957.
hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 6th day of September, 1957.
ea

original

(Decision No. 48669)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
UNION RURAL ELECTRIC ASSOCIATION,)
INC., BRIGHTON, COLORADO, FOR AU-)
THORITY TO EXTEND FACILITIES IN)
SECTION 25, TOWNSHIP 1-SOUTH,)
RANGE 73-WEST, GILPIN COUNTY,)
COLORADO.)
-----)
)

APPLICATION NO. 15632-Extension

September 6, 1957

S T A T E M E N T

By the Commission:

On August 6, 1957, Union Rural Electric Association, Inc., Brighton, Colorado, filed an application with this Commission for authority to extend its lines to serve George H. Baldwin at a location in Section 25, Township 1-South, Range 73-West, Gilpin County, Colorado. On August 21, 1957, Public Service Company of Colorado filed a protest with this Commission in the above-entitled matter.

The Commission on August 30, 1957, received a letter from the attorney for Union Rural Electric Association, Inc., stating, in effect, that Mr. Baldwin does not desire service at this time and asking the Commission permission to withdraw the application.

F I N D I N G S

THE COMMISSION FINDS:

That there being no need for electric service as proposed in the application filed by Union Rural Electric Association, Inc., with this Commission on August 6, 1957, said application should be permitted to be withdrawn.

O R D E R

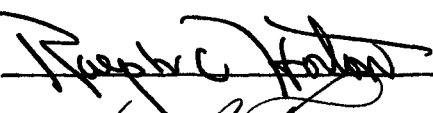
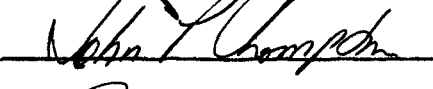

THE COMMISSION ORDERS:

That Applicant Union Rural Electric Association, Inc.,

of Brighton, Colorado, be, and it hereby is, permitted to
withdraw its application to render electric service to George H.
Baldwin at a location in Section 25, Township 1-South, Range
73-West, Gilpin County, Colorado.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 6th day of September, 1957.

ea

original

(Decision No. 48670)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF ISSUANCE OF TEM-)
PORARY CERTIFICATES OF PUBLIC CON-)
VENIENCE AND NECESSITY UNDER)
CHAPTER 80, SESSION LAWS OF COLO-)
RADO, 1951, FOR EMERGENCY MOVEMENT)
OF WHEAT AND SMALL GRAINS IN THE)
STATE OF COLORADO.)

APPLICATION NO. 15565
SUPPLEMENTAL ORDER

August 2, 1957

S T A T E M E N T

By the Commission:

On July 15, 1957, the Commission entered its Decision No. 48378 in the above-styled application, authorizing issuance of temporary certificates of public convenience and necessity for the operation of motor vehicles, for the transportation of wheat, from fields to markets, storage, loading, and processing places, in the Counties of Arapahoe and Adams, State of Colorado, said certificates to be effective July 5, 1957, and to continue in effect to and including August 5, 1957.

The Commission has now been advised by Louis J. Carter, Supervisor, Complaint and Investigation Division of this Commission, that said emergency will continue to exist through September 5, 1957.

Request is made for an Order of the Commission relative to the continued issuance of temporary certificates of public convenience and necessity for the seasonal transportation of wheat and small grain in the Counties of Arapahoe and Adams, State of Colorado.

F I N D I N G S

THE COMMISSION FINDS:

That an emergency exists because of shortage in certificated

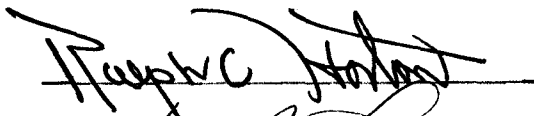

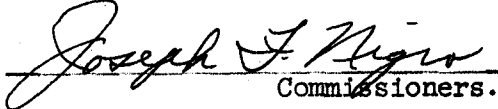
trucks for the transportation of wheat and small grain, in the Counties of Arapahoe and Adams, State of Colorado, and that public convenience and necessity require that temporary certificates of public convenience and necessity should continue to issue for the operation of motor vehicles for the transportation of wheat and small grain, from fields to storage, loading, and processing places, as provided by Chapter 80, Session ~~Laws~~ of 1951, said certificates to become effective August 6, 1957, and to remain in effect to and including September 5, 1957.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity should be, and hereby are, authorized to be continued to be issued for the operation of motor vehicles, for the transportation of wheat and small grain, from fields to markets, storage, loading, and processing places, in the Counties of Arapahoe and Adams, State of Colorado, said certificates to become effective August 6, 1957, and to remain in effect to and including September 5, 1957, no such certificates to issue for the transportation of wheat by motor vehicle to any point beyond the boundaries of the State of Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 2nd day of August, 1957.

mls

original

(Decision No. 48671)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF ISSUANCE OF TEM-)
PORARY CERTIFICATES OF PUBLIC CON-)
VENIENCE AND NECESSITY UNDER)
CHAPTER 80, SESSION LAWS OF COLO-)
RADO, 1951, FOR EMERGENCY MOVEMENT)
OF ENSILAGE IN THE STATE OF COLO-)
RADO.)

APPLICATION NO. 15703

August 30, 1957

S T A T E M E N T

By the Commission:

Report has been received by the Commission from Louis J. Carter, Supervisor, Complaint and Investigation Division of this Commission, to the effect that an emergency will exist in the matter of trucks for the transportation of ensilage, in the Counties of Weld, Morgan, Adams, Logan, Sedgwick, Phillips, Larimer, Boulder, Washington, Yuma, Jefferson, Las Animas, and Prowers, State of Colorado, and that said emergency will probably continue for a period of approximately thirty days.

Request is made for an Order of the Commission, relative to issuance of temporary certificates of public convenience and necessity for the seasonal transportation of ensilage in the Counties abovementioned.

F I N D I N G S

THE COMMISSION FINDS:

That an emergency exists because of the shortage in certificated trucks for the transportation of ensilage in the Counties above set forth, and that public convenience and necessity require that temporary certificates of public convenience and necessity should

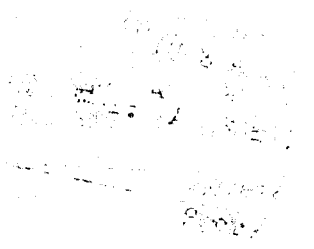
issue for the operation of motor vehicles for transportation of ensilage to market or place of storage, as provided by Chapter 80, Session Laws of 1951, said certificates to be effective from September 2, 1957, to and including October 2, 1957.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity be, and are hereby, authorized to be issued for the operation of motor vehicles, for the transportation of ensilage to market or place of storage, in the Counties of Weld, Morgan, Adams, Logan, Sedgwick, Phillips, Larimer, Boulder, Washington, Yuma, Jefferson, Las Animas, and Prowers, State of Colorado, said certificates to become effective September 2, 1957, and to continue in force up to and including October 2, 1957, no such certificate to issue for the transportation of such product by motor vehicle to any point beyond the boundaries of the State of Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Ralph C. Hobart
John P. Tompkins
Joseph F. Nigro
Commissioners.

Dated at Denver, Colorado,
this 30th day of August, 1957.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
MIKE A. NICOLA, ROUTE 2, BOX 38,)	PERMIT NO. M-6977
TRINIDAD, COLORADO)	CASE NO. 81970-INS.
-----)	

September 6, 1957

S T A T E M E N T

By the Commission:

On August 23, 1957, the Commission entered its Order in Case No. 81970-Ins., revoking Permit No. M-6977 for failure of Respondent herein to keep effective insurance on file with the Commission.

Inasmuch as proper insurance filing has now been made with the Commission by said Respondent,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-6977 should be, and the same hereby is, reinstated, as of August 23, 1957, revocation order entered by the Commission on said date in Case No. 81970-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Nelson
John L. Thompson
Joseph F. Regier
Commissioners.

Dated at Denver, Colorado,
this 6th day of September, 1957.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
WILLIE B. WATSON AND HAZEL J.)
WATSON, CO-PARTNERS, DOING BUSI-)
NESS AS "WATSON'S FEED AND SEED)
STORE," SECOND AND MAIN, HOTCH-)
KISS, COLORADO.)
-----)

PERMIT NO. M-10540
CASE NO. 81377-INS.

September 6, 1957

S T A T E M E N T

By the Commission:

On July 31, 1957, the Commission entered its Order in Case No. 81377-Ins., revoking Permit No. M-10540 for failure of Respondent herein to keep proper insurance on file with the Commission.

Inasmuch as proper insurance filing has now been made with the Commission by said Respondent, without lapse,

F I N D I N G S

THE COMMISSION FINDS:

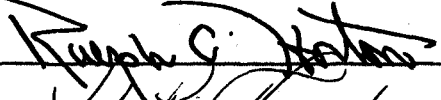
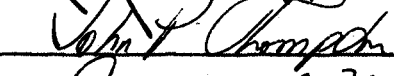
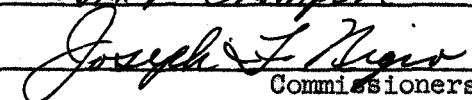
That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-10540 should be, and the same hereby is, reinstated, revocation order entered by the Commission on said date in Case No. 81377-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 6th day of September, 1957.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
ASBESTOS SUPPLY COMPANY, INC.,)	PERMIT NO. M-11993
270 ELATI STREET, DENVER, COLO-)	<u>CASE NO. 81482-INS.</u>
RADO.)	
-----)	

September 6, 1957

S T A T E M E N T

By the Commission:

On July 31, 1957, the Commission entered its Order in Case No. 81482-Ins., revoking Permit No. M-11993 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made with the Commission by said Respondent, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

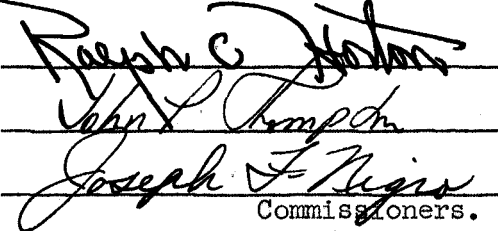
That said permit should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-11993 should be, and the same hereby is, reinstated, as of July 31, 1957, revocation order entered by the Commission on said date in Case No. 81482-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 6th day of September, 1957.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
DALE CHRISTENSON, 1659 BOULDER,)
DENVER, COLORADO.)
-----)

PERMIT NO. B-2799
CASE NO. 81802-INS.

September 6, 1957

S T A T E M E N T

By the Commission:

On July 31, 1957, the Commission entered its Order in Case No. 81802-Ins., revoking Permit No. B-2799 for failure of Respondent herein to keep effective insurance on file with the Commission.

Inasmuch as proper insurance filing has now been made with the Commission by said Respondent,

F I N D I N G S

THE COMMISSION FINDS:

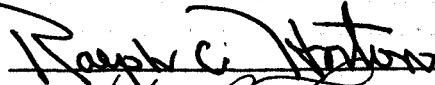
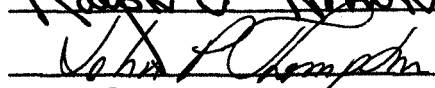
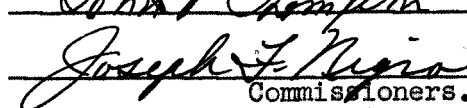
That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-2799 should be, and the same hereby is, reinstated, as of July 31, 1957, revocation order entered by the Commission on said date in Case No. 81802-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 6th day of September, 1957.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
SENON HERMOSILLO, 2920 LARIMER) PUC NO. 3613
STREET, DENVER, COLORADO.) CASE NO. 81010-INS.
-----)

September 6, 1957

S T A T E M E N T

By the Commission:

On June 28, 1957, the Commission entered its Order in Case No. 81010-Ins., revoking PUC No. 3613 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made with the Commission by said Respondent, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

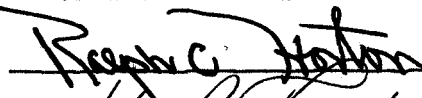

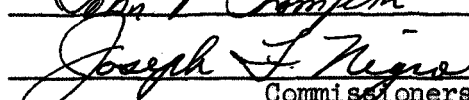
That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That PUC No. 3613 should be, and the same hereby is, reinstated, as of June 28, 1957, revocation order entered by the Commission on said date in Case No. 81010-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 6th day of September, 1957.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF }
DEER TRAIL MOTOR SALES, DEER }
TRAIL, COLORADO. }

PERMIT NO. M-8938
CASE NO. 81956-INS.

September 6, 1957

S T A T E M E N T

By the Commission:

On August 23, 1957, the Commission entered its Order in Case No. 81956-Ins., revoking Permit No. M-8938 for failure of Respondent herein to keep effective insurance on file with the Commission.

Inasmuch as proper insurance filing has now been made with the Commission by said Respondent,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-8938 should be, and hereby is, reinstated, as of August 23, 1957, revocation order entered by the Commission on said date in Case No. 81956-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hatten
John P. Thompson
Joseph J. Nigro
Commissioners.

Dated at Denver, Colorado,
this 6th day of September, 1957.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JAKE F. DACUS, 2890 SOUTH SHERI-)
DAN BOULEVARD, DENVER, COLORADO.)

PERMIT NO. B-2576

August 30, 1957

S T A T E M E N T

By the Commission:

On March 11, 1957, the Commission entered its Decision No. 47495, authorizing Jake F. Dacus, Denver, Colorado, owner of Permit No. B-2576, to suspend operations thereunder until September 1, 1957.

The Commission is now in receipt of a communication from said permit-holder, requesting authority to further suspend operations under said Permit No. B-2576 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 Jake F. Dacus, Denver, Colorado, should be, and he hereby is, authorized to further suspend operations under Permit No. B-2576 until March 1, 1958.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hutton
John P. Thompson
Joseph F. Nigie
Commissioners.

Dated at Denver, Colorado,
this 30th day of August, 1957.

original

(Decision No. 48679)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ORVILLE DUNLAP AND HAROLD DUNLAP,)
CO-PARTNERS, DOING BUSINESS AS)
"ORVILLE DUNLAP & SON," ROUTE 3,) APPLICATION NO. 15623-Extension
MONTROSE, COLORADO, FOR A CERTIFI-)
CATE OF PUBLIC CONVENIENCE AND)
NECESSITY, AUTHORIZING EXTENDED)
OPERATIONS UNDER PUC NO. 1861.)
-----)

September 9, 1957

Appearances: Orville Dunlap, Montrose,
Colorado, for Applicants.

S T A T E M E N T

By the Commission:

This matter was duly heard on August 22, 1957, at the
Court House in Montrose, Colorado, after due and proper notice
to all interested parties.

Applicants are the holders of PUC No. 1861 and I,
providing:

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

Interstate authority: Between all points in Colorado
and the Colorado State boundary lines where all high-
ways cross same in interstate commerce, only, subject
to the provisions of the Federal Motor Carrier Act
of 1935, as amended.

By virtue of this application, they seek clarification of the authority to change the transportation of general freight on schedule via U. S. Highway No. 50 and State Highway No. 108, to State Highway No. 340, for the reason that State Highway No. 108 has become State Highway No. 340.

Since this request in no manner changes the authority and is merely a correction to keep the highways numbered in the certificate the same as actually numbered by the Highway Department, applicants' request should be granted.

Applicants further desire an extension of their present authority to engage in the business of transporting household goods, general freight, farm machinery, heavy machinery, ore, petroleum products, all farm supplies, store fixtures and supplies, and sand and gravel from point to point within the City of Montrose, Colorado. In connection with the transportation of these various commodities, Applicant Orville Dunlap established that he was engaged in the transportation thereof prior to January 1, 1955, within the City of Montrose, Colorado, which is a home-rule city. He has been so engaged continuously before that date, and he did so in accordance with the ordinances and regulations of the City of Montrose, thereby establishing his "Grandfather Rights" for the transportation of those commodities within the City of Montrose, Colorado.

Applicants further seek an extension of said certificate to exclude what was formerly Highway No. 108 and to include the transportation of authorized commodities along Highway No. 97 to Nucla, Colorado, and intermediate points, and along Highway No. 80 to a point on the Dolores River known as Slick Rock, to the Union Carbide Nuclear mill sites and intermediate points.

It was established that the Union Carbide Nuclear Company has a plant north of Egnar in Dolores County on U. S. Highway No. 80 which requires general supplies; that there are two stores on this route.

No one appeared in protest.

F I N D I N G S

THE COMMISSION FINDS:

That the designation of Highway No. 108 now in PUC No. 1861 and I, should be changed to Highway No. 340.

That applicants have established "Grandfather Rights" for the transportation of household goods, general freight, farm machinery, heavy machinery, ore, petroleum products, all farm supplies, store fixtures and supplies, and sand and gravel from point to point within the City of Montrose, Colorado.

That public convenience and necessity require the extension of said PUC No. 1861 and I to include the transportation of all commodities authorized under paragraph (b) of the authority under PUC No. 1861, to include Highway No. 97 to Nucla, and intermediate points, and to include Highway No. 80 to a point on the Dolores River known as Slick Rock, to the Union Carbide Nuclear mill sites, and intermediate points.

O R D E R

THE COMMISSION ORDERS:

That Orville Dunlap and Harold Dunlap, co-partners, doing business as "Orville Dunlap & Son," Route 3, Montrose, Colorado, be, and they are hereby, authorized in their operations under PUC No. 1861 and I, to designate Highway No. 340 in their authority instead of Highway No. 108, inasmuch as that is now the correct designation.

That said applicants are hereby authorized to engage in the business of transporting household goods, general freight, farm machinery, heavy machinery, ore, petroleum products, all farm supplies, store fixtures and supplies, and sand and gravel from point to point within the City of Montrose, Colorado, in their operations under PUC No. 1861 and I, having established their "Grandfather Rights."

That applicants are hereby authorized to extend their authority under PUC No. 1861 and I, to include the transportation of all commodities authorized under paragraph (b) of said operating rights, over Highway No. 97 to Nucla, and intermediate points, and to include Highway No. 80 to a point on the Dolores River known as Slick Rock, to the Union Carbide Nuclear mill sites, and intermediate points, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

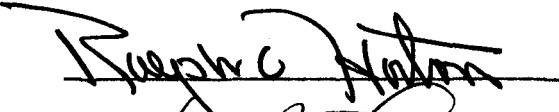

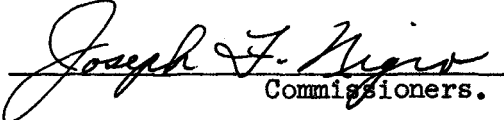
That applicants shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 9th day of September, 1957.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
L. E. MC CONNELL, DOING BUSINESS AS)
"ROGERS MESA MOTORS," HOTCHKISS,)
COLORADO, FOR A CLASS "B" PERMIT) APPLICATION NO. 15629-PP
TO OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

September 9, 1957

Appearances: L. E. McConnell, Hotchkiss,
Colorado, pro se.

S T A T E M E N T

By the Commission:

This is an application for a Class "B" private carrier permit to authorize the transportation of forest and timber products, from point to point within a 50-mile radius of Hotchkiss, Colorado.

The matter was set for hearing, and heard, August 22, 1957, at the Court House in Montrose, Colorado, after due and proper notice to all interested parties, and at the conclusion thereof, was taken under advisement.

It appears that the applicant has been requested to haul forest and timber products for the B. & W. Timber Company, at Hotchkiss, Colorado. At the present time the timber is being shipped from an area twelve miles north of Lazear, Colorado.

The applicant established his financial ability, experience, and training to perform this service to the satisfaction of the Commission.

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

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted, and that it will not impair the services of common carriers operating in the area.

O R D E R

THE COMMISSION ORDERS:

That L. E. McConnell, doing business as "Rogers Mesa Motors," Hotchkiss, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of forest and timber products, from point to point within a 50-mile radius of Hotchkiss, Colorado.

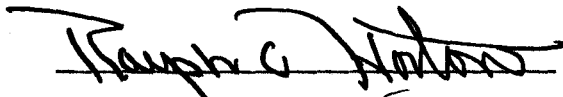


That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 9th day of September, 1957.

ea

original

(Decision No. 48681)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MANUEL VALDEZ, P. O. BOX 635, MONT-)
ROSE, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE) APPLICATION NO. 15631-PP
CARRIER BY MOTOR VEHICLE FOR HIRE.)
-----)

September 9, 1957

Appearances: Manuel Valdez, Montrose,
Colorado, pro se;
Orville Dunlap, Montrose,
Colorado, for Orville
Dunlap & Son;
Jack Coleman, Gunnison,
Colorado, for Gunnison
Truck Line.

S T A T E M E N T

By the Commission:

This application for a Class "B" private carrier permit was heard on August 22, 1957, at the Court House in Montrose, Colorado, after due and proper notice to all interested parties.

It appears that the applicant has been hauling logs for Ben Casias, of Montrose, Colorado. For this purpose he has acquired suitable equipment, and has had some experience in the transportation of logs and poles from various supply points to Montrose, Colorado.

It is the desire of the applicant to restrict his hauling to logs and poles and rough lumber without the authority to transport any finished or processed lumber of any nature whatsoever.

The net worth, training, and experience of the applicant were established to the satisfaction of the Commission, and it does not appear that the granting of the permit and operations by applicant thereunder will impair the services of common carriers operating in the territory.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is made a part of these Findings by reference.

That the authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Manuel Valdez, Montrose, 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, poles and rough lumber, excluding any finished or processed lumber, in an area within a radius of 50 miles of Montrose, Colorado.

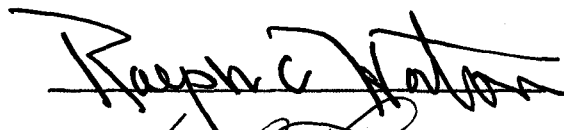
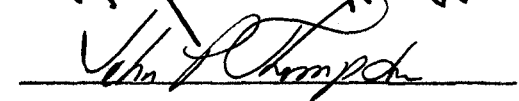
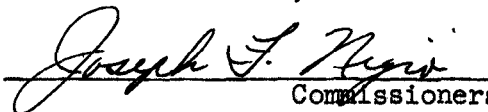
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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, thenecessary 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 9th day of September, 1957.

original

(Decision No. 48682)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
W. A. HAMILTON, CEDAREDGE, COLORADO,)
FOR AUTHORITY TO LEASE PUC NO. 944) APPLICATION NO. 15619-Lease
TO DALE P. BLUMBERG, DOING BUSINESS)
AS "DALE'S TRANSFER AND STORAGE,")
BOX 23, DELTA, COLORADO.)

IN THE MATTER OF THE APPLICATION OF)
W. A. HAMILTON, CEDAREDGE, COLORADO,)
FOR AUTHORITY TO LEASE PUC NO. 1204) APPLICATION NO. 15620-Lease
TO DALE P. BLUMBERG, DOING BUSINESS)
AS "DALE'S TRANSFER AND STORAGE,")
BOX 23, DELTA, COLORADO.)

September 9, 1957

Appearances: R. N. Stewart, Esq., Delta,
Colorado, for Applicant.

S T A T E M E N T

By the Commission:

W. A. Hamilton is the owner and operator of PUC No. 944,
authorizing:

Transportation, in irregular service, of
farm products, including wool and live-
stock, farm supplies, including coal, feed
and lumber, and farm machinery and equip-
ment, including used furniture, from farm
to farm, farm to town, and town to farm,
within a 50-mile radius of Montrose, Colo-
rado; new furniture from town to farm in
said area, and used household goods and
furniture from and to points in said area
to and from points in the State of Colo-
rado, including the right to conduct a
general transfer business in the town of
Montrose, PROVIDED, HOWEVER, that the
applicant shall not engage in the hauling
of merchandise or such commodities as are
ordinarily handled by line-haul carriers,
in competition with the Rio Grande Motor
Way.

W. A. Hamilton is also the owner and operator of PUC No.
1204, authorizing:

Transportation of fruit, farm products, livestock, coal, household furniture and building materials from point to point within a radius of 50 miles of Cedaredge, PROVIDED, HOWEVER, that in the transportation of said commodities, applicant shall not be permitted to make pickup and deliveries of less than truckloads along the route of N. H. McCormick, PUC-260, and in competition with said N. H. McCormick;

Transportation of commercial fertilizer, trash, machinery and pipe within a 50-mile radius of Cedaredge, Colorado, PROVIDED, HOWEVER, that in the transportation of said commodities, applicant shall not be permitted to make pickups or deliveries of less than truckloads along the route now served by PUC-260, and in competition with said authority;

Transportation in irregular service of fruits, farm products (excluding livestock), building materials, commercial fertilizer, machinery, pipe, wool, farm machinery and farm supplies, from and to all points within a 50-mile radius area of Cedaredge, Colorado, excepting that portion of said area in Garfield and Pitkin Counties, to and from all points in the State of Colorado, PROVIDED, HOWEVER, that when applicant is operating in direct competition with line-haul, scheduled common carriers between towns or cities, applicant shall be required to charge rates 20% higher than those prescribed by line-haul or scheduled common carriers operating between towns or cities.

By the instant application, W. A. Hamilton desires to lease to Dale P. Blumberg, doing business as "Dale's Transfer and Storage," Delta, Colorado, the two certificates (PUC No. 944 and PUC-1204), on a two-year lease, with option to purchase, on terms providing for a rental of 7% of the gross tariff charged by the lessee, with an option to purchase said certificates for the sum of \$10,000. The proposed lessee established to the satisfaction of the Commission his financial ability, experience and training to operate said certificates.

No one appeared in protest to said lease and transfer.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is made a part of these

Findings by reference.

That the proposed lease is compatible with the public interest and should be authorized.

O R D E R

THE COMMISSION ORDERS:

That W. A. Hamilton, Cedaredge, Colorado, be, and is hereby, authorized to lease PUC No. 944 and PUC No. 1204 -- with authority as set forth in the above and foregoing Statement, which is made a part hereof by reference -- to Dale P. Blumberg, doing business as "Dale's Transfer and Storage," Delta, Colorado, subject to outstanding indebtedness against said certificates, if any there be, whether secured or unsecured.

That said lease shall become effective only if and when, but not before, said lessor and lessee, 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, unless such time shall be extended by the Commission, upon proper application.

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 operations under said certificates up to the time of transfer of said certificates.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Norton
John P. Thompson
Joseph F. Nigro
Commissioners.

Dated at Denver, Colorado,
this 9th day of September, 1957.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
THE DELTA BRICK AND TILE COMPANY,)	
BOX 523, DELTA, COLORADO, FOR AUTH-)	APPLICATION NO. 15627-PP-Extension
ORITY TO EXTEND OPERATIONS UNDER)	
PERMIT NO. B-1305.)	

September 9, 1957

Appearances: R. N. Stewart, Esq., Delta,
Colorado, for Applicant.

S T A T E M E N T

By the Commission:

This matter was duly heard on the 22nd day of August, 1957,
at the Court House, Montrose, Colorado, upon due and proper notice to
all interested parties.

Applicant is the holder of Permit No. B-1305, providing for
the transportation of household goods, only, from point to point with-
in a radius of 50 miles of Delta, Colorado.

It appears that the applicant, for some years last past and
since August, 1954, operated in the Cities of Delta, Montrose, and
Grand Junction, Colorado, all of which are home-rule Cities. The evi-
dence is clear that applicant's operations in these Cities has been un-
interrupted and in compliance with all of the ordinances and regula-
tions of these Cities, thus establishing the applicant's "Grandfather
Rights" for a permit to transport household goods from point to point
within said Cities, having been thus engaged on the 1st day of January,
1955, the effective date of the Constitutional Amendment granting to
this Commission authority over utilities within home-rule Cities.

In addition to the "Grandfather Rights" sought under said
Permit No. B-1305, the applicant produced evidence that he has been

transporting sugar from the Holly Sugar Corporation factory and warehouse in Delta, Colorado, to retail grocery stores, all within the City limits of Delta, and that the Holly Sugar Corporation is desirous of using applicant's service for the transportation of such sugar from point to point within the City of Delta, Colorado. From the evidence, it would seem that this service was rendered by the applicant prior to January 1, 1955, in compliance with the ordinances and regulations of the City of Delta, thereby establishing "Grandfather Rights." But, in addition, the applicant has established that this service is needed, required and desired by the Holly Sugar Corporation, and would not impair the services of any common carriers operating in the area.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is, by reference, made a part of these Findings.

That applicant has established "Grandfather Rights" in the Cities of Delta, Montrose and Grand Junction, Colorado, for the transportation of household goods.

That Permit No. B-1305 should be extended to include the transportation of refined sugar from the Holly Sugar Corporation's warehouse in Delta to retail grocery stores within the City of Delta, Colorado, and that said service will not impair the services being rendered by any common carrier.

O R D E R

THE COMMISSION ORDERS:

That Applicant, The Delta Brick and Tile Company, Delta, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-1305 to include the transportation of household goods from point to point within the Cities of Delta, Montrose, and Grand Junction, Colorado.

That the authority under Permit No. B-1305 should be, and hereby is, extended to include the transportation of refined sugar from the Holly Sugar Corporation's warehouse in Delta to retail grovery stores within the City of Delta, 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

Rueph C. Hottel
John A. Thompson
Joseph F. Higgins
Commissioners.

Dated at Denver, Colorado,
this 9th day of September, 1957.

mls

original

(Decision No. 48684)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RALPH C. MILLER, 4005 CASSIA STREET,)
BOISE, IDAHO, FOR A CLASS "B" PERMIT)
TO OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 15628-PP

September 9, 1957

S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing on August 22, 1957, at the Court House in Montrose, Colorado, with due and proper notice to all interested parties, including applicant.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing, nor did any protestant appear.

Thereupon, the files were made a part of the record and the matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

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

Ralph C. Hutton
John P. Thompson
Joseph F. Higney
Commissioners.

Dated at Denver, Colorado,
this 9th day of September, 1957.
mls

original

(Decision No. 48685)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EDGAR PETE HAYNES, 930 WEST OAK)
STREET, FORT COLLINS, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY AUTHORIZING) APPLICATION NO. 15236-Extension
EXTENSION OF OPERATIONS UNDER CER-)
TIFICATE GRANTED BY DECISION)
NO. 47377, IN APPLICATION NO. 15032.)
-----)

IN THE MATTER OF THE APPLICATION OF)
EDGAR PETE HAYNES, 930 WEST OAK)
STREET, FORT COLLINS, COLORADO,) APPLICATION NO. 15236-Amended
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)
-----)

September 9, 1957

Appearances: Ralph Coyte, Esq., Fort
Collins, for Applicant.

S T A T E M E N T

By the Commission:

On December 24, 1956, the applicant filed application asking that this Commission "make its order authorizing the applicant to haul trash from the City of Fort Collins to the City Dump." After public hearing held at Greeley, Colorado, on February 14, 1957, the Commission, on February 25, 1957, entered Decision No. 47377 granting the applicant motor vehicle common carrier authority in accordance with the application.

On March 20, 1957, the applicant filed further application, asking that this authority be extended to include both trash and "general cartage (package delivery) between points in Fort Collins, Colorado, and a radius of 5 miles thereof," further stating, "applicant desires a rehearing of this case and stands on his 'grandfather rights', having been engaged in the transportation of trash and general cartage of groceries for stores here for many years."

This matter was set for hearing upon due notice to persons interested, and was heard at the Court House in Fort Collins, Colorado, on August 29, 1957. At the conclusion of the hearing, the matter was taken under advisement.

It appears from the statements of counsel and the applicant that the existing trash authority granted to the applicant and numbered PUC-3721 is satisfactory to the applicant, leaving for present consideration only the matter of package delivery service.

The applicant testified in support of his application. No one appeared in protest. He stated that he has engaged in a package delivery service for groceries and dry goods within the City of Fort Collins for approximately 40 years, and that no one else is engaged in this business in that City. He has had City licenses at all times material here, and the City has given its written consent to the granting of the application. He has a 3/4 ton pickup truck and a 1/2-ton panel truck which he uses in connection with this operation. The applicant made it quite clear that he has not delivered any heavy commodities, such as refrigerators, stoves, or the like, but has instead exclusively engaged, so far as package delivery is concerned, in the delivery of groceries, dry goods, and small packages. The terms upon which he serves various grocery and dry goods stores varies from time to time, and from business to business, according to the individual needs of the merchant who is to be served. On occasion, he serves by the hour or by the week as the particular needs of his customers require. It appears that it would be difficult to attempt to classify the goods according to the rating schedules used in the motor vehicle industry generally, and that such a complicated procedure would not serve the purpose either of the carrier or the merchant. Instead, it appears that the needs of the merchants who use this service in Fort Collins require that individual contracts

be arranged from time to time to suit the convenience of the merchant, and that the best arrangement for both the carrier and the merchant is that of a private carrier rather than a common carrier. Such an arrangement imposes only minimum requirements upon the carrier and the merchant from a regulatory viewpoint and also provides the greatest operating flexibility for both. It, therefore, appears that private carrier authority should be granted as to the package delivery service. An Order will be entered accordingly.

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

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

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is hereby made a part of these Findings by reference.

That Class "B" private carrier permit should issue to applicant, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Edgar Pete Haynes, Fort Collins, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the delivery of packages from merchants located in the City of Fort Collins, Colorado, or within a radius of 5 miles thereof, to customers located in the same territory, including the return of trade-ins, or other returns from the customer to the merchant; provided, that no individual package shall exceed 100 pounds in weight.

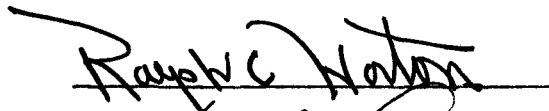


That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 contacts 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 9th day of September, 1957.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOHN EHLIN, RT. 1, BOX 5, LARAMIE,)
WYOMING.)

PERMIT NO. M-77

September 10, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

John Ehlin

requesting that Permit No. M-77 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-77, heretofore issued to

John Ehlin

be,

and the same is hereby, declared cancelled effective September 4, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1957.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CARL W. SIMMONS, 5685 WEST 27TH AVE.,)
DENVER 14, COLORADO.)

PERMIT NO. M-2310

September 10, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

Carl W. Simmons

requesting that Permit No. M-2310 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2310, heretofore issued to

Carl W. Simmons

be,

and the same is hereby, declared cancelled effective August 13, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Thibault
 John P. Thompson
 Joseph W. Hirsch
 Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1957.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LOYD W. HELMING, STRASBURG, COLORADO.)

)
) PERMIT NO. M-2738
)
)
-----)

September 10, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Loyd W. Helming

requesting that Permit No. M-2738 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2738, heretofore issued to _____

Loyd W. Helming be,

and the same is hereby, declared cancelled effective August 13, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Helmer
John P. Thompson
Joseph J. Negro
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1957.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SAM MC CRACKEN, 118 EAST FIFTH,)
WALSENBURG, COLORADO.)
)
)
-----)

PERMIT NO. M-4443

September 10, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Sam McCracken

requesting that Permit No. M-4443 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4443, heretofore issued to _____

Sam McCracken

be,

and the same is hereby, declared cancelled effective August 19, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Dalton
John P. Thompson
Joseph F. Higo
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1957.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DELTA FARM SUPPLY COMPANY, 1110)
MAIN, DELTA, COLORADO.)

PERMIT NO. M-5345

September 10, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Delta Farm Supply Company

requesting that Permit No. M-5345 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5345, heretofore issued to _____
Delta Farm Supply Company _____ be.

and the same is hereby, declared cancelled effective September 3, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Reuben C. Johnson
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 10th day of September , 195 7.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE AND MARGARET HERMAN, 42 WEST)
CHEYENNE BLVD., COLORADO SPRINGS,)
COLORADO.)
-----)

PERMIT NO. M-7061

September 10, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
George & Margaret Herman
requesting that Permit No. M-7061 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7061, heretofore issued to _____
George & Margaret Herman _____ be,
and the same is hereby, declared cancelled effective August 24, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Johnson
John P. Thompson
Joseph T. Negro
Commissioners

Dated at Denver, Colorado,
this 10th day of September, 1957.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HENRY R. SA BELL, DOING BUSINESS AS)
"KITCHENETTE PRODUCTS," 4300 REED)
STREET, WHEATRIDGE, COLORADO.)
-----)

PERMIT NO. M-8367

September 10, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Henry R. SaBell dba Kitchenette Products
requesting that Permit No. M-8367 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8367, heretofore issued to _____
Henry R. SaBell dba Kitchenette Products _____ be,
and the same is hereby, declared cancelled effective September 2, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ray C. Johnson
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 10th day of September, 1957.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
J. D. BOULLT, ROUTE 1, BOX 3A,)
MANSFIELD, TEXAS.)

PERMIT NO. M-10908

September 10, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

J. D. Boullt

requesting that Permit No. M-10908 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10908 , heretofore issued to

J. D. Boullt

be,

and the same is hereby, declared cancelled effective August 16, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Thorton
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 10th day of September , 1957.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

AMADO R. BACA, 2029 NORTH STREET,
BOULDER, COLORADO

PERMIT NO. M-10932

September 10, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Amado R. Baca

requesting that Permit No. M-10932 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10932, heretofore issued to _____

Amado R. Baca be,

and the same is hereby, declared cancelled effective March 15, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Thompson
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1957.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JACK O. BURTON, DOING BUSINESS AS)
"PUEBLO FARM EQUIPMENT," 2771 SOUTH)
SANTA FE DRIVE, PUEBLO, COLORADO.) PERMIT NO. M-11510
-----)

September 10, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Jack O. Burton dba Pueblo Farm Equipment

requesting that Permit No. M-11510 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11510, heretofore issued to _____
Jack O. Burton dba Pueblo Farm Equipment _____ be,
and the same is hereby, declared cancelled effective September 2, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Robert C. Johnson

John Thompson

Joseph J. Negro

Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1957.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MUD AND MINERALS, INC., 205 PETROLEUM)
BUILDING, GRAND JUNCTION, COLORADO.)
)
)
)
-----)

PERMIT NO. M-13201

September 10, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Mud and Minerals, Inc.

requesting that Permit No. M-13201 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13201, heretofore issued to _____
Mud and Minerals, Inc. _____ be,
and the same is hereby, declared cancelled effective August 30, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Johnson

John Thompson

Joseph F. Negro

Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1957.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE ROCKY MOUNTAIN NATURAL GAS COMPANY,))
INCORPORATED, FOR AN ORDER AUTHOR-) APPLICATION NO. 15648-Securities
IZING THE SALE OF SECURITIES.))
-----)

September 9, 1957

Appearances: Ernest C. Porter,)
 Denver, Colorado, and
 Grant E. McGee, Esq.,
 Denver, Colorado,
 for Applicant;
 Harold W. Corey,
 E. W. Nelson, and
 L. M. Coulter, Esq., of
 Coulter and Saviers, Esqs.,
 Aurora, Colorado, for
 Corey-Nelson Investment
 Company, Denver, Colorado;
 J. M. McNulty,
 P. M. Brown, and
 E. R. Thompson, all of
 Denver, Colorado, for
 the Commission.

S T A T E M E N T

By the Commission:

This application by Rocky Mountain Natural Gas Company, Inc. was filed on August 8, 1957, and after due notice to all interested parties was set for hearing on August 21, 1957, at three o'clock P. M., at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado. At five o'clock P. M. the same day, the hearing was recessed to nine o'clock A. M., August 23, 1957, at which time Applicant's attorney asked for a continuance to an early date convenient to this Commission. The Commission thereupon set the hearing to be continued at nine-thirty o'clock A. M., Wednesday, August 28, 1957, and at such time the hearing was completed and the application taken under advisement by the Commission.

Applicant is a corporation organized and existing under the laws of the State of Colorado, and is a public utility engaged in the business of purchasing, transmitting and distributing gas, either natural, artificial or mixed, to the towns of Nunn, Wellington and Ignacio, within the State of Colorado.

The Articles of Incorporation and all Amendments thereto of the Applicant, certified to by the Secretary of State of the State of Colorado, are on file with this Commission, including an amendment dated August 6, 1957, and certified to by the Secretary of State of the State of Colorado, August 21, 1957. This amendment provides that the capital stock of Rocky Mountain Natural Gas Company, Inc. shall be 3,000,000 shares of common stock at a par value of \$1.00 per share, and that all present outstanding shares of the corporation, \$100.00 par value stock, shall be recalled and the holders thereof be issued 100 shares of common stock, par value \$1.00 per share for each share held.

The address of the Applicant is Suite 503 Farmers Union Building, 16th & Sherman Streets, Denver 3, Colorado.

The Rocky Mountain Natural Gas Company, Inc. herein seeks an order from this Commission authorizing it to issue and sell, pursuant to Chapter 115-1-4 Colorado Revised Statutes, 1953, 3,000,000 shares of common stock, par value \$1.00 per share, fully-paid and non-assessable for the purpose hereinafter set forth:

- A. 750,000 shares of its common capital stock, par value \$1.00 per share, fully-paid and non-assessable, for immediate sale to the general public in the State of Colorado, to cover the costs of accomplishing the fulfillment of immediate plans and objectives hereinafter referred to;
- B. 75,000 shares of its common capital stock, par value \$1.00 per share, fully-paid and non-assessable, for delivery to existing stockholders in exchange for \$100.00 par value stock presently owned by them, in accordance with the plan of reorganization of the company, and without commission to the underwriter;

- C. 75,000 shares of its common capital stock, par value \$1.00 per share, fully-paid and non-assessable, to be made available to the company for the issuance of stock warrants or options to existing stockholders as of July 26, 1957, for an effective period of five (5) years, without commission to the underwriter;
- D. 150,000 shares of its common capital stock, par value \$1.00 per share, fully-paid and non-assessable, to be held subject to the provision of the underwriting agreement granting to the underwriter an option to purchase 150,000 shares at par at any time during a period of five (5) years, with no commission to the underwriter;
- E. 390,000 shares of its common capital stock, par value \$1.00 per share, fully-paid and non-assessable, to be made available to the company for the purpose of issuing stock options or warrants to officers, directors, members of the advisory board, or employees of the company for incentive purposes, and without commission to the underwriter; and
- F. 1,560,000 shares of its common capital stock, par value \$1.00 per share, fully-paid and non-assessable, for future sale to the public as future expansion or needs of the company may require.

Mr. Ernest C. Porter, President of Rocky Mountain Natural Gas Company, Inc., testified at the hearing that Applicant has entered into an underwriter's agreement with Corey-Nelson Investment Company, a Colorado corporation, for the sale of said stock to the public on a best-efforts basis at a commission of twenty per cent (20%). He stated that during the past two years that the Rocky Mountain Natural Gas Company, Inc. had made every effort to secure additional capital for the purpose of expanding plant facilities and bettering its service to the public but that all attempts to secure capital had been unsuccessful, due primarily to the fact that the Company is small and has an earning record of only three years. The additional capital to be secured by the sale of common stock will enable the Company to install transmission and distribution systems and render service to several communities which are without gas service at the present time. Mr. Porter stated further that because of the promotional aspects of the proposed sale of capital stock that the cost of securing capital

by this means is necessarily higher than ordinary interest rates for borrowing money where bank loans are available.

Rocky Mountain Natural Gas Company, Inc. presently holds certificates of public convenience and necessity from this Commission to supply the communities of Wellington, Nunn, and Ignacio, Colorado. The Applicant is now distributing natural gas in these towns in Colorado, and its management now plans to expand facilities and operations in order to supply natural gas or liquefied petroleum gas to other towns and communities in Colorado not now receiving gas public utility services.

Mr. Porter stated that over a long period of time he had spent a great amount of time and considerable amount of money in endeavoring to acquire franchises from several towns in Colorado. In a number of instances he had been successful in so doing and had constructed natural gas lines which are now in operation, in Wellington, Nunn, and Ignacio, Colorado. He further testified that he had obtained franchises for the distribution of natural or liquefied petroleum gas in the towns of Dove Creek, Naturita, Nucla, Walden, and Silt, Colorado; and that he had acquired an option to buy the capital stock of the Rio Grande Gas Company, a public utility distributing liquefied petroleum gas in the town of Monte Vista and contiguous territory, and also for the purchase of the Community Gas Company which is a wholesale distributor owned by the same owners as the Rio Grande Gas Company in Monte Vista, Colorado. The proposed construction of gas distribution systems in the towns mentioned above is referred to in Applicant's Exhibit C, attached to the application as Phase I, as a long-range plan with the purpose of developing additional gas distribution systems in several other towns in the State of Colorado.

Mr. Porter testified that he had done much work in promoting the idea of introducing natural gas to various other towns than those in Phase I, and that in most instances the towns,

represented by their respective councils and citizens, were favorable toward the introduction of natural gas to their communities. Mr. Porter stated that he, however, was in no position at this time to apply for franchises in these various towns because of the lack of finances of the Rocky Mountain Natural Gas Company, Inc.

Phase I of the Company's expansion program, Exhibit B attached to the instant application, sets forth the towns now served or to be served with natural or liquefied petroleum gas and shows the total population, the estimated number of customers, an estimate of construction costs, and an estimate of total gross revenues from gas operations. Of this group of towns, applicant stated that Uravan, Colorado, had been withdrawn in view of the fact that the Union Carbide Nuclear Corporation who owns and operates the Uravan uranium mill and owns various dwellings and commercial buildings, indicated by letter to the Public Utilities Commission that Union Carbide was not interested in having the Rocky Mountain Natural Gas Company, Inc. bring natural gas into Uravan. The witness further testified that he understood that the Pacific Northwest Pipeline Company had made arrangements with Union Carbide to serve the mill with natural gas and in so doing natural gas would be available to the company-owned dwellings and commercial establishments. Also, in this first phase, another town, Mancos, Colorado, has been deleted. In this instance, the town council had terminated its agreement with the Rocky Mountain Gas Company, Inc., in favor of some other means of obtaining natural gas services for the Town. Thus, after the deletion of these two towns, the first phase operations will consist of services to the towns listed below with estimates of population, customers, construction costs and expected gross revenues from gas operations:

<u>Phase I</u>	<u>Popula- tion</u>	<u>Estimated Customers</u>	<u>Estimated Construction Costs</u>	<u>Estimated Gross Revenues from Gas Opera- tions</u>
*Wellington	850	200	\$62,000	\$28,000
*Nunn	200	72	25,000	9,500
*Ignacio	750	165	35,000	22,000
Ute Consolidated Indian Agency		1	14,000	10,000
Dove Creek	1,250	325	88,455	45,000
Naturita	750	205	35,000	28,000
Nucla	800	210	45,000	29,000
Seven Miles 2" and 3" Pipeline to Naturita and Nucla			45,000	
Monte Vista	3,300	310	100,000	85,000
Walden	1,600	235	82,632	40,000
Office Building Four Corners Area			20,000	
Silt	<u>450</u>	<u>125</u>	<u>30,000</u>	<u>18,000</u>
Total Phase I -	9,950	1,848	\$582,087	\$314,500

* - Presently receiving gas service.

In support of the current franchise position of these towns other than Wellington, Nunn and Ignacio, the Applicant, through its Attorney, introduced evidence to show that franchises held by Applicant in the towns of Silt, Dove Creek, Nucla and Naturita were still in full force and effect. An application has already been filed with the Public Utilities Commission for authority to serve Walden and the town has extended the time under the franchise for the start of construction to October 17, 1957. Applicant has also filed its application with the Commission to serve Dove Creek and the evidence disclosed that the Dove Creek franchise is still in force and effect. A copy of the option to purchase Rio Grande Gas Company was also introduced in evidence, together with a letter extending the option time to October 15, 1957.

Mr. Porter testified that the number of shares of common stock, par value \$1.00, which the Company wishes to issue and sell, at this time, in regard to the first phase of the Company's expansion program, amounts to 1,023,701 shares allocated as follows:

750,000 shares to be sold to the public.

75,000 shares for exchange of \$100 par
stock outstanding.

75,000 shares reserved for sale to stock-
holders of record July 26, 1957.

75,000 shares reserved for sale to officers,
directors and members of the
advisory board.

48,701 shares reserved for sale to underwriters.

1,023,701 - Total.

Applicant's witness stated that the management of Rocky Mountain Natural Gas Company, Inc. firmly believes that the proposed first phase of expansion of the Company's operations is a sound basis for the issuance of these 1,023,701 shares of common stock, and that the Company was willing to limit the proposed sale to the above number of shares of stock to complete Phase I. He stated that the sale of 750,000 shares of common stock to the public would net the Company \$600,000, an amount sufficient to finance the first phase of the Company's construction program.

The purpose of reserving 75,000 shares of common stock to be purchased by existing stockholders as of July 26, 1957, was a proper thing to do in view of the present stockholders' long time forbearance with the Company's low earnings and inability to properly finance up to this time. He stated that the success of the sale of the common stock of the Company depended in a large degree on the management of the Company, as evidenced by the men who are attracted and elected to the Board of Directors, to the advisory board, and elected as officers of the Company. For the purpose of attracting such men and inducing them to put forth their best efforts for the Rocky Mountain Natural Gas Company, Inc., 75,000 common shares are to be reserved and made available to such men by the issuance of stock option warrants.

The application herein of Rocky Mountain Natural Gas Company provides for 150,000 shares of common stock to be reserved for purchase through issuance of stock option warrants by the underwriters. In view of the decision to limit the stock issue and sale to the require-

ments of the first phase of the expansion program, the agreement with the underwriters was amended, Exhibit H, to permit issuance of warrants to purchase common stock based upon a pro rata basis, that is, the ratio of 150,000 to 2,310,000, the total number of shares to be sold ultimately to the public. Based upon this ratio, 48,701 shares will be reserved and made available to the underwriters through stock purchase warrants.

Common stock purchase warrants to be issued to the underwriters and to members of the board of directors and the advisory board are subject to the terms and conditions as set forth in Exhibit J. The supervision of the issuance of these warrants shall be under the direction of the board of directors. The purchase price per share of common stock deliverable upon exercise of each warrant shall be par, or 95% of fair market value thereof, whichever is the greater. All common stock purchase warrants shall be good for a period of three years and no warrant shall be exercised within a period of one year after the date of this Order. All common stock purchase warrants will be issued pursuant to the authority granted by The Public Utilities Commission of the State of Colorado, and will be uniform as set forth in Exhibit K, the proposed form of the common stock purchase warrant.

The underwriting agreement, Exhibit A, (before amendment) attached to the Application sets forth, among other things, that the underwriters shall sell the common stock upon a "best efforts basis" and have the right to sell, market and promote the sale of 2,310,000 shares of common stock of the company, par value \$1.00 per share, and at not less than \$1.00 per share. The company also agreed to issue option warrants on 18% of all the stock authorized for sale by the company and included in said 18% shall be 150,000 shares of stock at \$1.00 per share which the company grants to the underwriter an option to purchase the same at \$1.00 per share. The underwriter must exercise the option within five years from the

date of this agreement. No commission shall be retained or paid to the underwriter on sales of common stock sold through issuance of stock option warrants.

Subsequent to filing the application, the underwriting agreement was amended as set forth in Exhibit H. The amendment provides, among other things, that generally the underwriters will be entitled to exercise common stock purchase warrants on a pro rata basis of the stock sold to the total number proposed to be sold in the original underwriting agreement, or two million three hundred and ten thousand (2,310,000) shares. This ratio is 6.4935 and shall be applied to 750,000 shares, which results in a possible available stock purchase warrants for 48,701 shares of common stock. For incentive purposes, there shall be made available to the underwriters on the date that the offering is made to the public, 12,175 stock option warrants, a number equal to 25% of the warrants the underwriters would be entitled on the sale of 750,000 shares.

As the Public Utilities Commission may authorize the issuance of additional stock for sale beyond this first phase, the underwriter shall be entitled to common stock purchase warrants equal to 6.4935% of the amount of the stock sold until the entire authorized amount has been sold. In the event the underwriting agreement is terminated at any time by mutual consent by the parties or otherwise, all rights of the underwriter to additional common stock purchase warrants shall terminate and the rights of the underwriter shall be confined to 6.4935% of stock actually issued and sold by it up to the time of termination.

Rocky Mountain Natural Gas Company, Inc. has contracted with the firm of Corey-Nelson Investment Company to promote and sell the common stock of the company on a "best efforts basis." The Corey-Nelson firm was incorporated August 22, 1957. Harold W. Corey, President of the Corey-Nelson Investment Company, testified that the company is registered with and received a license from

the State of Colorado, Department of Law, Division of Securities, to sell securities, and that the company has put up \$5,000 bond as required. He stated further that the Corey-Nelson Investment Company plans to have a sales force of from twenty-five to thirty men throughout the state. The Corey-Nelson firm will stand all the cost of the preparation of the prospectus, advertising matter and other expenses in connection with promotion and sale of the common stock, although generally such expenses were borne by the issuing company rather than by the underwriter. However, in this instance, because of Rocky Mountain Natural Gas Company's shortage of cash, the underwriters agreed to finance the sales campaign.

The information to be included in the offering circular and brochure to be used as sales promotional material is being supplied by Rocky Mountain Natural Gas Company and prepared by the Corey-Nelson Investment Company. The Corey-Nelson Investment Company is relying upon the Gas Company to supply them with the facts in regard to the Company's business, both present operations and proposed plans for expansion as described in the first phase of the expansion program. The Corey-Nelson Investment Company will submit to the Public Utilities Commission copies of all printed matter and radio scripts that will be used in the sales campaign. Also, Mr. Nelson stated that the offering circular would include a paragraph stating that the Public Utilities Commission had authorized the issuance of this common stock.

F I N D I N G S

THE COMMISSION FINDS:

That Rocky Mountain Natural Gas Company, Inc., a Colorado corporation, is a public utility as defined in Chapter 115-1-1, Colorado Revised Statutes, 1953.

That the Commission has jurisdiction of said Applicant and the subject matter of the application herein.

That the Commission is fully advised in the premises.

That the foregoing Statement is made a part of these Findings by reference.

That the proposed issue and sale by the Applicant of 1,023,701 shares of common stock par value of \$1.00 for purposes hereinabove set forth are consistent with, and permitted by, the provisions of Chapter 115-1-4, Colorado Revised Statutes, 1953.

That the issuance of stock option purchase warrants authorizing the purchase of 198,701 shares of common stock at par value or 95% of fair market value, whichever is the higher, by officers, directors, stockholders of record, July 26, 1957, and by the underwriters is not inconsistent with the public interest and should be authorized.

That the issuance by the Company of the 1,023,701 shares of common stock proposed to be issued as hereinabove set forth, is reasonably required and necessary for its corporation purposes, as aforesaid, and should be authorized.

That the order sought should be issued, and should be made effective forthwith.

O R D E R

THE COMMISSION ORDERS:

That Rocky Mountain Natural Gas Company, Inc., a Colorado corporation, authorized to do business in the State of Colorado, be, and it hereby is, authorized to issue and sell 1,023,701 shares of common stock par value \$1.00, as permitted by provision of Chapter 115-1-4, Colorado Revised Statutes, 1953.

That of the 1,023,701 shares of common stock par value \$1.00, 750,000 shares shall be issued for the purpose of selling to the general public.

That of the 1,023,701 shares of common stock par value \$1.00, 75,000 shares shall be exchanged for shares of common capital stock par value \$100 now outstanding, held by existing stockholders of record as of July 26, 1957.

That of the 1,023,701 shares of common stock, 75,000 shares shall be reserved and made available to be sold to officers, directors and members of the advisory board, pursuant to Resolution of the Board of Directors, Exhibit J, upon the exercise of stock option warrants hereby authorized and approved.

That of the 1,023,701 shares of common stock, 48,701 shall be reserved and made available for sale to the underwriters upon the exercise of stock option purchase warrants, pursuant to Resolution of Board of Directors, Exhibit J, hereby authorized and approved.

That the offering issue and sale of common stock shall be in accordance with the terms and conditions hereinbefore set forth.

That, except as otherwise hereby specifically provided in this Order, the terms of offering and sale of said stock shall be such as set forth in the Prospectus, Amended, and filed as a late-filed exhibit within thirty days of the effective date of the Order herein, and in accordance with the terms of the Underwriting Agreement, as Amended.

That the offering circulars and all other advertising printed matter and radio scripts shall include a statement as follows:

Pursuant to Colorado Revised Statutes, 1953, Chapter 115-1-4, the Rocky Mountain Natural Gas Company, Inc. applied to and received from The Public Utilities Commission of the State of Colorado, authority to issue 1,023,701 shares of Common Stock. In no way does the State of Colorado or the Public Utilities Commission recommend, guarantee or assume obligation with respect to the Common Stock issued under such authority.

That Rocky Mountain Natural Gas Company, Inc. will provide the Underwriters, Corey-Nelson Investment Company, for purposes of selling, promoting and advertising the Company's common stock, only the true facts concerning the Rocky Mountain Natural Gas Company and its plans for expansion as set forth by Phase I of its program outlined in the preceding Statement.

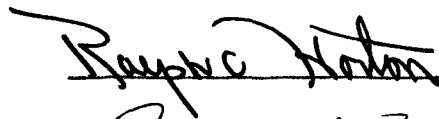
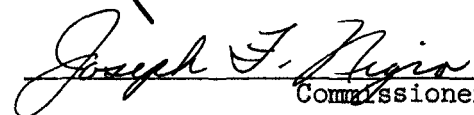
That the Corey-Nelson Investment Company, Underwriters, before making public offering circulars and other printed matter or advertising of any description, shall first submit the script of such offering circulars, printed matter and advertising matter to the Public Utilities Commission.

That Rocky Mountain Natural Gas Company, Inc. shall report to this Commission each thirty (30) days after date hereof, the number of shares of common stock sold, the gross receipts and net proceeds derived therefrom.

That nothing herein shall be construed to imply any recommendation or guaranty of, or any obligation with respect to issuance of the aforementioned capital stock on the part of the State of Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 9th day of September, 1957.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
UNION RURAL ELECTRIC ASSOCIATION,)
INC., BRIGHTON, COLORADO, FOR AUTH-)
ORITY TO EXTEND FACILITIES IN SEC-) APPLICATION NO. 15673-Extension
TION 12, TOWNSHIP 2 SOUTH, RANGE 73)
WEST, GILPIN COUNTY.)

September 11, 1957

S T A T E M E N T

By the Commission:

On August 16, 1957, Union Rural Electric Association, Inc., Brighton, Colorado, filed an application with this Commission for authority to extend its lines to serve a platted subdivision or Town of Fort Cody. The extension will consist of 9,020 feet of primary line, and all of said extension is located in Section 12, Township 2-South, Range 73-West, Gilpin County, Colorado. Service was requested by Laura Newman, owner of the subdivision. The estimated cost of the new extension is \$5,927.00.

This application was filed pursuant to the Commission's order in Application No. 13576, Case No. 5108, Decision No. 47074, of January 7, 1957, which set forth the procedure for obtaining authority to extend facilities distances exceeding 300 feet in length. Applicant has elected by the instant application plan (b) of said Order, which provides for the Commission to issue the authority without a hearing if it so decides, and if there are no protests.

The Commission has examined the record and files herein and believes that this matter is one which can be decided without a formal hearing and being fully informed in the matter, will issue its Order granting the construction as requested. The Commission has received a

letter from the Public Service Company of Colorado, dated September 3, 1957, and a letter from the Colorado Central Power Company, dated August 19, 1957, both of said letters stating, in effect, that the respective companies have no objection to the granting of the authority sought by the instant application.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission is fully advised in the premises.

That Applicant has complied with the Commission's Order in Decision No. 47074, previously referred to, and there being no objection by interested parties, the authority as requested should be issued without hearing.

That public convenience and necessity require the rendering of electric service to the subdivision owned by Laura Newman at a location in Section 12, Township 2-South, Range 73-West, Gilpin County, Colorado, and that Union Rural Electric Association, Inc., should be authorized to render said service.

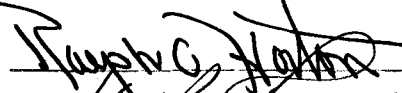
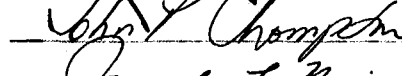
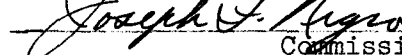
O R D E R

THE COMMISSION ORDERS:

That Union Rural Electric Association, Inc., Brighton, Colorado, be, and it hereby is, granted a certificate of public convenience and necessity to extend its facilities to serve the subdivision owned by Laura Newman, at a location in Section 12, Township 2-South, Range 73-West, Gilpin County, Colorado, all in accordance with the application for Electric Service signed by and between the parties, a copy of which was filed with the Commission in the instant matter, and which, by reference, is made a part hereof.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 11th day of September, 1957.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JAMES P. GROSSO, DOING BUSINESS AS)	
"A-1 TRANSFER & STORAGE CO.," 2006)	
EAST ROUTT, PUEBLO, COLORADO, FOR)	APPLICATION NO. 15655-Lease
AUTHORITY TO LEASE PUC NO. 3427 TO)	
LA VERNE THACKER, DOING BUSINESS AS)	
"CITY DELIVERY SERVICE," 131½ SOUTH)	
SANTA FE, PUEBLO, COLORADO.)	
-----)	

September 11, 1957

Appearances: Harper L. Abbot, Pueblo,
Colorado, for Transferor.

S T A T E M E N T

By the Commission:

This matter was heard in the District Court Room of the Court House in Pueblo, Colorado, on August 27, 1957, after due and proper notice to all interested parties.

James P. Grosso, doing business as "A-1 Transfer & Storage Co.," is the owner of PUC No. 3427, which provides for the conduct of a general cartage business over and on the streets and alleys of the City of Pueblo, Colorado, with equipment not to exceed a rated capacity of 1½ tons. Mr. Grosso has entered into a lease agreement with La Verne Thacker, doing business as "City Delivery Service," for the lease of all equipment and the certificate (PUC No. 3427), for a term of three years, non-cancellable for one year, at a monthly rental of \$50.00 per month.

It is clear that this certificate has been in regular operation by the transferor and the transferee is capable by experience and financial ability to continue the conduct of this operation, which he has agreed to do.

No one appeared in protest.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is made a part of these Findings by reference.

That the proposed lease is compatible with the public interest and should be authorized.

O R D E R

THE COMMISSION ORDERS:

That James P. Grosso, doing business as "A-1 Transfer & Storage Co.," Pueblo, Colorado, should be, and he is hereby, authorized to lease PUC No. 3427, with authority as follows:

Conduct of a general cartage business over and on the streets and alleys of the City of Pueblo, Colorado; equipment not to exceed rated capacity of one and one-half tons,

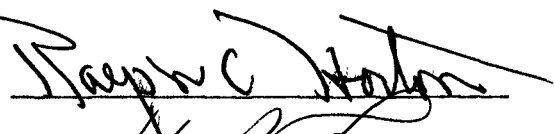


to LaVerne Thacker, doing business as "City Delivery Service," Pueblo, Colorado, subject to outstanding indebtedness, if any.

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 operations under said certificate up to the time of lease of said certificate.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 11th day of September, 1957.

original

(Decision No. 48700)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
W. H. HEDLEY, 1045 HOOKER STREET,)	
DENVER, COLORADO, FOR A CLASS "B")	APPLICATION NO. 15522-PP
PERMIT TO OPERATE AS A PRIVATE CAR-)	
RIER BY MOTOR VEHICLE FOR HIRE.)	

September 16, 1957

Appearances: Alvin J Meiklejohn, Jr., Esq.,
Denver, Colorado, for R. B.
"Dick" Wilson, 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 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, July 15, 1957, at 9:30 o'clock A. M., due notice thereof being forwarded to all parties in interest.

On July 12, 1957, the Commission as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant failed to appear, either in person or by counsel; that said Examiner inquired of protestant if there would be any objection to issuance of authority sought herein; that protestant agreed that permit might issue to applicant herein, subject to the limitation that he be restricted to the use of dump trucks; that the files indicate applicant is the owner of a 1952 two-ton Ford Dump Truck and a 1954 two-ton Chevrolet Dump Truck; that he has proper Certificate of Insurance on file with the Commission; that he is presently operating under a Temporary Authority issued by this Commission.

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

It did not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit should issue to applicant herein, limited to the use of dump trucks.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a

Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and the same hereby is, approved.

That W. H. Hadley, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, limited to the use of dump trucks, only.

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

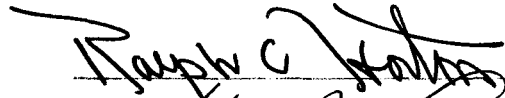
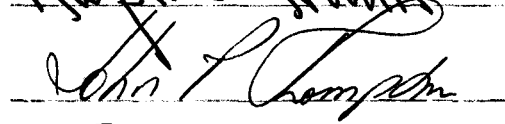
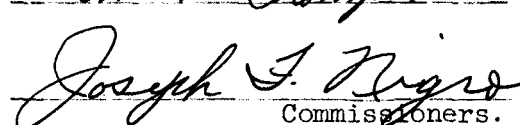
That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

and regulations of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 16th day of September, 1957.

mls

(Decision No. 48701)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THOMAS K. NICHOLSON, P. O. BOX 7612,)
LAKEWOOD, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 15532-PP

September 16, 1957

Appearances: Thomas K. Nicholson, Lakewood,
Colorado, pro se;
Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for R. B.
"Dick" Wilson, 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 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, July 15, 1957, at 1:30 o'clock P. M., due

notice thereof being forwarded to all parties in interest.

On July 12, 1957, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant testified that he is presently engaged in the transportation of sand and gravel, under a Temporary Authority issued by this Commission; that he has had many requests for his proposed service; that he is the owner of a 1957 two-ton Ford Dump Truck; that his net worth is \$25,000; that he is agreeable that operations under authority herein granted be limited to the use of dump trucks.

No one appeared in opposition to the granting of authority sought, as limited by applicant's testimony.

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

It did not appear that applicant's proposed operation, as hereinafter limited, will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that authority sought should be granted, limited to the use of dump trucks.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in

the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Thomas K. Nicholson, Lakewood, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, limited to the use of dump trucks, only.

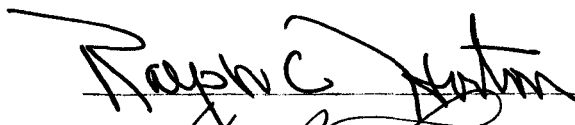

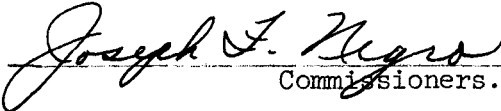
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 16th day of September, 1957.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PAUL HICKMAN, DOING BUSINESS AS)
"YUMA COUNTY TRANSPORTATION," YUMA,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PERMIT NO. A-339 TO D & S MOTOR) APPLICATION NO. 15512-PP-Transfer
FREIGHT, INC., A CORPORATION, 2002)
DELGANAY STREET, DENVER, COLORADO.)

September 16, 1957

Appearances: Marion F. Jones, Esq., Denver,
Colorado, for Applicants;
J. R. Arnold, Denver, Colorado,
for North Eastern Motor
Freight, Inc.

S T A T E M E N T

By the Commission:

Heretofore, Paul Hickman, doing business as "Yuma County
Transportation," Yuma, Colorado, was authorized to operate as a
Class "B" private carrier by motor vehicle for hire, for the trans-
portation of:

freight, between Denver and Wray and inter-
mediate points; between Denver and Sterling
and Holyoke and points intermediate between
Sterling and Holyoke; and between Sterling
and Holyoke and all points intermediate
thereto;

freight for Safeway, Piggly Wiggly and McMarr
Companies, only, to their own retail stores
in Wray and Yuma from Sterling, Colorado, via
Kelly and Otis;

such general merchandise freight as may origi-
nate in Sterling, Brush, or Wray, Colorado,
for Safeway Stores System, only, from Wray to
Burlington, via Colorado Highway No. 51, or
via Colorado Highways Nos. 51 and 54; to St.
Francis, Kansas, via Colorado Highway No. 51
and U. S. Highway No. 36, and from Burlington,
Colorado, to Goodland, Kansas, via U. S. High-
way No. 24; all interstate operating rights be-
ing subject to the provisions of the Federal
Motor Carrier Act of 1935, as amended,

said operating rights being known as "Permit No. A-339."

By the above-styled application, said permit-holder seeks authority to transfer said Permit No. A-339 to D & S Motor Freight, Inc., a corporation, Denver, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Sterling, Colorado, July 12, 1957, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On July 11, 1957, the Commission, as provided by law, designated Anthony L. Mueller, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Anthony L. Mueller, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, Paul Hickman, transferor herein, testified that he has caused to be incorporated "D & S Motor Freight, Inc.," and has agreed to transfer Permit No. A-399 to that corporation, in consideration of issuance to him of \$6,000 Capital Stock of said corporation; that he was to purchase from said company for cash, \$1,000 worth of stock in said company to give the company operating capital; that he owns certain equipment, a list of which is on file with the Commission, which will temporarily be leased to transferee herein; that said equipment may later be sold to said company for a consideration of \$4,000 in stock of said company; that said company will have as assets the permit valued at \$6,000, and \$1,000 in cash, with no debts, except Capital Stock issued in the amount of \$7,000; that there is no indebtedness against said permit, except current bills, which he will pay; that he is President of transferee corporation.

No one appeared in opposition to the granting of the author-

ity sought.

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

Report of said Examiner recommends that authority herein sought should be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference, and Report of the Examiner referred to therein should be approved.

That authority requested to transfer Permit No. A-339 should be granted.

O R D E R

THE COMMISSION ORDERS:

That the Report of the Examiner referred to in the above and foregoing Findings should be, and the same hereby is, approved.

That Paul Hickman, doing business as "Yuma County Transportation," Yuma, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. A-339 -- with authority as set forth in the preceding Statement, which is made a part hereof, by reference -- to D & S Motor Freight, Inc., a corporation, Denver, Colorado, subject to payment of outstanding indebtedness against said operating rights, 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

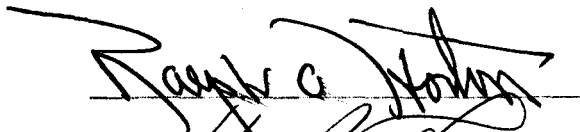
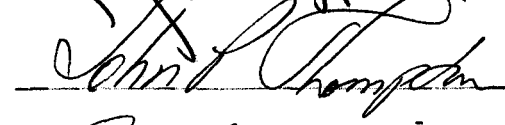
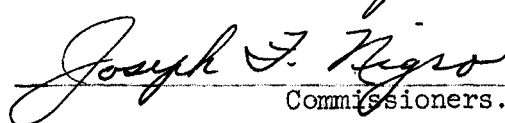
the effective date of the Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

The right of transferee to operate under this Order shall depend upon its compliance with all present and future laws and rules and regulations of the Commission, 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.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 16th day of September, 1957.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

JOE M. MARTINEZ, 1080 SOUTH PATTON
COURT, DENVER 19, COLORADO.

PERMIT NO. M-12313

September 20, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Joe M. Martinez

requesting that Permit No. M-12313 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

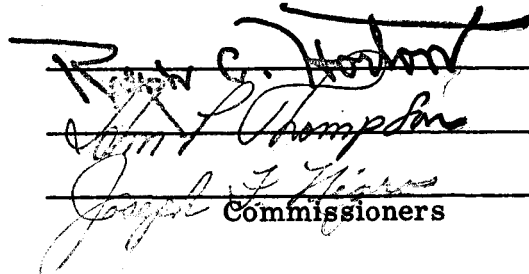
THE COMMISSION ORDERS:

That Permit No. M-12313, heretofore issued to _____

Joe M. Martinez be,

and the same is hereby, declared cancelled effective August 10, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,

this 20th day of September, 1957.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

LEREOY C. WATERMAN, DOING BUSINESS AS)
"WATERMAN'S", BOX 395, ASPEN, COLO-)
RADO.)

PERMIT NO. M-10279

September 20, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

LeRoy C. Waterman, d/b/a Waterman's

requesting that Permit No. M-10279 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10279, heretofore issued to _____

LeRoy C. Waterman, d/b/a Waterman's be,

and the same is hereby, declared cancelled effective July 15, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Norton
 John P. Thompson
 Joseph F. Hearn
 Commissioners

Dated at Denver, Colorado,

this 20th day of September, 1957.

mjm

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
BEN NASON, BOX 58, LA VETA, COLORADO.)
-----)

PERMIT NO. M-3659

September 20, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Ben Nason

requesting that Permit No. M-3659 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.


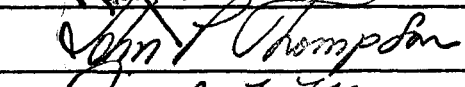
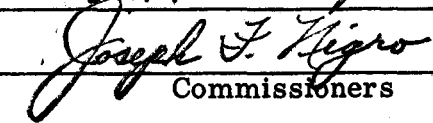
ORDER

THE COMMISSION ORDERS:

That Permit No. M-3659, heretofore issued to _____

Ben Nason _____ be,

and the same is hereby, declared cancelled effective August 25, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 20th day of September, 1957

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FAY CRUTCHFIELD, RED FEATHER LAKES,)
COLORADO.)
_____))
_____)

PERMIT NO. M-11532

September 20, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Fay Crutchfield

requesting that Permit No. M-11532 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11532, heretofore issued to _____

Fay Crutchfield be,

and the same is hereby, declared cancelled effective August 13, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. [Signature]
John P. Thompson
Joseph J. Negro
Commissioners

Dated at Denver, Colorado,

this 20th day of September, 1957.

mjm

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

HOWARD H. STARK, DOING BUSINESS AS)
"HOWARD STARK MOTOR CO.", 4700 EAST)
COLFAX AVENUE, DENVER 20, COLORADO.)

PERMIT NO. M-7908

September 20, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Howard H. Stark, d/b/a Howard Stark Motor Co.,

requesting that Permit No. M-7908 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7908, heretofore issued to _____

Howard H. Stark, d/b/a Howard Stark Motor Co., _____ be,

and the same is hereby, declared cancelled effective September 1, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Johnson
John Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 20th day of September, 1957

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CARL J. JOHNSON, 220 EXCHANGE BUILD-)
ING, UNION STOCK YARDS, LOS ANGELES)
58, CALIFORNIA.)
-----)

PERMIT NO. M-11490

September 20, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Carl J. Johnson

requesting that Permit No. M-11490 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11490, heretofore issued to _____

Carl J. Johnson be,

and the same is hereby, declared cancelled effective August 1, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Brown

John F. Thompson

Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 20th day of September, 195 7.

mjm

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

F. A. TUTTLE, 16 SUMNER ROAD,
COLORADO SPRINGS, COLORADO.

PERMIT NO. M-1757

September 20, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

F. A. Tuttle

requesting that Permit No. M-1757 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1757, heretofore issued to

F. A. Tuttle

be,

and the same is hereby, declared cancelled effective July 8, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Johnson
John P. Thompson
Joseph F. Higgins
Commissioners

Dated at Denver, Colorado,

this 20th day of September, 1957.

mjm

CANCELLATION--COMMON CARRIER

(Decision No. 48710)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT SPEER DOING BUSINESS AS)
"MIDLAND TRUCK LINES", BOX 862,)
BILLINGS, MONTANA.)

CERTIFICATE NO. 3443-I

September 20, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from _____
Robert Speer, doing business as Midland Truck Lines
requesting that Certificate of Public Convenience and Necessity No _____
3443-I be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate No 3443-I heretofore issued to _____
Robert Speer, doing business as Midland Truck Lines

be, and the same is hereby declared cancelled effective

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

W. G. Norton
John Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 20th day of September, 1957

mjm

CANCELLATION--COMMON CARRIER

(Decision No. 48711)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
PACIFIC GREYHOUND LINES, PINE)
AND BATTERY STREETS, SAN)
FRANCISCO, CALIFORNIA.)

CERTIFICATE NO. 1983-I

September 20, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from _____

Pacific Greyhound Lines

requesting that Certificate of Public Convenience and Necessity No _____
1983-I be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate No 1983-I heretofore issued to _____

Pacific Greyhound Lines

be, and the same is hereby declared cancelled effective August 20, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Harlan
John P. Thompson
Joseph F. Ziegler
Commissioners

Dated at Denver, Colorado,
this 20th day of September, 1957.

mjm

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 48712)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
F. A. TUTTLE, 16 SUMNER ROAD,)
COLORADO SPRINGS, COLORADO.)
)
)
)

PERMIT NO. B-5125

September 20, 1957

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-5125 be suspended for six months from July 8, 1957.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That F. A. Tuttle

be, and is hereby, authorized to suspend his operations under Permit No. B-5125 until January 8, 1958.

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 by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert G. Johnson
John Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 20th day of September, 1957.
mjm

original

(Decision No. 48713)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MELVIN BELL, GILLETTE, WYOMING, FOR)
AUTHORITY TO TRANSFER INTERSTATE) PERMIT NO. B-3968-I-Transfer
OPERATING RIGHTS TO MELVIN BELL AND)
KENNETH MOONEY, DOING BUSINESS AS)
"BELL & MOONEY," GILLETTE, WYOMING.)

September 16, 1957

S T A T E M E N T

By the Commission:

Heretofore, Melvin Bell, Gillette, Wyoming, was authorized to operate as a Class "B" private carrier by motor vehicle for hire, in interstate commerce, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, and Permit No. B-3968-I issued to him.

Said permit-holder now seeks authority to transfer said operating rights to Melvin Bell and Kenneth Mooney, co-partners, doing business as "Bell & Mooney," Gillette, Wyoming.

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, subject to outstanding indebtedness against said operation, if any there be.

O R D E R

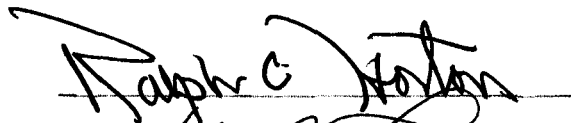


THE COMMISSION ORDERS:

That Melvin Bell, Gillette, Wyoming, should be, and he hereby is, authorized to transfer all right, title, and interest in and to

Permit No. B-3968-I to Melvin Bell and Kenneth Mooney, co-partners, doing business as "Bell & Mooney," Gillette, Wyoming, 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.

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 16th day of September, 1957.

mls

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parties.

That Decision No. 48568, issued by this Commission August 22, 1957, is now moot, and should be rescinded and vacated.

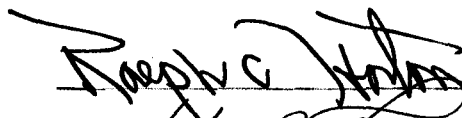
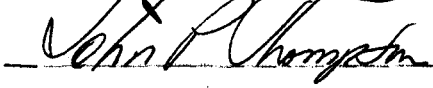
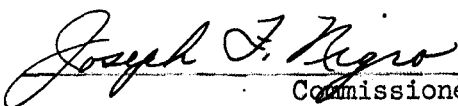
O R D E R

THE COMMISSION ORDERS:

That its Decision No. 48568, issued the 22nd day of August, 1957, should be, and the same is hereby, rescinded, vacated, and held for naught, and Application No. 15549-PP, requesting lease of Permit No. A-906 be, and the same hereby is, dismissed.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 11th day of September, 1957.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CLARENCE H. WESSELMAN, ROUTE 1, BOX)
292, MORRISON, COLORADO, FOR A CLASS) APPLICATION NO. 15527-PP
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

September 16, 1957

Appearances: Clarence H. Wesselman, Morrison,
Colorado, pro se;
Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for R. B.
"Dick" Wilson, 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 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, July 15, 1957, at 9:30 o'clock A. M., due

notice thereof being forwarded to all parties in interest.

On July 12, 1957, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant appeared in his own behalf, stating he is presently transporting sand and gravel under Temporary Authority issued by this Commission; that he has had many requests for his proposed services; that he is the owner of a 1949 GMC Flat Bed Truck; that his net worth is \$10,000; that he is agreeable that any authority granted to him be limited to the use of dump trucks, only.

No one appeared in opposition to the granting of the authority sought, as limited by applicant's testimony.

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

It did not appear that applicant's proposed operations will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant, limited to the use of dump trucks.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in

the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Clarence H. Wesselman, Morrison, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, limited to the use of dump trucks.

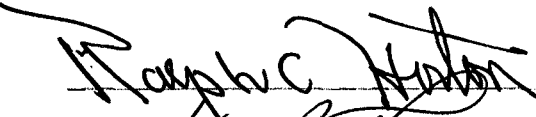
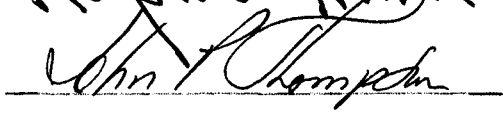
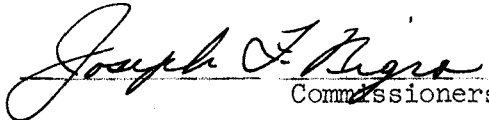
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 16th day of September, 1957.

mls

original

(Decision No. 48716)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DWIGHT DUTTON, 850 SOUTH ESTES,)
LAKEWOOD, COLORADO, FOR A CLASS "B") APPLICATION NO. 15529-FP
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

September 16, 1957

Appearances: Dwight Dutton, Lakewood,
Colorado, pro se;
Alvin J. Meiklejohn, Jr.,
Esq., Denver, Colorado,
for R. B. "Dick" Wilson,
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 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, 330 State Office Building, Denver, Colorado, July 15, 1957, at 1:30 o'clock P. M., due notice thereof being forwarded to all

parties in interest.

On July 12, 1957, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant appeared in his own behalf, testifying that he is presently engaged in the transportation of sand and gravel under Temporary Authority issued by this Commission; that he has had many requests for his proposed operations; that he is the owner of a 1940 one and one-half ton Chevrolet Dump Truck, owns his own home, and has a net worth of \$17,000; that it is agreeable with him that any authority granted herein be limited to the use of dump trucks, only.

No one appeared in opposition to the granting of the authority sought, as limited by testimony of applicant.

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

It did not appear that applicant's proposed operations will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit should issue to applicant herein, limited to the use of dump trucks.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a

Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Dwight Dutton, Lakewood, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, limited to the use of dump trucks, only.

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


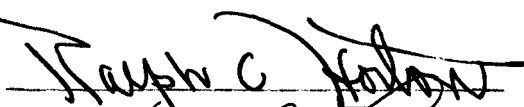


That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

and regulations of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners.

Dated at Denver, Colorado,
this 16th day of September, 1957.

mls

original

(Decision No. 48717)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT E. ROSS, 7489 WEST 12TH)
AVENUE, LAKEWOOD, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 15534-PP

September 16, 1957

Appearances: Robert E. Ross, Lakewood,
Colorado, pro se;
Alvin J. Meiklejohn, Jr.,
Esq., Denver, Colorado,
for R. B. "Dick" Wilson,
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 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office

Building, Denver, Colorado, July 15, 1957, at 1:30 o'clock P. M., due notice thereof being forwarded to all parties in interest.

On July 12, 1957, the Commission, as provided by law, designated Louis J Carter, an employee of the Commission, to conduct hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner shows that at the hearing, applicant herein testified that he is presently engaged in transportation of sand and gravel, under Temporary Authority issued by this Commission; that he has had many requests for his proposed operations; that he is the owner of a 1957 two-ton Ford Dump Truck; that his net worth is \$20,000; that he is agreeable that in the event authority herein sought is granted, his operations be limited to the use of dump trucks.

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

No one appeared in opposition to the granting of authority sought, as limited by testimony of applicant.

It did not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein, as hereinafter limited.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a

Class "B" private carrier by motor vehicle for hire, as hereinafter set forth.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Robert E. Ross, Lakewood, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, limited to the use of dump trucks, only.

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

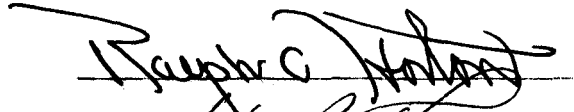


That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

and regulations of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 16th day of September, 1957.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
YELLOW CAB TOURWAYS, INC., 3455 WEST)
ARKINS COURT, DENVER, COLORADO, FOR)
A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE,)
IN AUTO LIVERY SERVICE.)

APPLICATION NO. 15665

September 16, 1957

Appearances: Walter M. Simon, Esq., Denver,
Colorado, and
Harlan G. Balasan, Denver,
Colorado, for Applicant;
Barry, Hupp & Dawkins, Esqs.,
Denver, Colorado, by John
R. Barry, Esq., for North-
land Greyhound Lines,
Southwestern Greyhound
Lines, Denver-Colorado
Springs-Pueblo Motor Way,
Inc., American Bus Lines,
Denver Salt Lake Pacific
Stages, Inc., Continental
Bus System, Inc., Trans-
continental Transportation
System, and Rocky Mountain
Division of Continental Bus
System, Inc.;
I. B. James, Denver, Colorado,
for Colorado Transportation
Company;
Ralph Wolff, Denver, Colorado,
for A A Sightseeing Tours;
Edward W. Dunden, Denver, Colo-
rado, for Checker Cab Co.;
Richard L. Fenton, Denver, Colo-
rado, for Webb & Knapp, Inc.

S T A T E M E N T

By the Commission:

By its application filed July 9, 1957, the applicant seeks
authority from this Commission to operate as a motor vehicle common
carrier in auto livery service, transporting passengers between points
within a radius of 25 miles of 16th and Champa Streets in Denver, Colo-

rado, and between points within that radius and all other points and places in the State, using limousines or sedan cars having a rated capacity of not more than 9 passengers, including driver.

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, September 5, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

It appears from the evidence that the applicant now owns PUC-87, which as presently constituted authorizes scheduled transportation of passengers by motor vehicle over specifically described sightseeing routes. To avoid extending this opinion by detailing these numerous routes, we will incorporate by reference into this Decision our Decision No. 47632, dated April 1, 1957, which authorized the applicant to acquire this authority and describes the routes involved.

It also appears from the evidence that Yellow Cab, Inc., is a corporation having common beneficial ownership and common management with the present applicant. That company owns the remaining portion of what was formerly numbered PUC-87, which authorizes it to operate as a motor vehicle common carrier, for the transportation of passengers and their personal baggage from and to Denver, to and from other points in the State of Colorado, subject to certain restrictions not material here. These restrictions are set forth in our Decision No. 40669, dated May 27, 1953, which is by reference incorporated hereinto and made a part hereof. It will be noted that although this authority is construed for operating purposes as being limited to the use of taxicabs only, the authority itself does not contain such a restriction in specific language.

The application was supported with the testimony of Mr. F. M. Elliott, General Manager of Applicant and Yellow Cab, Inc., an affiliate

of the Applicant; Mr. James H. Short, Supervisor of Dispatching for Airport Limousine and Tourway service; Mr. Gibbs S. Kelch, taxi starter for Yellow Cab, Inc., and Airport Limousine; and the testimony of five public witnesses.

The substance of the testimony of the public witnesses, each in turn, was that they believe a livery service is needed in Denver; that they had had occasion to use such a service, and had called Yellow Cab, which provided them with service which was entirely satisfactory to them. None of them knew of the existence of any other service, nor had any of them made inquiry to determine if such a service existed. Mr. Short and Mr. Kelch testified that in connection with their work for Yellow Cab, Inc., they receive many requests for this type of service.

Mr. Elliott testified concerning the equipment, financial condition, and experience of the Applicant in detail sufficient to establish that as to these considerations the Applicant has the necessary qualifications to operate. He testified that the Applicant Tourways, Inc. presently operates scheduled sightseeing service, which during the summer tourist season uses all of his five authorized vehicles. During the winter months, these vehicles are idle a substantial part of the time and would be available for luxury limousine service upon call. The two newest of these vehicles cost about \$8,000 each, he said, and the Company cannot economically bear the cost of having them sit idle several months of the year. His Company has, until recently, offered livery service in the mistaken belief that it had authority, but when upon closer examination, the Company found it lacked authority, it discontinued the livery service and filed this application. In his concept, the service would be in limousines with uniformed drivers, at luxury rates for transportation for any purpose, within, into and out of the Denver Metropolitan Area. Although the application seeks a base radius of 25 miles, it is noted

that Mr. Elliott referred to a 16 mile radius as being the base territory. This radius is the present operating radius of Yellow Cab, Inc., and indicates the degree of intermingling of operational thinking between the two Companies. We note parenthetically that no explanation was given as to why a base territory of twenty-five miles, rather than some other figures, was selected; we doubt, however, that the Applicant seriously intends to render effective service from any point twenty-five miles away from Denver, to a State point still farther away. The drivers for the limousines would be taxicab drivers who would be called out of their cabs to operate the limousines as occasion required. This would permit the efficient use of drivers who could thus be driving taxicabs when their services were not otherwise required. Mr. Elliott recognized that among the examples of the type of service requested, given by public witnesses, some might be considered sightseeing operations and that as a matter of enforcement, it would be difficult to tell whether the vehicle was being used at the time for luxury limousine service or routine sightseeing service. The present sightseeing authority of the Applicant is limited to the use of five vehicles, but Mr. Elliott and counsel had in mind no limitation as to the number of vehicles which might be used in the proposed service.

Mr. I. B. James, President of Colorado Transportation Company, testified in protest and Mr. Edward W. Dunden, President of Checker Cab Company, testified principally in clarification. The substance of Mr. James' testimony was that he has limousines and authority to perform this type of service, and does perform it at every opportunity. He feels that the existing service is adequate and that no additional authorities are required. Mr. Dunden testified principally that his Company and others conduct call and demand sightseeing operations and that all sightseeing operators are presently limited by the Commission as to the number of vehicles that they may use. He feels

that it is not economically feasible to operate a sightseeing service, with the limited season, unless the operator can use his vehicle for livery service in the off-season. He states that all of the sightseeing operators in the Denver area do this, and he feels the Applicant should be permitted to do it in order to make its operation comparable with the operation of other holders of older authorities, such as the authority of the Applicant. He feels, however, that to remove the restriction of the number of vehicles the Applicant may use will radically change the competitive situation to the detriment of the existing operators and indirectly to the detriment of the sightseeing public. He also complains that when the Applicant was operating limousine service, now admitted to have been illegally, it was doing so on a mileage rate such that a group could drive to Pikes Peak, for example, by special livery limousine cheaper than they could travel by the established sightseeing service. He feels that if livery service is to be offered it should be considered only as a luxury limousine service and should be so priced that it could not be competitive with existing regular sightseeing services.

Taking into account all the circumstances in the evidence, we are inclined to feel that the Applicant possibly should be authorized to use its vehicles during the off-season to provide luxury limousine service with uniformed chauffeurs upon charter at luxury rates to persons who desire such luxury service for weddings, business meetings, visits of public or other dignitaries, and such. As formulated by application, however, and as the idea has developed in the minds of the Applicant, no such restricted service is contemplated. Instead, the service contemplated appears to include any use which could reasonably be made of a limousine during the off-season, such uses to include sightseeing, or any other type of use to which the equipment would be suited. The desire of the Applicant to avoid hav-

ing its equipment idle is a natural, normal desire of any business person, but runs head-on into the existing service now offered by other sightseeing operators. It is not shown that it would be in the public interest to allow unlimited entry into the sightseeing field, as the Applicant apparently seeks, without regard to the existing service; there was no showing that the existing service is inadequate.

In addition, it appears that the owners of Yellow Cab, Inc., if granted the authority they now seek through Yellow Cab Tourways, might well later claim that their existing Yellow Cab authority authorizes limousine service and that they thus have two authorities to do the same thing; and that they could sell off one authority and continue to do business under the other. No warrant was shown to multiply operating authorities in this fashion, if such would be the effect of granting this present application. The Yellow Cab people are not before us in this proceeding, but they have not shown any disposition to have their existing authority limited by specific language to the use of taxicabs only so that there may be no conflict between the authorities they now have in Yellow Cab, Inc., and the authority they seek in Yellow Cab Tourways.

Further, if we are to restrict the number of vehicles which could be used in the service so as to minimize the rearrangement of revenues in the sightseeing business, if this authority is granted, we must have some basis for selecting the limitation to be imposed. It appears that all of the five vehicles presently authorized Tourways are now used during the summer in connection with its scheduled service. If, therefore, we restricted the use of the proposed authority to five vehicles, presumably no livery service could be offered by Tourways during the summer, as it would have no equipment available. Thus it would appear that to restrict the service to the present number of vehicles would have the effect of defeating the service,

during the summer months. On the other hand, nothing in the record supports the selection of any larger or smaller number of vehicles.

Finally, there is the question of rates. We have no doubt that there are many people who desire luxury service and are willing to pay luxury rates for that service. We feel that these people should be able to obtain the type of service they wish. If this is all the Applicant wishes to provide, it would appear that some luxury level of rates could be devised and suggested by the Applicant as a limitation on the exercise of the authority, so that it would be clear that the Applicant would not be authorized merely to extend its operation to compete more effectively with existing sightseeing operations. The Colorado Sightseeing Operators Association Tariff No. 5, now on file with the Commission, and known to the Applicant, sets rate levels to which a premium might be added such that only strictly luxury-minded patrons would use the proposed limousine service, if this is what the Applicant has in mind. Again, however, the present record offers no support for the selection of any particular level of premium, or any manner of assessing the premium once it is selected.

It thus appears to us that no warrant is shown by the present record to allow this Applicant possibly to duplicate its existing authority and enter the arena of sightseeing operations with unlimited vehicle authority. The application must accordingly be denied. If the Applicant seeks only a luxury limousine service for luxury parties at luxury rates, some guides for such a service are set out in the foregoing Statement. Presumably if this is the desire of Applicant, it will be back with a new application. We find that the evidence does not establish that the public convenience and necessity require or will require the service proposed by the application in the terms in which it is submitted, nor sufficient evidence to support restrictions upon a proposed authority sufficient to permit granting the application in restricted form. An Order will be entered accordingly.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is hereby made a part of these Findings by reference.

That the instant application should be denied.

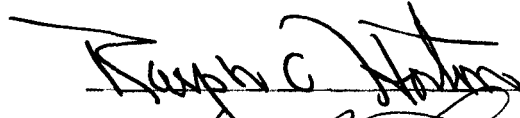
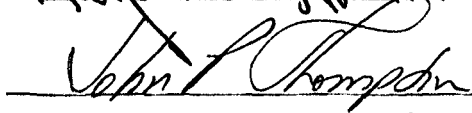

O R D E R

THE COMMISSION ORDERS:

That the instant 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 16th day of September, 1957.

mls

(Decision No. 48719)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
YOCKEY TRUCKING COMPANY, INC., 6626)
LIVESTOCK EXCHANGE BUILDING, DENVER,)
COLORADO, FOR A CERTIFICATE OF PUB-) APPLICATION NO. 15661-Extension
LIC CONVENIENCE AND NECESSITY, AU-)
THORIZING EXTENSION OF OPERATIONS)
UNDER PUC NO. 622.)

September 16, 1957

Appearances: Truman A. Stockton, Jr., Esq.,
Denver, Colorado, for Appli-
cant;
Richard E. Conour, Esq., Del
Norte, Colorado, for Ashton
Truck Line, Orville Dunlap
and Son.

S T A T E M E N T

By the Commission:

Applicant herein seeks a certificate of public convenience and necessity, authorizing extension of operations under PUC No. 622, to include the right to transport livestock between points within the Cities of Boulder, Canon City, Denver, Pueblo, Colorado Springs, Delta, Durango, Fort Collins, Fort Morgan, Grand Junction, Montrose, Monte Vista, Sterling, and Wray, 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, September 3, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, the granting of authority to applicant herein to operate in Montrose and Monte Vista, Colorado, was protested by Ashton Truck Line and Orville Dunlap and Son, they stating that appli-

cant had not previously performed such services in said towns.

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 applicant's extended motor vehicle common carrier call and demand transportation services, and that certificate of public convenience and necessity should issue therefor, as limited by the following Order.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the extended motor vehicle common carrier call and demand transportation services of Yocky Trucking Company, Inc., Denver, Colorado, under PUC No. 622, for the transportation of livestock, between points within the Cities of Boulder, Canon City, Denver, Pueblo, Colorado Springs, Delta, Durango, Fort Collins, Fort Morgan, Grand Junction, Sterling, and Wray, Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

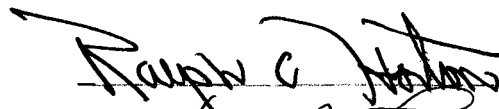

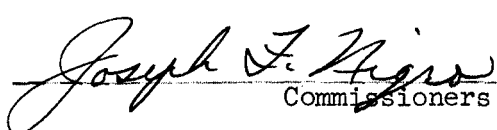
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 16th day of September, 1957.

mls

original

(Decision No. 48720)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
FLOYD A. HENRIKSON, DOING BUSINESS)	
AS "DENVER-LOVELAND TRANSPORTATION,")	
255 SOUTH CLEVELAND, LOVELAND, COLO-)	APPLICATION NO. <u>15662-Extension</u>
RADO, FOR A CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY, AUTHORIZ-)	
ING EXTENSION OF OPERATIONS UNDER)	
PUC NO. 205.)	

September 16, 1957

Appearances: Cross and Christensen, Esqs.,
Loveland, Colorado, for
Applicant;
Raymond B. Danks, Esq., Den-
ver, Colorado, for Colorado
Transfer and Warehousemen's
Association;
H. D. Hicks, Denver, Colorado,
for Centennial Truck Lines.

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, authorizing extension of operations under PUC No. 205 to include the right to pick up and deliver freight, from and to all points within a radius of three miles of the City and County of Denver, and from and to all points within a radius of three miles of the City of Loveland, except the following municipalities: Arvada, Wheatridge, Lakewood, Aurora, Derby, Dupont, Thornton, Westminster, and Littleton.

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, September 3, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, several witnesses appeared in behalf of said applicant, testifying as to the need for his proposed service in the Metropolitan Areas of Denver and of Loveland, 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 applicant's extended motor vehicle common carrier call and demand transportation services under PUC No. 205, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

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 Floyd A. Henrikson, doing business as "Denver-Loveland Transportation," Loveland, Colorado, under PUC No. 205, for the pick up and delivery of freight, from and to all points within a radius of three miles of the City and County of Denver, and from and to all points within a radius of three miles of the City of Loveland, except the following municipalities: Arvada, Wheatridge, Englewood, Lakewood, Aurora, Derby, Dupont, Thornton, Westminster, and Littleton, Colorado, such authority to be limited to services in conjunction with the operations of his line-haul authority, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission

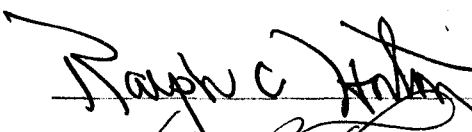

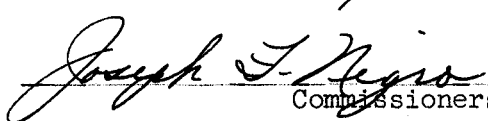
within twenty days from date.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 16th day of September, 1957.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT E. BOYCE, DOING BUSINESS AS)
"BOYCE HOUSE MOVERS," 2136 EAST 4TH)
STREET, PUEBLO, COLORADO, FOR AUTH-)
ORITY TO TRANSFER A PORTION OF PUC)
NO. 2100, VIZ., THAT PORTION OF SAID)
OPERATING RIGHTS COVERING AUTHORITY) APPLICATION NO. 15653-Transfer
TO SERVE THAT PART OF COLORADO LYING)
NORTH OF THE SOUTHERN BOUNDARIES OF)
THE FOLLOWING COUNTIES: YUMA, WASH-)
INGTON, ELBERT, DOUGLAS, AND JEFFER-)
SON, TO LEROY D. MC GUFFIN AND EFFIE)
L. MC GUFFIN, CO-PARTNERS, DOING)
BUSINESS AS "A-ONE HOUSE MOVERS,")
2420 WEST ILIFF AVENUE, DENVER,)
COLORADO.)

September 17, 1957

Appearances: Stockton, Linville and Lewis,
Esqs., Denver, Colorado,
for Transferor and Trans-
ferees;
Rollie R. Rogers, Esq., Den-
ver, Colorado, for Bahr-
Hutchens Moving Company,
Doyle's House Moving, Reh-
feld House Movers;
Edwin Welch, Wray, Colorado,
pro se.

S T A T E M E N T

By the Commission:

This matter was heard on August 27, 1957, in the District
Court Room of the Court House in Pueblo, Colorado, after due and
proper notice to all interested parties.

Robert E. Boyce, doing business as "Boyce House Movers,"
is the owner of PUC No. 2100, providing for the transportation over
irregular routes of buildings other than box cars and tramway cars
between points in that part of Colorado lying east of a line drawn

parallel with U. S. Highway 87, and 35 miles westerly thereof, excluding service in Morgan County, Colorado.

It is the desire of transferor to divide his certificate, transferring to the transferees herein, Leroy D. McGuffin and Effie L. McGuffin, co-partners, doing business as "A-One House Movers," that portion of the authority that serves that part of Colorado lying north of the southern boundaries of Yuma, Washington, Elbert, Douglas and Jefferson Counties, retaining the balance for himself. Mr. Boyce has maintained an office for six years in Denver and has actively operated the business in the area sought to be transferred. He testified that he has averaged five or six moves a month and that he has always been ready, willing and able to perform the services required under his certificate in the area sought to be transferred.

Leroy D. McGuffin, one of the transferees, established that he was in the construction business and that he has worked for and with Mr. Boyce in the house moving business. He proposes to maintain his office in Denver on a 24-hour call basis. Mr. McGuffin is purchasing some equipment from Mr. Boyce and it is his plan to have his wife operate the flag truck.

Edwin Welch of Wray, Colorado, protested on the ground that he desired to buy the certificate himself. Vincent P. Doyle, Arthur Rehfeld and Floyd Bahr also testified in protest. The substance of the protestants' testimony was that Denver was oversupplied with house movers at the present time and that the certificate of Boyce had been misused and leased out at times without permission of the Commission.

After hearing all the evidence, it is the Commission's conclusion that Boyce has continually operated the certificate in the area sought to be transferred. Although there were numerous allegations that the certificate had been misused, a good part of this evidence is speculative, and assuming the truth thereof, it is difficult

to see how this transfer of that part of the certificate that allegedly had been misused would adversely affect the public interest. On the contrary, such a transfer would provide an owner and operator of the authority here in Denver which would preclude any further misuse of the certificate.

All of the other protestants' testimony was to the effect that there are enough carriers now in the Denver area.

No evidence, however, having probative value was adduced to establish that there had been a non-user of that part of the certificate sought to be transferred or that any estoppel should work against the proposed transferor.

The only other problem that presents itself to the Commission is the effect of the split of the authority upon public convenience and necessity. It was pointed out during the course of the hearing that a severance of this certificate would provide less authority in that the new transferees and the transferor would be unable to operate between Denver and Pueblo. The resulting curtailment of public service, in our minds, however, is not serious in view of the fact that there is very little need for this type of service between Denver and Pueblo, and that in the event it were required, there are sufficient common carriers who could provide the service required by the public.

On the entire record, it appears this severance and transfer would be beneficial to the public.

The financial ability and experience of transferees were established to the satisfaction of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is made a part of these Findings by reference.

That the application for severance of PUC No. 2100 is com-

patible with public interest and will not impair the service of any other existing common carrier, and should be granted.

That the owner and operator of PUC No. 2100 has actively operated said certificate in the area sought to be severed and transferred.

O R D E R

THE COMMISSION ORDERS:

That Robert E. Boyce, doing business as "Boyce House Movers," Pueblo, Colorado, be, and hereby is, authorized to sever PUC No. 2100 and transfer therefrom to Leroy D. McGuffin and Effie L. McGuffin, co-partners, doing business as "A-One House Movers," Denver, Colorado, the authority to transport over an irregular route, buildings, other than box cars and tramway cars, between points in that part of Colorado lying east of a line drawn parallel with U. S. Highway No. 87, and 35 miles westerly therefrom, and north of the southern boundaries of the Counties of Yuma, Washington, Elbert, Douglas and Jefferson, and excluding from any such service Morgan County, Colorado.

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 this Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

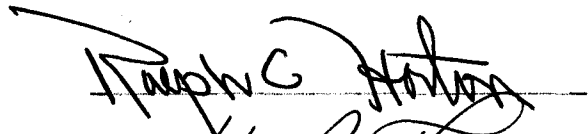

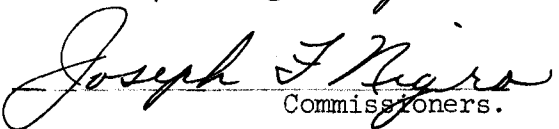
The tariff of rates, rules, and regulations of transferor shall, upon proper adoption notice, become and remain those of transferees until changed according to law and the rules and regulations of

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 operations under said certificate up to the time of transfer of said certificate.

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 17th day of September, 1957.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ARTHUR L. BABB, DOING BUSINESS AS)
"COTTON CAB COMPANY," 703 RIVER)
STREET, CANON CITY, COLORADO, FOR) APPLICATION NO. 15656-Transfer
AUTHORITY TO TRANSFER PUC NO. 1524)
TO ALBERT PETERS, 703 RIVER STREET,)
CANON CITY, COLORADO.)

IN THE MATTER OF THE APPLICATION OF)
ARTHUR L. BABB, DOING BUSINESS AS)
"COTTON CABS COMPANY," 703 RIVER)
STREET, CANON CITY, COLORADO, FOR) APPLICATION NO. 15657-Transfer
AUTHORITY TO TRANSFER PUC NO. 1525)
TO ALBERT PETERS, 703 RIVER STREET,)
CANON CITY, COLORADO.)

September 17, 1957

Appearances: Roger Breyfogle, Esq., Canon
City, Colorado, for Appli-
cants.

S T A T E M E N T

By the Commission:

This matter was duly heard in the District Court Room of
the Court House in Pueblo, Colorado, on the 27th day of August, 1957,
upon due and proper notice to all parties in interest.

Applicant Arthur L. Babb is the holder of PUC Nos. 1524 and
1525, which generally provide for a taxi service in and about the vic-
inity of Canon City, Colorado. By contract dated the 1st day of August,
1957, the transferor herein seeks authority to transfer Certificates
Nos. 1524 and 1525 to Albert Peters, including all of the equipment
owned by the transferor and dedicated to the two certificates.

The financial ability and experience of the proposed trans-
feree were established to the satisfaction of the Commission. It was
established that there was no indebtedness against either of the two

certificates other than to the transferee, which was being cancelled under the contract of transfer.

No one appeared in protest to the proposed 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 granted.

O R D E R

THE COMMISSION ORDERS:

That Arthur L. Babb, doing business as Cotton Cab Company, Canon City, Colorado, be, and he is hereby, authorized to assign, set over and transfer Certificate No. 1524, with authority as follows:

Transportation of passengers, within the confines of the City Limits of the City of Canon City, Colorado, and within a radius of ten miles of the City Limits, subject to: No sightseeing; car capacity of six persons, including driver; 40¢ per car-mile, with minimum charge of 35¢; no increase in rates without notice, and limited to one car; taxicab and sightseeing service between points within a 15-mile radius of Canon City, Colorado; operation of separate taxi and sightseeing services between points and places within a 15-mile radius of Canon City, Colorado, on the one hand, and, on the other hand, points and places within a 50-mile radius of Canon City, subject to: cars of capacity of not to exceed six, and carrying no more than such seated capacity; rates for taxi service shall be 40¢ per car-mile (loaded movement), with a minimum charge of 35¢; service shall be limited to the use of two cars for taxi and sightseeing operations; passenger fare between the taxicab stands of applicant in Canon City, Colorado, and the Canon City Airport shall be \$1.00 per passenger; use of a station wagon of a seating capacity of eight persons, exclusive of driver, for sightseeing service, only, in addition to the two cabs authorized for use,

to Albert Peters, Canon City, Colorado, subject to outstanding indebtedness, if any.

That Arthur L. Babb, doing business as Cotton Cabs Company, Canon City, Colorado, be, and he hereby is, authorized to assign, set over and transfer Certificate No. 1525, with Authority as follows:

Transportation of passengers within the confines of the City Limits of the City of Canon City, Colorado, and within a radius of ten miles from the City Limits thereof, subject to the following limitations: (1) Operations to be limited to within a ten-mile radius of the City Limits of Canon City proper; (2) Service excluded, insofar as sightseeing operations are concerned; (3) Service to be confined to ordinary taxi operations, operating cars within a capacity of not to exceed six, including the driver, and carrying no more than such seated capacity; (4) Rates shall be forty cents (\$0.40) per car-mile (loaded movement) with a minimum of thirty-five cents (\$0.35); (5) No application for increase of rates shall be made, except on notice to all protestants; (6) Service shall be limited to the use of one taxi in operation at any given time by applicant. Operation of separate taxicab and sightseeing service between points within a fifteen-mile radius of Canon City, Colorado; operation of separate taxi and sightseeing service between points and places with a fifteen-mile radius of Canon City, Colorado, on the one hand, and, on the other hand, points and places within a fifty-mile radius of Canon City, subject to the following restrictions: (1) That service be confined to cars of a capacity of not to exceed six and carrying no more than such seated capacity; (2) Rates for taxi service shall be forty cents (\$0.40) per car-mile (loaded movement), with a minimum charge of thirty-five (\$0.35); (3) Service shall be limited to the use of two cars for taxi and sightseeing operations by each applicant. Passenger fare between the taxicab stand of the applicant in Canon City, Colorado, and the Canon City Airport shall be \$1.00 per passenger. Use of a station wagon of a seating capacity of eight persons, exclusive of driver, for sightseeing service, only, in addition to the two cabs now authorized for use,

to Albert Peters, Canon City, Colorado, subject to outstanding indebtedness, if any, these authorities having been operated under the names of "Canon Cabs Company," "Cotton's Cab Company," and "Cotton's Drive In."

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

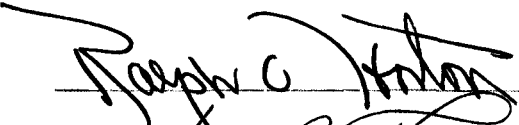


of the terms of this Order within thirty (30) days from the effective date of the Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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.

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 17th day of September, 1957.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MARION DUNSMOOR, WETMORE, COLORADO,)
FOR AUTHORITY TO TRANSFER PERMIT)
NO. B-3079 TO THOMAS C. BELL AND) APPLICATION NO. 15658-PP-Transfer
DELLA LEE BELL, ROUTE 4, BOX 283,)
PUEBLO, COLORADO.)

September 17, 1957

Appearances: Thomas C. Bell and Della Lee
Bell, Pueblo, Colorado,
pro se;

S T A T E M E N T

By the Commission:

This matter was heard in the District Court Room of the Court House in Pueblo, Colorado, on August 27, 1957, after due and proper notice to all interested parties.

Marion Dunsmoor is the owner of PUC No. B-3079, providing for:

Transportation of milk to Pueblo from farms within a radius of 7½ miles of Wetmore, and from farms within a distance of 3 miles of State Highway No. 96 between Wetmore and Pueblo, with back-haul of empty cans and feed from Pueblo to said farms.

Transportation of milk from farms within a radius of 5 miles of Florence to Pueblo, with back-haul of empty cans.

By contract of June 18, 1957, Marion Dunsmoor seeks to transfer said authority to Thomas C. Bell and Della Lee Bell, for a total consideration of \$7,500, including all equipment and the permit from this Commission, said payment to be made \$4,500 down and the balance payable in monthly installments of \$58.00 per month, including interest at the rate of 6% per annum.

No one appeared in protest, and the financial ability and experience of transferees to conduct this operation 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 granted.

O R D E R

THE COMMISSION ORDERS:

That Marion Dunsmoor, Wetmore, Colorado, be, and he hereby is, authorized and empowered to transfer, set over and assign PUC Permit No. B-3079, with authority as set forth in the above and foregoing Statement, which is made a part hereof by reference, unto Thomas C. Bell and Della Lee Bell, Route 4, Box 283, Pueblo, Colorado, subject to outstanding indebtedness, if any.

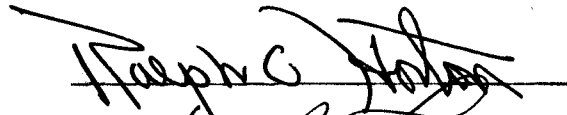

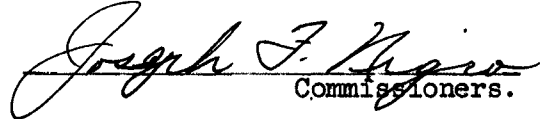
That said transfer shall become effective only if and when, but not before said transferor and transferees, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this 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, unless such time shall be extended by the Commission, upon proper application.

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 operations under said permit up to the time of transfer of said permit,

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 17th day of September, 1957.

mls

Original

(Decision No. 48724)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JOHN I. ARMIJO, 819 TROY, PUEBLO,)	
COLORADO, FOR A CERTIFICATE OF PUB-)	
LIC CONVENIENCE AND NECESSITY TO)	APPLICATION NO. 15654
OPERATE AS A COMMON CARRIER BY)	
MOTOR VEHICLE FOR HIRE.)	
-----)	

September 17, 1957

Appearances: Levi Martinez, Esq., Pueblo,
Colorado, for Applicant.

S T A T E M E N T

By the Commission:

This matter was heard in the District Court Room of the Court House in Pueblo, Colorado, on August 27, 1957, after due and proper notice to all interested parties.

This is an application to engage in the business of calling for, picking up, hauling out, dumping and 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 therefrom as point of pickup or origin and to all points within the County of Pueblo as destination or points of origin.

Applicant established by a certificate from the City of Pueblo, Colorado, that he has regularly conducted an ash and trash hauling business in the City of Pueblo, Colorado, since June 11, 1954; that this operation has been continued without interruption, thereby establishing his "Grandfather Rights" having been in operation prior to January 1, 1955.

The applicant produced no testimony of any shipper witnesses operating beyond the City Limits of Pueblo. Applicant's financial ability and experience were established to the satisfaction of the Commission.

No one appeared in protest.

F I N D I N G S

THE COMMISSION FINDS:

That applicant has established "Grandfather Rights" to operate as an ash and trash carrier in the City of Pueblo, Colorado, and that public convenience and necessity require the issuance of a certificate therefor.

That Applicant has failed to establish public convenience and necessity for the operation of ash and trash hauling beyond the City Limits of Pueblo, Colorado, and that public convenience and necessity do not require said service and that said application to that extent should be denied.

O R D E R

THE COMMISSION ORDERS:

That John I. Armijo, Pueblo, Colorado, be, and he hereby is, authorized to operate as a common carrier by motor vehicle for hire for the transportation of ashes, trash, dirt, rubbish, refuse and other waste materials, and general transportation of same from point to point within the City of Pueblo, Colorado, to dumps in Pueblo County, Colorado, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

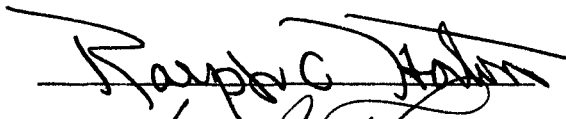

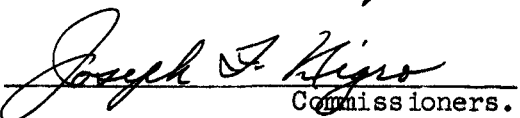
That the application for the transportation of said commodities outside the City Limits of Pueblo, Colorado, be, and the same is hereby denied.

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 17th day of September, 1957.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RICHARD R. WIEMAN, 1818 HOLLYWOOD)
DRIVE, PUEBLO, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A) APPLICATION NO. 15659-PP
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

September 17, 1957

Appearances: Richard R. Wieman, Pueblo,
Colorado, pro se.

S T A T E M E N T

By the Commission:

This matter was heard on August 27, 1957, in the District Court Room of the Court House in Pueblo, Colorado, upon due and proper notice to all interested parties.

Richard R. Wieman, of Pueblo, Colorado, seeks authority 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, as a private carrier.

Applicant testified that he has contracts with Rocky Mountain Paving Company at Colorado Springs, Colorado, and that

he has the opportunity to serve other contractors in the area.

The net worth and experience of applicant to conduct this type of service were established to the satisfaction of the Commission.

No one appeared in protest.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed operation of applicant is compatible with the public interest and will not impair the services of any common carriers operating in the area.

O R D E R

THE COMMISSION ORDERS:

That Richard R. Wieman, 1818 Hollywood Drive, Pueblo, 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, in dump trucks only, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

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

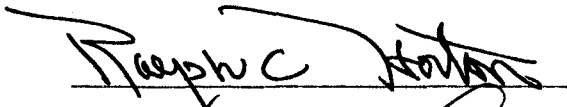


That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement

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 17th day of September, 1957.

ea

original

(Decision No. 48726)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS UNDER)
PERMIT NO. B-4641, HERETOFORE)
ISSUED TO ED WRAY, 1045 COLLIER) PERMIT NO. B-4641
STREET, LONGMONT, COLORADO, NOW)
DECEASED.)
-----)

August 23, 1957

Appearances: Schey and Schey, Esqs.,
Longmont, Colorado,
for Estate of Ed Wray,
Deceased.

S T A T E M E N T

By the Commission:

On March 4, 1957, the Commission entered its Decision
No. 47437, authorizing suspension of operations under Permit
No. 4641 until August 26, 1957.

The Commission is now in receipt of a communication
from Schey and Schey, Esqs., Longmont, Colorado, in behalf of the
Estate of Ed Wray, Deceased, requesting authority to further
suspend operations under said operating rights.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

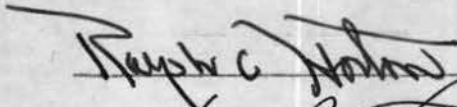
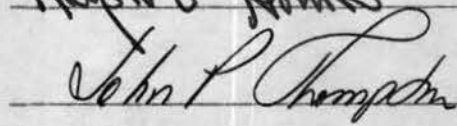

THE COMMISSION ORDERS:

That the Estate of Ed Wray, Deceased, Longmont, Colorado,
should be, and hereby is, authorized to further suspend operations
under Permit No. B-4641 until February 26, 1958.

That unless said permit-holder shall, prior to expiration
of said suspension period, make request in writing for reinstatement

of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall stand revoked, without right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 23rd day of August, 1957.

ea

original

(Decision No. 48727)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
MARTIN V. YOUNG, DOING BUSINESS AS)	
"VIAIR," PUEBLO AIRPORT, PUEBLO,)	APPLICATION NO. 15652
COLORADO, FOR A CERTIFICATE OF PUB-)	
LIC CONVENIENCE AND NECESSITY.)	
-----)	

September 17, 1957

S T A T E M E N T

By the Commission:

This matter was heard on August 27, 1957, at the District Court Room in the Court House in Pueblo, Colorado, after due and proper notice to all interested parties.

Martin V. Young, doing business as "Vlair," Pueblo, Colorado, by virtue of this application seeks to establish, maintain and operate a service by airplane for the transportation of persons and property, not on schedule but on call and demand, between Pueblo, Colorado, and all points in the State of Colorado.

It was established that there is no air service by regularly scheduled carriers between Pueblo and many of the cities in Colorado having airports, and that on many occasions persons require the specialized charter service to make airplane connections in other cities with other regularly scheduled carriers.

Jack C. Keeler, Director of Aviation in the City of Pueblo, testified that there was a need for this type of service, as did Richard L. Quigg, Chairman of the Aviation Committee of the Pueblo Chamber of Commerce.

Martin V. Young has established over ten years experience in this type of operation, conducting charter flights and flight schools. He is duly licensed by the United States of America as a Commercial Pilot. Mr. Young proposes to introduce into service a

Cessna 172 four-passenger airplane, including pilot, and a Cessna 182, also a four-passenger airplane, including pilot. His financial ability and experience to conduct such an operation were established to the satisfaction of the Commission. This Commission takes official notice of the fact that there are regularly scheduled carriers operating between Pueblo and other points in Colorado under the authority of the Civil Aeronautics Board.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is made a part of these Findings by reference.

That public convenience and necessity require the establishment of air service in and out of Pueblo County, Colorado, to and from all points in the State of Colorado.

That the establishment of such service will in no way impair the ability of scheduled common carriers to serve the area. On those flights between points served by scheduled common carriers the applicant should be required to charge a rate at least 20% higher than the tariffs charged by regularly scheduled common carriers, and that the applicant should be limited to the number and type of aircraft he proposes to dedicate to the public service.

O R D E R

THE COMMISSION ORDERS:

That the Applicant Martin V. Young, doing business as "Viair" Pueblo, Colorado, be, and hereby is, authorized to establish airplane service for the transportation of persons and property, not on schedule but on call and demand, from and to Pueblo County, from and to all points in the State of Colorado, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That Applicant shall be limited to the use of two four-passenger aircraft, including the pilot, in the conduct of this service.

That Applicant shall charge rates at least 20% higher than the tariffs charged by regularly scheduled common carriers.

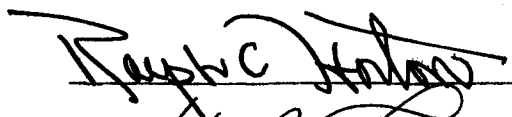


Applicant shall not establish an office or branch for the purpose of developing business at any city other than Pueblo, Colorado, and airports located within fifteen miles of said city.

Applicant shall file tariffs, rate schedules, and rules and regulations with and to be approved by this Commission within thirty (30) days from the date hereof, and such rates so filed for transportation of passengers between points served by air carriers operating on schedule over fixed routes, and in competition therewith, shall be sufficiently in excess of the per-passenger effective rates of said fixed-route carriers by air so operating on schedule between said points to be non-competitive therewith.

Applicant shall carry suitable insurance protection, covering public liability, property damage, and passenger insurance, and shall continue to carry such insurance and any other insurance protection that may be required by 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 17th day of September, 1957.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE
APPLICATION OF GREELEY
GAS COMPANY, 1930 SHERMAN
STREET, DENVER, COLORADO,
FOR AN ORDER AUTHORIZING
THE ISSUANCE OF CERTAIN
SECURITIES.

APPLICATION NO. 15742
Securities

S T A T E M E N T

By the Commission:

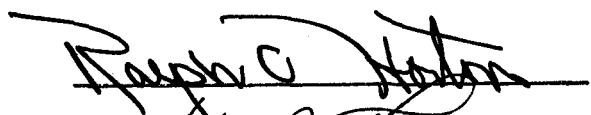

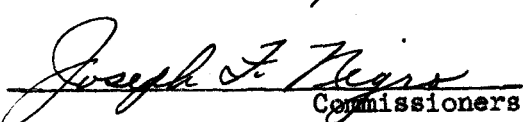
Upon consideration of the application filed September 12,
1957, by Greeley Gas Company, a Corporation, in the above-styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on September 27,
1957, at 11:00 o'clock A. M., 330 State Office Building, Denver, Colorado,
respecting the matters involved and the issues presented in this proceed-
ing. 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 September 20, 1957, and should set forth the
grounds of the proposed intervention, and the position and interest of
the petitioners, in the proceeding, and must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 17th day of September, 1957.

original

(Decision No. 48729)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF ISSUANCE OF TEM-)	
PORARY CERTIFICATES OF PUBLIC CON-)	
VENIENCE AND NECESSITY UNDER)	
CHAPTER 80, SESSION LAWS OF COLO-)	APPLICATION NO. 15744
RADO, 1951, FOR EMERGENCY MOVE-)	
MENT OF POTATOES OUT OF THE SAN)	
LUIS VALLEY.)	

September 17, 1957

S T A T E M E N T

By the Commission:

Report has been received by the Commission from Louis J. Carter, Supervisor, Complaint and Investigation Division of this Commission, to the effect that an emergency will exist in the matter of trucks for the transportation of potatoes in the San Luis Valley, consisting of the Counties of Alamosa, Rio Grande, Saguache, Conejos, and Costilla, and that said emergency will probably continue for a period of approximately thirty days.

Request is made for an Order of this Commission relative to the issuance of temporary certificates of public convenience and necessity for the seasonal transportation of the potato crop in the territory described.

F I N D I N G S

THE COMMISSION FINDS:

That an emergency exists because of the shortage in certificated trucks for the transportation of potatoes in the territory above described, and that public convenience and necessity require that temporary certificates of public convenience and necessity should issue for the operation of motor vehicles for the transporta-

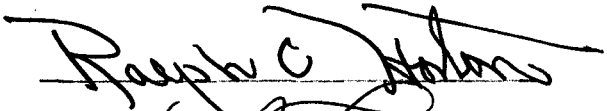

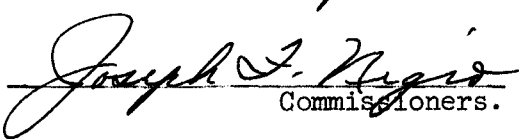
tion of potatoes to market or place of storage, as provided by Chapter 80, Session Laws of 1951, said certificates to be effective for a period of thirty days, or from September 20, 1957, to October 20, 1957, both dates inclusive.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity be, and are hereby, authorized to be issued for the operation of motor vehicles, for the transportation of potatoes to market or place of storage in the State of Colorado, from the Counties of San Luis Valley, viz., Alamosa, Rio Grande, Saguache, Conejos, and Costilla, said certificates to become effective September 20, 1957, and to continue in force up to and including October 20, 1957, no such certificate to issue for the transportation of potatoes by motor vehicle to any point beyond the boundaries of the State of Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 17th day of September, 1957.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION
OF PLATEAU NATURAL GAS COMPANY,
1605 SOUTH TEJON, COLORADO
SPRINGS, COLORADO, A COLORADO
CORPORATION, FOR AN ORDER
AUTHORIZING IT TO ISSUE AND SELL
SECURITIES AT PRIVATE SALE

)
)
)
) APPLICATION NO. 15746
) Securities
)
)

S T A T E M E N T

By the Commission:

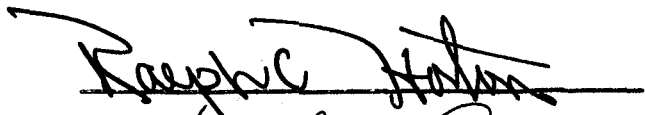

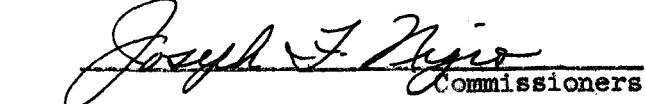
Upon consideration of the application filed September 13, 1957,
by Plateau Natural Gas Company, a Corporation, in the above-styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on September 27, 1957,
at 10:00 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 September 20, 1957, 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




Commissioners

Dated at Denver, Colorado,
this 17th day of September, 1957.

original

(Decision No. 48731)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MISSOURI PACIFIC RAILROAD COMPANY)
FOR PERMISSION TO SUBSTITUTE AN)
AUTOMATIC INTERLOCKING PLANT AT THE)
GRADE CROSSING OF THE TRACKS OF MIS-)
SOURI PACIFIC RAILROAD COMPANY AND)
OF THE ATCHISON, TOPEKA & SANTA FE)
RAILWAY COMPANY AT NEPESTA, COLORADO,)
FOR THE EXISTING MANUALLY OPERATED)
MECHANICAL INTERLOCKING PLANT.)

APPLICATION NO. 15749

September 18, 1957

S T A T E M E N T

By the Commission:

On December 7, 1956, applicant Missouri Pacific Railroad Company, by its attorney, J. W. Preston, filed an application with this Commission, seeking authority for the substitution of an automatic interlocking system of rail track crossing controls as replacement for a manually operated interlocking plant at Nepesta, Colorado.

It appears that at Nepesta, in Pueblo County, Colorado, the single main line track of applicant serving between St. Louis, Missouri, and Pueblo, Colorado, crosses at grade over the single main line track of The Atchison, Topeka & Santa Fe Railway Company, hereinafter, for brevity, referred to as "The Santa Fe," serving between Denver, Colorado, and La Junta, Colorado. The crossing is located at Mile Post 870.51 on the Horace Subdivision of the Colorado Division of Missouri Pacific, which is also Mile Post 591-21 of the Colorado Division of the Santa Fe. The crossing is protected by a manually operated mechanical interlocking plant, which is owned jointly by the applicant and the Santa Fe, but which is maintained by the applicant. Said existing interlocking plant was installed

in the year 1916, and is in need of rehabilitation and improvement of circuit arrangement, conformed to modern signal practices.

There is an automatic block signal system on both the track of the applicant and the track of the Santa Fe in the immediate vicinity of said crossing, and generally on said lines of both the applicant and the Santa Fe. There is a 480 foot long interchange or transfer track between the main line tracks of the applicant and the Santa Fe at said point of crossing, which it is proposed to also remove as a part of the signal modernization.

Attached to the instant application are the following exhibits:

- Exhibit 1: Map to show layout of track crossing, transfer track and signal locations. Old installation shown in red; new plant shown in yellow.
- Exhibit 2: Copy of application with map exhibits as filed by Missouri Pacific with Interstate Commerce Commission for approval of change to automatic devices and removal of transfer track.
- Exhibit 3: Copy of Interstate Commerce Commission order dated October 25, 1956, granting approval for proposed modifications and replacement of manually operated interlocking plant by automatic interlocking installation.

Upon further investigation, it appears that in connection with the automatic block signal system now in use on both lines of railroad, it is proposed that the signals governing movement over the crossing be interconnected therewith, and also be automatically interlocked and circuiting so arranged that the signals governing movements over the crossing will normally indicate "STOP" and the approach signals will normally indicate "APPROACH." In this manner, when a train is in the approach circuit on either side of the crossing and no opposing or conflicting movements are being made on any remaining track, then the home signal near the crossing and the distant approach signal will indicate "PROCEED" for that movement; mean-

while, signals governing all other movements will display the normal "APPROACH" and "STOP" indications. Under the present system, the signals governing movements over the crossing are manually controlled from a bank of levers in the Lever or Tower House, and a system of connecting linkage that extends from the control house to the various signals. In addition to the savings that can be realized in the change from manual to automatic operation, there is the further consideration that the present mechanical plant is in need of major repairs and requires materials which are now obsolete and difficult to secure due to the age of the plant which was installed in 1916. Hence, the proposal for complete modernization has been made to the Interstate Commerce Commission and to this Commission.

It appears further that train operation consisting of some 13 to 15 trains daily will not be changed; that safety of operation will not be affected and that the modifications will be constructed in accordance with the Association of American Railroads standards and practices, and will meet all requirements of the Interstate Commerce Commission Bureau of Safety relative to safe railway operation.

In conformance with the application, there has been filed with this Commission, on August 12, 1957, a copy of the agreement dated June 14, 1957, between Santa Fe and Missouri Pacific in which the various items, costs and agreements are set out pertaining to crossing, interlocking, liability and arbitration.

It appearing that the Interstate Commerce Commission, in its order dated October 25, 1956, has approved the same request for automatic signals, being Application BS-AP No. 13826; that there will be a betterment of the public safety and as all other matters required by the Commission's Rules have been complied with, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That it is informed in the instant matter, and the foregoing Statement, by reference, is made a part hereof.

That public safety, convenience and necessity require the improvement of existing railroad grade crossing control devices by the substitution and installation of an automatic interlocking system of rail track crossing controls as a replacement for a manually operated interlocking plant at Nepesta, Pueblo County, Colorado.

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

O R D E R

THE COMMISSION ORDERS:

That Applicant, Missouri Pacific Railroad Company, be, and hereby is, granted a certificate of public convenience and necessity authorizing the substitution and installation of an automatic interlocking system of rail track crossing controls as a replacement for a manually operated interlocking plant at Nepesta, Colorado, being at the point where the main line trackage of The Atchison, Topeka & Santa Fe Railway Company crosses over trackage of Applicant.

That the work to be done, installation and maintenance of the proposed automatic interlocking plant shall be as indicated in the preceding Statement; said Statement and Exhibits 1, 2 and 3 and Agreement, all, by reference, being made a part hereof.

That the protective devices and installation as designated herein shall meet all requirements of the Interstate Commerce Commission Bureau of Safety.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph C. Hinton
John P. Thompson
Joseph F. Hinton
Commissioners.

Dated at Denver, Colorado,
this 18th day of September, 1957.
mls

original

(Decision No. 48732)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GLENN SCHWARTING, 2332 WOLF PLACE,)
COLORADO SPRINGS, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 15680-PP

September 18, 1957

Appearances: Glenn Schwarting, Colorado
Springs, Colorado, pro se;
Alvin J. Meiklejohn, Jr.,
Esq., Denver, Colorado,
for R. B. "Dick" Wilson,
Inc.;
Stanley Blunt, Canon City,
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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the

Commission, at the Court House, Colorado Springs, Colorado, September 10, 1957, at 9:30 o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 9, 1957, as provided by law, the Commission designated Anthony L. Mueller, an employee of the Commission, to conduct hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Anthony L. Mueller, as Examiner, conducting said hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant testified that he is the owner of a 1953 2-ton Chevrolet Dump Truck, which he proposes to use in the conduct of his operations; that he has had from twelve to fifteen years' experience in the trucking business; that he would abide by the rules and regulations of the Commission, if authority herein sought is granted; that he would be agreeable to restriction to use of dump trucks, only.

No one appeared in opposition to the granting of the authority sought, as limited by applicant's testimony.

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

It did not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that authority herein sought be granted, limited to the use of dump trucks.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Glenn Schwarting, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations hereunder to be limited to the use of dump trucks, only.

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

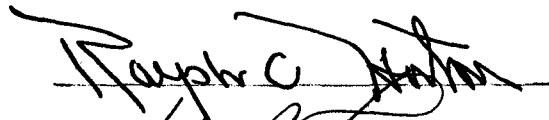

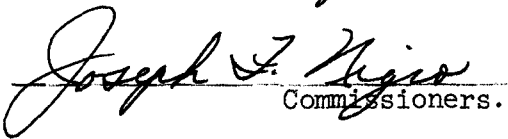
That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall de-

pend 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 September, 1957.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOSEPH A. TAFOYA, 507 EAST CIMMARON,)
COLORADO SPRINGS, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 15681-PP

September 18, 1957

Appearances: Joseph A. Tafoya, Colorado
Springs, Colorado, pro se;
Alvin J. Meiklejohn, Jr.,
Esq., Denver, Colorado,
for R. B. "Dick" Wilson,
Inc.;
Stanley Blunt, Canon City,
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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Court House, Colorado Springs, Colorado, September 10, 1957, at 9:30 A. M., due notice thereof being forwarded to all parties in interest.

On September 9, 1957, the Commission, as provided by law, designated Anthony L. Mueller, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Anthony L. Mueller, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant testified that he is the owner of a 1948 one and one-half-ton Ford Dump Truck, valued at \$600; that his net worth is \$2,000; he stated that he has had ten to twelve years' experience in the trucking business; that in the event authority is granted, he will abide by the rules and regulations of the Commission; that it would be agreeable that authority granted be limited to the use of dump trucks, only.

No one appeared in opposition to the granting of the authority sought, as limited by testimony of applicant.

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

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

Report of the Examiner recommends that permit issue to applicant herein, limited to the use of dump trucks, only.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner re-

ferred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Joseph A. Tafoya, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, limited to the use of dump trucks, only.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Statton
John P. Thompson
Joseph F. Negro
Commissioners.

Dated at Denver, Colorado,
this 18th day of September, 1957.

mls

original

(Decision No. 48734)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
FLOYD F. HENRY, 217 NORTH 18TH)	
STREET, COLORADO SPRINGS, COLORADO,)	
FOR A CLASS "B" PERMIT TO OPERATE)	APPLICATION NO. 15678-PP
AS A PRIVATE CARRIER BY MOTOR VE-)	
HICLE FOR HIRE.)	
-----)	

September 18, 1957

Appearances: Floyd F. Henry, Colorado
 Springs, Colorado, pro se;
 Alvin J. Meiklejohn, Jr., Esq.,
 Denver, Colorado, for R. B.
 "Dick" Wilson, Inc.;
 Stanley Blunt, Canon City,
 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Court House, Colorado Springs, Colorado, September 10, 1957, at 9:30 o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 9, 1957, the Commission, as provided by law, designated Anthony L. Mueller, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Anthony L. Mueller, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant testified he is the owner of a 1951 two and one-half-ton International Dump Truck, which he will use in his proposed operations; that he has had ten years' experience in the trucking business; that it would be agreeable that authority herein granted be limited to the use of dump trucks.

No one appeared in opposition to the granting of the authority sought, as limited by applicant's testimony.

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

It did not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein, limited to the use of dump trucks.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is made a part hereof, by reference, and Report of the Examiner therein referred to should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Findings are hereby made a part of this Order, and Report of the Examiner referred to therein should be, and hereby is, approved.

That Floyd F. Henry, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations hereunder to be limited to the use of dump trucks, only.

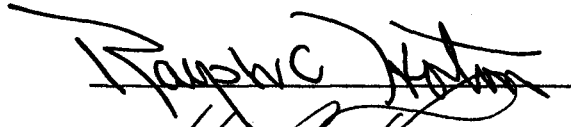

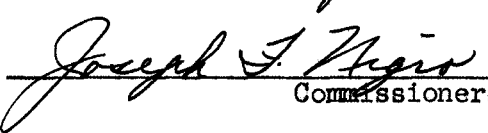
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

That 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 September, 1957.

ea

original

(Decision No. 48735)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOE VIGIL, 715 WEST SEVENTH, FLORENCE,)
COLORADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 15682-PP
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

September 18, 1957

Appearances: C. Lee Goodbar, Jr., Esq.,
Colorado Springs, Colorado,
for Applicant;
Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for R. B.
"Dick" Wilson, Inc.;
Stanley Blunt, Canon City, Colo-
rado, for Southwestern Trans-
portation 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 sulfa soil and gravel, from a point two miles
west of Canon City, Colorado, to Colorado Springs, Colorado,
and to Pueblo, Colorado.

Said application was regularly set for hearing before
the Commission, at the Court House, Colorado Springs, Colorado,
September 10, 1957, at 9:30 o'clock A. M., due notice thereof
being forwarded to all parties in interest.

On September 9, 1957, the Commission, as provided by
law, designated Anthony L. Mueller, an employee of the Commission,
to conduct the hearing on said application.

Said hearing was held at the time and place designated
in the Notice of Hearing, with Anthony L. Mueller, as Examiner,
conducting the hearing, he thereafter submitting a report of said
proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant testified that he has had sixteen years' experience in the trucking business; that he owns a two-ton 1948 Ford Dump Truck; that his net worth is \$5,500; that he would abide by the rules and regulations of the Commission, in the event authority herein sought is granted; that he would use dump trucks, only.

No one appeared in opposition to the granting of the authority sought, as limited by applicant's testimony.

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

It did not appear that applicant's proposed operations will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Joe Vigil, Florence, 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 sulfa soil and gravel, from a point two miles west of Canon City, Colorado, to Colorado Springs, Colorado, and to Pueblo, Colorado, limited to the use of dump trucks, only.

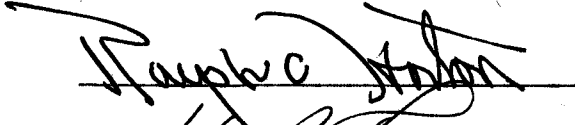

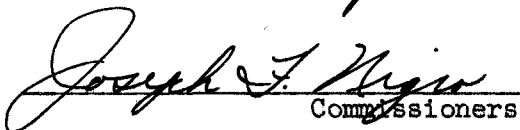
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 18th day of September, 1957.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
LEWIS H. GARRETT, 2317 NORTH FRANK-)	
LIN STREET, COLORADO SPRINGS, COLO-)	
RADO, FOR A CLASS "B" PERMIT TO)	APPLICATION NO. 15677-PP
OPERATE AS A PRIVATE CARRIER BY)	
MOTOR VEHICLE FOR HIRE.)	
-----)	

September 18, 1957

Appearances: Lewis H. Garrett, Colorado
Springs, Colorado, pro se;
Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for R. B.
"Dick" Wilson, Inc.;
Stanley Blunt, Canon City,
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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Court House, Colorado Springs, Colorado, September 10, 1957, at 9:30 o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 9, 1957, the Commission, as provided by law, designated Anthony L. Mueller, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Anthony L. Mueller, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant testified he has had three years' experience in the trucking business; that he is the owner of a 1957 Ford two-ton truck, with which he proposes to conduct his operations; that his net worth is \$14,000; that it would be agreeable that any authority herein granted be limited to the use of dump trucks.

No one appeared in opposition to the granting of authority sought, as limited by applicant's testimony.

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

It did not appear that applicant's proposed operations will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein, limited to the use of dump trucks.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That applicant herein be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth

in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Lewis H. Garrett, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations hereunder to be limited to the use of dump trucks, only.

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

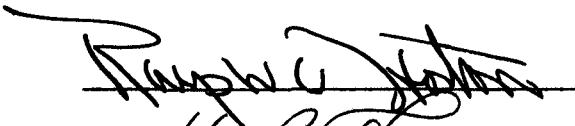

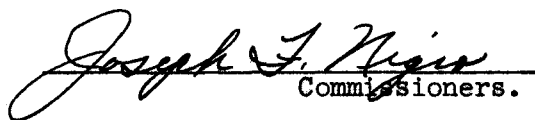
That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

rules and regulations of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 18th day of September, 1957.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE VARIOUS CHANGES IN RATES, RULES)
AND REGULATIONS IN THE MOTOR TRUCK)
COMMON CARRIERS' ASSOCIATION, AGENT,)
FREIGHT TARIFF NO. 12-A, COLORADO)
P.U.C. NO. 11, ISSUED BY J. R. SMITH,)
CHIEF OF TARIFF BUREAU, 4060 ELATI)
STREET, DENVER 16, COLORADO.)

CASE NO. 1585

September 18, 1957

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 rates, rules, regulations and charges advertised to become effective September 21, 1957, designated as set forth in Appendix "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 protest deadline (ten days prior to the proposed effective date) an order of 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 following reasons have been submitted by the carriers in support of the changes.

Mr. J. R. Arnold, North Eastern Motor Freight, Inc., states the reductions being made for account of his own operation and the joint operation with Brooks Transportation are for the purpose of meeting rail rates and proprietary carrier operations. That his operation is as badly in need of additional traffic as it is in increased rates. By reducing the class rates on 5,000 and 10,000 pounds he is hopeful the new rates will give his line the much needed tonnage and will more than off-set any potential loss in

revenue. He contends the increase in the minimum charge of 25 cents from or to Denver and Greeley is in fact not enough to cover his labor cost alone. Further, that the minimum charge shipments are on the increase as the average shipments are becoming smaller and smaller. On his daily schedules out of Denver the trucks are loaded to about 75 to 80% of their capacity. That he has five or six semi-trailers that are idle.

For the account of Centennial Truck Lines, Inc., the following changes have been proposed:

Item No. 1385, a new commodity item covering burial cases, caskets, coffins, vaults or accessories between Denver, Colorado and points on its line and as stated by H. D. Hicks, Traffic Manager, that it was necessary to publish this item in order to meet rail competition, applying a first class rate rather than using the classification rating of double first class.

Item No. 1215 is a new commodity item, covering various commodities as described in Item 1150 between Denver and Pueblo and points on its line. According to Mr. Hicks, this is necessary in order for them to be competitive in their line haul operation with call and demand carriers who have their rates published in Motor Truck Common Carriers' Association, Agent, Tariff No. 13, Colorado P.U.C. No. 12, otherwise known as the heavy haulers' tariff. Numerous commodities named in Tariff 13 can be transported by its line haul equipment and due to the fact of lower rates, business on these commodities has been lost.

Item No. 1490 is being amended by adding this carrier as a participant on carbon dioxide solidified (dry ice) in boxes or insulated blanket skids, minimum weight 5,000 pounds, between Denver and Pueblo. The reasons as set forth are of rail competition wherein lower rates are in effect, and that there is a substantial movement of dry ice from Denver to Pueblo each week. The present truck rate is third class of \$1.04, while the rail rate with pickup and delivery service is 88¢ per cwt.

Item 2030, covering iron and steel articles from Minnequa and Pueblo on the one hand and Denver and places within five miles of Denver city limits, Glenn L. Martin Plant near Waterton, Greeley, Colorado Springs, Ft. Carson and U. S. Air Academy has been in effect for some time. Mr. Hicks

states two large shippers have requested the item be amended to include reinforcement, concrete and/or plaster, viz: wire fabric or mesh; bar fabric or mesh; expanded metal; also hangers, garment, wire, iron or steel. Since at times the commodities named in this item move in mixed loads, if the above description were not added valuable back haul business would be lost.

Item No. 900, covering rule on "Inability to Accomplish Delivery" is being amended to provide a proviso that if carrier is unable to deliver a collect-on-delivery shipment of perishable freight, shipper shall be notified immediately by telephone or telegraph, at his expense, the reason being to prevent damage to perishable freight which would deteriorate if shipper were to be notified by mail as now provided.

Item No. 2515, a new commodity item for the transportation of salt, granular, or soda ash, in bulk in straight shipments from Rifle, Craig and Grand Junction, Colorado, to a plant of the Union Carbide Nuclear Company located approximately four miles east and two miles south of Maybell, Colorado, is a reduction in rates. For this movement the commodity will be transported in dump trucks covered with tarpaulin and dumped into an open pit wherein a minimum of labor will be involved.

In regard to the changes in Item 930, minimum charge rule, Mr. H. D. Hicks, Traffic Manager, Centennial Truck Lines, Inc., states that at a recent meeting between the motor carriers and shippers in Denver the carriers explained to the shippers their problem of increased costs in their operations due to increased costs of labor and the ever increasing traffic congestions in performing pickups and deliveries in the business district of Denver. The proposal as set forth in Appendix "A" is the result of this meeting, which meets the approval of the shippers' representatives attending the said meeting.

In further support of the increase in the minimum charge, Mr. Melvin A. Chance, Manager, Denver-Boulder Truck Line, states that for the month of May, 1957, a study was made of the cost of handling minimum charge shipments. This study developed that for this month there was a total of 5,326 deliveries performed. Of this total, 3,195 shipments were minimum charge shipments, or 60% of the total shipments. The expense incurred in handling these minimum charge shipments was \$6,780.00, or 40% of the total expense of \$16,951.69. The cost per shipment was \$2.12, or 37 cents less than the revenue of \$1.75.

F I N D I N G S

THE COMMISSION FINDS:

That the changes set forth in Appendix "A", attached hereto, and made a part hereof, appear to represent just, fair and reasonable rates and charges and should be authorized and an order entered prescribing the said changes.

O R D E R

THE COMMISSION ORDERS, That:

1. The statement, findings and Appendix "A", be, and the same are hereby made a part hereof.
2. This order shall become effective forthwith.
3. The rates, rules, regulations and provisions set forth in Appendix "A" shall on September 21, 1957, 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 September 21, 1957, the motor vehicle common carriers involved in the rates, rules, regulations and provisions set forth in Appendix "A" shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein set forth.



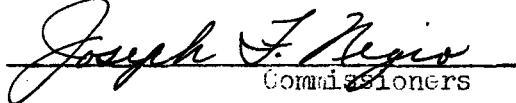
6. On and after September 21, 1957, all private carriers by motor vehicle, operating in competition with any motor vehicle common carrier affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed.

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. 1585 on February 5, 1936, as since amended, shall continue in force and effect until 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 18th day of September, 1957.

mem

APPENDIX "A"

To amend Item 360, covering exception to the classification ratings of first and second class on furniture as described in said item and make the said ratings applicable to the North Eastern Motor Freight, Inc., and Harry G. Brooks, DBA Brooks Transportation Company.

To amend Item 900, Inability To Accomplish Delivery; and add the following, viz:

"In the event carrier is unable to deliver a collect-on-delivery shipment of perishable freight, shipper shall be notified immediately by telephone or telegraph, at his expense."

To cancel Item 930, minimum charge rule, and in lieu thereof provide the following, viz:

1. Unless otherwise provided, the minimum charge for a single shipment from one consignor to one consignee on one bill of lading will be for 100 pounds at the first class rate, but not less than \$2.00.
2. Cancel the present minimum charge of \$1.50 for the Clear Creek Transportation Company.
3. When route of movement is not from, to or via Denver or Greeley, Colorado, the minimum charge for a single shipment from one consignor to one consignee on one bill of lading via the North Eastern Motor, Inc., will be for 100 pounds at the first class rate, but not less than \$1.50.

Publish the following new item to be used in connection with new commodity rates published in Item 1215:

Item 1150 - Articles, viz:

Boilers, heating or power, cast iron, see Note 1.

Boilers, heating or power, iron, NOI, wheels on or off, or without wheels, see Note 1.

Note 1 - Rates will also apply on following articles shipped with boilers: Parts or smoke stacks for each boiler; Brick; Fire Clay; Fire Tile; Asbestos Cement, or Iron or Steel Material for setting up or suspending each boiler; also on Firing Tools consisting of Pokers, Scrapers, Slice Bars or Wire Brushes.

Forms or Molds, N.O.I., concrete construction, iron, wood, or iron and wood combined, K.D., flat or nested.

Building Metal Work, including Roof Trimmings or Guttering or Ventilators as described under that heading in N.M.F.C. carrying a L.T.L. Class 3 rating or lower.

Conduits, Pipe, Smoke Stacks, Tubing or Fittings other than clay, concrete or earthen:

Pipe Fittings, N.O.I., iron or steel, lead covered or lead lined, plain, galvanized or cadmium coated but not plated with other metals.

Pipe, iron or steel, cast, N.O.I.

Pipe, conduit, wrought iron or steel.

Pipe, iron or steel, covered or lined with cement mortar.

Pipe or Tubing, iron or steel, plate or sheet, N.O.I., inside diameter 3 inches or less.

Pipe or Tubing, iron or steel, wrought, not plate nor sheet, N.O.I.

Pipe or Tubing, wrought iron, insulated, fibreboard or iron jacketed, with or without outside insulation of iron collars and with or without prepared joints, see Note 2.

Note 2 - Rates will also apply on asphalt, caulking compounds, pipe supports, roadway paving joints, roofing paper including felt paper, saturated or not saturated, asbestos fibres and necessary insulating materials not exceeding 10% of the weight upon which charges are assessed.

Electrical Appliances or Equipment, or Parts named:

Cable, electric.

Generators or Motors, or Generators and Engines combined.

Iron or Steel, as described under that heading in N.M.F.C., carrying a L.T.L. rating of Class 3 or lower.

Lumber, Veneer or Forest Products:

Lumber or Veneer, N.O.I., native wood, Canadian Wood or Mexican Pine; exceeding 1/8 inch thick.

Piling, wooden.

Poles, wooden, N.O.I.

Posts, wooden, N.O.I.

Machinery or Machines, or Parts Named, as described under that heading in N.M.F.C. carrying a L.T.L. rating of Class 2 or lower.

Oil, Water or Gas Well Outfits or Supplies, as described under that heading in N.M.F.C.

Outfits: Bridge Builders', Contractors' or Graders', N.O.I., without livestock, as described under that subheading in N.M.F.C.

Pole Line Construction Material, as described under that heading in N.M.F.C.

Articles, as Described in Item No. 1150. (1) Min. Wt. 10,000 Lbs. (2) Min. Wt. 15,000 Lbs. (3) Min. Wt. 20,000 Lbs. Rates published in this item will also apply at directly intermediate points. If the charge accruing under Item 2030 on the commodity transported from origin to destina- tion, over the same route, is lower than the charge provided in this item, the charge accru- ing under Item 2030 will apply.	<u>BETWEEN</u>		<u>AND</u>	(1)	(2)	(3)
	Denver, Colorado					
			Air Force Academy	38	36	35
			Brighton	23	22	21
			Colorado Springs	43	40	39
			Ft. Carson	46	43	42
			Ft. Lupton	26	25	25
			Greeley	38	36	35
			La Junta	74	68	67
			Lamar	83	76	75
			Las Animas	79	73	72
			Pueblo	54	50	49
			Rocky Ford	70	65	64
			Trinidad	79	73	72
			Walsenburg	68	63	62
	<u>BETWEEN</u>		<u>AND</u>	(1)	(2)	(3)
	Pueblo, Colorado					
			Air Force Academy	38	36	35
			Brighton	61	56	55
			Colorado Springs	35	33	32
			Ft. Carson	30	29	29
			Ft. Lupton	63	59	58
			Greeley	70	65	64
			La Junta	43	40	39
			Lamar	61	56	55
			Las Animas	49	46	45
			Rocky Ford	38	36	35
			Trinidad	49	46	45
			Walsenburg	35	33	32

Publish the following class rates in cents per 100 pounds,

<u>BETWEEN</u> <u>AND - COLORADO</u>		<u>DENVER, COLORADO</u>							
		<u>Minimum Weight</u>							
		<u>5,000 Pounds</u>				<u>10,000 Pounds</u>			
		1st	2nd	3rd	4th	1st	2nd	3rd	4th
Amherst	A	156	138	111	89	139	120	97	83
	B	183	159	127	100	177	153	121	94
Atwood	A	135	114	91	72	118	100	80	68
	B	155	130	104	81	150	124	98	75
Brush	A	120	102	84	66	105	89	74	62
	B	137	115	94	74	131	109	89	68
Crook	A	146	126	102	82	128	111	89	77
	B	168	144	115	91	162	138	109	85
Dailey	A	150	127	105	82	131	111	92	77
	B	173	145	120	92	167	139	114	86
Fleming	A	146	126	102	82	128	111	89	77
	B	168	144	115	91	162	138	109	85
Fort Morgan	A	111	96	78	62	97	84	69	59
	B	127	108	87	68	121	102	82	62
Goodrich	A	117	98	82	66	102	86	72	62
	B	133	112	92	72	128	106	86	67
Haxtun	A	150	127	105	82	131	111	92	77
	B	173	145	120	92	167	139	114	86
Hillrose	A	121	103	86	66	106	90	75	62
	B	138	117	97	74	132	112	91	68
Holyoke	A	156	135	110	86	137	118	97	80
	B	181	155	125	97	175	150	120	91

A - Expires with December 31, 1957, unless sooner cancelled, changed or extended.

B - Effective January 1, 1958, unless sooner cancelled, changed or postponed.

BETWEEN AND - COLORADO		DENVER, COLORADO							
		Minimum Weight							
		5,000 Pounds				10,000 Pounds			
		1st	2nd	3rd	4th	1st	2nd	3rd	4th
Iliff	A	142	121	101	78	124	106	88	74
	B	163	138	114	87	158	132	108	82
Julesburg	A	158	138	111	89	139	120	97	83
	B	183	159	127	100	177	153	121	94
Merino	A	128	110	89	71	112	96	78	67
	B	146	124	100	79	140	118	94	74
Orchard	A	111	96	74	62	97	84	69	59
	B	127	108	87	68	121	102	82	62
Ovid	A	156	135	110	86	137	118	97	80
	B	181	155	125	97	175	150	120	91
Padroni	A	142	121	101	78	124	106	88	74
	B	163	138	114	87	158	132	108	82
Paoli	A	154	129	108	84	135	113	95	79
	B	178	147	123	94	173	141	117	89
Feetz	A	146	126	102	82	128	111	89	77
	B	168	144	115	91	162	138	109	85
Proctor	A	146	126	102	82	128	111	89	77
	B	168	144	115	91	162	138	109	85
Sedgwick	A	154	129	108	84	135	113	95	79
	B	178	147	123	94	173	141	117	89
Sterling	A	139	118	98	76	122	103	86	71
	B	160	135	112	84	154	129	106	78
Weldona	A	120	102	84	66	105	89	74	62
	B	137	115	94	74	131	109	89	68
Wiggins	A	102	86	71	56	89	75	62	53
	B	115	97	79	61	109	91	74	55

A - Expires with December 31, 1957, unless sooner cancelled, changed or extended.

B - Effective January 1, 1958, unless sooner cancelled, changed or postponed.

Publish the following rates in cents per 100 Pounds - Item No. 1385.

	BETWEEN	AND	
Burial Cases, Caskets Coffins, Vaults, or Accessories, subject to packing specifications of current N.M.F.C., viz: Burial Cases (Caskets or Coffins) or Casket Shells, N.O.I., S.U.; Grave Vaults, metal, N.O.I.	Denver, Colorado	Brighton,	81
		Colorado Springs,	130
		Ft. Lupton,	89
		Greeley,	113
		La Junta,	189
		Lamar,	212
		Las Animas,	196
		Fueblo,	161
		Rocky Ford,	186
		Trinidad,	206
		Walsenburg, Colo.	184
Burial Cases (Caskets or Coffins), subject to packing specifications of current N.M.F.C. Expires with December 31, 1957, unless sooner can- celled, changed or extended	Denver, Colorado	Brush,	127
		Ft. Morgan,	120
		Haxtun,	159
		Holyoke,	169
		Julesburg,	172
		Sterling, Colo.	147

Publish in Item 1490 a rate of 88 cents per 100 pounds on Carbon Dioxide, solidified (Dry Ice), in boxes or insulated blanket skids. Minimum weight 5,000 pounds, between Denver, Colorado, and Pueblo, Colorado.

To amend Item 2030, which provides rates on Iron and Steel Articles, as named, from Minnequa and Pueblo, to certain named destinations and add, "Reinforcement, concrete and/or plaster, viz: Wire fabric or mesh; Bar fabric or mesh; Expanded Metal; Hangers, garment, wire, iron or steel," to the list of commodities named in said item.

To establish the following rates in cents per 100 pounds on Granular Salt, or Soda Ash, in bulk, in straight shipments. Minimum weight 20,000 pounds. To Plant located approximately four miles east and two miles south of Maybell, Colorado; from Rifle, 58; Craig, 44 and Grand Junction, 76. From Rifle via Estes Trucking Company or Gray Truck Line. From Craig and Grand Junction via Gray Truck Line.

To establish the following rates in cents per 100 pounds on Tractors, farm, loaded and/or unloaded on own power. From Denver to

	(1)	(2)	(3)
Brush	83	73	68
Crook	102	92	87
Ft. Morgan	78	68	63
Haxtun	103	93	88
Holyoke	107	97	92
Julesburg	111	101	96
Sterling	95	85	80

(1) Less-than-truckload

(2) Minimum weight 5,000 pounds

(3) Minimum weight 10,000 pounds

To expire with May 1, 1958, unless sooner cancelled, changed or extended.

Subject to Item No. 770.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MYRON H. BURNETT, RECEIVER FOR FRED)
W. SCHULTZ, DOING BUSINESS AS "DEN-)
VER-PUEBLO TRUCK LINES," 204 MIDLAND)
SAVINGS BUILDING, DENVER, COLORADO,)
FOR REINSTATEMENT OF PERMIT NO. A-607)

APPLICATION NO. 15664-PP
CASE NO. 849-CL

IN THE MATTER OF THE APPLICATION OF)
MYRON H. BURNETT, RECEIVER FOR FRED)
W. SCHULTZ, DOING BUSINESS AS "DEN-)
VER-PUEBLO TRUCK LINES," 204 MIDLAND)
SAVINGS BUILDING, DENVER, COLORADO,)
FOR AUTHORITY TO TRANSFER PERMIT NO.)
A-607 TO GEORGE P. MC LAUGHLIN, DO-)
ING BUSINESS AS "CLEMENTI & SONS)
TRUCK LINE," P. O. BOX 1256, PUEBLO,)
COLORADO,)

APPLICATION NO. 15750-Transfer

September 18, 1957

Appearances: John F. Mueller, Esq., Denver,
Colorado, for Applicant;
Marion F. Jones, Esq., Denver,
Colorado, for Wright Motor
Line;
Raymond Danks, Esq., Denver,
Colorado, and
Howard Hicks, Denver, Colorado,
for Centennial Truck Line;
Ernest Porter, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc.;
Howard Yelverton, Denver, Colo-
rado, for Goldstein Trans-
portation and Storage, Inc.,;
A. J. Fregeau, Denver, Colorado,
for Weicker Transfer and Stor-
age Company;
Robert L. Harris, Las Animas,
Colorado, for Las Animas
Transfer and Storage Company.

S T A T E M E N T

By the Commission:

This matter came on for hearing on the 4th day of Septem-
ber, 1957, at the Hearing Room of the Commission, 330 State Office

Building, Denver, Colorado, upon due and proper notice to all parties in interest.

The Applicant Myron H. Burnett is the Receiver for Fred W. Schultz, doing business as "Denver-Pueblo Truck Lines," the holder of Permit No. A-607.

It appears that on the 21st day of September, 1956, the Commission entered its order of revocation of said permit for failure to file a current customer list. This application is for a rescission of that order and a reinstatement of the permit in order that the permit may be sold for the benefit of creditors of the Receivership estate.

The principal ground relied upon by the applicant is that no notice of hearing was ever given him on the show cause order dated the 13th day of July, 1956, on the subject of applicant's failure to file the current and approved customer list, the result of which hearing precipitated the order of revocation of September 21, 1956.

The applicant relied upon numerous documents in the files of the Commission, all of which had been filed prior to the show cause order of July 13, 1956, and all of which clearly indicated that Myron H. Burnett was the Receiver of the holder of the permit. Despite all of these numerous documents, too lengthy to enumerate here, and the exact identification of which would serve no useful purpose at this time, our records disclose that Myron H. Burnett was never notified of the show cause order, in fact, the show cause order was directed to the Denver-Pueblo Truck Lines, but was returned undelivered.

In view of this patently faulty procedure, it is obvious that the Receiver was deprived of whatever right he may have had in said permit without what we would commonly denominate minimum due process of law. The assertion may be made that it is the duty of the holder of the permit to comply with all of the regulations. While we find no fault with this assertion, and, in fact, reaffirm that such is

our policy, we cannot invoke a doctrine as a penalty for violation of this policy that in our opinion would violate due process.

The applicant's petition, however, has not been restricted merely to a rescission and vacation of the Commission's order of September 21, 1956. On the contrary, it is a request for reinstatement in order that "the same may be sold for the benefit of creditors of said Receivership estate." It appears affirmatively in the applicant's petition and from the files that application for approval of a proposed sale has been tendered to the Commission, and that immediately upon reinstatement of this permit the applicant will seek to effectuate such sale after obtaining approval of the Commission.

It is obvious that a permit of this nature that has been in the hands of a Receiver for some several years should come under the searching scrutiny of this Commission before any transfer is authorized. It is for this reason that this Commission was empowered by Chapter 115-11-18, Colorado Revised Statutes, 1953, upon its own motion, after hearing, to revoke, suspend, alter or amend any permit.

It is the opinion of this Commission that the order of September 13, 1956, should be rescinded and vacated, and that in view of the lack of any record of full compliance with said show cause order that the show cause order alleging failure to comply with the rules and regulations of the Commission by failing and neglecting to file a current customer list as required, should be reset at the time and place of the hearing on applicant's motion to transfer said permit. This Commission is likewise of the opinion that in view of the history of this permit, especially in the more recent years during the Receivership, that the Commission, upon its own motion, should proceed to hearing on notice to the holder of the permit as to whether or not such holder has violated any of the provisions of the law, any of the terms and conditions of his permit, has exceeded his authority or has violated or refused to observe any of the proper orders, rules and regulations of

the Commission, and whether or not for any reason his permit should be revoked, suspended, altered or amended, said hearing to be held at the same time and place of the hearing on applicant's motion to transfer said permit.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is made a part of these Findings by reference.

That due and proper notice of the show cause order of the 13th of July, 1956, concerning Permit No. A-607, to Denver-Pueblo Truck Lines was never given to Myron H. Burnett, the Receiver of said truck line.

That the order of the Commission revoking said permit dated the 21st day of September, 1956, should be rescinded and vacated, and that a new hearing on applicant's failure to file proper customer list should be set down for hearing at the same time and place of the hearing on applicant's petition to transfer said permit so that said hearing may be consolidated therewith.

That the Commission, on its own motion, should, upon proper notice, investigate and hold hearing to determine whether Permit No. A-607 should for any reason be revoked, suspended, altered or amended, and to determine whether there has been any violation by the holder of the permit of any of the laws of Colorado, or the terms and conditions of his permit or the orders, rules and regulations of this Commission, said hearing to be held at the time and place of the hearing upon applicant's petition to transfer said permit.

O R D E R

THE COMMISSION ORDERS:

That the previous order of the Commission of September 21, 1956, in Case No. 849-CL, be, and the same is hereby, rescinded and vacated.


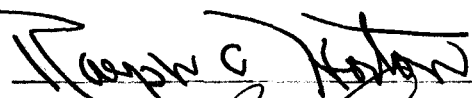
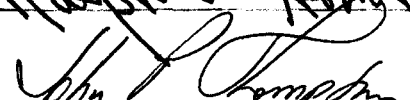

That the Commission hold hearing to determine whether for any

reason Permit No. A-607 should be revoked, suspended, altered, or amended, and to determine whether there has been any violation by said holder of the permit of any provisions of the laws of Colorado, or of any of the terms and conditions of his permit or any of the orders, rules or regulations of this Commission; and that all of said hearings be consolidated with applicant's petition to transfer Permit No. A-607, and this decision and order shall be taken as an order of the Commission therefor and notice to the holder of said permit.

That Application No. 15664-PP and Application No. 15750-Transfer be, and the same hereby are, set for hearing at 10:00 o'clock A. M., 330 State Office Building, Denver, Colorado, October 3, 1957.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners.

Dated at Denver, Colorado,
this 18th day of September, 1957.

mls

original

(Decision No. 48739)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
MANUEL BLEA, 5638 GILPIN STREET,)	
DENVER, COLORADO, FOR A CLASS "B")	APPLICATION NO. 15528-PP
PERMIT TO OPERATE AS A PRIVATE CAR-)	
RIER BY MOTOR VEHICLE FOR HIRE.)	

September 18, 1957

Appearances: Manuel Blea, Denver, Colorado,
 pro se;
 Alvin J. Meiklejohn, Jr., Esq.,
 Denver, Colorado, for R. B.
 "Dick" Wilson, 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 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, and requests that in the event authority herein sought is granted, operating rights be known as "Permit N . B-4208," being the number of a permit formerly held by him.

Said application was regularly set for hearing before the

Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, July 15, 1957, at 1:30 o'clock P. M., due notice thereof being forwarded to all parties in interest.

On July 12, 1957, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant testified that he is presently engaged in transportation of sand and gravel, under Temporary Authority issued by this Commission; that he has had many requests for his proposed service; that he is the owner of a 1952 two-ton Ford Dump Truck, and a 1952 two-ton Chevrolet Dump Truck; that he has a net worth of \$1,500; that he is agreeable that any authority granted to him be limited to the use of dump trucks.

No one appeared in opposition to the granting of the authority sought, as limited by the testimony.

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

It did not appear that applicant's proposed operations will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant, limited to the use of dump trucks, only.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Manuel Blea, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, limited to the use of dump trucks only.

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

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

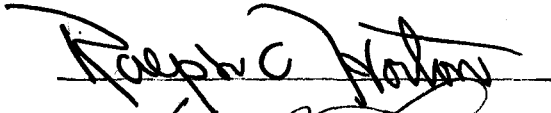


That the right of applicant to operate hereunder shall de-

pend upon his compliance with all present and future laws and rules and regulations of the Commission.

That operating rights herein granted shall be known as "Permit No. B-4208."

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 September, 1957.

mls

original

(Decision No. 48740)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WARNER BROS. CONSTRUCTION CO., INC.,)
5505 VANCE STREET, ARVADA, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE AS)
A PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 15537-PP

September 19, 1957

Appearances: Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for R. B.
"Dick" Wilson, Inc.

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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, July 15, 1957, at 1:30 o'clock P. M., due notice thereof being forwarded to all parties in interest.

On July 12, 1957, the Commission, as provided by law, desig-

nated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of said Examiner states that at the time and place designated for hearing, applicant failed to appear, either in person or by counsel; that thereupon, the files of the Commission were made a part of the record, and the matter was taken under advisement; that at the hearing, protestant indicated there would be no objection to the granting of authority sought, in the event operations were limited to the use of dump trucks; that the files show applicant has proper insurance coverage, and is presently operating under Temporary Authority issued by this Commission.

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

It did not appear that Applicant's proposed operation, as hereinafter limited, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein, limited to the use of dump trucks.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That permit should issue to applicant herein, as limited by the following Order.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Warner Bros. Construction Co., Inc., Arvada, Colorado,

should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations hereunder to be limited to the use of dump trucks, only.

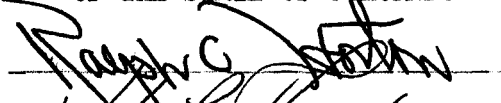
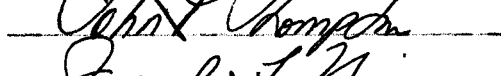

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 19th day of September, 1957.
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
STONEWALL J. COMER, 601 NORTH)
WAHSATCH, COLORADO SPRINGS, COLO-)
RADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 15675-PP
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

IN THE MATTER OF THE APPLICATION OF)
ERNEST W. WRIGHT, 407 ECHO LANE,)
COLORADO SPRINGS, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A) APPLICATION NO. 15675-PP-Amended
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

September 18, 1957

Appearances: Stonewall J. Comer, Colorado
Springs, Colorado, pro se;
Ernest W. Wright, Colorado
Springs, Colorado, pro se;
Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for R. B.
"Dick" Wilson, Inc.;
Stanley Blunt, Canon City,
Colorado, for Southwestern
Transportation Company.

S T A T E M E N T

By the Commission:

By the above-styled application, Stonewall J. Comer,
Colorado Springs, Colorado, sought 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, mixer and
processing plants within a radius of fifty miles of said pits
and supply points; sand and gravel, from pits and supply points
in the State of Colorado, to railroad loading points, and to
homes and small construction jobs within a radius of fifty miles
of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Court House, Colorado Springs, Colorado, September 10, 1957, at 9:30 o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 9, 1957, the Commission, as provided by law, designated Anthony L. Mueller, an employee of the Commission, as Examiner, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Anthony L. Mueller, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of the Examiner states that at the hearing, Stonewall J. Comer testified that he filed the instant application, but due to a leg injury, was forced to sell his truck, the purchaser being Ernest W. Wright, and requested that said Ernest W. Wright be substituted as applicant herein.

There being no objection thereto, said application was so amended.

Report of the Examiner further states that Ernest W. Wright has had three years' experience in the trucking business; that he would use dump trucks, only, in his proposed operation; that he is the owner of a 1956 Chevrolet dump truck valued at \$3,000, upon which there is a \$1500 mortgage; that his net worth is \$9,000.

No one appeared in opposition to the granting of the authority sought, as limited by the testimony.

The operating experience and financial responsibility of Ernest W. Wright were established to the satisfaction of the Commission.

It did not appear that granting of the authority herein sought will impair the efficiency of any common carrier service

operating in the territory sought to be served by applicant.

Report of the Examiner recommends that Ernest W. Wright be substituted as Applicant herein, and that permit should issue to him, limited to the use of dump truck, only.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That Ernest W. Wright, Colorado Springs, Colorado, should be substituted in lieu of Stonewall J. Comer, as applicant herein.

That permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and the same hereby is, approved.

That Ernest W. Wright, 407 Echo Lane, Colorado Springs, Colorado, should be, and hereby is, substituted as applicant herein, in lieu of Stonewall J. Comer, Colorado Springs, Colorado.

That Ernest W. Wright, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing

jobs within a radius of fifty miles of said pits and supply points, limited to the use of dump trucks, only.

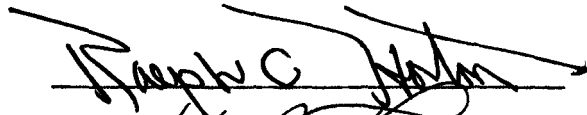


That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 18th day of September, 1957.

ea

original

(Decision No. 48742)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LEONARD R. MOSER, 215 NORTH FARRAGUT,)
COLORADO SPRINGS, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

APPLICATION NO. 15679-PP

September 18, 1957

Appearances: Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for R. B.
"Dick" Wilson, Inc.;
Stanley Blunt, Canon City, Colo-
rado, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Court House, Colorado Springs, Colorado,

September 10, 1957, at 9:30 o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 9, 1957, the Commission, as provided by law, designated Anthony L. Mueller, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Anthony L. Mueller, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the time and place designated for hearing, applicant failed to appear, either in person or by counsel; whereupon, the files were made a part of the record, and the matter was taken under advisement; that protestants indicated they had no objection to granting of the authority sought if said operations would be limited to the use of dump trucks, only.

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

It did not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit should issue to applicant herein, limited to the use of dump trucks, only.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and the same hereby is, approved.

That Leonard R. Moser, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations hereunder to be limited to the use of dump truck, only.

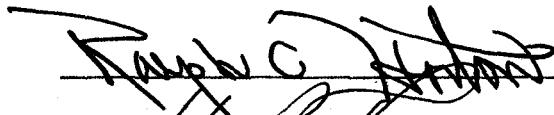


That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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 September, 1957.

ea

original

(Decision No. 48743)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT C. DEWEY, 3023 WEST COLORADO)
AVENUE, COLORADO SPRINGS, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE) APPLICATION NO. 15676-PP
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)
-----)

September 18, 1957

Appearances: Robert C. Dewey, Colorado
Springs, Colorado, pro se;
Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for R. B.
"Dick" Wilson, Inc.;
Stanley Blunt, Canon City,
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, mixer and
processing plants within a radius of fifty miles of said pits
and supply points; sand and gravel, from pits and supply points
in the State of Colorado, to railroad loading points, and to
homes and small construction jobs within a radius of fifty miles
of said pits and supply points; 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; insulrock,
from pits and supply points in the State of Colorado, to roofing
jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Court House, Colorado Springs, Colorado, September 10, 1957, at 9:30 o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 9, 1957, the Commission, as provided by law, designated Anthony L. Mueller, an employee of the Commission to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Anthony L. Mueller, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant testified that he is the owner of a two and one-half-ton 1957 Chevrolet truck, which he will use in the conduct of his operations, in the event authority herein sought is granted; that his net worth is \$6,000; that he has had ten years' experience in the trucking business; that if authority herein sought is granted, he will use dump trucks, only, in his operations.

No one appeared in opposition to the granting of the authority sought, as limited by applicant's testimony.

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

It did not appear that applicant's proposed operations will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein, limited to the use of dump trucks.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Robert C. Dewey, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations hereunder to be limited to the use of dump trucks, only.

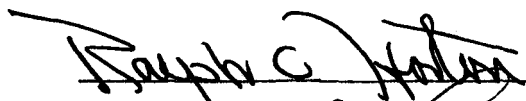
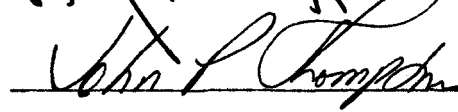
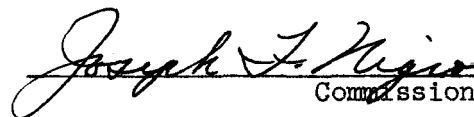
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 18th day of September, 1957.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LELAND L. AUSTIN, DOING BUSINESS AS)
"AUSTIN OIL CO.," 404 WEST 1ST ST.,)
JULESBURG, COLORADO.)
-----)

PERMIT NO. M-219

September 19, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Leland L. Austin dba Austin Oil Co.

requesting that Permit No. M-219 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

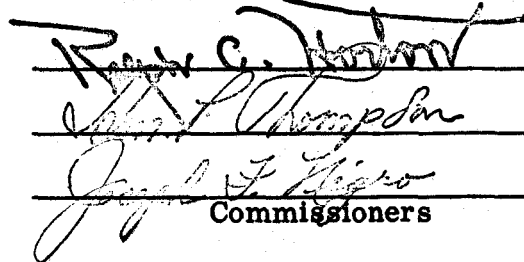
ORDER

THE COMMISSION ORDERS:

That Permit No. M-219, heretofore issued to _____
Leland L. Austin dba Austin Oil Co. _____ be,

and the same is hereby, declared cancelled effective September 15, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,

this 19th day of September, 195 7.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ED KALBACH, FLORENCE, COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-4371

September 19, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Ed Kalbach

requesting that Permit No. M-4371 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4371, heretofore issued to _____
Ed Kalbach _____ be,

and the same is hereby, declared cancelled effective August 25, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John P. Thompson

Joseph F. Zigro

Commissioners

Dated at Denver, Colorado,

this 19th day of September, 195 7.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
TED HOBBS AND W. C. HOBBS, DOING)
BUSINESS AS " HOBBS BROTHERS,")
FT. SUMNER, NEW MEXICO.)
-----)

PERMIT NO. M-6642

September 19, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Ted Hobbs and W. C. Hobbs dba Hobbs Brothers

requesting that Permit No. M-6642 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6642, heretofore issued to _____

Ted Hobbs and W. C. Hobbs dba Hobbs Brothers _____ be,

and the same is hereby, declared cancelled effective September 8, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 19th day of September, 195 7.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CARROLL W. CLEMENT, DOING BUSINESS AS)
"CLEMENT REFINISHING," 715 WEST 13TH)
STREET, PUEBLO, COLORADO.)
-----)

PERMIT NO. M-7280

September 19, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Carroll W. Clement dba Clement Refinishing
requesting that Permit No. M-7280 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7280, heretofore issued to _____
Carroll W. Clement dba Clement Refinishing _____ be,
and the same is hereby, declared cancelled effective July 26, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. ...
John F. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 19th day of September, 195 7.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM A. ADAMS, BOX 913, STEAMBOAT)
SPRINGS, COLORADO.)
)
)
)
-----)

PERMIT NO. M-7471

September 19, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

William A. Adams

requesting that Permit No. M-7471 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7471, heretofore issued to _____

William A. Adams be,

and the same is hereby, declared cancelled effective August 31, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

W. C. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 19th day of September, 1957.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MIGUEL SOTO, BOX 411, GILCREST,)
COLORADO.)

PERMIT NO. M-10984

September 19, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Miguel Soto

requesting that Permit No. M-10984 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10984, heretofore issued to _____
Miguel Soto _____ be,
 and the same is hereby, declared cancelled effective August 13, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Town
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 19th day of September, 1957.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM S. DALLA, JR., 1625 SOUTH)
SHOSHONE, DENVER 23, COLORADO.)

PERMIT NO. M-11908

September 19, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
William S. Dalla, Jr.

requesting that Permit No. M-11908 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11908, heretofore issued to William S. Dalla, Jr. be.

and the same is hereby, declared cancelled effective September 13, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Woodmont
 John P. Thompson
 Joseph F. Negro
 Commissioners

Dated at Denver, Colorado,

this 19th day of September, 1957.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
B. SCHWARTZ & COMPANY INC., 1801)
SOUTH HARWOOD, DALLAS, TEXAS.)

PERMIT NO. M-12327

September 19, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
B. Schwartz & Company Inc.

requesting that Permit No. M-12327 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12327, heretofore issued to _____
B. Schwartz & Company Inc. _____ be.

and the same is hereby, declared cancelled effective September 11, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. [Signature]
John P. Thompson
Joseph F. [Signature]
Commissioners

Dated at Denver, Colorado,

this 19th day of September, 1957.

ma

original

(Decision No. 48752)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
FLOYD A. DUNN, 2040 SOUTH FEDERAL)	
BOULEVARD, DENVER, COLORADO, FOR A)	
CLASS "B" PERMIT TO OPERATE AS A)	APPLICATION NO. 15520-PP
PRIVATE CARRIER BY MOTOR VEHICLE)	
FOR HIRE.)	
-----)	

September 19, 1957

Appearances: Mrs. Wanda Dunn, Denver,
Colorado, for Applicant;
Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for R. B.
"Dick" Wilson, 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 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, and requests that in the event authority herein sought is granted, said operating rights be known as "Permit No. B-4318," being the number of a permit formerly held by him.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, July 15, 1957, at 9:30 o'clock A. M., due notice thereof being forwarded to all parties in interest.

On July 12, 1957, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, Wanda Dunn, wife of applicant herein, testified that her husband is presently engaged in transportation of sand and gravel, under Temporary Authority issued by this Commission; that he has had many requests for his proposed operations; that he is the owner of a 1954 two-ton Chevrolet Dump Truck, and has a net worth of \$10,000; that it will be agreeable, if authority herein sought is granted, that operations be limited to the use of dump trucks.

No one appeared in opposition to the granting of the authority sought, as limited by the testimony.

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

It did not appear that applicant's proposed operations, as limited by the testimony, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein, limited to the use of dump trucks.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner

referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Floyd A. Dunn, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, limited to the use of dump trucks, only.

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

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

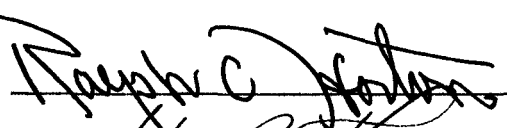

That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and

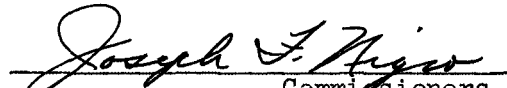
rules and regulations of the Commission.

That operating rights herein granted shall be known as
"Permit No. B-4318."

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 September, 1957.

ea

original

(Decision No. 48753)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HARRY STAPLES 8211 EAST COLFAX)
AVENUE, DENVER, COLORADO, FOR AU-) APPLICATION NO. 15526-PP-Extension
THORITY TO EXTEND OPERATIONS UNDER)
PERMIT NO. B-4304.)
-----)

September 19, 1957

Appearances: LaVela Staples, Denver,
Colorado, for Applicant;
Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for R. B.
"Dick" Wilson, Inc.

S T A T E M E N T

By the Commission:

Heretofore, Harry Staples, Denver, Colorado, was
authorized by the Commission to operate as a Class "B" private
carrier by motor vehicle for hire (Permit No. B-4304), for
the transportation of:

Sand, gravel, and other road-surfacing
materials, from pits and supply points in
the State of Colorado, to road and building
construction jobs within a radius of fifty
miles of said pits and supply points, ex-
cluding service in Clear Creek, Gilpin and
Boulder Counties, except that hauling may be
done for the Boulder Toll Road, only; coal,
from mines in the Northern Colorado coal
fields to Denver, Colorado; to Valmont Plant
of Public Service Company, located near Boulder,
Colorado; to Great Western Sugar Company Plants
at Fort Lupton, Brighton, Johnstown, Longmont,
Loveland, and Greeley, Colorado; to Kuner-
Empson Plants, and to Rocky Mountain Arsenal,
located northeast of Denver, Colorado; sand,
gravel, and other road-surfacing materials
used in the construction of roads and highways,
from pits and supply points in the State of
Colorado, to road jobs, mixer and processing
plants within a radius of fifty miles of said
pits and supply points; sand and gravel, from
pits and supply points in the State of Colorado,
to railroad loading points, and to homes and
small construction jobs within a radius of fifty
miles of said pits and supply points; 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; insulation rock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

By the above-styled application, said permit-holder seeks authority to extend operations under Permit No. B-4304 to include the right to transport 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, July 15, 1957, at 9:30 o'clock A. M., due notice thereof being forwarded to all parties in interest.

On July 12, 1957, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, LaVela Staples, wife of applicant, testified that her husband was unable to attend the hearing; that he is presently engaged in

transportation of sand and gravel under Temporary Authority issued by this Commission; that he is the owner of a 1957 two-ton Ford Dump Truck, and has a net worth of \$10,000; that it will be agreeable, in the event authority herein sought is granted, that operations be limited to the use of dump trucks, only.

No one appeared in opposition to the granting of the authority sought, as limited by the testimony.

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

It did not appear that applicant's extended operations, as hereinafter limited, will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that authority sought should be granted, limited to the use of dump trucks, only.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to extend operations under Permit No. B-4304, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

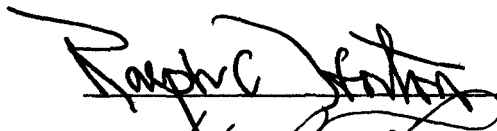


That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Harry Staples, Denver, Colorado, should be, and he hereby is, authorized to extend operations under Permit No. B-4304, to include the right to transport 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, mixer and processing plants within a radius of fifty miles of said

pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

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 19th day of September, 1957.

ea

original

(Decision No. 48754)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
RALPH A. KRAUSE, 3176 WEST OHIO,)	
DENVER, COLORADO, FOR A CLASS "B")	APPLICATION NO. 15531-PP
PERMIT TO OPERATE AS A PRIVATE CAR-)	
RIER BY MOTOR VEHICLE FOR HIRE.)	
-----)	

September 19, 1957

Appearances: Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for R. B.
"Dick" Wilson, 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 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, and requests that in the event authority herein sought is granted, operating rights be known as "Permit No. B-4902," being the number of a permit formerly held by him.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, July 15, 1957, at 1:30 o'clock P. M., due notice thereof being forwarded to all parties in interest.

On July 12, 1957, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of said Examiner states that at the time and place designated for hearing, applicant failed to appear, either in person or by counsel; that protestant indicated there would be no objection to the granting of authority sought, in the event operations were limited to the use of dump trucks; that the files indicate applicant herein is the owner of a 1954 Ford Dump Truck; that he has proper insurance on file with the Commission; that he is presently operating under Temporary Authority issued by this Commission.

No one appeared in opposition to the granting of the authority sought, in the event operations were limited to the use of dump trucks.

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

It did not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein, limited to the use of dump trucks.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That Applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Ralph A. Krause, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations hereunder to be limited to the use of dump trucks, only.

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

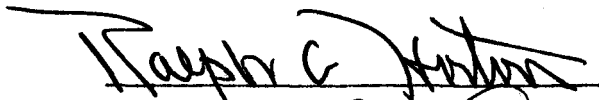


That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

That permit herein granted shall be known as "Permit No. B-4902."

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 September, 1957.

ea

original

(Decision No. 48755)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JACK C. MC CLELLAND, 694 SOUTH)
QUITMAN STREET, DENVER, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY TO OPERATE AS A)
COMMON CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 15541
SUPPLEMENTAL ORDER

September 19, 1957

Appearances: Jack C. McClelland, Denver,
Colorado, pro se;
Robert E. McLean, Esq., Den-
ver, Colorado, for Asso-
ciated Rubbish Removal
Association, Harvey C.
Davis, Arapahoe Rubbish Re-
moval, Englewood-Littleton
Pickup Service, Inc.,
Freddy's Rubbish Removal,
A. Wimberly, Weber's Haul-
ing Service, William J.
Allspach, Joseph G. Alls-
pach, Ellis Disposal,
Broomfield Heights Waste
Disposal, Aurora Ash and
Trash Company, Derby Waste
Disposal, Sam's Ash and
Trash Service, Cook's Dis-
posal, Lakewood Disposal
Company, Aurora Removal
Service, Aurora and East
Denver Trash Disposal.

S T A T E M E N T

By the Commission:

On September 5, 1957, by Decision No. 48660, the Commission
granted to Jack C. McClelland, Denver, Colorado, a certificate of pub-
lic convenience and necessity, authorizing him to operate as a common
carrier by motor vehicle for hire, on call and demand, for the trans-
portation of:

trash, from points within the City and County of Denver, to authorized City Dumps, either within the City and County of Denver, or in the Metropolitan Area of Denver, operations to be restricted to operations of one truck, not to exceed one-half-ton capacity.

On September 13, 1957, "Petition for Rehearing" was filed herein by Robert E. McLean, Attorney for Protestants.

The Commission is now in receipt of a communication from Robert E. McLean, said Attorney for Protestants, of date September 16, 1957, requesting permission to withdraw said Petition for Rehearing.

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 permission is hereby granted to Robert E. McLean, Attorney for Protestants herein, to withdraw "Petition for Rehearing," filed with the Commission in the above-styled application on September 13, 1957, and the Secretary of the Commission is hereby instructed to strike said Petition for Rehearing from the records of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Nolan
Joseph J. Kiger
Commissioners.

COMMISSIONER THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 19th day of September, 1957.

mls

original

(Decision No. 48756)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CONTINENTAL AIR LINES, INC., STAPLE-)
TON AIRPORT, DENVER, COLORADO, FOR)
AN ORDER AUTHORIZING TEMPORARY SUS-)
PENSION OF SERVICE AT LA JUNTA,)
COLORADO.)

APPLICATION NO. 15743

September 19, 1957

Appearances: Holland and Hart, Esqs.,
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 by Continental Air Lines, Inc., Denver, Colorado, seeking authority to temporarily suspend operations to La Junta, Colorado, stating that it is economically impossible to maintain service at La Junta by the operation of smaller aircraft; that there is low, and declining, use of applicant's services at La Junta; that excellent transportation facilities are available in other forms at La Junta, Colorado; that substantial savings and increased service benefits to Pueblo and other localities will be made possible by suspension of service at La Junta; that its request for authority to so suspend operations at La Junta, Colorado, was approved by the Civil Aeronautics Board on August 21, 1957.

F I N D I N G S

THE COMMISSION FINDS:

That a temporary suspension of operations at La Junta, Colorado, by Continental Air Lines, Inc., is warranted; that applicant herein should be authorized to temporarily suspend operations at La

Junta, Colorado; but the fact that suspension is permitted, instead of abandonment, shall in no way prejudice the opportunity of the public in the La Junta area to obtain service from another air line.

O R D E R

THE COMMISSION ORDERS:

That Continental Air Lines, Inc., Denver, Colorado, should be, and hereby is, authorized to temporarily suspend operations at La Junta, Colorado; such suspension shall in no way prejudice the opportunity of the public in the La Junta area to obtain service from another air line.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Kahan
John P. Thompson
Joseph T. Higin
Commissioners.

Dated at Denver, Colorado,
this 19th day of September, 1957.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
A. J. STAMPFEL, RIFLE, COLORADO,) APPLICATION NO. 15307-PP-Extension
FOR AUTHORITY TO EXTEND OPERATIONS) SUPPLEMENTAL ORDER
UNDER PERMIT NO. A-3071.)

September 19, 1957

Appearances: Barry and Hupp, Esqs., Denver,
Colorado, for Applicant;
C. J. Schuler, Telluride, Colo-
rado, for Telluride Transfer;
Orville Dunlap, Montrose, Colo-
rado, for Orville Dunlap and
Son;
Marion F. Jones, Esq., Denver,
Colorado, for Fairplay Motors;
T. A. White, Esq., Denver, Colo-
rado, and
R. E. Turano, Denver, Colorado,
for Rio Grande Motor Way, Inc.

S T A T E M E N T

By the Commission:

On May 29, 1957, the Commission entered its Decision No. 48013 in the above-styled application, authorizing applicant herein to extend operations under Permit No. A-3071 to include the right to transport:

"ore, mine, mill and camp supplies, to serve Union Carbide Nuclear Company, successor in interest to U. S. Vanadium Company, from various mines, to mills and ore reduction plants, wherever same may be situated, within the State of Colorado, and mine, mill, and camp supplies (excluding construction materials) to those same installations of Union Carbide Nuclear Company, of Rifle, Colorado, and/or its subsidiary companies, only."

On July 23, 1957, "Stipulation" was filed with the Commission in the above-styled matter, signed by John R. Barry, Esq., on behalf of A. J. Stampfel, and by Marion F. Jones, on behalf of Fairplay

Motor Company, requesting amendment of Decision No. 48013 to the effect that ores to be transported be limited to vanadium or uranium ores, and further, to the effect that any such ores originating in Park, Summit, or Lake Counties, would be limited to movement to destination of Maybell, Slick Rock, and Uravan, Colorado.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 48013, of date May 29, 1957, should be amended, nunc pro tunc, as of said 29th day of May, 1957, as requested by applicant and protestant herein.

O R D E R

THE COMMISSION ORDERS:

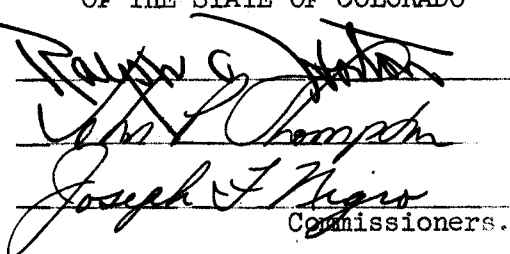
That Decision No. 48013, of date May 29, 1957, should be, and the same hereby is, amended, nunc pro tunc, as of said 29th day of May, 1957, by striking therefrom the second paragraph of the Order therein contained, appearing on Pages 3 and 4 thereof, and substituting in lieu thereof the following:

"That A. J. Stampfel, Rifle, Colorado, should be, and he hereby is, authorized to extend operations under Permit No. A-3071 to include the right to transport vanadium or uranium ores, mine, mill, and camp supplies, to serve Union Carbide Nuclear Company, successor in interest to U. S. Vanadium Company, from various mines, to mills and ore reduction plants, wherever same may be situated, within the State of Colorado, and mine, mill, and camp supplies (excluding construction materials) to those same installations of Union Carbide Nuclear Company, of Rifle, Colorado, and/or its subsidiary companies, only, any such vanadium or uranium ores originating in Park, Summit, or Lake Counties, to be limited to movement to destinations of Maybell, Slick Rock, and Uravan, Colorado."

That, except as herein amended, said Decision No. 48013 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 19th day of September, 1957.
mls


Commissioners.

original

(Decision No. 48758)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FENLY OILFIELD TRUCKING, INC., A)
CORPORATION, 518 PETROLEUM BUILDING,)
WICHITA, KANSAS, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 15339

September 20, 1957

Appearances: Robert S. Stauffer, Esq.,
Cheyenne, Wyoming, for
Applicant;
Marion F. Jones, Esq., Den-
ver, Colorado, for Stanton
Transportation, Neff Truck-
ing Company, Sorenson Truck
Service, Rogers Truck Line,
Whitlock Truck Service, Cor-
nelius Transfer and Storage;
Howard Yelverton, Denver, Colo-
rado, for Goldstein Trans-
portation and Storage;
J. R. Arnold, Denver, Colorado,
for North Eastern Motor
Freight.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a common carrier by motor vehicle for hire, for the transportation of oil field equipment, materials, and supplies, and heavy and cumbersome commodities, between points within the State of Colorado, over irregular routes.

Said application was regularly set for hearing before the Commission, at the Court House, Sterling, Colorado, July 12, 1957, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On July 11, 1957, the Commission, as provided by law, designated Anthony L. Mueller, an employee of the Commission, to con-

duct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Anthony L. Mueller, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, a motion was interposed that the word "Penly" be eliminated from the name of applicant herein, and that said applicant should be shown as "Oil-field Trucking, Inc.;" there being no objection thereto, said motion was allowed; that Vernon Porter, of Great Bend, Kansas, President of applicant herein, agreed to file a copy of Articles of Incorporation as soon as the certificate is received, as amended, changing name of applicant herein; that said company has interstate authority in the States of Oklahoma, Kansas, and Texas; that in defining "heavy and cumbersome commodities," large tanks would come under this classification; that applicant maintains a terminal in Nebraska, and two in Kansas, and intends to maintain a terminal in Colorado, in the event authority herein sought is granted; that Exhibit No. 1 shows net income for the year ended March 31, 1957, to be \$17,708.00, with total assets of \$341,084.50, and Description of Equipment, showing 29 pieces of equipment, with a net valuation of \$229,093.86; that all equipment shown on said Exhibit No. 1 is owned equipment; that he has been employed by applicant since August, 1956, and has had requests for service within the State of Colorado; that upon cross-examination, witness testified that oil field business in Northeastern Colorado has declined in the past year, and also under the definition of "heavy and cumbersome commodities," he would include highway contractors' equipment.

Report of said Examiner further states that Richard MacCulim, of Lamar, Colorado, employed as a tool pusher, testified he is engaged

in drilling one well at present, near Eads, Colorado; that his company owns seven drilling rigs, two of which are in Colorado, and five in Kansas; that when drilling rigs are moved, truck transportation is used; that most of the material moved, other than drilling rigs, is pipe; that he has used services of applicant in Kansas, and has used the Colorado carriers for intrastate moves; that service of all has been satisfactory; that it is his opinion that the business of oil drilling and movement of drilling rigs requires several carriers, and his company has commitments in the vicinity of Lamar for drilling of several wells; that on cross-examination, witness testified that it is one year since his company has had a drilling rig in the Denver-Julesburg Basin; that he does not know how many oil field truckers there are in Colorado, nor whether service presently-available is adequate or not.

Report of the Examiner further states that at the hearing, T. S. McCarter, of Sterling, Colorado, employed as a tool pusher for Braden Drilling Company, of Denver, Colorado, and having been so occupied for the past seven years, testified that his company does its own drilling, and also does contract drilling; that no operations are now being conducted in the State of Colorado; that all movement of drilling rigs is by motor transportation, and his company has used the services of L. E. Whitlock Truck Service, Inc., Weicker Transfer and Storage Company, and Neff Trucking Company; that in his opinion, it is necessary to have several carriers available, for the reason that if no carrier is available at the exact time of movement, the cost is an excessive burden on the drilling company. Witness testified on cross-examination that it has been a year since the last well-drilling job in the State of Colorado, and that there are not now any drilling rigs in Colorado; that service has been satisfactory.

Report of said Examiner further states that at the hearing, R. W. Peters, of Liberal, Kansas, Building Superintendent for Metsco

Petroleum Company, has been so employed for the past three years, testified that his employer has lease-holds in Colorado, and is owner of three drilling rigs, none of which is being used in Colorado; that said company plans to drill in Southeastern Colorado, and, in his opinion, rigs will be moved into Colorado within sixty days; that he knows of authorized Colorado carriers and has used applicant's equipment in other states; that applicant's service has been satisfactory, and that he would use applicant's services, if it were authorized to serve in the State of Colorado; that time is important in the movement of drilling rigs, because of financial loss due to delay, being from \$800 to \$1,000 per day; that, in his opinion, more than one carrier is needed for this service; that he knows of only one Colorado carrier, viz., L. E. Whitlock Truck Service, Inc.

Report of the Examiner states that in protest to the granting of the instant application, Ernie E. Neff, owner of Neff Trucking Company, with headquarters in Sterling, Colorado, operating under PUC No. 2359 and PUC No. 2359-I, in Northeastern Colorado and Western Nebraska, offered Exhibit A, being an equipment list showing thirty pieces of equipment for use in oil field hauling; that there was a forty per cent decline in business in oil field transportation since the peak period of 1955 and 1956; that equipment available is not fully employed; that his Exhibit B shows idle hours of equipment to be considerable; that at the present time, there are eight competitors in the area sought to be served by applicant herein; that his company has state-wide authority to furnish this type of service; that it is willing and able to serve the area, and would add equipment, if needed; that on cross-examination, witness stated that the discrepancy between the equipment shown on Exhibit A and Exhibit B may be rationalized by noting that the equipment shown on Exhibit A, which is not shown on Exhibit B, is equipment stationed in the State of Nebraska.

The Examiner's Report further states that S. W. Cook, of Sidney, Nebraska, Safety Inspector for Rogers Truck Line, operating under PUC No. 756 and PUC No. 756-I, testified his company had to remove equipment from the State of Colorado, due to loss of business since September, 1956; that his company is ready, willing, and able to perform any service offered by applicant; that it would add equipment, if necessary. On cross-examination, it developed that none of this company's equipment is domiciled in Colorado.

Report of said Examiner further states that L. E. Moss, representing L. E. Whitlock Truck Service, Inc., testified said company had to move equipment out of the State of Colorado, due to the decline in business in the Denver-Julesburg Basin; that Exhibit D was offered, showing that at the present time, Whitlock has eighteen pieces of equipment domiciled in Colorado, and that they are available for the type of movement proposed by applicant herein; that Whitlock is ready, willing, and able to serve the area proposed to be served by applicant herein.

Report of the Examiner further states that Art Keseling, of Sterling, Colorado, operating under PUC No. 1649 and PUC No. 1649-I, having state-wide authority, testified that his company is presently engaged in transportation of oil field equipment, and will serve anyone who calls; that the Colorado terminal will handle twelve trucks and twelve trailers; that the decline in this type of hauling has been sixty per cent since July, 1956.

The Examiner's Report further states that C. H. Cornelius, La Junta, Colorado, testified he has been engaged in oil field hauling since 1928, and operates under PUC No. 1310 and PUC No. 1310-I, and PUC No. 346; that his company operates in Kansas, Nebraska, and Colorado, and has eight trucks and trailers; that they can perform the service proposed by the instant application; that business in the La Junta Area, where his terminal is located, has been increasing; that

he is replacing his equipment from time to time, and that, in his opinion, there is no need for additional service; that he is ready, willing, and able to furnish service required, and will add additional equipment, if necessary.

Report of the Examiner further states that Howard Yelverton, of Denver, Colorado, testified he is an employee of Goldstein Transportation Company, operating under PUC No. 3171; that said company has ample equipment available; that Description of Equipment and Income Statement are on file with the Commission; that although they have not moved oil rigs, they would do so on call; that they have hauled heavy and cumbersome materials similar to those named in the application; that his company has been in business since 1929, and has authority to perform the service proposed by applicant, but has done no solicitation for this type of traffic.

From the Report of the Examiner herein, it appears to the Commission that there is adequate service available in the area sought to be served by applicant herein.

Report of the Examiner recommends that the above-styled application be denied.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That public convenience and necessity do not require applicant's proposed operations, and that the above-styled application should therefore be denied.

O R D E R

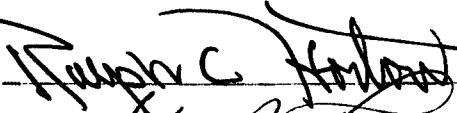
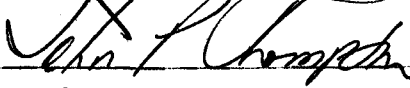
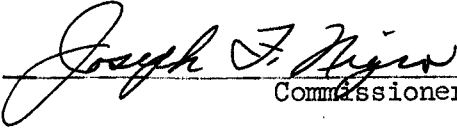
THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That public convenience and necessity do not require applicant's proposed operations, and that Application No. 15339 should be, and 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 20th day of September, 1957.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
NUGGET ENTERPRISES, INC., 3411 WEST)
38TH AVENUE, DENVER, COLORADO, FOR)
A CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 15533-PP

September 20, 1957

Appearances: Jack Kline, Denver, Colorado,
for Applicant;
Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for R. B.
"Dick" Wilson, 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 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, July 15, 1957, at 1:30 o'clock P. M., due

notice thereof being forwarded to all parties in interest.

On July 12, 1957, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, Jack Kline, Secretary of Applicant herein, stated that applicant is a Colorado corporation, and is presently engaged in the trucking business; that said corporation is the owner of a 1955 two-ton Chevrolet Dump Truck, and a two-ton 1952 Studebaker Dump Truck; that its net worth is \$50,000; that it is agreeable that any authority herein granted be limited to the use of dump trucks, and that no tank trucks would be used.

No one appeared in opposition to the granting of the authority sought, as limited by the testimony.

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

It did not appear that applicant's proposed operations, as limited by the testimony, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein, limited to the use of dump trucks.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Nugget Enterprises, Inc., Denver, Colorado, should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, limited to the use of dump trucks, only.

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

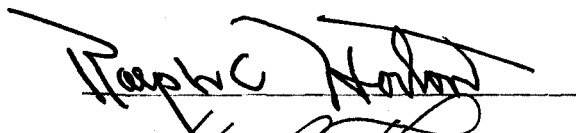


That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

That the right of applicant to operate hereunder shall de-

pend 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 20th day of September, 1957.

mls

original

(Decision No. 48760)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ROBERT D. CUMMING, DOING BUSINESS)	
AS "DISPOSAL SERVICE COMPANY," 8)	
BROADMOOR ROAD, COLORADO SPRINGS,)	APPLICATION NO. 15674-Extension
COLORADO, FOR A CERTIFICATE OF PUB-)	
LIC CONVENIENCE AND NECESSITY, AUTH-)	
ORIZING EXTENDED OPERATIONS UNDER)	
PUC NO. 2130.)	

September 20, 1957

Appearances: C. Lee Goodbar, Jr., Esq.,
Colorado Springs, Colo-
rado, for Applicant.

S T A T E M E N T

By the Commission:

Heretofore, applicant herein was granted a certificate of public convenience and necessity, authorizing him to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation, in pick-up and delivery service, of:

ashes, trash, rubbish, and other waste materials,
to and from points within a radius of ten miles
of the Post Office, in the City of Colorado
Springs, Colorado,

and PUC No. 2130 issued to him.

By the above-styled application, said certificate-holder seeks a certificate of public convenience and necessity, authorizing him to extend operations under said PUC No. 2130 to include the right to operate as a common carrier by motor vehicle for hire, for the transportation of ashes, trash, rubbish, and other waste material, from point to point within the City of Colorado Springs, Colorado, and a ten-mile radius of the Post Office in said City.

Said application was regularly set for hearing before the Com-

mission, at the Court House, Colorado Springs, Colorado, September 10, 1957, at 9:30 o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 9, 1957, the Commission, as provided by law, designated Anthony L. Mueller, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Anthony L. Mueller, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant testified that he has been operating since November 1, 1949, transporting ashes, trash, rubbish, and other waste materials, in pick-up and delivery service, to and from points within the City of Colorado Springs, Colorado, and a radius of ten miles of the Post Office in said City, obtaining proper City Licenses each year, and complying with all rules and regulations.

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

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

It appears that applicant has been operating prior to January 1, 1955, being the effective date of Constitutional Amendment, giving this Commission jurisdiction over common carriers operating in home-rule cities, thereby establishing "Grandfather Rights."

Report of the Examiner recommends that authority sought should be granted to applicant herein.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred

to therein should be approved.

That public convenience and necessity require applicant's extended motor vehicle common carrier operations under PUC No. 2130 and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That public convenience and necessity require the extended motor vehicle common carrier call and demand transportation service of Robert D. Cumming, doing business as "Disposal Service Company," Colorado Springs, Colorado, under PUC No. 2130, for the transportation of ashes, trash, rubbish, and other waste material, from point to point within the City of Colorado Springs, Colorado, and a ten-mile radius of the Post Office in said City, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

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.

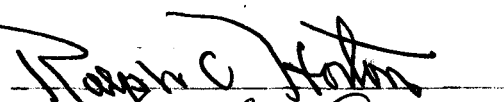
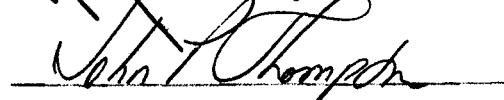
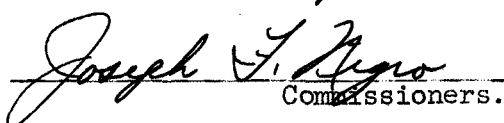
That this Order is subject to compliance by applicant with all present and future laws and rules and regulations of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 20th day of September, 1957.

mls




Commissioners.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE RATES ON VARIOUS COMMODITIES)
NAMED IN ITEM NO. 1150 OF THE)
MOTOR TRUCK COMMON CARRIERS')
ASSOCIATION, AGENT, FREIGHT TARIFF)
NO. 12-A, COLORADO P.U.C. NO. 11,)
FROM DENVER, COLORADO, TO DELTA,)
GLENWOOD SPRINGS, GRAND JUNCTION,)
GUNNISON, LEADVILLE, MONTROSE,)
RIFLE AND SALIDA, COLORADO.)

INVESTIGATION
AND
SUSPENSION
DOCKET NO. 406

September 19, 1957

S T A T E M E N T

By the Commission:

There has been filed with the Public Utilities Commission of the State of Colorado by the Motor Truck Common Carriers' Association, Agent, by J. R. Smith, Chief of Tariff Bureau, Denver, Colorado, a tariff containing schedules stating new individual rates and charges to become effective on the 21st day of September, 1957, designated as follows:

1st Revised Page No. 191, Item No. 1215.

COMMODITY	FROM	TO	RATE IN CENTS PER 100 POUNDS		
Articles, as described in Item No. 1150		COLORADO	(1)	(2)	(3)
		Delta	-	-	94
(1) Min. Wt. 10,000 Lbs.		Glenwood Springs	-	-	64
(2) Min. Wt. 15,000 Lbs.	Denver, Colorado	Grand Junction	98	90	89
(3) Min. Wt. 20,000 Lbs.		Grand Valley	83	76	75
		Gunnison	-	-	75
Rates published in this item will also apply at directly intermediate points.		Leadville	-	-	52
		Montrose	-	-	92
		Rifle	79	73	72
* * * Not involved.		Salida	-	-	61

The said schedules contained in said tariff represent reductions in the rates on the commodities listed in Item No. 1150 when moving on the lines of the Rio Grande Motor Way, Inc. However, in connection with the intermediate application of the item there arises the question of the proper rate to apply at an unnamed intermediate point, e.g. Olathe, Colorado, is intermediate between Denver and Montrose via Grand Junction, and intermediate

between Denver and Delta via Gunnison and Montrose. There are other potential intermediate points similarly situated. Therefore, it is the opinion of the Commission that the effective date of said schedules contained in said tariff should be postponed pending a hearing and decision thereon, or in lieu of a hearing a clarification of the item and its intermediate application.

F I N D I N G S

THE COMMISSION FINDS:

That it should enter upon a hearing concerning the lawfulness of the rates and charges stated in schedules contained in Item 1215, 1st Revised Page No. 191, Motor Truck Common Carriers' Association, Agent, Local and Joint Freight Tariff No. 12-A, Colorado P.U.C. No. 11, from Denver, Colorado, to Delta, Glenwood Springs, Grand Junction, Grand Valley, Gunnison, Leadville, Montrose, Rifle, and Salida, Colorado, and that the effective date of said schedules should be postponed pending said hearing and decision thereon, or in lieu of a hearing a clarification of the intermediate application of said item.

O R D E R

THE COMMISSION ORDERS, That:

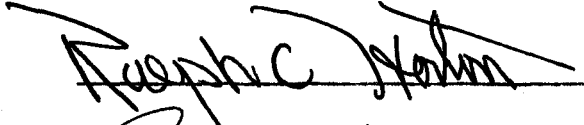

1. Upon its own motion, without formal pleading, it enter upon a hearing concerning the lawfulness of the rates and charges stated in Item 1215, 1st Revised Page No. 191, Motor Truck Common Carriers' Association, Agent, Local and Joint Freight Tariff No. 12-A, Colorado P.U.C. No. 11, from Denver, Colorado, to Delta, Glenwood Springs, Grand Junction, Grand Valley, Gunnison, Leadville, Montrose, Rifle and Salida, Colorado.
2. The operation of said schedules contained in said tariff be suspended and that the use of the rates, charges, regulations and practices therein stated be deferred 120 days, or until January 18, 1958, unless otherwise ordered by the Commission, and no change shall be made in such rates, charges, regulations and practices during the said period of suspension.

3. The rates and charges and the regulations and practices thereby sought to be altered shall not be changed by any subsequent tariff or schedule until this investigation and suspension proceeding has been disposed of or until the period of suspension or any extension thereof has expired.

4. A copy of this order be filed with said schedule in the office of the Commission and that copies hereof be forthwith served upon Mr. J. R. Smith, Chief of Tariff Bureau, the Motor Truck Common Carriers' Association, Agent, 4060 Elati Street, Denver 16, Colorado, and Ralph Turano, Traffic Manager, The Rio Grande Motor Way, Inc., 775 Wazee Street, Denver 4, Colorado.

5. This proceeding be assigned for a hearing at a future date to be determined by the Commission, due notice of such date and place of hearing being given to all interested parties.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 19th day of September, 1957.

mem

call and demand service for the transportation of general commodities, excepting (1) used household goods and used office furniture and fixtures; (2) commodities which because of size and weight require special equipment; and (3) commodities moving in package delivery service to private residences, from point to point within the City and County of Denver.

By their present application, filed July 9, 1957, the applicants seek to have their private carrier authority extended:

"to authorize the transportation of general commodities, except those which, because of size and weight, require special equipment and except commodities moving in package delivery service to private residences, between points in the City and County of Denver and to and from points within the City and County of Denver, from and to points within a ten mile radius of the City limits thereof."

This application was initially set and called for hearing in Denver on July 26, 1957, and at that time continued, at the request of the applicant to be reset for hearing at a future date.

Subsequently, the matter was reset and upon due notice to interested persons, hearing commenced at the Hearing Room of the Commission in Denver, Colorado, on September 6, 1957. After a portion of the evidence was taken, it appeared that the applicant desired to amend his application in such manner that additional persons not previously notified would require notice before the proceeding could be conducted. At the request of the applicant, there being no objection, the matter was accordingly recessed for further hearing at some future time convenient to the Commission upon notice to:

1. All persons originally notified of the pendency of the present application.
2. All persons who have thus far entered their appearances, and
3. Any additional persons who would be interested in or affected by the amended application.

An Order will be entered accordingly.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be reset at some future date convenient to the Commission, with notice to all interested parties, as set forth in the preceding Statement, which is made a part hereof by reference.

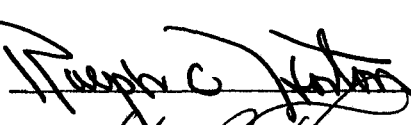

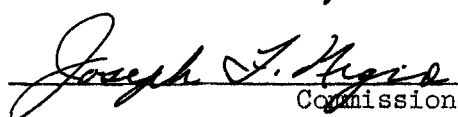
O R D E R

THE COMMISSION ORDERS:

That the instant application should be, and the same hereby is, reset for hearing at some future date convenient to the Commission, with notice to all persons originally notified of the pendency of the present application; all persons who have thus far entered their appearances, and any additional persons who would be interested in or affected by the amended application.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 20th day of September, 1957.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HUGH SATTLEY, DOING BUSINESS AS)
"RED ROCK SALES," 2323 9TH STREET,)
GREELEY, COLORADO.)
-----)

PERMIT NO. M-886

September 24, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Hugh Sattley dba Red Rock Sales

requesting that Permit No. M-886 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-886, heretofore issued to _____
Hugh Sattley dba Red Rock Sales be,
and the same is hereby, declared cancelled effective August 30, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John F. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 24th day of September, 1957.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
J. R. YATES, P. O. BOX 35, TAOS,)
NEW MEXICO.)

PERMIT NO. M-5182

September 24, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

J. R. Yates

requesting that Permit No. M-5182 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. **M-5182** , heretofore issued to

J. R. Yates

be,

and the same is hereby, declared cancelled effective September 21, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John P. Thompson
Joseph F. Higgins
Commissioners

Dated at Denver, Colorado,

this 24th day of September, 195 7.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
BUSLEY SUPERMARKET COMPANY, 185)
DENARGO MARKET, DENVER 5, COLORADO.)

PERMIT NO. M-9175

September 24, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from
Busley Supermarket Company

requesting that Permit No. M-9175 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. **M-9175**, heretofore issued to

Busley Supermarket Company

and the same is hereby, declared cancelled effective September 13, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Horton
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 24th day of September, 1957.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
EDMOND A. AND RUBY J. CHEVALIER,)
OAK CREEK, COLORADO.)

PERMIT NO. M-12862

September 24, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

Edmond A. And Ruby J. Chevalier

requesting that Permit No. M-12862 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12862 , heretofore issued to

Edmond A. and Ruby J. Chevalier

be,

and the same is hereby, declared cancelled effective September 18, 1957.

THE PUBLIC UTILITIES COMMISSION
~~OF THE STATE OF COLORADO~~

Robert C. Wood
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 24th day of September, 1957.

112

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROY BRISTOL, BOX 64, CUSTER, SOUTH)
DAKOTA.)

PERMIT NO. M-1711

October 1, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

Roy Bristol

requesting that Permit No. M-1711 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1711 , heretofore issued to

Roy Bristol

be,

and the same is hereby, declared cancelled effective September 13, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

~~John C. Johnson~~
John P. Thompson
Joseph C. Taylor
Commissioners

Dated at Denver, Colorado,

this 1st day of October, 1957.

mjm

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES ELMER OWENS, 1432 WEST THIRD)
STREET, FLORENCE, COLORADO.)

PERMIT NO. M-432

October 1, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

Charles Elmer Owens

requesting that Permit No. M-432 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-432, heretofore issued to

Charles Elmer Owens

be,

and the same is hereby, declared cancelled effective September 5, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Frank C. Johnson
 John P. Thompson
 Joseph F. Tignor
 Commissioners

Dated at Denver, Colorado,

this **1st** day of **October** , 195 **7**

Enjin

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

HAROLD LEVINE, DOING BUSINESS AS)
"CENTURY DISTRIBUTING COMPANY",)
1160 STOUT STREET, DENVER 4, COLORADO.

PERMIT NO. M-2703

October 1, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

Harold Levine, d/b/a Century Distributing Company

requesting that Permit No. M-2703 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2703 , heretofore issued to

Harold Levine, d/b/a Century Distributing Company

be,

and the same is hereby, declared cancelled effective September 16, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 1st day of October, 1957.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

JIMMY COPELAND, FLAGLER, COLORADO.)

PERMIT NO. M-11058

October 1, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Jimmy Copeland

requesting that Permit No. M-11058 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11058, heretofore issued to _____

Jimmy Flagler,

be,

and the same is hereby, declared cancelled effective August 25, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. [Signature]
John P. Thompson
Joseph F. [Signature]
Commissioners

Dated at Denver, Colorado,

this 1st day of October, 1957.

mjm

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GORDON R. STEELE, BOX 52, OAK CREEK,)
COLORADO.)
-----)

PERMIT NO. B-5278

October 1, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Gordon R. Steele

requesting that Permit No. B-5278 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5278, heretofore issued to _____

Gordon R. Steele be,

and the same is hereby, declared cancelled effective September 13, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Wm. V. Thompson

Joseph F. Higo
Commissioners

Dated at Denver, Colorado,

this 1st day of October, 1957.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
BURL M. ATKERSON, P. O. BOX 373,)
GILCREST, COLORADO.)

PERMIT NO. B-4742

October 1, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

BURL M. ATKERSON

requesting that Permit No. B-4742 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4742, heretofore issued to

Burl M. Atkerson

be,

and the same is hereby, declared cancelled effective September 14, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John T. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 1st day of October , 1957.

CANCELLATION--COMMON CARRIER

(Decision No. 48773)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
BERNARD PAVELKA, 1323 NORTH)
HEWITT STREET, HASTINGS,)
NEBRASKA.)

CERTIFICATE NO. 3794-I

October 1, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from

Bernard Pavelka

requesting that Certificate of Public Convenience and Necessity No. 3794-I
----- be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate No. 3794-I heretofore issued to

Bernard Pavelka

be, and the same is hereby declared cancelled effective September 19, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Thompson
Joseph F. Higgins

Commissioners

Dated at Denver, Colorado,

this 1st day of October, 1957.

mjm

CANCELLATION--COMMON CARRIER

(Decision No. 48774)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
MATTOON TRANSFER & STORAGE)
COMPANY, 1201 SOUTH MAIN,)
TULSA, OKLAHOMA.)

CERTIFICATE NO. 1470-I

October 1, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from _____

Mattoon Transfer & Storage Company

requesting that Certificate of Public Convenience and Necessity No. 1470-I
_____ be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate No 1470-I heretofore issued to _____

Mattoon Transfer & Storage Company

be, and the same is hereby declared cancelled effective September 12, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Wm C. Thompson

Joseph S. Negro

Commissioners

Dated at Denver, Colorado,

this 1st day of October, 1957.

mjm

CANCELLATION--COMMON CARRIER

(Decision No. 48775)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
MOON PRODUCE & POULTRY CO. INC.,)
P. O. BOX 201, CULLMAN, ALABAMA.)

CERTIFICATE NO. 3578-I

October 1, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from _____

_____ Moon Produce & Poultry Co., Inc.

requesting that Certificate of Public Convenience and Necessity No. 3578-I
_____ be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate No. 3578-I heretofore issued to _____

_____ Moon Produce & Poultry Co., Inc.

be, and the same is hereby declared cancelled effective September 9, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Johnson
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 1st day of October, 1957.

mjm

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 48776)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES E. BRENNER, DOING)
BUSINESS AS "BRENNER TRUCK)
LINE," 7791 NIAGARA STREET,)
DERBY, COLORADO.)

PERMIT NO. B-1497

October 1, 1957

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-1497 be suspended for six months from September 13, 1957.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Charles E. Brenner, doing business as
Brenner Truck Line,
be, and is hereby, authorized to suspend his operations under Permit No. B-1497 until March 13, 1958.

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 by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John P. Thompson
Joseph F. Higgins
Commissioners

Dated at Denver, Colorado,

this 1st day of October, 1957.
mjm

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 48777)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
HUGO L. WILLIS, GEORGE TOMASI,)
AND BEN J. TOMASI, CO-PARTNERS,)
DOING BUSINESS AS "WILLIS &
TOMASI," SILVERTON, COLORADO.)

PERMIT NO. B-2967

October 1, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittees requesting that their Permit No. B-2967 be suspended for six months from May 24, 1957.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Hugo L. Willis, George Tomasi, and Ben J. Tomasi,
co-partners, d/b/a "Willis & Tomasi"
are
be, and ~~is~~ hereby, authorized to suspend their operations under Permit No. B-2967 until November 24, 1957.

That unless said permit-holders 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

G. J. Johnson
John Thompson
Joseph F. Higgins
Commissioners

Dated at Denver, Colorado,

this 1st day of October, 1957.

mjm

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 48778)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES ELMER OWENS, 1432)
WEST THIRD STREET, FLORENCE,)
COLORADO.)

PERMIT NO. B-4730

October 1, 1957

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-4730 be suspended for six months from September 9, 1957.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

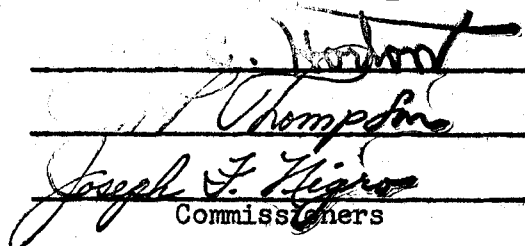
THE COMMISSION ORDERS:

That Charles Elmer Owens

be, and is hereby, authorized to suspend his operations under Permit No. B-4730 until March 5, 1958.

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 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 1st day of October, 1957.

mjm

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE DISCONTINUANCE)	
BY CHICAGO, BURLINGTON & QUINCY)	
RAILROAD COMPANY, 615 C. A. JOHNSON)	INVESTIGATION AND SUSPENSION
BUILDING, DENVER, COLORADO, OF ITS)	<u>DOCKET NO. 394</u>
AGENT AT LAFAYETTE, BOULDER COUNTY,)	
COLORADO, AND CLOSING OF SAID STATION.))	
-----)	

September 24, 1957

Appearances: John C. Street, Esq., Denver,
Colorado, and
W. L. Peck, Esq., Denver,
Colorado, for Applicant,
Chicago, Burlington &
Quincy Railroad Company;
John G. Mackie, Esq., Longmont,
Colorado, for Protestants;
A. L. Mueller, Esq., Denver,
Colorado, and
J. L. McNeill, Denver, Colo-
rado, for the staff of the
Public Utilities Commission.

S T A T E M E N T

By the Commission:

On November 15, 1956, petition in the instant matter was filed with the Commission, and received as Application No. 14889. Request was made for an order to authorize discontinuance of the agent at Lafayette, Colorado, and to close the railroad station at that place, effective December 15th, 1956. Supporting explanatory information and exhibits were offered for Commission consideration. In conformance with the Commission's rules herein, public notice of the proposed change of service was posted at the Lafayette station.

Subsequent to said public posting, letters of protest were received by the Commission. By Decision No. 46956, dated December 12, 1956, the Commission suspended the proposed station

closing, pending investigation and further Order of the Commission. Said Application No. 14889 was therewith transferred to Investigation and Suspension Docket No. 394 on the Commission's docket.

Thereafter, protest of McMahan Chevrolet Company was withdrawn when protestant became aware that proposed discontinuance involved only the Lafayette agent and not removal of rail tracks as he previously protested against. Further protests were received from Lafayette Elevator & Milling Company and from Attorney John G. Mackie on behalf of four residents of Lafayette, Colorado.

A hearing in the matter was scheduled for February 6, 1957, but was vacated at the request of attorney for protestants. After being reset to April 23, 1957, the matter was heard by the Commission Examiner J. W. Hawley at the Commission's Hearing Room, 330 State Office Building, Denver, Colorado. At the conclusion of evidence on that date, protestants were granted one week for filing of a brief, and Applicant was granted one week thereafter in which to file a reply brief. On April 26, 1957, Examiner Hawley submitted his Report of the proceeding, stating in part, as follows:

"Inasmuch as applicant has ordered a transcript of the testimony given at this hearing, and the time granted the parties in which to file briefs, and the time required to obtain the transcript will make early decision impossible, your Examiner suggests that no order be entered herein until these preliminaries are disposed of."

Accordingly, briefs of counsel and transcript of the testimony have been duly received and carefully considered by the Commission; the original protests, the data in the various exhibits and testimony of the hearing indicate a genuine sincerity of purpose by all parties.

In the instant matter we have the proposal of Applicant (Burlington Railroad) to withdraw its agent from the Lafayette station for the reasons that declining business and the manner of train operation do not justify the maintenance of an agent's services

and that the public convenience and necessity no longer require the agency service, since other modes of transportation are being used and alternate railroad facilities are available to serve current needs. Protestants object on the grounds that discontinuance of service will seriously jeopardize the economy and welfare of Lafayette; that without the station service people of Lafayette will be at the mercy of truck monopoly, and that services should be improved rather than lessened as noted in the removal of a machinery platform in order to serve a new grain elevator plant.

Testimony in support of the application was given by W. N. Ernzen, Assistant Comptroller of Applicant company, who identified and explained Exhibits 1 to 6, inclusive, and by J. J. Ryan, local operating Superintendent, who identified Exhibit No. 7.

Exhibit No. 1 is a map of the Chicago, Burlington & Quincy Railroad Company lines serving Denver, Colorado. The main line operates northeasterly from Denver, through Hudson and Wiggins, to Chicago, Illinois. Lafayette is shown in yellow on a shorter, or branch line, serving northwesterly through the towns of Broomfield and Longmont, with a terminus at Lyons, Colorado, some 48.2 miles from Denver.

Exhibits 2, 3, 4, and 5, offer the same data of revenues, costs and shipments as offered to the Commission in the original application, and also include the addition of full information for the Year 1956, and the current results for two months, January and February of 1957.

Mr. Ernzen explained that not all the moneys collected at Lafayette can be credited to that station for the reason that many of the shipments are interlined with other carriers and the revenues must therefore be apportioned; hence, he has also indicated the portion earned on the Chicago, Burlington & Quincy lines. In addition, it has been necessary to consider that the freight movements, whether forwarded or received, also involve handling at

two stations; hence, fifty per cent (50%) of the Burlington revenue is therefore used in the Lafayette station analysis.

A summary of the exhibit data is as follows:

Item	1954		1955		1956		(2 mos.) 1957	
	Total		Total		Total		Total	
	Freight Charges	CB&Q Portion	Freight Charges	CB&Q Portion	Freight Charges	CB&Q Portion	Freight Charges	CB&Q Portion
Freight:								
Carloads Fwd.	\$2,537	\$1,298	\$ --	\$ --	\$1,630	\$1,630	\$ --	\$ --
Carloads Recd.	17,019	5,659	18,736	5,919	13,298	5,206	977	779
L.C.L.Fwd.	77	41	282	111	40	16	--	--
L.C.L.Rec.	849	590	1,224	845	1,068	742	211	119
Sub Total	\$20,482	\$7,588	\$20,242	\$6,875	\$16,036	\$7,594	\$1,188	\$898
50% of CB&Q to Lafayette		3,794		3,437		3,797		449
Other Revenue:								
100% to Lafayette								
Passenger		--		47		--		--
Milk & Cream		--		--		--		--
Express Comm.		523		600		639		69
Miscellaneous		184		82		73		2
Sub Total		707		729		712		71
Total Lafayette Revenues		4,501		4,166		4,509		520
LESS: Wages, Taxes								
Station Expense		4,641		4,764		5,189		847
Gain		--		--		--		--
Loss		\$ 140		\$ 598		\$ 680		\$ 327

Exhibit No. 6 is a further study of the Lafayette revenue as related to the system cost of operations beyond Lafayette. In this exhibit, the total Operating Expenses of the Burlington System are corrected to exclude all the same wage and out-of-pocket expense items as considered at Lafayette. The system ratio of Operating Expenses to Operating Revenues for the year ended February 28, 1957, was then 78.19%. The cost of handling on the railroad beyond Lafayette is the product of Lafayette Revenue (\$4,110) multiplied by the Operating Ratio (78.19%) or \$3,214 for the above one-year period. In that same period, the station expense at Lafayette was \$5,240, or a total operating expense of \$8,454 as compared to the station revenue of \$4,110. This is an interesting use of Operating Ratio to show that station revenue must also support other expenses

of the railroad in addition to the out-of-pocket expenses at the station. With the proposed station closing, the actual saving will be elimination of the station expense and the station revenue will in effect be available for payment of operating or over-the-road expense.

In further testimony, Mr. Ernzen noted that since train service was provided three times per week the amount of station work was quite minor and would only average about $1\frac{1}{2}$ hours of work per day; meanwhile, the station was kept open for eight hours daily and five days per week. It is proposed that if the agent be withdrawn, the station building would remain and Lafayette would be retained in the tariffs as a Prepay Station; that present carload switching services would be unchanged; that L.C.L. shipments would be held in the station at Broomfield where an agent is on duty eight hours daily; that shippers ordering cars or desiring any other rail information could telephone to the Broomfield station at no expense since the ten cent toll charge would be accepted by the Railroad Company.

Additional operating information was offered by Superintendent Ryan. By means of Exhibit No. 7, being a highway map of the area, he explained that Lafayette was located on U. S. Highway 287, which is a year-around asphalt-paved main highway; that the same highway also served the town of Broomfield at 6.8 miles south from Lafayette and the town of Longmont at 16 miles to the north, in which towns, railroad agent service was available daily. Rail service on this branch line consisted of only one train regularly operating on the 48 miles of track at one time; that only occasionally during sugar beet season would there be another train. The train was scheduled to leave from Denver north-bound at 9:00 A. M., on Monday, Wednesday and Friday, arriving at Broomfield 10:00 A. M., Lafayette 10:25 to 10:40 A. M., and Longmont 11:00 to 11:15 A. M.; proceeding to the terminal at Lyons,

Colorado, and returning on the same day to pass Lafayette south-bound at 2:00 to 2:30 P. M., and arrive in Denver to make connections with the principal freight trains to the east and west.

With this type of operation, no train orders or tele-graphic communication has been required at the station; that much of the shippers' requests have been handled on a shipper-to-train-crew basis; that in the future -- should there be no agent at Lafayette -- the train would make a regular stop at the station and either pick up or set off merchandise according to the shippers' instructions.

Mr. Ryan reported he was aware that Lafayette was being served by numerous motor carriers that picked up or delivered freight, as not all the merchandise of the area was handled by rail. It was his further observation that should there be any new development or resurgence of business requiring an agents' service, then the Burlington Railroad would act quickly to provide an agent. In the matter of distance to Broomfield for agency service as proposed, it was his further observation that even in the City of Denver where an agent is available, it is often necessary for patrons to travel in excess of 6.8 miles to come to the station. In this case, the withdrawal of the agent represents an economy move whereby service on the whole line would not be jeopardized by unnecessary use of revenues needed for operating expenses.

On behalf of protestant, testimony was offered by four witnesses who described their use of the rail service and emphasized the presence of the agent as a factor in community growth. Much of the testimony was similar, and we will review the various items as follows:

Mr. C. W. Alderson reported he operated a department store, handling ladies' and mens' ready-to-wear, shoes and clothing of all kinds, and that he was President of the Chamber of Commerce. He received approximately 10% of his merchandise by rail and the remainder by truck. He stated the railroad had never solicited his

trade but that he gave the railroad a little business in an effort to keep the railroad in the area; that he liked the agent who was a customer of his, and that some shipments were handled best by rail. Community-wise, it was his belief that approximately 5% to 10% of freight of the whole town was handled by rail and the remainder by truck; that in earlier years Lafayette was more of a mining center; the roads and truck services were not too good, but that rail service was better than present. Also, efforts had been made in recent years to attract new industry to Lafayette and had resulted in the opening of a grain elevator. Roads in the area had been greatly improved and private automobiles were owned by practically everybody. In his business he shipped very little out; received no carload shipments, only L. C. L. that amounted as follows:

1954, 14 shipments, weight 2400 pounds
1955, 39 shipments, weight 5200 pounds
1956, 52 shipments, weight 5500 pounds

His total annual freight bill was between two and three thousand dollars per year, with approximately 200 to 300 dollars being paid to the railroad.

Mr. R. S. Roberts stated he has operated his retail grocery for the past 16 years; that coal mining had been the principal industry, but that no coal is now mined in or around Lafayette. He received his store merchandise largely by truck with the exception of seeds, coffee, cosmetics and other items as L. C. L. rail shipments, amounting to:

1954, 6 shipments, weight 1100 pounds
1955, 6 shipments, weight 1325 pounds
1956, 3 shipments, weight 600 pounds

As a member of the Chamber of Commerce and former City Mayor and alderman, he reported that with no coal mining industry there had been growth in the town shown as follows:

House delivery of U. S. Mail established in 1955.

Building permits (housing and remodeling):

1953 - \$194,000;	1954 - \$285,000
1955 - \$351,000;	1956 - \$100,000

Municipal improvement (Bond Issues):

1952 - \$140,00;
1956 - \$100,000

1954 - \$90,000

School Improvements:

5 years - \$156,000

Assessed Valuation: (In five years)
Increased from \$1,395,000 to \$1,895.00

City Revenue: (Municipal water plant - 3 years)
Increased from \$60,000 to \$70,000.

Other testimony to reflect city growth was given by Mr. C. C. Jones, who has been District Manager for Public Service Company at Lafayette since 1953, and is also acting as Secretary of the Chamber of Commerce. Data offered by Mr. Jones is tabulated as follows:

<u>Meters</u>	<u>Jan. 1, 1953</u>	<u>Jan. 1, 1955</u>	<u>Jan. 1, 1957</u>
Gas	293	500	635
Electric	787	868	927
Hot Water Heating	<u>251</u>	<u>252</u>	<u>247</u>
Total -	1331	1620	1809

Mr. Jones explained that the data showed the change from an old coal-mining town to a residential suburban-type of community, with the people being employed in the surrounding area of Boulder, Rocky Flats and Denver. Pertaining to rail business, he reported that negotiations were under way for the possible location of a cattle feeding yard at a nearby mine site where a siding track was available. It was his conclusion that protest was being offered by the Chamber of Commerce to indicate the feeling of the membership that they did not want to give up any of their town benefits.

Mr. Leland H. Moore stated he had been in the lumber business at Lafayette for twenty years, and depended on the rail line as the most convenient and practically the only means to receive lumber from the west coast. He reported a gradual decline in his use of L. C. L. rail service, traceable in his opinion to numerous factors, including better roads and truck equipment, changes in local delivery service, new methods of merchandising with ready

wholesale pickup and delivery service from Denver, as well as use of his own truck fleet. It was his experience that potential new industries for the Lafayette area made a first inquiry about rail service and, in his opinion, the withdrawal of the station agent would jeopardize the town. In reviewing the various shipping exhibits, it appeared that his firm, Lafayette Lumber Company, accounted for the major portion of the station business. Excluding agricultural implements, hay and feed, autos, cable and asphalt, in 1954, 27 of the 33 cars received came to Mr. Moore; in 1955 he received 24 of the 27 cars; and in 1956, 21 out of 27 total cars. With the proposed agent withdrawal, it was explained that the team track now used for car unloading would remain, and that present intentions were for retention of the line and related switching services.

In our analysis of the testimony and briefs offered herein, it appears that our consideration is directed toward costs, community welfare and to public convenience and necessity. As noted in the Summary of Exhibits 2, 3, 4 and 5, and considering revenues and expenses on only a station basis, there was not sufficient income to pay the out-of-pocket costs of maintaining the station. It goes without saying that in order to move the Lafayette merchandise, some revenue is also required to pay the other costs of train operation and maintenance of track and equipment as was noted in Exhibit No. 6. It is proposed that elimination of the agency expenses will offer a saving that can be applied toward payment of the more necessary items of train operation.

The promotion of community welfare and prestige by retention of the railroad agent is understandable. However, in the instant case, we have the paradox of increased losses in a growing community as noted by increased building permits, city valuation and utility installations; meanwhile, the agent was on full-time regular duty. Protestants cite there was no solicitation or effort

on the part of the agent or railroad to secure added business. In that regard, it appears that shippers who must be importuned to use a railroad have no urgent need for it. Relative to the promotion of new industry on the basis of agency availability, we are confronted with the reality of only the grain elevator installation that offered 15 cars of wheat in July and one car in August of 1956. It follows then that a future need at some indefinite time is not sufficient ground to justify continuation of the agent, particularly, when the testimony reveals that Applicant would take fast action to put an agent in any town that would flourish and progress to the point of needing the service.

Relative to the service rendered by the agent at Lafayette and the public need thereof, we have here a 48-mile branch line railroad which, in effect, is performing a switching service to the main lines at Denver and possible transfer connection at Longmont, Colorado. A north and south movement through Lafayette occurs each day on a tri-weekly basis. No passengers are handled. Train orders are not required for train operation, hence there is no telegraph service.

The following tabulation indicates the volume of business at the station:

LAFAYETTE STATION SUMMARY
Exhibits 2, 3, 4 & 5

	<u>1954</u>		<u>1955</u>		<u>1956</u>		<u>(2 Months)</u> <u>1957</u>	
	<u>No.</u>	<u>Monthly</u> <u>Average</u>	<u>No.</u>	<u>Monthly</u> <u>Average</u>	<u>No.</u>	<u>Monthly</u> <u>Average</u>	<u>No.</u>	<u>Monthly</u> <u>Average</u>
Carloads Fwd.	9	1-	--	--	16	1+	--	--
Carloads Recd.	33	3-	37	3	27	2+	3	1
LCL Shipments Fwd	12	1	16	1+	5	1/2	--	--
LCL Shipments Recd	167	14	179	15	164	13+	14	7
Ticket Sales	--	--	\$47	1 sale	--	--	--	--
Express Revenue	\$523	\$44	\$600	\$50	\$639	\$52	\$69	\$6-

With reference to the above table, it becomes apparent that a work load of some 15 L. C. L. shipments and 3 carloads per month cannot justify the full-time service of an agent. It is proposed that the needs of the public can be adequately served by

the Broomfield station agent. Upon further analysis of the shipping needs, we are aware that in the matter of grain shipments, the routine details of billing can be handled at a station other than the point of origin or destination. With respect to the lumber movements of the remaining major shipper, there are also routine procedures for establishment of credit whereby the customary requirement of prepaid shipments to non-agency stations is waived and no inconvenience is therefore anticipated for this patron.

It is therefore the belief of this Commission that the requested agency withdrawal is compatible with the public interest; that alternate agency facilities will be available and that anticipated station savings will offer an economic gain and thereby foster continued operation of the line.

F I N D I N G S

THE COMMISSION FINDS:

That safe and economical railroad operation does not require the maintenance of an agent at the Lafayette Station, Lafayette, Colorado.

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

That the foregoing Statement, by reference, is made a part of these Findings.

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

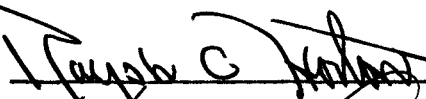


That Applicant, Chicago, Burlington & Quincy Railroad Company be, and it hereby is, authorized to withdraw its agent from the station at Lafayette, Boulder County, Colorado, and to thereafter maintain same as a prepay or non-agency station.

That reference shall be made to this decision in the affected tariff schedules to show the closing of said station and as authority for such action.

That the Commission shall retain jurisdiction in this matter to make such further orders as may be required.

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 24th day of September, 1957.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT SCHNORR, 4333 SHERMAN STREET,)
DENVER, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)
)

APPLICATION NO. 15705

September 24, 1957

Appearances: Robert E. McLean, Esq.,
Denver, Colorado,
for Applicant.

S T A T E M E N T

By the Commission:

This matter was heard on September 19, 1957, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, upon due and proper notice to all interested parties.

This is an application for a certificate of public convenience and necessity, authorizing the transportation of trash, rubbish, ashes, dirt, sod, fertilizer, junk, waste coal, wood waste, cans, debris, limbs, waste building materials, and other forms of waste, from and to points in the City and County of Denver, and from points in the City and County of Denver, Colorado, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe and Jefferson, State of Colorado.

It was established that the applicant commenced service of this nature before the year 1941, and was duly licensed by the City and County of Denver, and that he has been rendering satisfactory service in this area continuously since that date, thereby establishing his "Grandfather Rights" for said service under the

Constitutional Amendment vesting this Commission with jurisdiction over home-rule cities.

The experience and financial ability of the applicant to serve were duly established to the satisfaction of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require the granting of the proposed motor vehicle common carrier service of applicant.

O R D E R

THE COMMISSION ORDERS:

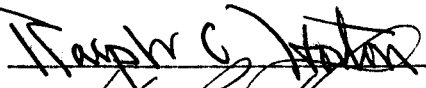
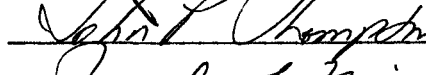
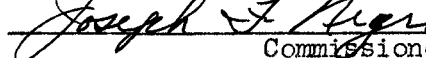
That public convenience and necessity require the proposed common carrier motor vehicle, call and demand service of Robert Schnorr, Denver, Colorado, for the transportation of trash, rubbish, ashes, dirt, sod, fertilizer, junk, waste coal, wood waste, cans, debris, limbs, waste building materials, and other forms of waste, from and to points in the City and County of Denver, and from points in the City and County of Denver, Colorado, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe and Jefferson, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That applicant shall 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 September, 1957.
ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
A. STRICKER, A. STRICKER, JR., AND)	
J. P. GERRINGER, CO-PARTNERS, DOING)	
BUSINESS AS "A. STRICKER & SONS,")	<u>APPLICATION NO. 15651-PP-Extension</u>
4414 DELAWARE STREET, DENVER, COLO-)	
RADO, FOR AUTHORITY TO EXTEND OPERA-)	
TIONS UNDER PERMIT NO. B-4834.)	

September 24, 1957

Appearances: Alex Stricker, Jr., Denver,
Colorado, pro se;
E. B. Evans, Esq., Denver,
Colorado, for Westway
Motor Freight, Inc.

S T A T E M E N T

By the Commission:

This matter was heard on September 19, 1957, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, with due and proper notice to all interested parties.

The applicants, who do business as "A. Sticker & Sons," are the holders of Permit No. B-4834, which provides:

Transportation of drugs and sundries (those items usually sold by wholesale and retail drug stores), from and to the warehouse, or warehouses, of McKesson and Robbins, Inc., to and from retail drug stores, and from and to the warehouse, or warehouses, of Republic Drug Co. and William W. Meyer Drug Stores Co., to and from the retail drug stores of the respective companies, all within the following area, to-wit: the City and County of Denver, Colorado, and all points within a radius of sixteen miles of the intersection of Colfax Avenue and Broadway in said City, with no service authorized west of Simms Street in Jefferson County, Colorado.

Amended nunc pro tunc: Applicants shall not perform service for any customers not hereinabove specifically set forth, without first having obtained authority from this Commission so to do.

This application, as amended at the hearing, seeks to provide for the transportation of pharmaceuticals, drug and drug sundries, from Denver to Golden, Colorado, and intermediate points along U. S. Highway No. 40 on the outgoing trip, and returning via U. S. Highway No. 44. The present authority of the applicant excludes the right to serve west of Simms Street, Denver. The applicant seeks to go into Golden, Colorado, to serve McKesson and Robbins, wholesale druggists of Denver, who have shipments to serve drug stores in Golden and to serve Republic Drug and William W. Myer Drug Stores, who are retailers in the Denver area. It was admitted by the applicant that Republic Drug and William H. Meyer do not have stores in Golden, or between Simms Street and Golden at the present time. The applicant is already engaged in this type of service in other parts of the Denver area, and is rendering that service as the owner of nine trucks ranging from one-half ton panel to a 2½ ton stake truck.

The applicants' present agreement with McKesson and Robbins, which is based upon oral contract, provides for payment to the applicants of 1½% of the gross sales of McKesson and Robbins in the Denver area.

Edward F. Polonis, Division Manager for McKesson and Robbins, testified in support of the application. He stated that two of his competitors give two deliveries to Golden daily; that the present deliveries through Westway Motor Freight, Inc., are inadequate in that they only have one delivery a day to Golden, for the shipper, and that there are times when an emergency special delivery is required. Mr. Polonis stated that McKesson has no drug stores between Simms Street and Golden.

Witness, on cross-examination, did not know how some of his competitors shipped in to Golden, but he did know that one particular drug company used its own truck. He stated that he would require morning and evening deliveries; one at approximately 10:00 to 11:00 A. M., and the other about 4:00 to 6:00 P. M. daily, which requirement he felt was not being fulfilled by the service rendered by Westway Motor Freight, Inc. This shipper provided freight that resulted in an average monthly revenue of about \$30.00 per month.

It was also established that on special emergency service the applicant could haul small packages, approximately one pound in weight, for about \$5.00.

The application was protested by Westway Motor Freight, Inc., and Kenneth Williamson, the Manager thereof, testified in opposition to granting the application. Westway Motor Freight, Inc., is the holder of PUC No. 701, and is a scheduled carrier between Denver and Golden. This carrier has 8 scheduled trips between these two cities, two of which leave at 1:00 P. M. from Denver for Golden, for delivery there between 3:00 and 4:00 P. M., and the other leaves by 3:00 P. M. for delivery at about 4:30 P. M. This carrier likewise provides pick-up and delivery service from the customers' warehouses to the retailer shops. In addition it proposes a tariff that will provide dock to dock service, with pick-up and delivery to be assumed by the customer at a lower tariff than those presently on file.

Mr. Williamson stated that he has handled some freight for McKesson and Robbins; that he knows of no complaints that have ever been made about the service. He was fully aware of the demands and requirements of McKesson and Robbins and he stated that Westway stands ready, willing, and able at all times to render the service required by McKesson and Robbins Drug Company.

Mr. Williamson further testified that Westway Motor Freight, Inc., has been operating with very slight profits since the first of

the year and that although the revenues to be derived from this operation are apparently small, it would nevertheless adversely affect Westway Motor Freight, Inc., and contribute to the impairment of its ability to render its common carrier service.

F I N D I N G S

THE COMMISSION FINDS:

That there is insufficient evidence to establish the need for the type of authority sought to be obtained by this application, or any part thereof; that the service sought to be rendered is incompatible with the public interest; that it would adversely affect the ability of a scheduled common carrier to serve the general public; that there is no showing that the service sought to be rendered by the application cannot and is not now already being rendered by authorized common carriers.

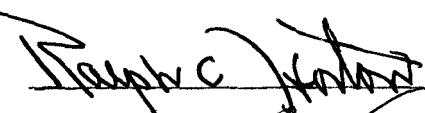

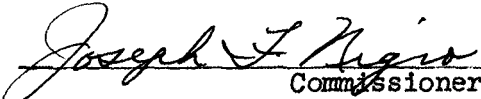
O R D E R

THE COMMISSION ORDERS:

That the instant application should be, and 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 September, 1957.

mls

original

(Decision No. 48782)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ELVIN HIZEL, 4165 MARSHALL STREET,)	
WHEATRIDGE, COLORADO, FOR A CERTIFI-)	APPLICATION NO. 15704
CATE OF PUBLIC CONVENIENCE AND NEC-)	
CESSITY TO OPERATE AS A COMMON CARRIER)	
BY MOTOR VEHICLE FOR HIRE.)	
-----)	

September 24, 1957

Appearances: Robert E. McLean, Esq.,
Denver, Colorado,
for Applicant.

S T A T E M E N T

By the Commission:

This matter was heard on September 19, 1957, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, upon due and proper notice to all interested parties.

This is an application for a certificate of public convenience and necessity, authorizing the transportation of trash, rubbish, ashes, dirt, sod, fertilizer, junk, waste coal, wood waste, cans, debris, limbs, waste building materials, and other forms of waste, from and to points in the City and County of Denver, and from points in the City and County of Denver, Colorado, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe and Jefferson, State of Colorado.

It was established that the applicant commenced service of this nature before November 1, 1954, and was duly licensed by the City and County of Denver, and that he has been rendering satisfactory service in this area continuously since that date, thereby establishing his "Grandfather Rights" for said service under the Constitutional Amendment vesting this Commission with jurisdiction over home-rule cities.

The experience and financial ability of the applicant to serve were duly established to the satisfaction of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require the granting of the proposed motor vehicle common carrier service of applicant.

O R D E R

THE COMMISSION ORDERS:


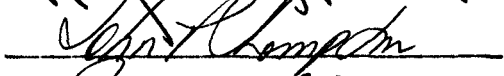
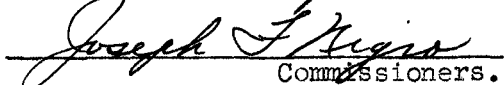
That public convenience and necessity require the proposed common carrier motor vehicle, call and demand service of Elvin Hizel, Wheatridge, Colorado, for the transportation of trash, rubbish, ashes, dirt, sod, fertilizer, junk, waste coal, wood waste, cans, debris, limbs, waste building materials, and other forms of waste, from and to points in the City and County of Denver, and from points in the City and County of Denver, Colorado, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe and Jefferson, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That applicant shall 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 September, 1957.
ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JESS V. MC KINSTER, PARKER, COLO-)	
RADO, FOR A CLASS "B" PERMIT TO)	
OPERATE AS A PRIVATE CARRIER BY)	
MOTOR VEHICLE FOR HIRE.)	<u>APPLICATION NO. 15709-PP</u>
-----)	

September 24, 1957

Appearances: Jess V. McKinster, Parker,
Colorado, pro se.

S T A T E M E N T

By the Commission:

This matter was heard on September 19, 1957, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, upon due and proper notice to all interested parties.

This is an application for authority to operate as a private carrier, for the transportation of live poultry and live turkeys, from all points in Colorado, to Barber's Poultry, Inc., near Broomfield, Colorado, as directed by the customer.

The applicant is the holder of PUC Nos. 491, 491-I, and 37, based in Parker, Colorado. His present common carrier authority is for general freight in limited areas, but does not include Broomfield. He has a contract to serve his only customer, Barber's Poultry, Inc., for the purpose of going to all points in the State of Colorado and picking up and delivering to Barber's Poultry, Inc., only, live poultry.

Russell Earl Barber, owner of Barber's Poultry, Inc., testified in support of the application to the effect that the handling of live poultry requires specialized custom service. His sources of supply are farms and wholesalers all over the State of Colorado, often in many points not accessible to motor service by

common carrier, whether truck or rail. The crating, packing and handling of live poultry is a highly-specialized and delicate operation. Great care must be exercised by the transporter not to bruise the birds, nor to overpack, which will result in the death of many birds from suffocation. Care must also be exercised in the transportation of poultry that death in transit is reduced to a minimum. Barber's Poultry, Inc., requires the service in the conduct of their business as a poultry processor.

It is obvious that the type of service sought to be rendered by virtue of this application is that of a highly specialized carrier which can in nowise be rendered by the ordinary common carrier.

The financial ability and experience of the applicant were established to the satisfaction of the Commission. The applicant likewise stated that he will comply with all rules and regulations of the Commission, and especially with regard to the commencement of his private carrier authority with his common carrier authority, and with a dedication of equipment to the public service under the respective authorities.

F I N D I N G S

THE COMMISSION FINDS:

That the application is compatible with the public interest; that the service to be rendered is of a highly specialized nature that can be handled by only a private carrier; that the granting of this application will not impair the ability of a common carrier to render service; that the application should be granted.

O R D E R

THE COMMISSION ORDERS:

That Jess V. McKinster, Parker, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier for hire for the transportation of live poultry and live turkeys from all points

in the State of Colorado, to Barber's Poultry, Inc., near Broomfield, Jefferson County, Colorado, for Barber's Poultry, Inc., only.

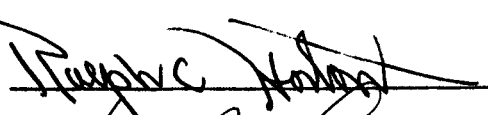


That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 24th day of September, 1957.

ea

original

(Decision No. 48784)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF ISSUANCE OF)	
TEMPORARY CERTIFICATES OF)	
PUBLIC CONVENIENCE AND NEC-)	
ESSITY UNDER CHAPTER 80,)	<u>APPLICATION NO. 15760</u>
SESSION LAWS OF COLORADO, 1951,)	
FOR EMERGENCY MOVEMENT OF)	
MILLET AND SORGHUM.)	
-----)	

September 20, 1957

S T A T E M E N T

By the Commission:

Report has been received by the Commission from Louis J. Carter, Supervisor, Complaint and Investigation Division of this Commission, to the effect that an emergency exists in the matter of trucks for transportation of millet and sorghum in the Counties of Weld, Logan, Sedgwick, Phillips, Morgan, Washington, and Yuma, State of Colorado, and that said emergency will continue for a period of approximately thirty days.

Request is made for an Order of the Commission relative to issuance of temporary certificates of public convenience and necessity for seasonal transportation of said crops in the territory described.

F I N D I N G S

THE COMMISSION FINDS:

That an emergency exists because of the shortage in certificated trucks for the transportation of millet and sorghum in the territory above described, and that public convenience and necessity require that temporary certificates should issue for the operation of motor vehicles, for transportation of said crops to market or place of storage, as provided by Chapter 80, Session Laws

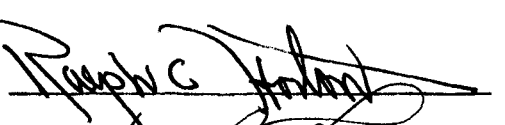
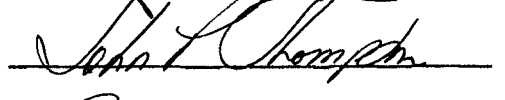

of 1951, said certificates to become effective on September 23, 1957, and to remain in force to and including October 23, 1957.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity be, and they hereby are, authorized to be issued for the operation of motor vehicles, for the transportation of millet and sorghum, to market or place of storage, in the Counties of Weld, Logan, Sedgwick, Phillips, Morgan, Washington, and Yuma, State of Colorado, said certificates to become effective September 23, 1957, and to continue in force up to and including October 23, 1957, no such certificate to issue for the transportation of such products by motor vehicle to any point beyond the boundaries of the State of Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 20th day of September, 1957.

ea

original

(Decision No. 48785)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
SOUTHERN UNION GAS COMPANY, DALLAS,)
TEXAS, FOR AUTHORITY TO ISSUE) APPLICATION NO. 15702-Securities
CERTAIN SECURITIES.)
-----)

September 25, 1957

Appearances: Willis L. Lea, Jr., Esq.,
Dallas, Texas, and
Barry, Hupp and Dawkins,
Esqs., Denver, Colo-
rado, for Applicant;
J. M. McNulty, Denver,
Colorado, and
E. R. Thompson, Denver,
Colorado, for the
Commission.

S T A T E M E N T

By the Commission:

This application was filed September 4, 1957, set for hearing on September 16, 1957, at 9:30 o'clock A. M., at 330 State Office Building, Denver, Colorado, and at that time and place was heard and taken under advisement by the Commission.

Southern Union Gas Company, the Applicant herein, seeks authority of the Commission to issue and sell:

(a) 30,000 shares of its Preferred Stock, par value \$100 per share, such Preferred Stock to have a dividend rate of not to exceed $6\frac{1}{2}\%$ per annum, and to be sold for cash at a price of not less than par plus dividends accrued from the preceding regular quarterly dividend accrual date, and the application of the proceeds from such sale to the purposes herein specified; and

(b) Not to exceed \$9,000,000 principal amount of its sinking fund Debentures, to be dated on or about

October 1, 1957, and to be due on or about October 1, 1977, for cash at a price of not less than 98% of principal amount plus interest accrued from the date borne by the Debentures, such Debentures to bear interest at a rate of not to exceed $6\frac{1}{4}\%$ per annum, and the application of the proceeds from said sale to the purposes herein specified.

Applicant requested that the matters be heard jointly for the issue and sale of the preferred stock and the sinking fund debentures, and that separate decisions and orders be forthcoming from the Commission. The decision and order to follow herein refers only to the issue and sale of the Preferred Stock, par value \$100.

Applicant is a corporation, organized, created and existing under the laws of the State of Delaware, and is now lawfully transacting a public utility business in the State of Colorado, owning and operating a gas transportation and distribution system, serving Durango and vicinity. It is also extensively engaged in the operation of natural gas properties located in Texas, New Mexico and Arizona.

The evidence shows that the Applicant proposes to create out of its authorized and unissued cumulative preferred stock, par value \$100 per share, an additional series of preferred stock consisting of 30,000 shares with a dividend rate of $6\frac{1}{4}\%$ per annum (such shares being hereinafter referred to as the "Preferred Stock").

The proceeds from sale of the Preferred Stock will be initially added to the Applicant's general funds and later expended for the acquisition of property or the construction, completion, extension or improvement of the Applicant's facilities and service, both in Colorado and in the other states in which the Applicant is now operating, and/or in reimbursement of its treasury for a portion of the moneys actually expended for the same purposes from income of the Applicant or from other moneys

in its treasury not secured by or obtained from the issue, assumption or guarantee of securities within five years prior to the filing hereof.

The Applicant's capital structure is as follows:

	<u>June 30,</u> <u>1957</u>	<u>% of</u> <u>Total</u>	<u>Pro-forma after</u> <u>Preferred Stock</u> <u>Issue</u>	<u>% of</u> <u>Total</u>
<u>EQUITY CAPITAL</u>				
Preferred Stock	\$15,094,100	18.81	\$18,094,100	21.73
Common Stock	<u>27,069,740.30</u>	<u>33.73</u>	<u>27,069,740.30</u>	<u>32.52</u>
Total Equity Capital	42,163,840.30	52.54	45,163,840.30	54.25
<u>LONG TERM DEBT</u>	<u>38,085,004.58</u>	<u>47.46</u>	<u>38,085,004.58</u>	<u>45.75</u>
<u>TOTAL CAPITAL</u> <u>STRUCTURE</u>	<u>80,248,844.88</u>	<u>100.00</u>	<u>83,248,844.88</u>	<u>100.00</u>

F I N D I N G S

After careful consideration of the evidence adduced, and of the files, records and proceedings herein, the Commission is of the opinion, and finds:

1. That the Commission has jurisdiction over and with respect to Southern Union Gas Company, in certain of its operations, and that its interests and the interests of its consumers will not be adversely affected by the proposed transactions, or any of them; that the proposed transactions, and the purposes for which the securities referred to are to be issued, are consistent with and permitted by the provisions of the 1953 Colorado Revised Statutes, 115-1-4, and are consistent with the public interest; and that the application to be made of such securities, or the proceeds thereof, is permitted by applicable laws of Colorado.

2. 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:

1. To the full extent that approval and authorization are required by the laws of Colorado, Southern Union Gas Company be, and it hereby is, authorized to issue and sell 30,000 shares of its cumulative preferred stock, par value \$100 per share, for cash at a price of par plus dividends accrued from the preceding regularly quarterly dividend accrual date, such shares of preferred stock to have an annual dividend rate of $6\frac{1}{4}\%$ and to apply the proceeds from the sale thereof, all in the manner specified in the application;

2. That Southern Union Gas Company shall not pay underwriting fees and commissions in excess of one per cent (1%) of the aggregate par value of the preferred stock;

3. That Southern Union Gas Company be, and it is hereby authorized to take such further steps and actions as may, in conformity with applicable law and regulations, be necessary, incident, or appropriate to the full accomplishment of the transactions, or any of them, hereinabove approved and authorized;

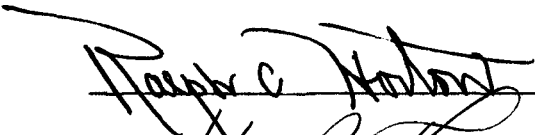

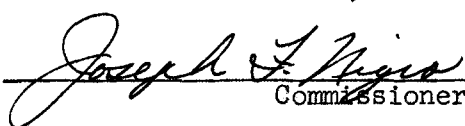
4. That within ninety (90) days from and after the consummation of the issuance of preferred stock herein authorized, and in any event, on or before February 1, 1958, Southern Union Gas Company shall file its report with the Commission, showing confirmation of such transaction, together with an itemized statement of the expenses incurred in said issuance;

5. That each of the preferred stock certificates initially issued by applicant pursuant to the authority granted herein shall be identified by a legend appearing thereon, as follows: "Colo. PUC No. 15702"; and

6. That nothing herein shall be construed to imply any recommendations or guaranty of, or any obligation with respect to, any of the aforesaid securities or the payments of dividends thereon, on the part of the State of Colorado.

Authority herein granted shall be effective and
exercisable from and after this date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 25th day of September, 1957.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INVESTIGATION AND SUSPENSION OF)
TEMPORARY RIDER EMERGENCY GAS RATE)
ADJUSTMENT OF COLORADO P. U. C.)
TARIFF NO. 1 OF THE CITY OF COLO-)
RADO SPRINGS DEPARTMENT OF PUBLIC)
UTILITIES.)

INVESTIGATION AND SUSPENSION
DOCKET NO. 405

September 25, 1957

Appearances: Louis Johnson, Esq., Colorado
Springs, Colorado, for the
City of Colorado Springs;
P. M. Brown, 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 July 23, 1957, Mr. R. D. Nixon, Director of the Department of Public Utilities of the City of Colorado Springs, filed with The Public Utilities Commission of the State of Colorado, a Temporary Rider Emergency Gas Rate Adjustment to the City of Colorado Springs, Colorado, P. U. C. Tariff No. 1, proposing to increase the rates for all gas sold for residential and commercial gas service, \$0.003 per 100 cubic feet of gas used per month for all gas under its General Service Schedule No. 1 for domestic or commercial service, being Original Sheet No. 2 and on interruptible, industrial service, Schedule No. 2, being its Original Tariff Sheets Nos. 3, 3A and 3B. The Proposed Temporary Rider, as filed, would become effective on August 24, 1957, unless otherwise ordered. The Temporary Rider as filed with the Commission would be applicable to the above schedules in the Tariff for that portion of the gas sold outside of the corporate limits of the City of Colorado Springs, since the Commission has

no jurisdiction as to rates and charges by the City inside of its corporate limits.

In filing the proposed Emergency Gas Rate Adjustment, the City of Colorado Springs followed Rule 17 (2) of the Commission's "Rules of Practice and Procedure." Also, in compliance with said rule, the Department of Public Utilities notified all of its customers under Commission jurisdiction of the filing with the Commission of the proposed increase in rates. No protests were received by the Commission from any customers under Commission jurisdiction, nevertheless the Commission on its own motion decided to suspend the proposed Emergency Gas Rate increase and to hold a hearing in regard to this matter.

The Commission by order dated August 23, 1957, Decision No. 48569, suspended the proposed temporary gas rate increase as said increase would apply to those gas customers residing outside the corporate limits, for a period of one hundred twenty days from the effective date of the proposed increase, or until December 22, 1957, unless otherwise ordered. By the same order the Commission set the matter down for hearing in the Council Chambers, City Hall, Colorado Springs, Colorado, on September 13, 1957, at ten o'clock A. M. At said time and place the matter was duly heard by the Commission and then taken under advisement.

The gas department of the City of Colorado Springs operates outside the corporate limits of said City in supplying gas service to its customers under a certificate of public convenience and necessity issued by this Commission and, consequently the matter of rates, rules and regulations in said area are subject to the jurisdiction of this Commission.

The City obtains its natural gas for distribution and sale from the Colorado Interstate Gas Company, an interstate gas pipeline company, whose rates and charges for natural gas sold to the City are

subject to the jurisdiction of the Federal Power Commission.

On December 17, 1956, Colorado Interstate Gas tendered to the Federal Power Commission for filing in FPC Docket G-11717, certain revised tariff sheets proposing an increase in its rates and charges for gas sold for resale, subject to the jurisdiction of the Federal Power Commission, including an increase in its rates and charges for natural gas furnished to the Department of Public Utilities of the City of Colorado Springs. Such rates as were subject to the suspension were suspended until July 1, 1957, by order of the Federal Power Commission issued January 10, 1957. In accordance with the provision of the Natural Gas Act, Colorado Interstate filed a motion with the Federal Power Commission wherein Colorado Interstate notified the Federal Power Commission that the proposed rates would go into effect on July 1, 1957.

Testimony at the hearing revealed that as a result of the increased cost of gas to the City, the City would have to pay an additional \$295,887 on an annual basis for its gas. This would amount to \$.0310 per 1000 cubic feet of gas and the City proposes to increase its gas rates \$.03 per 1000 cubic feet in order to recoup this increased charge.

The gas department of the City has been rendering gas service to its customers at a uniform rate both in and out of the City to its customers and the City Council by ordinance has already approved the pass on of \$.03 per thousand cubic feet of gas to all customers residing inside the corporate limits.

Exhibit No. 1, introduced by the City at the hearing, reveals that of the total amount of increased cost of gas in the amount of \$295,887, \$118,355 is allocated to the customers outside the corporate limits. If the City were to absorb this increased cost of gas, it would be earning 4.98% on the net original cost of the facilities supplying service outside the corporate limits. The witness for Appli-

cant testified that it was his opinion that the City could not afford to absorb this additional cost of gas and, therefore he believed that the Commission should authorize the pass-on to the customer of this increase. The witness further testified that there had been two previous additional increases in the cost of gas to the City as a result of rate filings of Colorado Interstate Gas with the Federal Power Commission and the City has absorbed these increases without a pass-on to the customer. Because of these prior increases, the City now finds itself in a position where it cannot afford to continue to absorb the additional cost. While the witness could not state definitely what policy the City might follow in the event there might be a rebate, it was his opinion that the ultimate consumer would be re-imbursed in the event the Federal Power Commission disallowed any or all of the proposed increase in rates. In other words, the witness felt that this increase was in the nature of a temporary adjustment and if the City were allowed to pass on the increase, the rebate in turn, if any, would also go to the customer.

The staff of the Commission also presented testimony at the hearing, together with an exhibit that substantiated the position of the City as far as the results obtained if the City were to absorb the increased cost of gas.

From the evidence adduced at the hearing, we believe that the Gas Division of the Department of Public Utilities of the City of Colorado Springs should be permitted to pass on to its customers the increased cost of gas in the amount of \$.003 per hundred cubic feet, being substantially the amount of the increased cost of gas to the City as a result of the filing with the Federal Power Commission of Colorado Interstate Gas Co. At the time that the rates in Federal Power Commission Docket No. G-11717 become final, this Commission can then review the gas rate adjustment to make such final orders in the matter as it deems necessary.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of the Gas Division of the Department of Public Utilities of the City of Colorado Springs outside of the corporate limits of said City and of the rates of said Department in the territory outside the corporate limits.

That the proposed temporary rider of the Emergency Gas Rate Adjustment of the City of Colorado Springs Department of Public Utilities is just and reasonable, non-discriminatory and non-preferential and should be permitted to be filed and become effective as hereinafter ordered.

That said temporary rider should be permitted to remain in force and effect until final determination of the rates of Colorado Interstate is made by the Federal Power Commission in FPC Docket N . G-11717, at which time said adjustment should be reviewed by this Commission and a determination made of any refunds that may be due to customers of the Gas Division of the Department of Public Utilities of the City of Colorado Springs as a result of final settlement of this matter.

O R D E R

THE COMMISSION ORDERS:

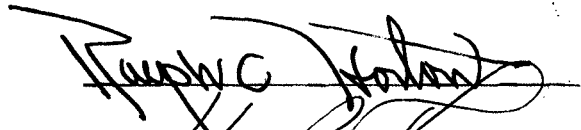
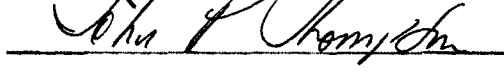

That a proposed temporary rider, Emergency Gas Rate Adjustment, to be designated as Original Sheet No. 7 as a part of the gas tariff of the City of Colorado Springs Department of Public Utilities, Colorado P. U. C. No. 1, be, and the same is hereby, declared to be just and reasonable, non-discriminatory and non-preferential, and said proposed temporary rider be, and the same is hereby, permitted to be filed on not less than one days notice to the public and the Commission to become effective on October 1, 1957, for all gas sold on or after said effective date.

That said temporary rider be, and the same is hereby, permitted to remain in force and effect until final determination of the rates of Colorado Interstate is made by the Federal Power Commission in FPC Docket No. G-11717, at which time said adjustment shall be reviewed by this Commission and a determination made of any refunds that may be due to customers of the Gas Division of the Department of Public Utilities of the City of Colorado Springs as a result of final settlement of this matter.

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

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 25th day of September, 1957.

mls

original

(Decision No. 48787)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HUGO L. WILLIS, POST OFFICE BOX 122,)
SILVERTON, COLORADO, FOR A CERTIFI-)
CATE OF PUBLIC CONVENIENCE AND NE-)
CESSITY TO OPERATE AS A COMMON CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 14892

September 17, 1957

Appearances: Truman A. Stockton, Jr., Esq.,
Denver, Colorado, for Appli-
cant.

S T A T E M E N T

By the Commission:

On September 5, 1957, the Commission set the above-styled application for hearing before the Commission, at the Court House, Durango, Colorado, September 17, 1957, at 1:30 o'clock P. M., due notice thereof being forwarded to all parties in interest.

The Commission is now in receipt of a communication from Truman A. Stockton, Jr., Attorney for Applicant herein, requesting dismissal of said application.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

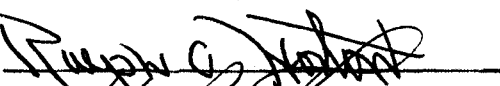
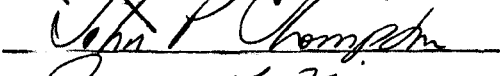
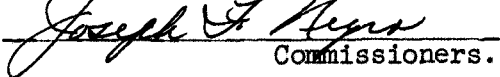
O R D E R

THE COMMISSION ORDERS:

That Application No. 14892 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 17th day of September, 1957.
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CLIMAX TRUCK LINE, INC., 5460 COLO-)
RADO BOULEVARD, DENVER, COLORADO,) APPLICATION NO. 15711-Extension
FOR AUTHORITY TO OPERATE OVER U. S.)
HIGHWAY NO. 6 AS AN ALTERNATE ROUTE,)
UNDER PUC NO. 1195.)

IN THE MATTER OF THE APPLICATION OF)
CLIMAX TRUCK LINE, INC., 5460 COLO-)
RADO BOULEVARD, DENVER, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CONVEN-) APPLICATION NO. 15712-Extension
IENCE AND NECESSITY, AUTHORIZING)
EXTENSION OF OPERATIONS UNDER PUC)
NO. 1195.)

September 25, 1957

Appearances: Stockton, Linville & Lewis,
Esqs., Denver, Colorado,
for Applicant;
Marion Smyser, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc.; and Lar-
son Transportation Co.;
A. J. Fregeau, Denver, Colo-
rado, for Weicker Transfer
and Storage Company;
Howard Yelverton, Denver,
Colorado, for Goldstein
Transportation and Storage,
Inc.;
H. D. Hicks, Denver, Colorado,
for Centennial Truck Lines.

S T A T E M E N T

By the Commission:

By Application No. 15711, applicant herein seeks authority
from this Commission to operate over U. S. Highway No. 6, as an al-
ternate route, only, between Denver and the junction of U. S. Highway
No. 6 and U. S. Highway No. 40, west of Floyd Hill, under PUC No.
1195.

By Application No. 15712, applicant herein seeks a certifi-

cate of public convenience and necessity, authorizing the extension of operations under PUC No. 1195 to include the transportation of general commodities, within a five-mile radius of Denver on shipments which have had either a prior or subsequent movement on Applicant's line of service.

Both applications were set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 20, 1957, and were consolidated for hearing, heard, and taken under advisement.

Barbara Ashlock, who is terminal manager of the applicant Company, appeared in support of the applications and testified that in their operation they needed authority to operate over U. S. Highway No. 6 as an alternate route, and that they also need authority to originate and terminate shipments within five miles of Denver, when such shipments have had a prior or a subsequent movement on applicant's lines.

Henry G. Durkop, Expediter for Climax Molybdenum Company, testified in support of both applications.

No one appeared in protest to the granting of the applications.

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 extended service of the applicant 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 extended motor vehicle common carrier call and demand service of

Climax Truck Line, Inc., Denver, Colorado, under PUC No. 1195, Application No. 15711, to include the alternate route over U. S. Highway No. 6, between Denver and the junction of U. S. Highway No. 6 and U. S. Highway No. 40, west of Floyd Hill, 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 extended motor vehicle common carrier call and demand service of Climax Truck Line, Inc., Denver, Colorado, under PUC No. 1195, Application No. 15712, to include the transportation of general commodities, within a five-mile radius of Denver on shipments which have had either a prior or subsequent movement on applicant's line haul service, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

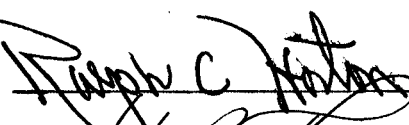

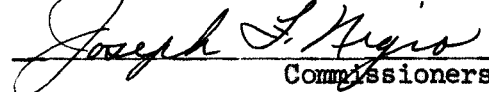
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 25th day of September, 1957.

mls

original

(Decision No. 48789)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES W. HARRIS, 201 NO. PUBLIC ROAD,)
LAFAYETTE, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 15707-PP

September 26, 1957

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, mixer and processing plants within a radius of fifty miles of said pits and supply points, sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 19, 1957, due notice of the time and place being forwarded to all parties in interest.

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

The files were made a part of the record and the matter was taken under advisement.

No one appeared in opposition to the granting of the authority sought, and it did not appear that the granting of said permit, and operations by applicant thereunder, will tend to impair the efficiency of any common carrier service with which he will compete.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Charles W. Harris, Lafayette, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations hereunder to be limited to the use of dump trucks only.

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

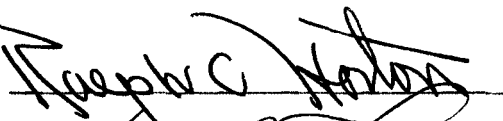
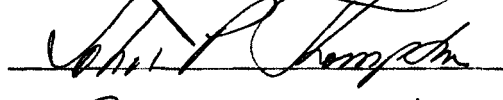

That this Order is the permit herein provided for, but it

shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 26th day of September, 1957.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) ERNEST SILVA, 2643 CALIFORNIA) STREET, DENVER, COLORADO, FOR A) CLASS "B" PERMIT TO OPERATE AS A) PRIVATE CARRIER BY MOTOR VEHICLE) FOR HIRE.)	<u>APPLICATION NO. 15710-PP</u>

September 26, 1957

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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 19, 1957, due notice of the time and place being forwarded to all parties in interest.

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

The files were made a part of the record and the matter was taken under advisement.

No one appeared in opposition to the granting of the authority sought, and it did not appear that the granting of said permit, and operations by applicant thereunder, will tend to impair the efficiency of any common carrier service with which he will compete.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That Ernest Silva, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations hereunder to be limited to the use of dump trucks only.

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

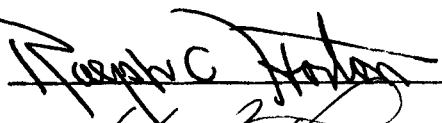

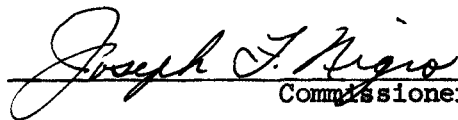
That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of

his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 26th day of September, 1957.

mls

original

(Decision No. 48791)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
W. O. JACKSON, BOX 217, ENGLEWOOD,
COLORADO, FOR A CLASS "B" PERMIT TO
OPERATE AS A PRIVATE CARRIER BY
MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 15717-PP

September 26, 1957

Appearances: W. O. Jackson, Englewood,
Colorado, pro se;
B. F. Smith, Denver, Colo-
rado, for R. B. "Dick"
Wilson, 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 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, September 20, 1957, at 10:00 o'clock A. M., due notice thereof being forwarded to all parties in interest.

Applicant, appearing in his own behalf, testified as to his equipment, operating experience and financial responsibility. He agreed to limit his operations to the use of dump trucks only, whereupon all protests were withdrawn.

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

The operating experience and financial stability of applicant were established to the satisfaction of the Commission, and it appears that he has ample equipment with which to carry on his proposed operations.

F I N D I N G S

THE COMMISSION FINDS:

That authority herein sought should be granted, as limited in the Order following.

O R D E R

THE COMMISSION ORDERS:

That W. O. Jackson, Box 217, Englewood, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, said operations to be

limited to the use of dump trucks only.

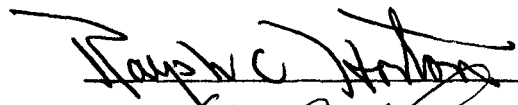

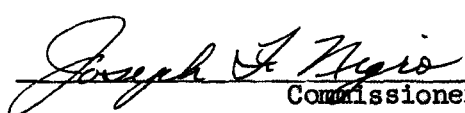
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 26th day of September, 1957.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MYRON H. BURNETT, RECEIVER FOR FRED)
W. SCHULTZ, DOING BUSINESS AS)
"DENVER-PUEBLO TRUCK LINES," 204)
MIDLAND SAVINGS BUILDING, DENVER,)
COLORADO, FOR REINSTATEMENT OF PER-)
MIT NO. A-607.)

APPLICATION NO. 15664-PP
CASE NO. 849-CL
PERMIT NO. A-607

IN THE MATTER OF THE APPLICATION OF)
MYRON H. BURNETT, RECEIVER FOR FRED)
W. SCHULTZ, DOING BUSINESS AS)
"DENVER-PUEBLO TRUCK LINES," 204)
MIDLAND SAVINGS BUILDING, DENVER,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PERMIT NO. A-607 TO GEORGE P. MC)
LAUGHLIN, DOING BUSINESS AS)
"CLEMENTI & SONS TRUCK LINE," P. O.)
BOX 1256, PUEBLO, COLORADO.)

APPLICATION NO. 15750-Transfer

September 26, 1957

Appearances: John F. Mueller, Esq., Denver,
Colorado, for Applicant;
John R. Barry, Esq., Denver,
Colorado, for Clementi &
Sons Truck Line;
Marion F. Jones, Esq., Denver,
Colorado, for Wright Motor
Line;
Raymond B. Danks, Esq., Denver,
Colorado, and
Howard Hicks, Denver, Colorado,
for Centennial Truck Line;
Ernest Porter, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc.;
Howard Yelverton, Denver, Colo-
rado, for Goldstein Trans-
portation and Storage, Inc.;
A. J. Fregeau, Denver, Colorado,
for Weicker Transfer and Stor-
age Company;
Robert L. Harris, Las Animas,
Colorado, for Las Animas Trans-
fer and Storage Company.

S T A T E M E N T

By the Commission:

On September 18, 1957, the Commission entered its Decision

No. 48738 in the above-styled matters, setting same for hearing before the Commission, October 3, 1957, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, at ten o'clock A. M.

The Commission is now in receipt of a request from Myron H. Burnett, Receiver for Fred W. Schultz, doing business as "Denver-Pueblo Truck Lines," Denver, Colorado, that hearing on Application No. 15664-PP be vacated, said matter to be re-set for hearing at a later date to be determined by the Commission.

The Commission is also in receipt of "Motion to Dismiss" Application No. 15750, filed by Barry, Hupp and Dawkins, Attorneys for George P. McLaughlin, doing business as "Clementi & Sons Truck Line," Pueblo, Colorado.

F I N D I N G S

THE COMMISSION FINDS:

That said requests should be granted.

O R D E R

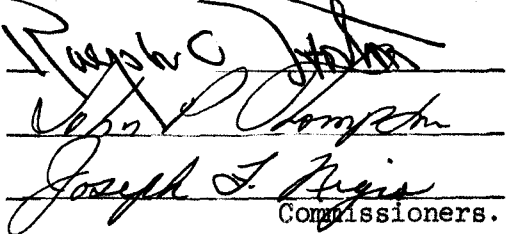
THE COMMISSION ORDERS:

That hearing on Application No. 15664-PP, presently set for October 3, 1957, should be, and the same hereby is, vacated, said matter to be set for hearing October 28, 1957, at 10:00 o'clock A. M., at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado.

That Application No. 15750 should be, and the same hereby is, dismissed, without prejudice, at request of Attorney for 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 26th day of September, 1957.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PUBLIC SERVICE COMPANY OF COLORADO,)
GAS & ELECTRIC BUILDING, DENVER,)
COLORADO, FOR A CERTIFICATE OF CON-)
VENIENCE AND NECESSITY TO EXERCISE) APPLICATION NO. 15596
FRANCHISE RIGHTS IN THE TOWN OF)
ALMA, COUNTY OF PARK, STATE OF COLO-)
RADO, FOR THE PURCHASE, GENERATION,)
TRANSMISSION, DISTRIBUTION, AND SALE)
OF ELECTRICITY IN SAID TOWN AND IN)
THE AREA CONTIGUOUS THERETO.)
-----)

September 26, 1957

Appearances: Lee, Bryans, Kelly and Stansfield,
Esqs., by Bryant O'Donnell, Esq.,
Denver, Colorado, for Public
Service Company of Colorado;
J. M. McNulty, Denver, Colorado,
and
E. R. Thompson, Denver, Colorado,
for the Commission.

S T A T E M E N T

By the Commission:

This is an application by the Public Service Company
of Colorado for a certificate of public convenience and necessity,
seeking authority from this Commission to exercise franchise
rights granted by the Board of Trustees of the Town of Alma, Park
County, Colorado, in and by Ordinance No. 36, of May 7, 1957,
for the purchase, generation, transmission, distribution and sale
of electricity in said Town of Alma, as well as the right to
serve electricity in the area contiguous thereto.

After due notice to all interested parties, the matter
was set for hearing, and heard, on September 16, 1957, in the
Hearing Room of the Commission, 330 State Office Building, Denver,
Colorado, and was there taken under advisement.

Applicant is a corporation, duly organized and existing under the laws of the State of Colorado, with authority to do business in said state, and its Articles of Incorporation, together with all the amendments thereto, have heretofore been filed with this Commission.

Applicant is a public utility, as defined in Chapter 115-1-3, CRS 1953, and is engaged in the business of manufacturing, transmitting, and distributing electricity and gas to the various cities, towns, and communities in divers counties of the State. The post office address and principal office of applicant is the Gas and Electric Building, Denver, Colorado.

Evidence at the hearing disclosed that Applicant has been serving electricity in the Town of Alma under the terms and conditions of an electric franchise (the terms of which had not yet expired), which had been granted to the Park Power Company by an ordinance dated April 4, 1933, and sold and assigned to Applicant by Herman Bergstrand, the owner of said Park Power Company, on December 28, 1937. That said Herman Bergstrand and a partner, N. V. Anderson, doing business as the Park Power Company, had been authorized to serve in said Town by Certificate of Convenience and Necessity of this Commission, Application 1567, Decision 2901, of May 21, 1930. Prior to the expiration of the terms of the said franchise, Applicant was granted a new franchise by the Board of Trustees of the Town of Alma for the purpose of furnishing electric service to said Town and the inhabitants thereof in and by virtue of Ordinance No. 36, dated May 7, 1957. Ordinance No. 36 is entitled as follows:

AN ORDINANCE GRANTING A FRANCHISE BY THE TOWN OF ALMA, PARK COUNTY, COLORADO, TO PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO LOCATE, BUILD, CONSTRUCT, ACQUIRE, PURCHASE, MAINTAIN AND OPERATE INTO, WITHIN AND THROUGH THE TOWN OF ALMA, A PLANT OR PLANTS, SUBSTATIONS, AND WORKS, FOR THE PURCHASE, GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRICAL

ENERGY, AND TO FURNISH, SELL AND DISTRIBUTE SAID ELECTRICAL ENERGY TO THE TOWN OF ALMA, AND THE INHABITANTS THEREOF, FOR LIGHT, HEAT, AND POWER OR OTHER PURPOSES BY MEANS OF CONDUITS, CABLES, POLES AND WIRES STRUNG THEREON, OR OTHERWISE, ON, OVER, UNDER, ALONG, ACROSS AND THROUGH ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES, AND OTHER PUBLIC WAYS AND PLACES IN SAID TOWN OF ALMA, AND FIXING THE TERMS AND CONDITIONS THEREOF.

The above entitled Ordinance is for a period of twenty-five (25) years from and after its passage. A copy of said Ordinance, marked Exhibit "A," together with copies of documents certifying proper procedure in passage, are all attached to the instant application, and, by reference, made a part hereof.

Applicant is, at the present time, rendering electric service in the Town of Alma and in the area contiguous to said town. Exhibit B, introduced by Applicant at the hearing, is a map showing the primary electric distribution system in the town, and Exhibit C, is a map showing the facilities of Applicant in areas outside of the town. Further testimony at the hearing disclosed that the Town of Alma had an estimated population of 170, and that the Company is presently serving 81 residential customers in said town. The witness for the Company estimated that during the life of the present franchise, the Company would spend not more than \$2,500 for additional facilities in the Town of Alma.

There are no other public utilities engaged in the business of distributing or selling electricity in the Town of Alma, and no one appeared at the hearing in opposition to the granting of the authority sought.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of Applicant herein, Public Service Company of Colorado, and of the subject matter of the instant application.

That the Commission is fully advised in the premises.

That the foregoing Statement should be made a part hereof by reference.

That the public convenience and necessity require and will require the exercise by Public Service Company of Colorado of the franchise rights granted by Ordinance No. 36, of May 7, 1957.

O R D E R

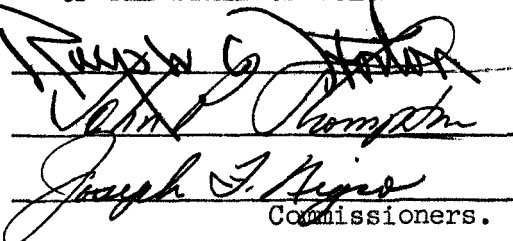
THE COMMISSION ORDERS:

That public convenience and necessity require, and will require, the exercise of the franchise rights granted to the Public Service Company of Colorado, in and by Ordinance No. 36, of May 7, 1957, attached to the application herein as Exhibit A, which, by reference, is made a part hereof, for the purchase, generation, transmission, distribution, and sale of electricity in the Town of Alma and in the area contiguous to said Town of Alma, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That Applicant shall continue to operate and maintain its electric system and render service in the area hereinabove described, in accordance with the rate schedules, rules and regulations, service connection and main extension policies as are now or hereafter in effect and on file with the Commission, and shall continue to maintain its books and accounts in agreement with the Uniform System of Accounts, and its practices as to testing of meters, consumers' deposits and operations, records of meters and complaints shall be in compliance with the Commission's requirements.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

Dated at Denver, Colorado,
this 26th day of September, 1957.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PUBLIC SERVICE COMPANY OF COLORADO,)
GAS AND ELECTRIC BUILDING, DENVER,)
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY TO)
EXERCISE FRANCHISE RIGHTS IN THE)
TOWN OF FEDERAL HEIGHTS, COUNTY OF)
ADAMS, STATE OF COLORADO, FOR THE)
PURCHASE, MANUFACTURE, GENERATION,)
TRANSMISSION, DISTRIBUTION AND SALE)
OF ELECTRICITY AND GAS IN SAID TOWN.)
-----)

APPLICATION NO. 15597

September 26, 1957

Appearances: Lee, Bryans, Kelly and Stansfield,
Esqs., by Bryant O'Donnell, Esq.,
Denver, Colorado, for Public
Service Company of Colorado;
J. M. McNulty, Denver, Colorado,
and
E. R. Thompson, Denver, Colorado,
for the Commission.

S T A T E M E N T

By the Commission:

By the instant application, Public Service Company of
Colorado, hereinafter called "Applicant," seeks a certificate of
public convenience and necessity to exercise certain franchise
rights in the Town of Federal Heights, County of Adams, State of
Colorado, for the purchase, manufacture, generation, transmission,
distribution and sale of electricity and gas in said town.

The matter was set for hearing, after due notice to all
interested parties, on Monday, September 16, 1957, at 330 State
Office Building, Denver, Colorado, and was heard on said date.
At the conclusion of the hearing, the Commission took the matter
under advisement.

No one appeared at the hearing in opposition to the
authority sought to be granted by the instant application.

Applicant is a corporation organized and existing under and by virtue of the laws of the State of Colorado, and is a public utility operating company subject to the jurisdiction of this Commission, engaged primarily in the purchase, generation, transmission, distribution and sale of electric energy, and in the purchase, distribution and sale of natural gas at various points within the State of Colorado. A certified copy of Applicant's Composite Certificate of Incorporation, together with all amendments thereto, has heretofore been filed with this Commission.

The application showed that on June 3, 1957, the Board of Trustees of the Town of Federal Heights duly passed and adopted Ordinance No. 23 of the Town of Federal Heights, entitled as follows:

AN ORDINANCE GRANTING A FRANCHISE BY THE TOWN OF FEDERAL HEIGHTS, ADAMS COUNTY, COLORADO, TO PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO LOCATE, BUILD, CONSTRUCT, ACQUIRE, PURCHASE, EXTEND, MAINTAIN AND OPERATE INTO, WITHIN AND THROUGH THE TOWN OF FEDERAL HEIGHTS, A PLANT OR PLANTS, SUBSTATIONS, AND WORKS, FOR THE PURCHASE, MANUFACTURE, GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY AND GAS, EITHER NATURAL, ARTIFICIAL OR MIXED, AND TO FURNISH, SELL AND DISTRIBUTE SAID ELECTRICAL ENERGY AND GAS TO THE TOWN OF FEDERAL HEIGHTS AND THE INHABITANTS THEREOF, FOR LIGHT, HEAT AND POWER OR OTHER PURPOSES BY MEANS OF PIPES, MAINS, CONDUITS, CABLES, POLES AND WIRES, ACROSS AND THROUGH ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES, AND OTHER PUBLIC WAYS AND PLACES IN SAID TOWN OF FEDERAL HEIGHTS, AND FIXING THE TERMS AND CONDITIONS THEREOF.

The term of said franchise is for a period of twenty-five (25) years.

A certified copy of the franchise, together with certified copies of the certificate as to introduction, passage and signature, of the certificate as to recording and of the acceptance by Applicant of said franchise, was introduced at the hearing, marked "Exhibit A," and is, by reference, made a part hereof.

Applicant's witness at the hearing, Mr. H. M. Edmonds, testified that Applicant was presently serving electricity and gas in the Town.

Applicant's predecessor company, The Arvada Electric Company, had been authorized by Decision 10312 of July 14, 1937,

Application 3957, to serve electricity in a large area which includes the Town of Federal Heights. Said certificate was assigned to Applicant and the assignment approved by this Commission in Decision 42215, of March 11, 1954, Application 12784. Gas service had been extended from Applicant's distribution system in adjacent Westminster and Shaw Heights.

Applicant proposes by the instant application, to exercise said franchise rights in the Town of Federal Heights. Applicant is now supplying electricity for service in the Town of Federal Heights from its interconnected Central System. Exhibit B introduced at the hearing is a map showing the primary electric distribution system of Applicant in the Town. Applicant presently obtains natural gas for service in the Town from the Colorado-Wyoming Gas Company through connections with its distribution system in the adjacent area. Exhibit C introduced at the hearing shows the gas distribution system in the Town. Existing facilities of the Applicant will be utilized in continuing said service. Evidence presented at the hearing disclosed that there is no other public utility engaged in the business of distributing and selling electricity or gas in the Town of Federal Heights.

Applicant's witness estimated that the population of the Town of Federal Heights was about 340, and that Applicant is presently serving 80 residential electric customers and 41 residential gas customers in the Town.

Applicant's witness estimated that its capital investments in its electric distribution system in the Town during the term of said franchise would approximate \$150,000 and, in its gas distribution system, \$200,000. These figures will be used as the basis for a charge for the issuance of the certificate sought herein, but will not be binding upon the Commission in any subsequent investigation where valuation may be an issue.

The Commission has reviewed the instant application and the evidence presented by Applicant in support thereof. The Commission is of the opinion that the authority herein sought should

be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of Applicant herein, Public Service Company of Colorado, and of the subject matter involved in the instant application.

That the Commission is fully advised in the premises.

That the foregoing Statement should be made a part hereof by reference.

That the public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado, of the franchise rights granted in and by Ordinance No. 23 of the Town of Federal Heights, dated June 3, 1957, and the purchase, manufacture, generation, transmission, distribution and sale of electricity and gas by Public Service Company of Colorado in said town.

O R D E R

THE COMMISSION ORDERS:

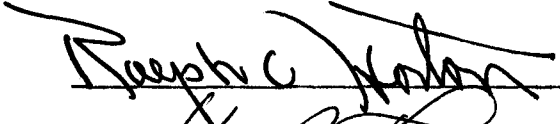


That the public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado, of the franchise rights granted in and by Ordinance No. 23 of the Town of Federal Heights, dated June 3, 1957, marked "Exhibit A" herein, which, by reference, is made a part hereof, and the purchase, manufacture, generation, transmission, distribution and sale of electricity and gas by Public Service Company of Colorado in said Town, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That Public Service Company of Colorado shall install, operate and maintain its electric and gas systems and supply service in the areas heretofore designated in accordance with its schedules of electric and gas rates, classifications, rules and regulations now on file with this Commission, or as the same may be changed according to law and the rules and regulations of this Commission.

That Public Service Company of Colorado shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts, and shall continue to keep its practices as to the testing of meters, customers' deposits and operations, records of meters and complaints in accordance with the Commission's requirements.

~~_____~~ this order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 26th day of September, 1957.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
PUBLIC SERVICE COMPANY OF COLORADO,)	
GAS AND ELECTRIC BUILDING, DENVER,)	
COLORADO, FOR A CERTIFICATE OF PUB-)	
LIC CONVENIENCE AND NECESSITY TO)	APPLICATION NO. 15690
EXERCISE FRANCHISE RIGHTS IN THE)	
TOWN OF GLENDALE, COUNTY OF ARAPAHOE,)	
STATE OF COLORADO, FOR THE PURCHASE,)	
MANUFACTURE, GENERATION, TRANS-)	
MISSION, DISTRIBUTION AND SALE OF)	
ELECTRICITY AND GAS IN SAID TOWN.)	
-----)	

September 26, 1957

Appearances: Lee, Bryans, Kelly and Stansfield,
Esqs., by Bryant O'Donnell, Esq.,
Denver, Colorado, for Public
Service Company of Colorado;
J. M. McNulty, Denver, Colorado,
and
E. R. Thompson, Denver, Colorado,
for the Commission.

S T A T E M E N T

By the Commission:

By the instant application, Public Service Company of Colorado, hereinafter called "Applicant," seeks a certificate of public convenience and necessity to exercise certain franchise rights in the Town of Glendale, County of Arapahoe, State of Colorado, for the purchase, manufacture, generation, transmission, distribution and sale of electricity and gas in said town.

The matter was set for hearing, after due notice to all interested parties, on Monday, September 16, 1957, at 330 State Office Building, Denver, Colorado, and was heard on said date. At the conclusion of the hearing, the Commission took the matter under advisement.

No one appeared at the hearing in opposition to the authority sought to be granted by the instant application.

Applicant is a corporation organized and existing under and by virtue of the laws of the State of Colorado, and is a public utility operating company subject to the jurisdiction of this Commission, engaged primarily in the purchase, generation, transmission, distribution and sale of electric energy, and in the purchase, distribution and sale of natural gas at various points within the State of Colorado. A certified copy of Applicant's Composite Certificate of Incorporation, together with all amendments thereto, has heretofore been filed with this Commission.

The application showed that on August 5, 1957, the Board of Trustees of the Town of Glendale duly passed and adopted Ordinance No. 86 of the Town of Glendale, entitled as follows:

AN ORDINANCE GRANTING A FRANCHISE BY THE TOWN OF GLENDALE, ARAPAHOE COUNTY, COLORADO, TO PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO LOCATE, BUILD, CONSTRUCT, ACQUIRE, PURCHASE, EXTEND, MAINTAIN AND OPERATE INTO, WITHIN AND THROUGH THE TOWN OF GLENDALE, A PLANT OR PLANTS, SUBSTATIONS, AND WORKS, FOR THE PURCHASE, MANUFACTURE, GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY AND GAS, EITHER NATURAL, ARTIFICIAL OR MIXED, AND TO FURNISH, SELL AND DISTRIBUTE SAID ELECTRICAL ENERGY AND GAS TO THE TOWN OF GLENDALE AND THE INHABITANTS THEREOF, FOR LIGHT, HEAT AND POWER OR OTHER PURPOSES BY MEANS OF PIPES, MAINS, CONDUITS, CABLES, POLES AND WIRES STRUNG THEREON, OR OTHERWISE, ON, OVER, UNDER, ALONG, ACROSS AND THROUGH ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES, AND OTHER PUBLIC WAYS AND PLACES IN SAID TOWN OF GLENDALE, AND FIXING THE TERMS AND CONDITIONS THEREOF.

The term of said franchise is for a period of twenty-five (25) years. A certified copy of the franchise, together with certified copies of the certificate as to introduction, passage and signature, of the certificate as to recording and of the acceptance by Applicant of said franchise, was introduced at the hearing, marked "Exhibit A," and is, by reference, made a part hereof.

Applicant's witness at the hearing, Mr. H. M. Edmonds, testified that Applicant was presently serving electricity and gas in the Town but had not, prior to August 5, 1957, possessed a franchise to serve therein, inasmuch as the Town was not incorporated until May 19, 1952. Service had been provided by extensions

into contiguous areas from Applicant's Denver distribution system.

Applicant proposes by the instant application, to exercise said franchise rights in the Town of Glendale. Applicant is now supplying electricity for service in the Town of Glendale from its distribution system in the City and County of Denver. Exhibit B introduced at the hearing is a map showing the primary electric distribution system of Applicant in the Town. Applicant presently obtains natural gas for service in the Town from the Colorado Interstate Gas Company. Exhibit C introduced at the hearing shows the gas distribution system in the Town and the pipeline of said Colorado Interstate Gas Company. Existing facilities of the Applicant will be utilized in continuing said service. Evidence presented at the hearing disclosed that there is no other public utility engaged in the business of distributing and selling electricity or gas in the Town of Glendale.

Applicant's witness testified that the population of the Town of Glendale was an estimated 520, and that Applicant is presently serving 130 residential electric customers and 70 residential gas customers in the Town.

Applicant's witness estimated that its capital investments in its electric distribution system in the Town during the term of said franchise would approximate \$40,000 and, in its gas distribution system, \$50,000. These figures will be used as the basis for a charge for the issuance of the certificate sought herein, but will not be binding upon the Commission in any subsequent investigation where valuation may be an issue.

The Commission has reviewed the instant application and the evidence presented by Applicant in support thereof. The Commission is of the opinion that the authority herein sought should be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of Applicant herein,

Public Service Company of Colorado, and of the subject matter involved in the instant application.

That the Commission is fully advised in the premises.

That the foregoing Statement should be made a part hereof by reference.

That the public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado, of the franchise rights granted in and by Ordinance No. 86 of the Town of Glendale, dated August 5, 1957, and the purchase, manufacture, generation, transmission, distribution and sale of electricity and gas by Public Service Company of Colorado in said Town.

O R D E R

THE COMMISSION ORDERS:

That the public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado, of the franchise rights granted in and by Ordinance No. 86 of the Town of Glendale, dated August 5, 1957, marked "Exhibit A" herein, which, by reference, is made a part hereof, and the purchase, manufacture, generation, transmission, distribution and sale of electricity and gas by Public Service Company of Colorado in said Town, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

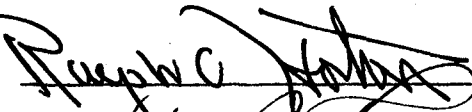
That Public Service Company of Colorado shall install, operate and maintain its electric and gas systems and supply service in the areas heretofore designated in accordance with its schedules of electric and gas rates, classifications, rules and regulations now on file with this Commission, or as the same may be changed according to law and the rules and regulations of this Commission.

That Public Service Company of Colorado shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts, and shall continue to keep its practices as to the testing of meters, customers' deposits and operations, records

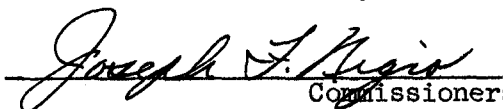
of meters and complaints in accordance with the Commission's requirements.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






_____ Commissioners.

Dated at Denver, Colorado,
this 26th day of September, 1957.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
L. M. CRONIN, DOING BUSINESS AS)
"L. M. CRONIN TRAILER SALES, INC.,")
BOX 132, KENNEWICK, WASHINGTON.)
-----)

PERMIT NO. M-2499

September 26, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
L. M. Cronin dba L. M. Cronin Trailer Sales, Inc.
requesting that Permit No. M-2499 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2499, heretofore issued to _____
L. M. Cronin dba L. M. Cronin Trailer Sales, Inc. _____ be,
and the same is hereby, declared cancelled effective September 19, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hudson
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 26th day of September, 1957.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM B. JONES, STEAMBOAT SPRINGS,)
COLORADO.)
_____)

PERMIT NO. M-3598

September 26, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
William B. Jones

requesting that Permit No. M-3598 be cancelled.

FINDINGS

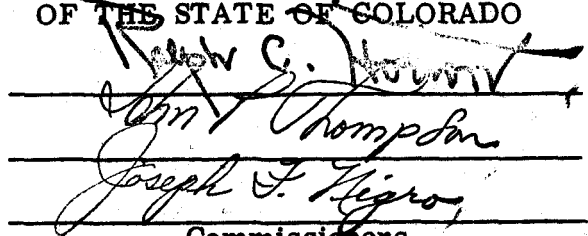
THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3598, heretofore issued to _____
William B. Jones be,
and the same is hereby, declared cancelled effective August 1, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,

this 26th day of September, 195 7.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
AUGUST HART, DOING BUSINESS AS)
"PROFESSIONAL HEATING SERVICE,")
ROUTE 3, BOX 171, GREELEY, COLORADO.)
-----)

PERMIT NO. M-9930

September 26, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
August Hart dba Professional Heating Service
requesting that Permit No. M-9930 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9930, heretofore issued to _____
August Hart dba Professional Heating Service. be,
and the same is hereby, declared cancelled effective August 28, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John P. Thompson
Joseph F. Nigro
Commissioners

Dated at Denver, Colorado,

this 26th day of September, 1957.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
THOMAS S. HARRIS AND FLOYD D. SMITH,)
DOING BUSINESS AS "HARRIS & SMITH)
APPLIANCE CENTER," 2015 BROADWAY,)
BOULDER, COLORADO)
-----)

PERMIT NO. M-10942

September 26, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Thomas S. Harris and Floyd D. Smith dba Harris & Smith Appliance Center
requesting that Permit No. M-10942 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10942, heretofore issued to _____
Thomas S. Harris and Floyd D. Smith dba Harris & Smith Appliance Center be,
and the same is hereby, declared cancelled effective September 5, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hordner
John P. Thompson
Joseph J. Higgs
Commissioners

Dated at Denver, Colorado,

this 26th day of September, 1957.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CECIL L. OAKLEY, DOING BUSINESS AS)
"OAKLEY MOTOR COMPANY," 122 WEST)
MAIN, CHEROKEE, OKLAHOMA.)
-----)

PERMIT NO. M-10954

September 26, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Cecil L. Oakley dba Oakley Motor Company

requesting that Permit No. M-10954 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10954, heretofore issued to _____
Cecil L. Oakley dba Oakley Motor Company be,
and the same is hereby, declared cancelled effective September 8, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 26th day of September, 1957.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JESSE T. NERHOOD, DOING BUSINESS AS)
"NERHOOD'S FURNITURE," 102 E.)
MONTEZUMA AVE., CORTEZ, COLORADO.) PERMIT NO. M-11124
-----)

September 26, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Jesse T. Nerhood dba Nerhood's Furniture
requesting that Permit No. M-11124 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11124, heretofore issued to _____
Jesse T. Nerhood dba Nerhood's Furniture be,
and the same is hereby, declared cancelled effective August 29, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Robert C. Hohn
John Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 26th day of September, 1957.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
EDWARD SCHREMMER AND EDWIN KIRMER,)
DOING BUSINESS AS "K & S WATER)
SERVICE," BOX 3, BEAVER, KANSAS.)
-----)

PERMIT NO. M-11768

September 26, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Edward Schremmer and Edwin Kirmer dba K & S Water Service

requesting that Permit No. M-11768 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11768, heretofore issued to _____
Edward Schremmer and Edwin Kirmer dba K & S Water Service be,
and the same is hereby, declared cancelled effective August 31, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hooten
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 26th day of September, 1957.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HOWARD COFFINDAFFER, DOING BUSINESS)
AS "CRAZY GIRL MINING COMPANY,")
BOX 371, IDAHO SPRINGS, COLORADO.)
-----)

PERMIT NO. M-11782

September 26, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Howard Coffindaffer dba Crazy Girl Mining Company
requesting that Permit No. M-11782 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11782, heretofore issued to _____
HowardCoffindaffer dba Crazy Girl Mining Company _____ be,
and the same is hereby, declared cancelled effective September 4, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoshart
Ben P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 26th day of September, 195 7.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MARGARET I. AND EDWARD I. VAN WESTIN-)
BERG, DOING BUSINESS AS "VAN'S)
DISTRIBUTORS," 4879 CHASE STREET,)
DENVER 14, COLORADO.)
-----)

PERMIT NO. M-12681

September 26, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Margaret I. and Edward I. Van Westinberg dba Van's Distributors
requesting that Permit No. M-12681 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12681, heretofore issued to _____
Margaret I. and Edward I. Van Westinberg dba Van's Distributors be,
and the same is hereby, declared cancelled effective September 23, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Johnson
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 26th day of September, 1957.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF ISSUANCE OF)	
TEMPORARY CERTIFICATES OF PUBLIC)	
CONVENIENCE AND NECESSITY UNDER)	
CHAPTER 80, SESSION LAWS OF COLO-)	<u>APPLICATION NO. 15761</u>
RADO, 1951, FOR EMERGENCY MOVE-)	
MENT OF CANNING FRUITS AND VEG-)	
ETABLES, IN MESA AND DELTA COUNTIES,)	
STATE OF COLORADO.)	
-----)	

September 24, 1957

S T A T E M E N T

By the Commission:

Report has been received by the Commission from Louis J. Carter, Supervisor, Complaint and Investigation Division of this Commission, to the effect that an emergency exists in the matter of trucks for transportation of canning fruits and vegetables, in the Counties of Mesa and Delta, State of Colorado, and that said emergency will probably continue for a period of approximately thirty days hereafter.

Request is made for an Order of the Commission relative to issuance of temporary certificates of public convenience and necessity for the seasonal transportation of said crops in the counties mentioned.

F I N D I N G S

THE COMMISSION FINDS:

That an emergency exists because of the shortage in certificated trucks for transportation of canning fruits and vegetables in the Counties of Mesa and Delta, State of Colorado, and that public convenience and necessity require that temporary certificates of public convenience and necessity should issue for the operation of motor vehicles for transportation of said products to market or place of storage, as provided by Chapter 80, Session

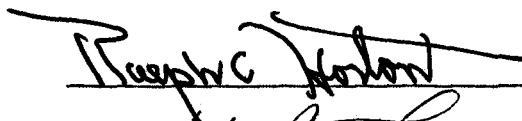

Laws of 1951, said certificates to become effective September 25, 1957, and to remain in effect to and including October 25, 1957.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity should be, and are hereby, authorized to be issued for the operation of motor vehicles, for the transportation of canning fruits and vegetables, to market or place of storage, in the Counties of Mesa and Delta, State of Colorado, said certificates to become effective September 25, 1957, and to remain in force up to and including October 25, 1957, no such certificate to issue for transportation of such products by motor vehicle to any point beyond the boundaries of the State of Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 24th day of September, 1957.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
THE GREAT WESTERN RAILWAY COMPANY)	
FOR A CERTIFICATE OF PUBLIC CONVEN-)	
IENCE AND NECESSITY PERMITTING)	<u>APPLICATION NO. 15751</u>
ABANDONMENT OF 0.3 MILE OF ITS MAIN)	
LINE KNOWN AS THE WATTENBERG BRANCH)	
IN WELD COUNTY, COLORADO.)	
-----)	

September 26, 1957

S T A T E M E N T

By the Commission:

On June 24, 1957, The Great Western Railway Company applied to the Interstate Commerce Commission for authority to abandon that portion of its main line on the Wattenberg Branch, Weld County, Colorado, between milepost 2.836 (0.551 miles south of Milliken Station) and milepost 3.136, the southern terminus of said Branch, comprising 0.3 mile of right-of-way, and to dismantle and remove the railroad track between said points and all side tracks appurtenant thereto. (Finance Docket No. 19817)

On August 21, 1957, the Interstate Commerce Commission, Division 4, issued a certificate of public convenience and necessity authorizing said abandonment effective from and after thirty (30) days from the date thereof. Applicant now requests this Commission to concur with the Findings and Order of the Interstate Commerce Commission in Finance Docket No. 19817 and to therewith issue an order to permit the proposed abandonment and track removal insofar as intrastate traffic is concerned.

Neither this Commission nor any other State authority, or patron, offered any objection to the granting of the application to abandon the proposed 0.3 mile of trackage in Weld County, Colorado. The instant trackage is a part of The Great

Western Railway Company system on a line known as the Wattenberg Branch. The line was originally built in 1909 and 1910 as a part of the Denver, Laramie and Northwestern Railway Company. After a series of ownership changes and as a part of the abandonment proceedings involving the whole Denver-Laramie line, Great Western acquired certain trackage in and around the Milliken area on September 6, 1917. Thereafter, remaining portions of the Denver-Laramie line were otherwise abandoned and dismantled or transferred-- Finance Docket 15675.

After a field investigation made by the staff of this Commission, it is reported that the instant trackage is now a dead-end portion of the Applicant's Milliken yard. The track was originally acquired for the storage of empty cars but has not been used for that purpose, or any other purpose, since September, 1954. The line projects into and divides an irrigated field of alfalfa and is adjacent to other fields of corn and sugar beets. Presence of the track now offers a serious handicap to movement of irrigation water and farm equipment in these fields. The proposed removal will permit full cultivation of the roadbed area and simplify farming operations. Estimated salvage value of the land is \$500.00 and some \$1,088.00 is estimated for the rail and other track material.

It appears that the rail, ties and other materials in the instant trackage are not being put to a reasonable use, but are rather a source of maintenance expense in order to be protected against the adverse effects of weather, rust and decay. Yard facilities at Milliken are quite ample and the removal of this trackage will produce no adverse results since there has been no necessity to use the track since 1954. Tax expense in 1955 and 1956, was \$143.00 and \$198.00, respectively. Therefore, it becomes apparent that the track is not serving any public need at this time; that by the requested abandonment the track materials can be used to better advantage on the operative portions of the railroad; that after abandonment, adequate yard trackage will remain

to serve all apparent present and future needs.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is made a part of these Findings by reference.

That the Findings of the Interstate Commerce Commission in Finance Docket No. 19817 be, and hereby are, made a part of these Findings.

That public convenience and necessity do not require further operation in intrastate commerce, by Great Western Railway of that portion of its line sought to be abandoned.

O R D E R

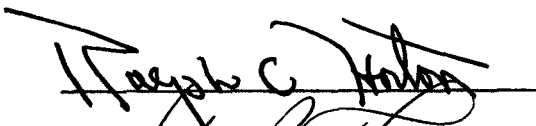

THE COMMISSION ORDERS:

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

That Great Western Railway Company be, and it hereby is, authorized to abandon, dismantle and remove 0.3 mile of track and connecting switches as located in the south end of the Milliken yard between Mile Posts 3.136 and 2.836 on its Wattenberg Branch line in Weld County, Colorado.

That this certificate for abandonment as related to intrastate commerce shall take effect and be in force from and after twenty-one days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of September, 1957.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
A. J. SHANK, DOING BUSINESS AS)
"AAA TRANSFER," 1210 WEST COSTILLA,)
COLORADO SPRINGS, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE) APPLICATION NO. 15381-Extension
AND NECESSITY, AUTHORIZING EXTENSION)
OF OPERATIONS UNDER PUC NO. 3345.)
-----)

September 26, 1957

- Appearances: C. Lee Goodbar, Esq., Colorado Springs, Colorado, for Applicant;
Paul V. Evans, Esq., Colorado Springs, Colorado, for Applicant;
Walter Lynch, Pueblo, Colorado, for Goldstein Transportation and Storage, Inc.;
Earl A. Johnson, Colorado Springs, Colorado, for Goldstein Transportation and Storage, Inc.;
H. D. Hicks, Denver, Colorado, for Centennial Truck Lines, Inc.;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company;
J. C. Reinhard, Colorado Springs, Colorado, for Weicker Transfer and Storage Company;
John R. Barry, Esq., Denver, Colorado, for McCann Brothers, Cowan Transfer, Wandell and Lowe Transfer and Storage, Nicoll Warehousing;
Stanley Blunt, Canon City, Colorado, for Southwestern Transportation Company.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at the Court House, Colorado Springs, Colorado, September 10, 1957, at 9:30 o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 9, 1957, the Commission, as provided by law, designated Anthony L. Mueller, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Anthony L. Mueller, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

By the above-styled application, as amended at the hearing, applicant herein seeks a certificate of public convenience and necessity, authorizing extension of operations under PUC No. 3345 to include the right to transport household goods, baggage, and freight, from point to point within a radius of ten miles of Colorado Springs, Colorado, limited to the use of not to exceed three vehicles.

Report of the Examiner states that at the hearing, applicant testified that he is the owner and operator of PUC No. 3345; that he has been operating a moving and storage business under this certificate, using one one-ton truck which has proven to be too small for the traffic involved; that it is his intention, if so authorized, to operate one one-half-ton pick-up truck and two one and one-half-ton trucks; that it is now necessary for him to make several loads to accomplish many of the moves on which he is called to make; that he has had daily calls for service outside the City Limits, more specifically from Security Village, south of Colorado Springs on Highway No. 85.

H. D. Hicks, representing Centennial Truck Lines, Inc., protestant herein, stated that transportation to Security Village would be in competition with line-haul carriers, and would be subject to twenty per cent additional charge. Although applicant advertises in the telephone directory, this fact is not disclosed in said advertisement.

Applicant also testified that he works as an extra employee for The Denver and Rio Grande Western Railroad Company one night per week, and on vacation time for eleven weeks, from 9:00 o'clock P. M. to 5:00 o'clock A. M.

In support of said application, Jesse Young, of Colorado Springs, Colorado, employed as Property Manager for Walker Realty Company, testified that he manages two hundred properties; that he has used the services of applicant, and needs service at the present time similar to that proposed by applicant; that he has used the services of existing carriers, and found that in the case of small hauls, the service has not been satisfactory; that the properties which he manages extend over the entire Metropolitan Area of Colorado Springs, and includes houses, offices, and retail stores; that he has no complaint on applicant's services, as offered at the present time; that no carrier has refused service, but that in one instance an appointment was made with Weicker Transfer and Storage Company, and was not kept; that he had no need for service south on Highway No. 115; that he was not present as a representative of his employer, Walker Realty Company, but only personally.

George Alley, of Colorado Springs, Colorado, stated he manages rental property; that he has need for the type of service offered for movement of household goods; that he has numerous small moves, such as stoves and refrigerators; that he has used the services of other carriers, but prefers applicant's services; that he has no need for service on Highway No. 115, south of Colorado Springs.

Fay Sydow, of Colorado Springs, Colorado, testified he is a real estate salesman for Stratton Realty Company; that he has used applicant's service, and that his experience has been satisfactory; that he has used other carriers' services, and has been inconvenienced because service was not as fast as that offered by applicant, due to schedules maintained by other carriers; that he needs service for transportation to Stratton Meadows, which is a subdivision five miles from the City Limits of Colorado Springs; that although there is a need for larger hauls than applicant is equipped to handle, he has had to limit the hauls turned over to applicant strictly to refrigerators and stoves. On cross-examination,

he stated that at present, he has no need for additional service, no need for freight service, but that he does need service beyond the City Limits.

Jack Tripe, who operates an antique and hobby shop east of Woodland Park, testified he has used applicant's services; that said service was satisfactory; that services of other carriers has not been satisfactory; that he has had twelve years' experience in the type of business he operates; that the only service witness needs is from Woodland Park, and he knows of no available service at the present time being offered by any carrier in this area.

William A. Carroway, Director of the Industrial Division of Colorado Springs Chamber of Commerce, testified that he has had thirty years' experience in working on statistics; that Colorado Springs had had considerable growth in the post-war years. Exhibit No. 1, showing actual census figures and civilian and military increase in population, using utility records, postal receipts, U. S. A. A. F. Academy studies, was introduced and received, subject to cross-examination. Exhibit No. 2, from the Bureau of Business Research at the University of Colorado, was also introduced and received, subject to cross-examination.

Leslie Neppel, operator of a trailer park, including two stationary dwellings and 59 trailer spaces, which is 75 feet beyond the City Limits of Colorado Springs, Colorado, testified in support of the application, stating he needs carrier service at his location. He complained that a carrier making a movement of equipment or goods knocked down his mail box, but did not know who the carrier was.

A. J. Shank, recalled, testified that the type of truck to be used should be optional, rather than specific.

In opposition to the granting of the authority herein sought, Howard H. Hicks, representing Centennial Truck Lines, Inc., testified that he has been Traffic Manager for said company since June, 1957; that said company operates under PUC No. 8 and PUC No.

8-I; that prior to his said employment, he was employed in the Transportation Division of Weicker Transfer and Storage Company for eighteen years; that protestant, under PUC No. 8, operates a scheduled line-haul from Ault, Colorado, to Trinidad, Colorado, on U. S. Highway No. 85, and intermediate points; that it maintains an office at Colorado Springs, Colorado; that equipment stationed at Colorado Springs consists of four tractors, nine trailers, eleven pick-up and delivery trucks; that said company protests hauling of any freight to points on U. S. Highway No. 85; that protestant's equipment is not now used to capacity, and if it were, he is willing and able to add equipment, if needed; that, in his opinion, there is no need at this time for additional authority for service on U. S. Highway No. 85.

R. B. McCann, representing McCann Brothers, of Colorado Springs, operator of PUC No. 145, testified in opposition to the granting of authority sought, stating that facilities of his company in Colorado Springs include a masonry and steel building used as a warehouse, having five thousand square feet of floor space, and seven pieces of equipment, ranging from one-half-ton to two and one-half-ton capacity; that they have had experience in hauling of antique articles, and carry insurance covering careful handling of items of excess value; that they are ready, willing, and able to perform the service proposed by applicant; that they advertise in the telephone directory, newspapers, over television, and in magazines; that, in his opinion, there is no need for additional service in the area; that he loses business to lease-truck operators. Protestant's Exhibit A showed that after population increase from 64,274 in 1945, to 106,500 in 1957, the customers available to be served, per qualified carrier, declined from 3,857 in 1945, to 2,666 in 1957. Exhibit B is a list of twenty-one van lines. Said exhibits were introduced and received in evidence, subject to cross-examination. Mr. McCann further testified that increase in volume of business is approximately two per cent a year since 1949, while expenses have increased eight per cent a year since 1955.

J. C. Reinhard, Colorado Springs Manager for Weicker Transfer and Storage Company, owner and operator of PUC No. 341 and PUC No. 341-I, testified that said company has statewide irregular route common carrier authority; that it has forty pieces of equipment stationed in Colorado Springs, among which are twelve vans, fourteen trailers, six one and one-half-ton stake body trucks, five pick-ups, and three motor cranes; that said company has forty-seven employees in Colorado Springs; that there are three warehouses in Colorado Springs; that additional equipment would be added, if needed; that it has done business with Walker Realty Company in the past, and will continue to do so, if business is offered; that, in his opinion, no additional service is needed in the area.

W. F. Nicoll, of Nicoll Warehousing Company, Colorado Springs, Colorado, owner and operator of PUC No. 805, testified that he is presently engaged in transportation and handling of household goods; that he has been in business for fifteen years; that he operates seven pieces of equipment; that he has a warehouse with floor area of 60,000 square feet; that he has eight employees; that, in his opinion, there is no need for additional carriers at this time; that he has not noticed any increase in business, due to increase in population in Colorado Springs. On cross-examination, said witness testified that he started with two pieces of equipment, and that although there has been a population increase, no new equipment has been added since 1951; that presently, three pieces of equipment were idle.

Lawrence V. Cowen, of Colorado Springs, Colorado, Manager of Cowen Transfer and Storage Company, owner and operator of PUC No. 417, testified that his company operates seventeen pieces of equipment; that it has a warehouse with floor space of 20,000 square feet; that they employ twenty to twenty-five people; that additional facilities would be added, if necessary; that presently, seven units were idle; that competition is keen among carriers

for this type of business. On cross-examination, the witness testified that his certificate has no restriction on number of units which may be operated.

B. J. Williams, Superintendent of Wandell and Lowe Transfer and Storage Company, Colorado Springs, Colorado, owner and operator of PUC No. 342, testified that his company is engaged in transportation of household goods; that they operate ten pieces of equipment, four of which were idle at the present time; that they have a warehouse; that, in his opinion, there is no present need for an additional carrier; that his company would increase the equipment and facilities, if needed. On cross-examination, the witness stated that he had noticed no increase in business in proportion to the population increase; that he has been employed in his present position for three years; that his company was involved in labor trouble during the Year 1956, and that such trouble probably affected its business.

Walter Lynch, Division Manager of Goldstein Transportation and Storage Company, owner and operator of PUC No. 416, testified that his company has seven pieces of equipment for use in Colorado Springs; that it has a warehouse in Colorado Springs; that they are confronted with aggressive competition from other carriers.

Applicant herein, recalled, testified that his net worth is approximately \$18,000, and that if authority herein sought is granted, would purchase three trucks.

Report of the Examiner further states that applicant is qualified by experience and financially, to conduct the operations contemplated; that according to testimony of applicant, it is impossible to conduct operations authorized under PUC No. 3345 with the equipment therein authorized to be used; that there also was testimony by witnesses for applicant that service could be improved in the territory outside the City Limits of Colorado Springs, and that the witnesses were familiar with the service

being performed by applicant; that there is no evidence that applicant has transported freight from point to point within the City of Colorado Springs; that there is evidence that applicant has performed a faster service than scheduled carriers protesting herein; that the history of PUC No. 3345 shows that authority originally was granted to Thomas W. Gallo, under "grandfather rights" practice; that nothing was intended other than operation of a small transfer and cartage business, nor was the use of more than one vehicle requested under the original application, or the application for approval of transfer from Gallo to applicant herein; that the evidence does not indicate how applicant proposes to extend his operations and retain a part-time job with The Denver and Rio Grande Western Railroad Company; that the application was vigorously protested by old established carriers in the territory herein sought to be served by applicant; that the evidence of protesting carriers, which was not contested, was that many of them have idle equipment at the present time; that it is the opinion of said Examiner that if authority herein sought were granted, some of the business would be diverted from other certificated carriers; that inasmuch as there was no proof of any probative value that any future increase in business will occur due to population increases, nor is there any reason to believe that there will be any marked increase in population, no conclusion of future convenience and necessity can be drawn from applicant's exhibits; that it is appreciated that proof of future convenience and necessity in the case of transportation of household goods is difficult to prove, for the reason that many people only use this type of service one time in their lives, if at all; nevertheless, it is well established that if too many carriers are certificated in an area, the result is poor service for everyone; that there was no evidence that applicant now engages in, or intends to engage in, the transportation of freight, either in the territory now authorized to be served or in the territory applied for, except to an antique shop near Woodland Park, Colorado;

that testimony of witnesses outside the Corporate Limits of Colorado Springs shows that the service rendered prior to this time has been for minor items of household equipment, such as stoves and refrigerators.

Report of the Examiner recommends that the instant application be denied.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That public convenience and necessity do not require applicant's proposed extended motor vehicle common carrier operations under PUC No. 3345, and that the above-styled application should be denied.

O R D E R

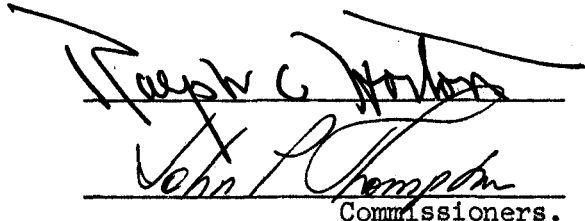
THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and the same hereby is, approved.

That public convenience and necessity do not require applicant's proposed extended motor vehicle common carrier operations under PUC No. 3345, and that Application No. 15381 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.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of September, 1957.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT O. BEATTY, 4900 WEST KEN-)
TUCKY AVENUE, DENVER, COLORADO, FOR)
A CLASS "B" PERMIT TO OPERATE AS A) APPLICATION NO. 15713-PP
PRIVATE CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

September 30, 1957

Appearances: Robert O. Beatty, Denver,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of peat moss and natural fertilizer, from points within a ten mile radius of Black Hawk, Colorado, to McCoy and Jensen Nursery, located on the Morrison Road, and to Denver and points within a ten-mile radius of Denver; also barnyard fertilizer, from points within a radius of one hundred miles of Denver, to Denver and points within a ten-mile radius thereof.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 20, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

The applicant appeared in support of his application. He testified that he is the owner of a 1953 Ford 2-ton truck; that his net worth is approximately \$2,500; and that he has been conducting said operations under Temporary Authority granted by this Commission.

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

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

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

F I N D I N G S

THE COMMISSION FINDS:

That authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Robert O. Beatty, 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 peat moss and natural fertilizer, from points within a ten-mile radius of Black Hawk, Colorado, to McCoy and Jensen Nursery, located on the Morrison Road, and to Denver and points within a ten-mile radius of Denver; also barnyard fertilizer, from points within a radius of one hundred miles of Denver, to Denver and points within a ten-mile radius thereof.

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

Joseph C. Tolson
John P. Thompson
Joseph F. Nigro
Commissioners.

Dated at Denver, Colorado,
this 30th day of September, 1957.

mls

original

(Decision No. 48809)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
TONY GAVITO, JR., 5755 NORTH WASH-)
INGTON STREET, DENVER, COLORADO, FOR)
A CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 15716-PP

September 30, 1957

Appearances: Tony Gavito, Jr., Denver,
Colorado, pro se;
B. F. Smith, Denver, Colo-
rado, for R. B. "Dick"
Wilson, 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 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, September 20, 1957, at 10:00 o'clock A. M., due notice thereof being forwarded to all parties in interest.

Applicant appeared at the hearing in his own behalf, testifying as to his experience, equipment and financial responsibility. He agreed to limit his operations to the use of dump trucks only, whereupon all protests were withdrawn.

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

The operating experience and financial stability of applicant were established to the satisfaction of the Commission, and it appears that he has ample equipment with which to carry on his proposed operations.

F I N D I N G S

THE COMMISSION FINDS:

That authority herein sought should be granted, as limited in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Tony Gavito, Jr., 5755 North Washington Street, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; 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; insul-rock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, said operations to be limited to the use of dump trucks, only.

That all operations hereunder shall be strictly contract

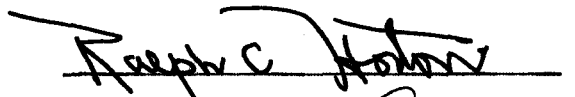


operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 30th day of September, 1957.

mls