

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
W. A. GREEN, DOING BUSINESS AS)
"COLORADO SPRINGS SIGHTSEEING)
COMPANY," 832 BONFOY, COLORADO.)
SPRINGS, COLORADO, FOR AUTHORITY)
TO TRANSFER PUC NO. 134 TO COLORADO)
SPRINGS TRANSIT COMPANY, 535 SOUTH)
CASCADE, COLORADO SPRINGS, COLORADO.)
-----)

APPLICATION NO. 17070-Transfer

July 14, 1959

Appearances: Horn and Anderson, Esqs.,
by R. E. Anderson, Esq.,
Colorado Springs, Colo-
rado, for Applicants;
Ben S. Wendelken, Esq., Colo-
rado Springs, Colorado, for
Pikes Peak Automobile Company,
Colburn Motor Tours, Inc.,
Hiawatha Tours, R & P Scenic
Tours, Nevada Tours, Tarman
Tours, R. P. Finney Sight-
seeing, and Cadillac Sight-
seeing Company.

S T A T E M E N T

By the Commission:

Heretofore, W. A. Green, doing business as "Colorado Springs Sightseeing Company," Colorado Springs, Colorado, was granted a certificate of public convenience and necessity (PUC No. 134), authorizing operation as a common carrier by motor vehicle for hire, for:

Passenger sightseeing, from Manitou, Colorado, to Pikes Peak Region, provided all operations are limited to round trips, originating at Manitou, limited to two cars;

passenger sightseeing, from Colorado Springs, limited to one car; (transferred from PUC-105);

passenger sightseeing from Colorado Springs, limited to one car (transferred from PUC-164);

passenger sightseeing from Manitou, limited to one car (transferred from PUC-2);

auto livery service, between all points in the Pikes Peak Sightseeing Region, and from and to said points, to and from other points in the State of Colorado;

transportation of passengers and baggage, between points within the City of Colorado Springs, Colorado; provided, however, that each person, or piece of baggage, so transported shall be transported only in connection with a prior or subsequent use of sightseeing service; it is contemplated that in connection with such service a person, or baggage, may be transported to or from a bus or rail depot, from or to a hotel or central assembly point, and that the use of sightseeing service may in some instances not necessarily precede or follow immediately the use of the sightseeing service.

Said certificate-holder now seeks authority to transfer said operating rights to Colorado Springs Transit Company, Colorado Springs, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Colorado Springs, Colorado, June 29, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On June 26, 1959, the Commission, as provided by law, designated Louis J. Carter, an employee of this 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, David W. Cowan testified he is Vice-President and General Manager of Colorado Springs Transit Company; that his company has entered into an agreement to transfer PUC No. 134, copy of which Agreement is in the Commission files; that Annual Report has also been filed with the Commission, showing financial condition of Colorado Springs Transit Company; that there are no outstanding unpaid operating obligations against said operating rights.

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

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

Report of the Examiner recommends that transfer herein sought be authorized, as set forth in the Order following.

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 the proposed transfer is compatible with the public interest, and should be authorized, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

That W. A. Green, doing business as "Colorado Springs Sight-seeing Company," Colorado Springs, Colorado, be, and he hereby is, authorized to transfer all right, title, and interest in and to PUC No. 134 -- with authority as set forth in the Statement preceding which is made a part hereof, by reference -- to Colorado Springs Transit Company, Colorado Springs, Colorado, subject to the terms and conditions of Agreement by and between said parties, and subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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



Joseph F. Myers
Robert C. Holton
Clayton G. Galt
Commissioners.

Dated at Denver, Colorado,
this 14th day of July, 1959.

ea

original

(Decision No. 52676)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
COLORADO SPRINGS TRANSIT COMPANY,)
515 SOUTH CASCADE, COLORADO SPRINGS,)
COLORADO, (IN THE EVENT AUTHORITY)
SOUGHT BY APPLICATION NO. 17070-)
TRANSFER IS GRANTED), FOR A CERTIFI-) APPLICATION NO. 17091-Extension
CATE OF PUBLIC CONVENIENCE AND NE-)
CESSITY, AUTHORIZING EXTENSION OF)
OPERATIONS UNDER PUC NO. 134.)
-----)

July 15, 1959

Appearances: Horn and Anderson, Esqs., by
R. E. Anderson, Esq., Colorado
Springs, Colorado, for
Applicant;
Ben S. Wendelken, Esq., Colorado
Springs, Colorado, for Pikes
Peak Automobile Company,
Colburn Motor Tours, Inc.,
Hiawatha Tours, R & P Scenic
Tours, Nevada Tours, Tarman
Tours, R. P. Finney Sight-
seeing, Cadillac Sightseeing
Company.

S T A T E M E N T

By the Commission:

By the above-styled application, Colorado Springs Transit
Company, Colorado Springs, Colorado, seeks authority to extend
operations under PUC No. 134, in the event authority sought in Appli-
cation No. 17070-Transfer is granted.

Said application was regularly set for hearing before the
Commission, at the Court House, Colorado Springs, Colorado, June 29,
1959, at ten o'clock A. M., due notice thereof being forwarded to
all parties in interest.

On June 26, 1959, the Commission, as provided by law,
designated Louis J. Carter, an employee of this 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, protestants moved that the instant application be dismissed, upon the grounds that applicant herein has no interest in PUC No. 134, and therefore not in a position to request extension of authority thereunder, or conversion of the right to use limousines to the right to use buses.

Said motion was taken under advisement.

Thereupon, applicant requested that Decision No. 42077 of this Commission, wherein the right to substitute buses for limousines or cars was granted to Pikes Peak Automobile Company and Colburn Motor Tours, Inc., protestants herein, be made a part of the record herein.

David W. Cowan testified he is Vice-President and General Manager of Applicant herein; that a financial statement of said Company is on file with the Commission; that it is the desire of said company, if transfer of PUC No. 134 and extension herein sought were granted, to use two forty-one passenger buses, in lieu of two limousines or cars; that unless the extension herein sought is granted, applicant does not wish to complete said transfer of PUC No. 134; that his company has received approximately fifteen requests during the past year to furnish buses for sightseeing service; that these requests had come from groups, which included the Military of the Air Academy, Fort Carson, and Ent Air Base; that he had personally received some of these calls, and others were received by employees of applicant; that he could not remember the names of some of said parties who called; that, on occasion, he had referred these requests to other companies.

Gunnar Alenius testified he is Vice-President of Pikes Peak Automobile Company; that said company is the owner of PUC No. 11, PUC No. 116, and PUC No. 2202; that under this operating rights,

Pikes Peak Automobile Company has the right to use 116 cars; that at the present time, they are using approximately 50 cars; that said company can meet any demand for service in that it can supply motor vehicles with almost any seating capacity; that in the substitution of buses for cars, his company did so on the basis of seat-for-seat.

K. V. Charlesworth testified he is Manager of Colburn Motor Tours, Inc., owner of PUC No. 1265; that his company has sixteen cars and two motor buses in operation; that his company has authority to use four buses, but only uses two.

E. T. Rowlett, of Colorado Scenic Tours, and Wayne W. Walk, of Tarman Tours, testified that their respective companies did not use all their authorized cars; that there is no need for additional sightseeing authority in the Colorado Springs Area.

Report of the Examiner further states that Colorado Springs Transit Company filed an application with the Commission to transfer PUC No. 134 from W. A. Green, doing business as "Colorado Springs Sightseeing Company," to it, and in the same application, which was divided by the Commission for hearing purposes, sought to have authority under said PUC No. 134 extended, viz., the right to use limousines converted to buses; that the two applications were tied together in the original Agreement between said W. A. Green and Colorado Springs Transit Company, which was made a part of the instant application, said Agreement providing that:

" . . . and in event that the Public Utilities Commission refuses to approve said transfer, or refuses to permit party of the second part to substitute said two buses for two of said limousines, then this Agreement shall terminate and be null and void . . . "

W. A. Green did not appear and testify herein.

Report of the Examiner further states that he believes protestants' motion to dismiss the instant application may have merit, but in view of the fact that said Examiner proceeded with the hearing, giving applicant an opportunity to present his case, and has reached

a conclusion in the matter which makes a ruling on said motion to dismiss unnecessary.

The Examiner's Report further states that applicant's witness, David Cowan, showed only a desire on the part of applicant herein to enter the sightseeing business by the use of buses; that the number of requests for this type of service received by said company was so small, and the fact that witness failed to remember the names of many of those people who requested bus service; that the proof falls short of providing need for this proposed extension or conversion. The Examiner does not say that applicant cannot prove public convenience and necessity without a public witness, but says that when applicant relies upon testimony of officers, only, that proof offered should be direct, controlling, and conclusive; that memoranda of orders, names of people rendering requests for service, dates of requests, and names of persons receiving these requests, should be produced.

The Examiner states that he has studied this Commission's Decision No. 42077, made a part of the record herein, and finds that in said Order the Commission granted the right to substitute buses for cars upon a quantity basis, to protestants herein, Pikes Peak Automobile Company and Colburn Motor Tours, Inc., only after having found that there was proof of public convenience and necessity requiring such conversion. In the instant application, there is failure of such proof.

Report of the Examiner recommends that authority herein sought 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 the above-styled application should be denied.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to on the above and foregoing Findings be, and the same hereby is, approved.

That Application No. 17091 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

Joseph F. Nigro
Harold C. Holton
Henry G. Paulsen
Commissioners.

Dated at Denver, Colorado,
this 15th day of July, 1959.

ea

original

(Decision No. 52677)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WALTER H. COLBURN, DOING BUSINESS AS)
"GRAND VIEW TOURS," 106 WEST PIKES)
PEAK AVENUE, COLORADO SPRINGS, COLO-)
RADO, FOR AUTHORITY TO LEASE PUC NO.)
132 TO W.W. BRUBAKER, DOING BUSINESS AS)
"HIAWATHA TOURS," 513 MANITOU AVENUE,)
MANITOU SPRINGS, COLORADO.)

APPLICATION NO. 13006-Lease
SUPPLEMENTAL ORDER

July 15, 1959

Appearances: Tarter and Tarter, Esqs.,
Colorado Springs, Colo-
rado, for Walter Colburn
and W. W. Brubaker.

S T A T E M E N T

By the Commission:

Walter H. Colburn, doing business as "Grand View Tours,"
Colorado Springs, Colorado, is the owner of PUC No. 132, authorizing:

operation of two sightseeing automobiles, from
Colorado Springs, Colorado, to what is known as
the "Pikes Peak Sightseeing Region;" sightseeing
and auto livery service within the City of Colo-
rado Springs, Colorado.

On June 10, 1957, the Commission entered its Decision No.
48085, authorizing said Walter H. Colburn, doing business as "Grand
View Tours," Colorado Springs, Colorado, to lease to W. W. Brubaker,
doing business as "Hiawatha Tours," Manitou Springs, Colorado, his
operating rights under said PUC No. 132 for a term beginning June 1,
1957, and terminating May 31, 1958, for the consideration agreed upon
between the parties.

On May 22, 1958, the Commission entered its Decision No.
50318, authorizing continued lease of said PUC No. 132 by said
parties, for a period of one year, commencing January 1, 1958, and
terminating May 31, 1959, for consideration agreed upon by said parties.

The Commission is now in receipt of a communication from Tarter and Tarter, Attorneys, on behalf of said parties, requesting that said parties be authorized to continue said lease agreement for the current year.

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 leasing of PUC No. 132 is in the public interest, and should be authorized, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:


That Walter H. Colburn, doing business as "Grand View Tours," Colorado Springs, Colorado, be, and he hereby is, authorized to lease to W. W. Brubaker, doing business as "Hiawatha Tours," Manitou Springs, Colorado, his operating rights under PUC No. 132, for a term beginning June 1, 1959, and terminating May 31, 1960, for the consideration agreed upon between the parties hereto, the operation of said W. W. Brubaker, doing business as "Hiawatha Tours," under said lease, to be conducted in accordance with, and subject to, the laws of the State of Colorado, and the rules and regulations of this Commission, and within the authority granting certificate, and subject to the conditions and restrictions therein contained.

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.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Joseph F. Nigro
George C. Hobart
Henry H. Paulsen
Commissioners.

Dated at Denver, Colorado,
this 15th day of July, 1959.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
WALTER H. COLBURN, DOING BUSINESS AS)	
"GRAND VIEW TOURS," 106 WEST PIKES)	
PEAK AVENUE, COLORADO SPRINGS, COLO-)	
RADO, FOR AUTHORITY TO LEASE PUC NO.)	APPLICATION NO. 13007-Lease
213 TO W. W. BRUBAKER, DOING BUSI-)	<u>SUPPLEMENTAL ORDER</u>
NESS AS "HIAWATHA TOURS," 513 MANITOU)	
AVENUE, MANITOU SPRINGS, COLORADO.)	

July 15, 1959

Appearances: Tarter and Tarter, Esqs., Colo-
rado Springs, Colorado, for
Walter H. Colburn, W. W.
Brubaker.

S T A T E M E N T

By the Commission:

Walter H. Colburn, doing business as "Grand View Tours,"
Colorado Springs, Colorado, is the owner of PUC No. 213, authorizing:

operations of two sightseeing automobiles in
the Pikes Peak Region; sightseeing and auto
livery service within the City of Colorado
Springs, Colorado.

On June 10, 1957, by Decision No. 48083, said certificate-
holder was authorized to lease said operating rights to W. W. Brubaker,
doing business as "Hiawatha Tours," Manitou Springs, Colorado, until
November 1, 1957.

On May 22, 1958, the Commission entered its Decision No.
50315, authorizing continued lease of said PUC No. 213 until November
1, 1958.

The Commission is now in receipt of a communication from
Tarter and Tarter, Attorneys, on behalf of said parties, requesting
that said parties be authorized to continue said lease agreement for
the current year.

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 leasing of PUC No. 213 is in the public interest, and should be authorized, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Walter H. Colburn, doing business as "Grand View Tours," Colorado Springs, Colorado, be, and he hereby is, authorized to further lease to W. W. Brubaker, doing business as "Hiawatha Tours," Manitou Springs, Colorado, his operating rights under PUC No. 213, in accordance with the executed agreement for such lease on file with this Commission, approved by Decisions Nos. 43048, 46074, and 48083, operations of said W. W. Brubaker under said lease to be conducted in accordance with, and subject to, the laws of the State of Colorado and the rules and regulations of this Commission, and within the authority granted the certificate-holder, and subject to the conditions and restrictions therein contained, said lease agreement to continue until November 1, 1959.

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 as of the day and date
hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Hoban
Wm. H. [unclear]
Commissioners.

Dated at Denver, Colorado,
this 15th day of July, 1959.

mls

original

(Decision No. 52679)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WALTER H. COLBURN, 1544 MESA AVENUE,)
COLORADO SPRINGS, COLORADO, FOR AUTH-)
ORITY TO LEASE PUC NO. 1642 TO W. W.)
BRUBAKER, DOING BUSINESS AS "PIKES)
PEAK MOTOR WAY," AND "HIAWATHA)
TOURS," 106 WEST PIKES PEAK AVENUE,)
COLORADO SPRINGS, COLORADO.)

APPLICATION NO. 15403-Lease
SUPPLEMENTAL ORDER

July 15, 1959

Appearances: Tarter and Tarter, Esqs.,
Colorado Springs, Colo-
rado, for Walter H. Col-
burn and W. W. Brubaker.

S T A T E M E N T

By the Commission:

Walter H. Colburn, Colorado Springs, Colorado, is the owner
of PUC No. 1642, authorizing:

transportation of passengers, in sightseeing
and auto livery service, in the Pikes Peak
Region, limited to the use of one car; sight-
seeing and auto livery service within the
City of Colorado Springs, Colorado.

On June 6, 1957, the Commission entered its Decision No.
48070, authorizing said Walter H. Colburn, Colorado Springs, Colorado,
to lease said PUC No. 1642 to W. W. Brubaker, doing business as "Pikes
Peak Motor Way," and "Hiawatha Tours," Colorado Springs, Colorado, for
a period of one year, beginning June 15, 1957, and terminating June 14,
1958, for the consideration agreed upon by the parties.

On May 22, 1958, the Commission entered its Decision No.
50320, authorizing continued lease of said PUC No. 1642 by said parties,
for a period of one year, commencing June 15, 1958, and terminating June
14, 1959, for consideration agreed upon by said parties.

The Commission is now in receipt of a communication from Tarter and Tarter, Attorneys, on behalf of said parties, requesting that said parties be authorized to continue said lease agreement for the current year.

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 leasing of PUC No. 1642 is in the public interest, and should be authorized, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Walter H. Colburn, Colorado Springs, Colorado, be, and he hereby is, authorized to lease PUC No. 1642, with authority as set forth in the Statement preceding, which is made a part hereof, by reference, to W. W. Brubaker, doing business as "Pikes Peak Motor Way," and "Hiawatha Tours," Colorado Springs, Colorado, for a period of one year, commencing June 15, 1959, and terminating June 14, 1960, for the consideration agreed upon by said parties.

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 as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph L. Nigro
Ralph C. Holton
Wm. E. Milroy
Commissioners.

Dated at Denver, Colorado,
this 15th day of July, 1959.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

JOHN A. SIGMON)

1635 JUNIPER)

GRAND JUNCTION, COLORADO.)

PERMIT NO. M-14840

July 21, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from John A. Sigmon,
Grand Junction, Colorado

requesting that Permit No. M-14840 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14840, heretofore issued to John A. Sigmon,
Grand Junction, Colorado be,
and the same is hereby, declared cancelled effective July 15, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Wm. E. Zwick
Commissioners

Dated at Denver, Colorado,

this 21st day of July, 1959.

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 CHAP-)
TER 80, SESSION LAWS OF COLORADO,)
1951, FOR EMERGENCY MOVEMENT OF)
UNPROCESSED AGRICULTURAL PRODUCTS.)

APPLICATION NO. 17162
SUPPLEMENTAL ORDER

July 13, 1959

S T A T E M E N T

By the Commission:

On June 8, 1959, the Commission entered its Decision No. 52434, authorizing issuance of temporary certificates of public convenience and necessity for operation of motor vehicles, for transportation of unprocessed agricultural products, from farms to processing factories, in the Counties of Adams, Larimer, Boulder, Weld, Morgan, and Mesa, State of Colorado, from June 18, 1959, to and including July 17, 1959.

Report has now been received by the Commission from Louis J. Carter, Supervisor, Complaint and Investigation Division of this Commission, indicating that said emergency will continue for an additional sixty-day period, in the transportation of snap beans, tomatoes, sweet corn, red beets, and pickles, and requesting an order of the Commission relative to continued issuance of temporary certificates of public convenience and necessity for said sixty-day period.

F I N D I N G S

THE COMMISSION FINDS:

That an emergency exists because of shortage in certificated trucks for transportation of snap beans, tomatoes, sweet corn, red beets, and pickles in the Counties of Adams, Larimer, Boulder, Weld, Morgan,


and Mesa, State of Colorado, and that public convenience and necessity require that temporary certificates of public convenience and necessity should issue for operation of motor vehicles for transportation of said commodities, as provided by Chapter 80, Session Laws of 1951, said certificates to be effective for a period from July 18, 1959, to and including September 18, 1959.

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 continued operation of motor vehicles, for transportation of snap beans, tomatoes, sweet corn, red beets, and pickles, from farms to processing factories, in the Counties of Adams, Larimer, Boulder, Weld, Morgan, and Mesa, State of Colorado, said certificates to be effective from July 18, 1959, to and including September 18, 1959, no such certificate to issue for 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


Joseph F. Nigro
Joseph C. Holton
Alvin J. Zuleeg
Commissioners.

Dated at Denver, Colorado,
this 13th day of July, 1959.

mls

original

(Decision No. 52682)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JAMES V. DE GEORGE, DOING BUSINESS)
AS "DE GEORGE TRANSFER AND STORAGE)
COMPANY," 801 WALNUT STREET, DENVER,) APPLICATION NO. 17163-PP-Extension
COLORADO, FOR AUTHORITY TO EXTEND)
OPERATIONS UNDER PERMIT NO. B-4015.)

July 15, 1959

Appearances: Barry, Dawkins and Boyle, Esqs.,
Denver, Colorado, for Appli-
cant;
Tull, Hays, and Thompson, Esqs.,
Denver, Colorado, for Morgan
Transfer and Storage, Package
Delivery Service, Weicker
Transfer and Storage (Hubert
Work, for copy of Order, and
Duffy Storage and Moving Com-
pany);
E. B. Evans, Esq., Denver, Colo-
rado, for Brighton-Ft. Lupton
Transfer, J. D. Mikelson,
Overland Motor Express;
Howard Hicks, Denver, Colorado,
for Centennial Truck Line;
Ed Tuxhorn, Byers, Colorado,
for Byers-Denver Truck Line;
Howard Yelverton, Denver, Colo-
rado, for Goldstein Trans-
portation and Storage, Inc.

S T A T E M E N T

By the Commission:

On June 25, 1959, the Commission entered its Decision No.
52565 in the above-styled matter.

On July 3, 1959, "Application for Rehearing" was filed
herein by Westway Motor Freight, Inc., Brighton-Fort Lupton Trans-
fer, Inc., Donald L. Mikelson, and Overland Motor Express, by their
Attorney, E. B. Evans.

The Commission has reviewed the evidence adduced at the
hearing on said application, and has carefully considered Applica-

tion for Rehearing filed herein.

F I N D I N G S

THE COMMISSION FINDS:

That no error was committed in the entry of its Decision No. 52565; that no useful purpose would be served by granting rehearing herein, and that said Application for Rehearing should be denied.

O R D E R

THE COMMISSION ORDERS:

That Application for Rehearing in the above-styled matter, filed by E. B. Evans, Attorney, on behalf of Westway Motor Freight, Inc., Brighton-Fort Lupton Transfer, Inc., Donald L. Mikelson, and Overland Motor Express, on July 3, 1959, be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph T. Myers
Raymond C. Nelson
Henry G. Pauling
Commissioners.

Dated at Denver, Colorado,
this 15th day of July, 1959.

mls

original

(Decision No. 52683)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RALPH E. HINES, WOODLAND PARK, COLO-)
RADO, FOR AUTHORITY TO EXTEND OPERA-) APPLICATION NO. 17065-PP-Extension
TIONS UNDER PERMIT NO. B-5464.)

July 15, 1959

Appearances: Farley Reasonover, Esq., Wood-
land Park, Colorado, and
C. Lee Goodbar, Jr., Esq.,
Colorado Springs, Colorado,
for Applicant;
Horn and Anderson, Esqs.,
Colorado Springs, Colorado,
for Colorado Springs Transit
Company;
Ben S. Wendelken, Esq., Colo-
rado Springs, Colorado, for
Pikes Peak Automobile Company.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to extend operations under Permit No. B-5464, to include the right to transport passengers and their baggage, in motor buses, only, not on schedule, as follows: between points in Park and Chaffee Counties, Colorado; upon round trips, only, from points in Park and Chaffee Counties, to points in the State of Colorado, and return; from transportation termini in El Paso County, Colorado, to Park and Chaffee Counties, and from points in Park and Chaffee Counties, to transportation termini in El Paso County, Colorado, he being presently, under said Permit No. B-5464, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

passengers and their baggage, in motor buses, only,
not on schedule, as follows:

- (a) between points in Teller County, Colorado;

- (b) upon round trips, only, from points in Teller County to points in the State of Colorado and return;
- (c) from transportation termini in El Paso County, Colorado, to Teller County; and from points in Teller County to transportation termini in El Paso County.

Said application was regularly set for hearing before the Commission, at the Court House, Colorado Springs, Colorado, June 29, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On June 26, 1959, the Commission, as provided by law, designated Louis J. Carter, an employee of this 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 said hearing, he thereafter submitting a report of proceedings to the Commission.

Report of said Examiner states that it was stipulated between the parties at the hearing that should applicant be granted authority herein sought, he will not charge any other rate than the going rate charged by common carriers performing the same service, and that applicant shall not add any additional equipment other than that which he is now using, except as replacements thereto.

Roger Anderson Sanburn testified in support of the instant application, stating he is owner of a boys' camp in Park County; that he has about 110 boys in camp for eight weeks, viz., June 24 to August 19; that he needs applicant's proposed service in transportation and supervision of these boys on camping trips.

Richard Cable Moranes testified he is co-Director for two camps in Chaffee County, viz., Sky Valley Camp for Boys and Round-Up Camp for Girls; that he needs the applicant's proposed services in transportation of these children on tours and camping trips.

Ralph E. Hines testified he is owner of Permit No. B-5464, and applicant herein; that he needs extended authority under said permit, in order that he might serve his customers who live outside his presently-authorized territory; that he has a net worth of \$80,000; that he agrees to the provision of the stipulation heretofore set forth.

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

It does not appear that applicant's extended 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 extended authority be granted applicant herein, as set forth in the Order following.

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 should be authorized to extend operations under Permit No. B-5464, 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 be, and the same hereby is, approved.

That Ralph E. Hines, Woodland Park, Colorado, be, and he hereby is, authorized to extend operations under Permit B-5464, to include:

1. Transportation of passengers and their baggage, between points in Park and Chaffee Counties;
2. Upon round-trips only, from points in Park and Chaffee Counties, to points in the State of Colorado, and return;

3. From transportation termini in El Paso County, Colorado, to Park and Chaffee Counties, Colorado, and from points in Park and Chaffee Counties to transportation termini in El Paso County, Colorado,

all such service under this extension to be at going rate charged by common carriers performing the same service, applicant not to add additional equipment under this extension than he is presently using under operations under Permit No. B-5464, except as replacements thereto.

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

Joseph T. Nijm
Ralph C. Horton
Alvin Spaulding
Commissioners.

Dated at Denver, Colorado,
this 15th day of July, 1959.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

HOWARD GREENLEE
731 SOUTH BLUEBELL
FORT COLLINS, COLORADO.
-----)

PERMIT NO. M-7533

July 21, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Howard Greenlee,
Fort Collins, Colorado
requesting that Permit No. M-7533 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7533, heretofore issued to Howard Greenlee,
Fort Collins, Colorado be,
and the same is hereby, declared cancelled effective July 20, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 21st day of July, 1959.

original

(Decision No. 52685)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES R. BAUGH, BOX 473, WALDEN,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 17166-PP

July 16, 1959

Appearances: Charles R. Baugh, Walden,
Colorado, pro se.

S T A T E M E N T

By the Commission:

By the above-styled application, applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of forest and sawmill products, from forests within a radius of fifty miles of Walden, Colorado, to Walden, Colorado, for Michigan River Timber Company, of Walden, Colorado, only.

Said application was regularly set for hearing before the Commission, at the Court House, Hot Sulphur Springs, Colorado, June 24, 1959, at two o'clock P. M., due notice thereof being forwarded to all parties in interest.

On June 23, 1959, the Commission, as provided by law, designated Louis J. Carter, an employee of this 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 appeared in his own behalf, testifying he is the owner of a 1953 two-ton

White Truck; that he owns his home, and has a net worth of \$7,000; that he has received numerous requests for his proposed service; that in the event authority herein sought is granted, he will obey the rules and regulations of the Commission.

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

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

It does 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 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 be, and the same hereby is, approved.

That Charles R. Baugh, Walden, 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 sawmill products, from forests within a radius of fifty miles of Walden, Colorado, to Walden, Colorado, for Michigan River Timber Company, of Walden, Colorado, only.

That all operations hereunder shall be strictly contract

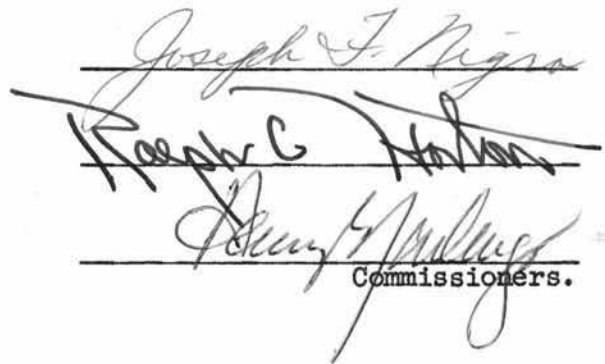
operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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 July, 1959.

mls

original

(Decision No. 52686)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LESLIE C. POWELL, BOX 66, WALDEN,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 17169-PP

July 16, 1959

Appearances: Leslie C. Powell, Walden,
Colorado, pro se.

S T A T E M E N T

By the Commission:

By the above-styled application, Leslie C. Powell, Walden, Colorado, seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of forest products, from points within a radius of fifty miles of Walden, Colorado, to Rand, Colorado, on Route #125.

Said application was regularly set for hearing before the Commission, at the Court House, Hot Sulphur Springs, Colorado, June 24, 1959, at two o'clock P. M., due notice thereof being forwarded to all parties in interest.

On June 23, 1959, the Commission, as provided by law, designated Louis J. Carter, an employee of this 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 appeared in support of his application, testifying he is the

owner of a 1956 two and one-half-ton truck; that he owns his home, and has a net worth of \$3,000; that he has received many requests for the services proposed by his instant application; that in the event authority herein sought is granted, he will obey the rules and regulations of this Commission.

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

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

It does 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 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 be, and the same hereby is, approved.

That Leslie C. Powell, Walden, 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 products, from points within a radius of fifty miles of Walden, Colorado, to Rand, Colorado.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amend-

ments 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 authority sheets.

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

Joseph F. Regier
Ralph C. Hahn
Henry E. Mulenga
Commissioners.

Dated at Denver, Colorado,
this 16th day of July, 1959.

mls

original

(Decision No. 52687)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROY D. STOUT, RAND, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 17170-PP

July 16, 1959

Appearances: Roy D. Stout, Rand,
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 logs, from forests to sawmills within a radius of fifty miles of Walden, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Hot Sulphur Springs, Colorado, June 24, 1959, at two o'clock P. M., due notice thereof being forwarded to all parties in interest.

On June 23, 1959, the Commission, as provided by law, designated Louis J. Carter, an employee of this 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 herein appeared in support of his application, testifying that he is the owner of a 1952 Mack two and one-half-ton truck; that he

has a net worth of \$6,000; that he has received numerous requests for his proposed service; that in the event authority herein sought is granted, he will obey the law, and the rules and regulations of this Commission.

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

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

It does not appear that the granting of 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 authority herein sought 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 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 Findings be, and the same hereby is, approved.

That Roy D. Stout, Rand, 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, from forests to sawmills within a radius of fifty miles of Walden, Colorado.

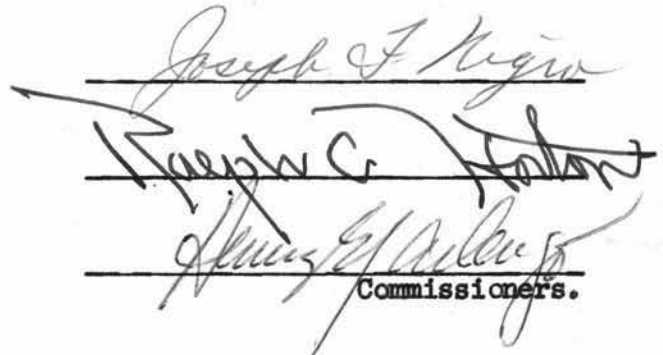
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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 July, 1959.

mls

original

(Decision No. 52688)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
TIM HALLACY, ROUTE 1, BOX 223H,)
HENDERSON, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 17096-PP

July 16, 1959

Appearances: L. A. Schaefer, Denver, Colo-
rado, for Applicant;
Robert E. McLean, Esq., Den-
ver, Colorado, for Associ-
ated Rubbish Removal Asso-
ciation.

S T A T E M E N T

By the Commission:

By the above-styled application, Tim J. Hallacy, Henderson, Colorado, seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of ashes and trash, and clean-up and odd jobs, around various places owned and operated by Schaefer Company, situated at 3900 Morrison Road, some of said jobs to necessitate moving mowing and tractors and similar machinery used in cultivating lawns; also, used building material which will be transported from one location to another.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, July 8, 1959, at two o'clock P. M., due notice thereof being forwarded to all parties in interest.

On July 7, 1959, the Commission, as provided by law, designated Louis J. Carter, an employee of this 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, Attorney for Protestants moved that said matter be continued.

Report of the Examiner recommends that said motion 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 the above-styled application should be continued, to be re-set for hearing at a later date to be determined by the Commission, with notice to all parties in interest.

O R D E R

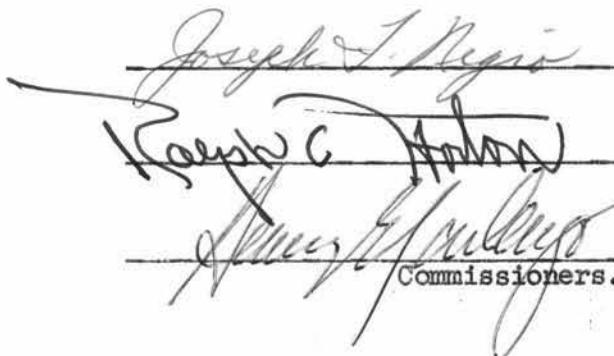
THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

That Application No. 17096-PP be, and the same hereby is, continued, said matter to be later re-set for hearing, with notice to all parties in interest.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

Dated at Denver, Colorado,
this 16th day of July, 1959.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FAY R. SARGENT)
HIGH STREET)
ELLSWORTH, MAINE.)
-----)

PERMIT NO. M-369

July 21, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Fay R. Sargent,
Ellsworth, Maine
requesting that Permit No. M-369 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-369, heretofore issued to Fay R. Sargent,
Ellsworth, Maine be,
and the same is hereby, declared cancelled effective July 14, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph T. Keyser
Joseph C. Norton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 21st day of July, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOHN E. O'DONNELL)
DBA WATKINS PRODUCTS)
POST OFFICE, BOX 540)
WALSENBURG, COLORADO.)
-----)

PERMIT NO. M-15228

July 21, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from John E. O'Donnell,
Walsenburg, Colorado
requesting that Permit No. M-15228 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15228, heretofore issued to John E. O'Donnell,
Walsenburg, Colorado be,
and the same is hereby, declared cancelled effective June 22, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Samuel C. Gordon
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,
this 21st day of July, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
KEITH J. MESSINGER)
POST OFFICE, BOX 232)
DOVE CREEK, COLORADO.)
-----)

PERMIT NO. M-8588

July 21, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Keith J. Messinger,
Dove Creek, Colorado
requesting that Permit No. M-8588 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8588, heretofore issued to Keith J. Messinger,
Dove Creek, Colorado be,
and the same is hereby, declared cancelled effective May 1, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zurling
Commissioners

Dated at Denver, Colorado,

this 21st day of July, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MR. DAN JOHNSON)
DBA L & D DISTRIBUTING COMPANY)
2685 PONTIAC STREET)
DENVER 7, COLORADO.)
-----)

PERMIT NO. M-9105

July 21, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Mr. Dan Johnson,
dba L & D Distributing Company, Denver, Colorado
requesting that Permit No. M-9105 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9105, heretofore issued to Mr. Dan Johnson,
dba L & D Distributing Company, Denver, Colorado be,
and the same is hereby, declared cancelled effective July 10, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 21st day of July, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

PEERLESS COLORADO COMPANY)
755 SOUTH BROADWAY)
DENVER, COLORADO.)
-----)

PERMIT NO. M-4798

July 21, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Peerless Colorado Co.
Denver, Colorado

requesting that Permit No. M-4798 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4798, heretofore issued to Peerless Colorado Co.
Denver, Colorado be,
and the same is hereby, declared cancelled effective May 31, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zurlungo
Commissioners

Dated at Denver, Colorado,
this 21st day of July, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

JOHN A. JACKSON
NEDERLAND, COLORADO.

PERMIT NO. M-15787

July 21, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from John A. Jackson,
Nederland, Colorado
requesting that Permit No. M-15787 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15787, heretofore issued to John A. Jackson,
Nederland, Colorado be,
and the same is hereby, declared cancelled effective June 1, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Samuel C. Norton
Wm. E. Zuley
Commissioners

Dated at Denver, Colorado,

this 21st day of July, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE BRAUNSTON)
DBA GEORGE BRAUNSTON REFRIG-)
ATED TRUCK SERVICE)
822 LINDEN STREET)
LOS ANGELES 21, CALIFORNIA.)

PUC NO. 2792-I

July 21, 1959

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from George Braunston,
dba George Braunston Refrigerated Truck Service, Los Angeles 21, California
requesting that Certificate of Public Convenience and Necessity No. 2792-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. 2792-I heretofore issued to George Braunston,
dba George Braunston Refrigerated Truck Service, Los Angeles 21, California
be, and the same is hereby, declared cancelled effective July 13, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Charles C. Norton
Henry E. Zank
Commissioners

Dated at Denver, Colorado,
this 21st day of July, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOHN W. KAMP)
DBA KAMP MOVING AND STORAGE COMPANY)
1620 PLATTE STREET)
DENVER 2, COLORADO.)

PERMIT NO. B-4601

July 21, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from John W. Kamp,
dba Kamp Moving and Storage Company, Denver 2, Colorado
requesting that Permit No. B-4601 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4601, heretofore issued to John W. Kamp, dba
Kamp Moving and Storage Company, Denver 2, Colorado be,
and the same is hereby, declared cancelled effective July 15, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Norton
Commissioners

Dated at Denver, Colorado,

this 21st day of July, 195 9

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE A. KOLVA)
6701 QUEBEC)
DERBY, COLORADO.)

PERMIT NO. B-4395

July 21, 1959

S T A T E M E N T

By the Commission:

On June 29, 1959, the Commission authorized George A. Kolva to suspend operations under his Permit No. B-4395, until December 29, 1959.

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

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-4395, should be, and the same is hereby reinstated as of July 16, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Harrison
Henry E. Zuckers

Dated at Denver, Colorado,
this 21st day of July 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

C. RAY FREEMAN)
215 PONCHA AVENUE)
ALAMOSA, COLORADO.)
-----)

PERMIT NO. M-598

July 21, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from C. Ray Freeman,
Alamosa, Colorado
requesting that Permit No. M-598 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-598, heretofore issued to C. Ray Freeman,
Alamosa, Colorado be,
and the same is hereby, declared cancelled effective July 21, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Horton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 21st day of July, 195⁹

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LLOYD SALYERS)
DBA LLOYD SALYERS TRUCKING)
1718 AVENUE "C")
SCOTTSBLUFF, NEBRASKA.)
-----)

PERMIT NO. M-15499

July 23, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Lloyd Salyers,
dba Lloyd Salyers Trucking, Scottsbluff, Nebraska
requesting that Permit No. M-15499 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15499, heretofore issued to Lloyd Salyers,
dba Lloyd Salyers Trucking, Scottsbluff, Nebraska be,
and the same is hereby, declared cancelled effective July 20, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Frank C. Horton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 23rd day of July, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
M. B. THOMAS AND GLENN THOMAS)
DBA M. B. THOMAS AUTO SALES)
275 LEMAY FERRY ROAD)
SAINT LOUIS 23, MISSOURI.)

PERMIT NO. M-11633

July 23, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from M. B. Thomas and
Glenn Thomas, dba M. B. Auto Sales, St. Louis, Missouri
requesting that Permit No. M-11633 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11633, heretofore issued to M. B. Thomas and
Glenn Thomas, dba M. B. Auto Sales, St. Louis, Missouri be,
and the same is hereby, declared cancelled effective July 16, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Gordon
Henry E. Zaulings
Commissioners

Dated at Denver, Colorado,

this 23rd day of July, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

PAUL SCHOTT)

906 LINCOLN AVENUE)

LA JUNTA, COLORADO.)

PERMIT NO. M-13363

July 23, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Paul Schott,

La Junta, Colorado

requesting that Permit No. M-13363 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13363, heretofore issued to Paul Schott,

La Junta, Colorado

be,

and the same is hereby, declared cancelled effective May 11, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zaulinger
Commissioners

Dated at Denver, Colorado,

this 23rd day of July, 195 9.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MIKE FATTA)
DBA PUEBLO WASTE PAPER COMPANY)
328 WEST "D" STREET)
PUEBLO, COLORADO.)
-----)

PERMIT NO. M-2422

July 23, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Mike Fatta, dba
Pueblo Waste Paper Co., Pueblo, Colorado
requesting that Permit No. M-2422 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2422, heretofore issued to Mike Fatta, dba
Pueblo Waste Paper Co., Pueblo, Colorado be,
and the same is hereby, declared cancelled effective June 24, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Francis C. Gordon
Henry E. Zalusky
Commissioners

Dated at Denver, Colorado,
this 23rd day of July, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE FULLER, H. P. LEONARD AND JOHN)
MANNING, DBA JOHN MANNING AND COMPANY,
BUILDING G -- UNITS 7-10, STATE FARM--)
ERS MARKET, FOREST PARK, GEORGIA.)
-----)

PERMIT NO. M-499

July 23, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from George Fuller, H. P.
Leonard and John Manning, dba John Manning & Co., Forest Park, Georgia
requesting that Permit No. M-499 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-499, heretofore issued to George Fuller, H. P.
Leonard and John Manning, dba John Manning & Co., Forest Park, Georgia be,
and the same is hereby, declared cancelled effective June 13, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Wood
Wm. E. Zuley
Commissioners

Dated at Denver, Colorado,

this 23rd day of July, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ERNEST P. APODACA)
902 STATE STREET)
TRINIDAD, COLORADO.)
_____)

PERMIT NO. M-10764

July 23, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ernest P. Apodaca,
Trinidad, Colorado
requesting that Permit No. M-10764 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10764, heretofore issued to Ernest P. Apodaca,
Trinidad, Colorado be,
and the same is hereby, declared cancelled effective July 18, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Wm. E. Zullinger
Commissioners

Dated at Denver, Colorado,

this 23rd day of July, 1959

original

(Decision No. 52705)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
BILL BASHAM, DOING BUSINESS AS)
"BILL BASHAM SANITATION SERVICE,")
150 SHERMAN DRIVE, GRAND JUNC-)
TION, COLORADO.)

PUC No. 3644

July 22, 1959

S T A T E M E N T

By the Commission:

Heretofore, Bill Basham, doing business as "Bill Basham Sanitation Service," Grand Junction, Colorado, was granted a certificate of public convenience and necessity (PUC No. 3644), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

contents of septic tanks, grease traps, cesspools, and outside toilets, from point to point within a radius of one hundred miles of Grand Junction.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be cancelled and revoked.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is hereby made a part hereof, by reference.

That PUC No. 3644, heretofore issued to Bill Basham, doing business as "Bill Basham Sanitation Service," Grand Junction, Colorado, be, and the same hereby is, cancelled and revoked, inasmuch as this Commission has no jurisdiction over transportation service authorized thereby.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Myers
Ralph C. Horton
Harry E. Adams
Commissioners.

Dated at Denver, Colorado,
this 22nd day of July, 1959.

mls

original

(Decision No. 52706)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
DALE BRIGHT, DOING BUSINESS AS)
"DALE BRIGHT SEPTIC TANK SER-)
VICE," 128 TELLER AVENUE, GRAND)
JUNCTION, COLORADO.)

PUC No. 3650

July 22, 1959

S T A T E M E N T

By the Commission:

Heretofore, Dale Bright, doing business as "Dale Bright Septic Tank Service," Grand Junction, Colorado, was granted a certificate of public convenience and necessity, authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

contents of septic tanks, grease traps, cesspools, and outside toilets, from point to point within a radius of forty-five miles of Grand Junction, Colorado,

said operating rights being designated "PUC No. 3650."

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be cancelled and revoked.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is hereby made a

part hereof, by reference.

That PUC No. 3650, heretofore issued to Dale Bright, doing business as "Dale Bright Septic Tank Service," Grand Junction, Colorado, be, and the same hereby is, cancelled and revoked, inasmuch as this Commission has no jurisdiction over transportation service authorized thereby.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Hobart
Henry E. Sprague
Commissioners.

Dated at Denver, Colorado,
this 22nd day of July, 1959.

mls

original

(Decision No. 52707)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LEE SIMON AND EARL SIMON, CO-)
PARTNERS, DOING BUSINESS AS "LEE)
SIMON & SON," BOX 638, LIMON,)
COLORADO.)

PUC NO. 4044

July 22, 1959

S T A T E M E N T

By the Commission:

Heretofore, Lee Simon and Earl Simon, co-partners, doing business as "Lee Simon & Son," Limon, Colorado, were granted a certificate of public convenience and necessity (PUC No. 4044), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

sewage, in septic tank trucks, within a radius of seventy-five miles of Limon, Colorado, and Governmental units, Federal, State and local, at any point in the State of Colorado.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be cancelled and revoked.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is hereby made a part hereof, by reference.

That PUC No. 4044, heretofore issued to Lee Simon and Earl Simon, co-partners, doing business as "Lee Simon & Son," Limon, Colorado, be, and the same hereby is, cancelled and revoked, inasmuch as this Commission has no jurisdiction over transportation services thereby authorized.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Harold C. Horton
Henry E. Spilberg
Commissioners.

Dated at Denver, Colorado,
this 22nd day of July, 1959.

mls

original

(Decision No. 52708)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
NORMAN MACUMBER, DOING BUSINESS)
AS "NORMAN MACUMBER SEPTIC SER-)
VICES AND REPAIR," LIMON, COLO-)
RADO.)

PUC NO. 4053

July 22, 1959

S T A T E M E N T

By the Commission:

Heretofore, Norman Macumber, doing business as "Norman Macumber Septic Services and Repair," Limon, Colorado, was granted a certificate of public convenience and necessity (PUC No. 4053), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

sewage, in septic tank trucks, within a radius of seventy-five miles of the City of Limon, Colorado.

Inasmuch as the Attorney General of the State Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cess-pools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be cancelled and revoked.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part hereof, by reference.

That PUC No. 4053, heretofore issued to Norman Macumber, doing business as "Norman Macumber Septic Services and Repair," Limon, Colorado, be, and the same hereby is, cancelled and revoked, inasmuch as this Commission has no jurisdiction over transportation services thereby authorized.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Alvin E. Zerkow
Commissioners.

Dated at Denver, Colorado,
this 22nd day of July, 1959.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF
EARL R. KEARFOTT, DOING BUSINESS
AS "KEARFOTT SANITARY SERVICE,"
ROUTE 1, BOX 286, LOVELAND,
COLORADO.

PUC NO. 4358

July 22, 1959

S T A T E M E N T

By the Commission:

Heretofore, Earl R. Kearfott, doing business as "Kearfott Sanitary Service," Loveland, Colorado, was granted a certificate of public convenience and necessity (PUC No. 4358), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

offal, sewage, and other waste materials, from septic tanks, cesspools, and other waste containers of such materials, to disposal places, all within the following-described territory: to the Colorado-Wyoming State Line on the north; the Continental Divide on the west; a line drawn due east and west through Fort Lupton, Colorado, but not including Fort Lupton, Colorado, on the south; and Highway No. 85 on the east; sand and gravel, between points within a radius of ten miles of Loveland, Colorado, transportation of sand and gravel to be limited to the use of one dump truck, only.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be amended, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part hereof, by reference.

That authority under PUC No. 4358, owned and operated by Earl R. Kearfott, doing business as "Kearfott Sanitary Service," Loveland, Colorado, be, and the same hereby is, amended, so that said certificate-holder, in the future, under said PUC No. 4358, shall be authorized to operate as a common carrier by motor vehicle for hire, for the transportation of:

sand, and gravel, between points within a radius of ten miles of Loveland, Colorado, said transportation service to be limited to the use of one dump truck, only.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Hyatt
Ralph C. Hobart
Henry J. Mulvey
Commissioners

Dated at Denver, Colorado,
this 22nd day of July, 1959.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF	}	<u>PUC NO. 4088</u>
EARL HARRIS, ROUTE 1, MONTE		
VISTA, COLORADO.		

July 22, 1959

S T A T E M E N T

By the Commission:

Heretofore, Earl Harris, Monte Vista, Colorado, was granted a certificate of public convenience and necessity (PUC No. 4088), authorizing operation as a common carrier by motor vehicle for hire, for the:

furnishing of sanitary services within the City of Monte Vista, Colorado, and a radius of one hundred and twenty-five miles thereof.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be cancelled and revoked.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part hereof, by reference.

That PUC No. 4088, heretofore issued to Earl Harris, Monte Vista, Colorado, be, and the same hereby is, cancelled and revoked, inasmuch as this Commission does not have jurisdiction over trans-

portation services authorized thereby.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Henry G. Gault
Commissioners.

Dated at Denver, Colorado,
this 22nd day of July, 1959.

ea

original

(Decision No. 52711)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
GEORGE T. RICHARDS, DOING)	
BUSINESS AS "RICHARDS ROTO)	<u>PUC NO. 4221</u>
ROOTER SERVICE," 113 MAIN AVE-)	
NUE, LA JUNTA, COLORADO.)	
-----)	

July 22, 1959

S T A T E M E N T

By the Commission:

Heretofore, George T. Richards, doing business as "Richards Roto Rooter Service," La Junta, Colorado, was granted a certificate of public convenience and necessity (PUC No. 4221), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

sludge from cesspools and septic tanks, within the Counties of Otero, Baca and Bent, Colorado, only.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be cancelled and revoked.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is hereby made a part hereof, by reference.

That PUC No. 4221, heretofore issued to George T. Richards, doing business as "Richards Roto Rooter Service," La Junta, Colorado,

be, and the same hereby is, cancelled and revoked, inasmuch as this Commission has no jurisdiction over transportation services thereby authorized.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Kiger
Frederic C. Kottler
Henry E. Salinger
Commissioners.

Dated at Denver, Colorado,
this 22nd day of July, 1959.

ea

original

(Decision No. 52712)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
JOHN S. OWENS, 408 EAST CHESTER,)	PUC NO. 3745
LAFAYETTE, COLORADO.)	
-----)	

July 22, 1959

S T A T E M E N T

By the Commission:

Heretofore, John S. Owens, Lafayette, Colorado, was granted a certificate of public convenience and necessity (PUC No. 3745), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

trash, rubbish, refuse, garbage, offal, swill
refuse animal or vegetable matter, refuse trees
and tree limbs; refuse coal, wood, timber, lumber,
sand, gravel, furniture, and all and every item
of a similar refuse or junk nature, within the
Town of Lafayette, Colorado, and within a five-
mile radius thereof.

Inasmuch as the Attorney General of the State of Colo-
rado has now ruled that The Public Utilities Commission of the
State of Colorado has no jurisdiction over transportation of refuse,
offal, and other waste materials produced in the cleaning of septic
tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be amended, as set forth
in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

That PUC No. 3745, heretofore issued to John S. Owens, Lafayette, Colorado, be, and the same hereby is, amended, so that in the future, said certificate-holder shall be authorized, under said PUC No. 3745, to operate as a common carrier by motor vehicle for hire, for the transportation of:

trash, rubbish, refuse, garbage, swill, refuse animal or vegetable matter, refuse trees and tree limbs; refuse coal, wood, timber, lumber, sand, gravel, furniture and all and every item of a similar refuse or junk nature, within the Town of Lafayette, Colorado, and within a five-mile radius thereof.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigri
Joseph C. Hobart
Clarence H. Hulings
Commissioners.

Dated at Denver, Colorado,
this 22nd day of July, 1959.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
ALBERT CARTON, DOING BUSINESS)	
AS "LONGMONT SANITARY SERVICE)	PUC NO. 3983
& GRAND CENTRAL STATION," 1041)	
ALTA STREET, LONGMONT, COLORADO.)	
-----)	

July 22, 1959

S T A T E M E N T

By the Commission:

Heretofore, Albert Carton, doing business as "Longmont Sanitary Service and Grand Central Station," Longmont, Colorado, was authorized to operate as a common carrier by motor vehicle for hire (PUC No. 3983), for the transportation of:

effluent and other associated by-products from septic tanks, cesspools, grease traps, and other receptacles for such effluent, to places of disposal thereof, within a radius of seventy-five miles of the City of Longmont, Boulder County, Colorado.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be cancelled and revoked.

O R D E R

THE COMMISSION ORDERS:

That the above-styled Statement be, and the same hereby is, made a part hereof, by reference.

That PUC No. 3983, presently held by Albert Carton,
doing business as "Longmont Sanitary Service & Grand Central
Station," Longmont, Colorado, be, and the same hereby is, can-
celled and revoked, inasmuch as this Commission has no juris-
diction over transportation services thereby authorized.

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

(S E A L)

ATTEST: A TRUE COPY

J. J. Mahoney
Secretary.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSEPH F. NIGRO

Joseph F. Nigro

RALPH C. HORTON

Ralph C. Horton

HENRY E. ZABLENKO

Henry E. Zablenko
Commissioners.

Dated at Denver, Colorado,
this 22nd day of July, 1959.

ea

original

(Decision No. 52714)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
W. H. HALL, ROUTE 1, BOX 349,)	PUC NO. 3491
BOULDER, COLORADO.)	
-----)	

July 22, 1959

S T A T E M E N T

By the Commission:

Heretofore, W. H. Hall, Boulder, Colorado, was granted a certificate of public convenience and necessity (PUC No. 3491), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

trash, rubbish, refuse, garbage, offal, swill, refuse, animal or vegetable matter, refuse trees and tree limbs; refuse coal, wood, timber, lumber, sand, gravel, furniture and all and every item of a similar nature within the City of Boulder, Colorado, and within a five-mile radius thereof, to the present City Dump, approximately three miles beyond the City Limits of Boulder, or to any dump that may hereafter be established for said city.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be amended, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part hereof, by reference.

That PUC No. 3491, heretofore issued to W. H. Hall, Boulder, Colorado, be, and the same hereby is, amended, so that in the future, said certificate-holder shall be authorized, under said PUC No. 3491, to operate as a common carrier by motor vehicle for hire, for the transportation of:

trash, rubbish, refuse, garbage, swill, refuse, animal or vegetable matter, refuse trees and tree limbs; refuse coal, wood, timber, lumber, sand, gravel, furniture and all and every item of a similar nature within the City of Boulder, Colorado, and within a five-mile radius thereof, to the present City Dump, approximately three miles beyond the City Limits of Boulder, or to any dump that may hereafter be established for said city.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Regio
Reynold C. Hobart
Henry G. Paulsen
Commissioners

Dated at Denver, Colorado,
this 22nd day of July, 1959.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF
W. H. TOWNLEY, DOING BUSINESS
AS "TOWNLEY DRILLING COMPANY,"
CALHAN, COLORADO.

PUC NO. 4045

July 22, 1959

S T A T E M E N T

By the Commission:

Heretofore, W. H. Townley, doing business as "Townley Drilling Company," Calhan, Colorado, was granted a certificate of public convenience and necessity (PUC No. 4045), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

waste material, in septic tank trucks, within
a radius of fifty miles of Calhan, Colorado.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be cancelled and revoked.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part hereof, by reference.

That PUC No. 4045, heretofore issued to W. H. Townley, doing business as "Townley Drilling Company," Calhan, Colorado, be, and

the same hereby is, cancelled and revoked, inasmuch as this Commission has no jurisdiction over transportation services thereby authorized.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nye
Reginald C. Hatten
Walter G. Aulugg
Commissioners.

Dated at Denver, Colorado,
this 22nd day of July, 1959.

ea

original

(Decision No. 52716)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF	}	<u>PUC NO. 3430</u>
VIRGIL A. COON, 2013 WALNUT		
STREET, BOULDER, COLORADO.		
-----)	

July 22, 1959

S T A T E M E N T

By the Commission:

Heretofore, Virgil A. Coon, Boulder, Colorado, was granted a certificate of public convenience and necessity (PUC No. 3430), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

trash, rubbish, refuse, garbage, offal, swill refuse, animal or vegetable matter, refuse trees and tree limbs; refuse, coal, wood, timber, lumber, sand, gravel, and all and every item of a similar refuse or junk nature, within the City of Boulder, Colorado, and a five-mile radius thereof, and to the present City Dump, approximately three miles beyond the City Limits of Boulder, or to any dump that may be hereafter established.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be amended, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part hereof, by reference.

That PUC No. 3430, heretofore issued to Virgil A. Coon, Boulder, Colorado, be, and the same hereby is, amended, so that in the future, said certificate-holder shall be authorized, under said PUC No. 3430, to operate as a common carrier by motor vehicle for hire, for the transportation of:

trash, rubbish, refuse, garbage, swill refuse, animal or vegetable matter, refuse trees and tree limbs; refuse, coal, wood, timber, lumber, sand, gravel, and all and every item of a similar refuse or junk nature, within the City of Boulder, Colorado, and a five-mile radius thereof, and to the present City Dump, approximately three miles beyond the City Limits of Boulder, or to any dump that may be hereafter established.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Foster
Henry G. Mulveng
Commissioners.

Dated at Denver, Colorado,
this 22nd day of July, 1959.

ea

original

(Decision No. 52717)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
BEN H. LANDIS, 4915 EAST EARLL)
DRIVE, PHOENIX, ARIZONA.)

PUC NO. 4207

July 23, 1959

S T A T E M E N T

By the Commission:

Heretofore, Ben H. Landis, Phoenix, Arizona, was granted a certificate of public convenience and necessity (PUC No. 4207), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

sewage and cesspool refuse, from point to point within the Counties of Montezuma, La Plata, Archuleta, Conejos, Costilla, Huerfano, Alamosa, Rio Grande, Mineral, Hinsdale, San Juan, Saguache, Custer, Chaffee, and Gunnison, State of Colorado.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be cancelled and revoked.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part hereof, by reference.

That PUC No. 4207, heretofore issued to Ben H. Landis,

Phoenix, Arizona, be, and the same hereby is, cancelled and re-
voked, inasmuch as this Commission has no jurisdiction over trans-
portation services thereby authorized.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Henry S. Paulings
Commissioners.

Dated at Denver, Colorado,
this 23rd day of July, 1959.

mls

original

(Decision No. 52718)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
RUSSELL TURNER, 2537 MAPLETON)
STREET, BOULDER, COLORADO.)

PUC NO. 3412

July 23, 1959

S T A T E M E N T

By the Commission:

Heretofore, Russell Turner, Boulder, Colorado, was granted a certificate of public convenience and necessity (PUC No. 3412), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

trash, ashes, cans, bottles, dirt, sand, gravel, rock, manure, offal, swill, trees, tree limbs, coal, wood, timber, lumber, junk, old building material and salvage, refuse and rubbish of all kinds and of similar nature, from all points within the City of Boulder and a five-mile radius thereof, to the present City Dump of Boulder, Colorado, or any dump that may be hereafter established therefor.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be amended, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part here-

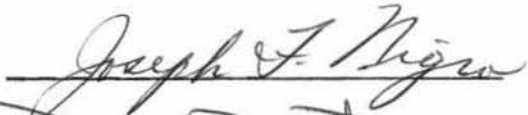
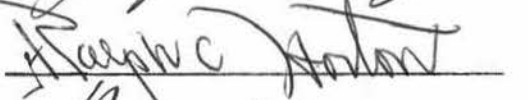

of, by reference.

That PUC No. 3412, heretofore issued to Russell Turner, Boulder, Colorado, be and the same hereby is, amended, so that in the future, said certificate-holder shall be authorized, under said PUC No. 3412, to operate as a common carrier by motor vehicle for hire, for the transportation of:

trash, ashes, cans, bottles, dirt, sand, gravel, rock, manure, swill, trees, tree limbs, coal, wood, timber, lumber, junk, old building material and salvage, refuse and rubbish of all kinds and of similar nature, from all points within the City of Boulder and a five-mile radius thereof, to the present City Dump of Boulder, Colorado, to any dump that may be hereafter established therefor.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 23rd day of July, 1959.

mls

original

(Decision No. 52719)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
EARL LE ROY BOOKER, 515½ WEST)
CHEYENNE ROAD, COLORADO SPRINGS,)
COLORADO.)

PUC NO. 3070

July 23, 1959

S T A T E M E N T

By the Commission:

Heretofore, Earl LeRoy Booker, Colorado Springs, Colorado, was granted a certificate of public convenience and necessity (PUC No. 3070), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

refuse, from cesspools, septic tanks and grease-traps in Colorado Springs, Colorado, and in an area bounded by Woodland Park, Fountain, and Matheson, Colorado, to dumps within said area.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease, and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be cancelled and revoked.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part hereof, by reference.

That PUC No. 3070, heretofore issued to Earl LeRoy Booker,

Colorado Springs, Colorado, be, and the same hereby is, cancelled and
revoked, inasmuch as this Commission has no jurisdiction over trans-
portation service authorized thereby.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Horton
Harry E. Williams
Commissioners.

Dated at Denver, Colorado,
this 23rd day of July, 1959.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN RE MOTOR VEHICLE OPERATIONS OF)
THE DENVER SANITARY COMPANY, A)
COLORADO CORPORATION, 3161 WALNUT)
STREET, DENVER, COLORADO.)

PUC NO. 4016

July 23, 1959

S T A T E M E N T

By the Commission:

Heretofore, The Denver Sanitary Company, Denver, Colorado, was granted a certificate of public convenience and necessity (PUC No. 4016), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps, between points within the City and County of Denver and within a sixty-five-mile radius thereof, excluding therefrom points contiguous to and lying one mile on each side of U. S. Highway No. 6, when said points are beyond thirty miles northeast of Denver, and all points contiguous to and lying one mile on each side of U. S. Highway No. 85, when said points are beyond thirty miles north of Denver, and points contiguous to and lying one mile on each side of U. S. Highway No. 87 and the Boulder Turnpike, when said points are beyond twenty miles north of Denver; and from said territory, to regularly-designated and approved disposal places.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be cancelled and revoked.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part hereof, by reference.

That PUC No. 4016, heretofore issued to The Denver Sanitary Company, Denver, Colorado, be, and the same hereby is, cancelled and revoked, inasmuch as this Commission has no jurisdiction over transportation service authorized thereby.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Holton
Clarence J. Sullivan
Commissioners.

Dated at Denver, Colorado,
this 23rd day of July, 1959.

mls

original

(Decision No. 52721)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
OTTO HALKOWIEZ AND LUCY B. COYKEN-)
DALL, CO-PARTNERS, DOING BUSINESS)
AS "COLORADO SANITARY COMPANY,")
1416 - 32ND STREET, DENVER, COLORADO.)
-----)

PUC NO. 4018

July 23, 1959

S T A T E M E N T

By the Commission:

Heretofore, Otto Halkowicz and Lucy B. Coykendall, co-partners, doing business as "Colorado Sanitary Company," Denver, Colorado, were granted a certificate of public convenience and necessity (PUC No. 4018), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps, between points within the City and County of Denver, and within a sixty-mile radius thereof, excluding therefrom points contiguous to and lying one mile on each side of U. S. Highway No. 6, when said points are beyond thirty-five miles northeast of Denver, and all points contiguous to and lying one mile on each side of U. S. Highway No. 85, when said points are beyond thirty miles north of Denver, and points contiguous to and lying one mile on each side of U. S. Highway No. 87 and the Boulder Turnpike, when said points are beyond twenty miles north of Denver; and from said territory, to regularly-designated and approved disposal places.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be cancelled and revoked.

O R D E R

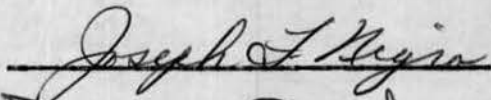
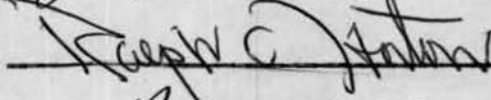
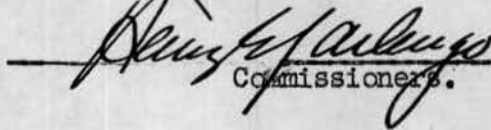
THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part hereof, by reference.

That PUC No. 4018, heretofore issued to Otto Halkowicz and Lucy B. Coykendall, co-partners, doing business as "Colorado Sanitary Company," Denver, Colorado, be, and the same hereby is, cancelled and revoked, inasmuch as this Commission has no jurisdiction over transportation service authorized thereby.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 23rd day of July, 1959.

ea

original

(Decision No. 52722)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
FOGG SEPTIC TANK CLEANING)	
SERVICE, INC., BURLINGTON,)	PUC NO. 4071
COLORADO.)	
-----)	

July 23, 1959

S T A T E M E N T

By the Commission:

Heretofore, Fogg Septic Tank Cleaning Service, Inc., Burlington, Colorado, was granted a certificate of public convenience and necessity (PUC No. 4071), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

sewage, in septic tank trucks, within a radius of 165 miles of Burlington, Colorado, excluding service within the City and County of Denver and the Counties of Boulder, Larimer and Weld.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be cancelled and revoked.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part hereof by reference.

That PUC No. 4071, heretofore issued to Fogg Septic Tank Cleaning Service, Inc., Burlington, Colorado, be, and the same hereby

is, cancelled and revoked, inasmuch as this Commission has no jurisdiction over transportation service authorized thereby.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Hobart
Harry E. Edwards
Commissioners.

Dated at Denver, Colorado,
this 23rd day of July, 1959.

ea

original

(Decision No. 52723)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF
CHESNEY R. LAPPIN AND FORDIE A.
TUMBLESON, CO-PARTNERS, DOING
BUSINESS AS "L & T SANITATION
COMPANY," ROUTE 2, BOX 388,
BOULDER, COLORADO.

PUC NO. 3417

July 23, 1959

S T A T E M E N T

By the Commission:

Heretofore, Chesney R. Lappin and Fordie A. Tumbleson, co-partners, doing business as "L & T Sanitation Company," Boulder, Colorado, were granted a certificate of public convenience and necessity (PUC No. 3417), authorizing operation as a common carrier by motor vehicle for hire, for:

cleaning, removing, and disposing of the contents of grease traps, cesspools, privies, and other such structures, within the Counties of Boulder, Weld, and Morgan, in the State of Colorado;

cleaning, removing and disposing of the contents of grease traps, cesspools, privies, and other such structures, within the City Boundaries of the City of Boulder, Colorado, and from point to point within a radius of five miles thereof;

removal of trash, rubbish, refuse, garbage, offal, swill, animal refuse, vegetable matter, refuse trees and tree limbs, refuse coal, wood, timber, lumber, sand, gravel, furniture, and all and everything of similar refuse or junk nature, from point to point within the City of Boulder, Colorado, and a five-mile radius thereof, and from said area to the City Dump of the City of Boulder, wherever same may be located now or in the future.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That operating rights under PUC No. 3417 should be amended, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part hereof, by reference.

That operating rights of Chesney R. Lappin and Fordie A. Tumbleson, co-partners, doing business as "L & T Sanitation Company," Boulder, Colorado, under PUC No. 3417, be, and the same hereby are, amended, so that in the future, said certificate-holders shall be authorized to operate as a common carrier by motor vehicle for hire, under said PUC No. 3417, for the transportation of:

trash, rubbish, refuse, garbage, swill, animal refuse, vegetable matter, refuse trees and tree limbs, refuse coal, wood, timber, lumber, sand, gravel, furniture, and all and everything of similar refuse or junk nature, from point to point within the City of Boulder, Colorado, and a five-mile radius thereof, and from said area to the City Dump of the City of Boulder, wherever same may be located now or in the future.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Hinton
Henry G. Mulvey
Commissioners.

Dated at Denver, Colorado,
this 23rd day of July, 1959.

ea

original

(Decision No. 52724)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
ROBERT GERBITZ, 1841 28TH)	<u>PUC NO. 3411</u>
STREET, BOULDER, COLORADO.)	
-----)	

July 23, 1959

S T A T E M E N T

By the Commission:

Heretofore, Robert Gerbitz, Boulder, Colorado, was granted a certificate of public convenience and necessity (PUC No. 3411), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

trash, rubbish, refuse, garbage, offal, swill, refuse, animal or vegetable matter, refuse trees and tree limbs; refuse coal, wood, timber, lumber, sand, gravel, and all and every item of a similar refuse or junk nature, within the City of Boulder, Colorado, and a five-mile radius thereof, and to the present City Dump of Boulder, Colorado, approximately three miles beyond the City Limits of Boulder, or any dump that may be hereafter established for said city.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be amended, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part hereof, by reference.

That PUC No. 3411, heretofore issued to Robert Gerbitz, Boulder, Colorado, be, and the same hereby is, amended, so that in the future, said certificate-holder shall be authorized, under said PUC No. 3411, to operate as a common carrier by motor vehicle for hire, for the transportation of:

trash, rubbish, refuse, garbage, swill, refuse, animal or vegetable matter, refuse trees and tree limbs; refuse coal, wood, timber, lumber, sand, gravel, and all and every item of a similar refuse or junk nature, within the City of Boulder, Colorado, and a five-mile radius thereof, and to the present City Dump of Boulder, Colorado, approximately three miles beyond the City Limits of Boulder, or any dump that may be hereafter established for said city.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Holman
Henry J. Kullgren
Commissioners.

Dated at Denver, Colorado,
this 23rd day of July, 1959.

ea

original

(Decision No. 52725)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
VAUGHN RUFUS BYRD, DOING BUSI-)
NESS AS "PUEBLO SANITARY WORKS,")
503 EAST 11TH STREET, PUEBLO,)
COLORADO.)

PUC NO. 3982

July 23, 1959

S T A T E M E N T

By the Commission:

Heretofore, Vaughn Rufus Byrd, doing business as "Pueblo Sanitary Works," Pueblo, Colorado, was granted a certificate of public convenience and necessity (PUC No. 3982), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

waste material, from cesspools, septic tanks,
grease traps, and sumps, from point to point
within a radius of one hundred miles of
Pueblo, Colorado.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be cancelled and revoked.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part hereof, by reference.

That PUC No. 3982, heretofore issued to Vaughn Rufus Byrd, doing business as "Pueblo Sanitary Works," Pueblo, Colorado, be, and the same hereby is, cancelled and revoked, inasmuch as this Commission has no jurisdiction over transportation services thereby authorized.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Kyrie
Ralph C. Holman
Quayle Paulings
Commissioners.

Dated at Denver, Colorado,
this 23rd day of July, 1959.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
G. L. GATES, DOING BUSINESS AS)
"GATES CESSPOOL CLEANING SER-)
VICE," MONTE VISTA, COLORADO.)

PUC NO. 4175

July 23, 1959

S T A T E M E N T

By the Commission:

Heretofore, G. L. Gates, doing business as "Gates Cesspool Cleaning Service," Monte Vista, Colorado, was granted a certificate of public convenience and necessity (PUC No. 4175), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

sewage and cesspool refuse, from point to
point within a radius of one hundred miles
of Monte Vista, Colorado.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.

O R D E R

THE COMMISSION ORDERS:

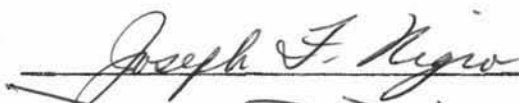
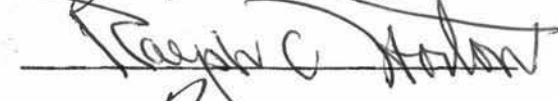

That the above-styled Statement is hereby made a part of this Order, by reference.

That PUC No. 4175, heretofore issued to G. L. Gates, doing

business as "Gates Cesspool Cleaning Service," Monte Vista, Colorado, be, and the same hereby is, cancelled and revoked, inasmuch as this Commission has no jurisdiction over transportation services thereby authorized.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 23rd day of July, 1959.

mls

original

(Decision No. 52727)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
EDWARD M. ROGERS, 3121 THIRD)
STREET, BOULDER, COLORADO.)

PUC NO. 3235

July 23, 1959

S T A T E M E N T

By the Commission:

Heretofore, Edward M. Rogers, Boulder, Colorado, was granted a certificate of public convenience and necessity (PUC No. 3235), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

trash, rubbish, refuse, garbage, offal, swill, refuse animal or vegetable matter, refuse trees and tree limbs; refuse coal, wood, timber, lumber, sand, gravel, furniture, and all and every item of a similar refuse or junk nature, from point to point within the City of Boulder, Colorado, and a five-mile radius thereof, and from said area to any City Dump of the City of Boulder, Colorado, wherever same may be located in the future.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be amended, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part hereof, by reference.

That PUC No. 3235, heretofore issued to Edward M. Rogers, Boulder, Colorado, be, and the same hereby is, amended, so that in the future, said certificate-holder shall be authorized, under said PUC No. 3235, to operate as a common carrier by motor vehicle for hire, for the transportation of:

trash, rubbish, refuse, garbage, swill, refuse animal or vegetable matter, refuse trees and tree limbs; refuse coal, wood, timber, lumber, sand, gravel, furniture, and all and every item of a similar refuse or junk nature, from point to point within the City of Boulder, Colorado, and a five-mile radius thereof, and from said area to any City Dump of the City of Boulder, Colorado, wherever same may be located in the future.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Hobart
Alvin E. Zuley
Commissioners.

Dated at Denver, Colorado,
this 23rd day of July, 1959.

mls

original

(Decision No. 52728)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ROY E. DUBBEL, ROUTE 4, BOX 391,)
PUEBLO, COLORADO.)

PUC NO. 4276

July 23, 1959

S T A T E M E N T

By the Commission:

Heretofore, Roy E. Dubbel, Pueblo, Colorado, was granted a certificate of public convenience and necessity (PUC No. 4276), authorizing operation as a common carrier by motor vehicle for hire, for:

the conduct of a business of furnishing sanitary services, for repairing, building, cleaning, removing and disposing of the contents of cesspools, septic tanks, grease traps, and sumps, from point to point within the County of Pueblo, State of Colorado.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be cancelled and revoked.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part hereof, by reference.

That PUC No. 4276 be, and the same hereby is, cancelled and

revoked, inasmuch as this Commission has no jurisdiction over the transportation services authorized thereby.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Hobart
Henry E. Mulhage
Commissioners.

Dated at Denver, Colorado,
this 23rd day of July, 1959.

mls

original

(Decision No. 52729)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
BRYAN C. BODEN, ROUTE 2, BOX)
336, BOULDER, COLORADO.)

PUC NO. 3901

July 23, 1959

S T A T E M E N T

By the Commission:

Heretofore, Bryan C. Boden, Boulder, Colorado, was granted a certificate of public convenience and necessity, authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

trash, rubbish, refuse, garbage, offal, swill, refuse animal or vegetable matter, refuse trees and tree limbs; refuse coal, wood, timber, lumber, sand, gravel, furniture and all and every item of a similar refuse or junk nature, within the City of Boulder, Colorado, and within a five-mile radius thereof, to regularly-designated and approved dumps and disposal places in the County of Boulder, State of Colorado,

said operating rights being known as "PUC No. 3901."

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be amended, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:


That the above and foregoing Statement is made a part hereof, by reference.

That PUC No. 3901, heretofore issued to Bryan C. Boden, Boulder, Colorado, be, and the same hereby is, amended, so that in the future, said certificate-holder shall be authorized, under said PUC No. 3901, to operate as a common carrier by motor vehicle for hire, for the transportation of:

trash, rubbish, refuse, garbage, swill, refuse animal or vegetable matter, refuse tree and tree limbs; refuse coal, wood, timber, lumber, sand, gravel, furniture, and all and every item of a similar refuse or junk nature, within the City of Boulder, Colorado, and within a five-mile radius thereof, to regularly-designated and approved dumps and disposal places in the County of Boulder, State of Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Joseph F. Nigro
Ralph C. Hobart
Henry E. Gault
Commissioners.

Dated at Denver, Colorado,
this 23rd day of July, 1959.

mls

original

(Decision No. 52730)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JEROME F. DEDISSE, EVERGREEN,)
COLORADO.)

PUC NO. 2754

July 23, 1959

S T A T E M E N T

By the Commission:

On December 10, 1953, the Commission entered its Decision No. 41677 in Application No. 12664, granting to Jerome Dedisse, Evergreen, Colorado, a certificate of public convenience and necessity (PUC No. 2754) to operate as a common carrier by motor vehicle for hire, for the transportation of:

"trash, sewage, and water, from point to point within a radius of ten miles of Evergreen, Colorado."

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That operating rights under PUC No. 2754 should be amended, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part hereof, by reference.

That operating rights of Jerome Dedisse, Evergreen, Colorado, under PUC No. 2754, be, and the same hereby are, amended, so that in the future said certificate-holder shall be authorized to operate as a common carrier by motor vehicle for hire, under said PUC No. 2754, for the transportation of:

"trash and water, from point to point within a radius of ten miles of Evergreen, Colorado."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Higgin
Reginald C. Norton
Spencer G. Paulsen
Commissioners.

Dated at Denver, Colorado,
this 23rd day of July, 1959.

mls

original

(Decision No. 52731)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF }
REX WALTER HOLMES, ADAMS CITY, }
COLORADO, }

PUC NO. 2161

July 23, 1959

S T A T E M E N T

By the Commission:

Heretofore, Rex Walter Holmes, Adams City, Colorado, was granted a certificate of public convenience and necessity (PUC No. 2161), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

refuse, from septic tanks and grease traps,
between all points in Adams County, Colorado.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.

O R D E R

THE COMMISSION ORDERS:

That PUC No. 2161, heretofore issued to Rex Walter Holmes, Adams City, Colorado, be, and the same hereby is, cancelled and revoked, inasmuch as this Commission has no jurisdiction over transportation services authorized thereby.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Higgins
Ralph C. Hobart
Harry E. Spurgeon
Commissioners.

Dated at Denver, Colorado,
this 23rd day of July, 1959.

mls

original

(Decision No. 52732)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ALBERT R. SHORT, 5411 SOUTH SHERMAN)
STREET, LITTLETON, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 17256

July 23, 1959

S T A T E M E N T

By the Commission:

On May 11, 1959, the above-styled applicant filed with this Commission his application, seeking a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, for the transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps, between points within a radius of one hundred and fifty miles of Denver, excluding service in the Denver-Boulder-Longmont area.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said application should be dismissed, and filing fee paid by Applicant herein refunded to him.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part here-

of, by reference.

That Application No. 17256 be, and the same hereby is, dismissed, for the reason that this Commission does not have jurisdiction over transportation service herein sought to be rendered by Applicant.

That filing fee paid by Albert R. Short, Littleton, Colorado, in the above-styled application shall be refunded to him.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Paul G. Salas
Commissioners.

Dated at Denver, Colorado,
this 23rd day of July, 1959.

mls

original

(Decision No. 52733)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
DICK KNOX, DOING BUSINESS AS "KNOX)	
BROS. SANITATION SERVICE," 3500)	
WEST 55TH PLACE, DENVER, COLORADO,)	<u>APPLICATION NO. 17255</u>
FOR A CERTIFICATE OF PUBLIC CONVEN-)	
IENCE AND NECESSITY TO OPERATE AS A)	
COMMON CARRIER BY MOTOR VEHICLE)	
FOR HIRE.)	
-----)	

July 24, 1959

S T A T E M E N T

By the Commission:

On May 21, 1959, the above-styled applicant filed with this Commission his application, seeking a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, for the transportation of sewage, from point to point within the State of Colorado.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said application should be dismissed, and filing fee paid by Applicant herein refunded to him.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part hereof by reference.

That Application No. 17255 be, and the same hereby is, dismissed, for the reason that this Commission does not have jurisdiction

over transportation service herein sought to be rendered by Applicant.

That filing fee paid by Dick Knox, doing business as "Knox Bros. Sanitation Service," Denver, Colorado, in the above-styled application shall be refunded to him.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Aguirre
Ralph C. Hutton
Harry G. Paulings
Commissioners.

Dated at Denver, Colorado,
this 24th day of July, 1959.

ea

original

(Decision No. 52734)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RICHARD J. COLLINS, MONTE VISTA,) APPLICATION NO. 17252-PP
COLORADO.)
-----)

July 24, 1959

Appearances: Conour and Conour, Esqs.,
Del Norte, Colorado,
for Applicant.

S T A T E M E N T

By the Commission:

Heretofore, Applicant herein filed his application with the Commission, seeking authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, from point to point within a radius of seventy-five miles of South Fork, Colorado.

The Commission is now in receipt of a communication from Elizabeth A. Conour, Attorney for Applicant herein, stating applicant no longer desires to prosecute said application, and requesting dismissal thereof.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Application No. 17252-PP be, and the same hereby is, dismissed, upon request of Attorney for Applicant herein.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Higin
Ralph C. Higin
Henry Paulino
Commissioners.

Dated at Denver, Colorado,
this 24th day of July, 1959.
ea

original

(Decision No. 52735)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
N. R. JAMES, ROUTE 2, BOX 6, LAS)	
ANIMAS, COLORADO, FOR A CLASS "B")	
PERMIT TO OPERATE AS A PRIVATE)	APPLICATION NO. 17230-PP
CARRIER BY MOTOR VEHICLE FOR HIRE.)	
-----)	

July 24, 1959

Appearances: George L. Strain, Esq.,
La Junta, Colorado, for
Applicant;
Robert L. Harris, Las Animas,
Colorado, for Las Animas
Transfer Company.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of farm products, including baled and loose hay, excluding live-stock, from farms and ranches within a radius of fifty miles of Las Animas, Colorado, to points within said fifty-mile radius of Las Animas, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, La Junta, Colorado, July 7, 1959, at 1:30 o'clock P. M., due notice thereof being forwarded to all parties in interest.

On July 6, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, 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 herein appeared in support of his application, stating that he is presently engaged in the trucking business; that he has sufficient equipment to render his proposed service; that he has a net worth of \$25,000; that he has received numerous requests for his proposed service; that no other carrier in the area can adequately render his proposed service.

William Miller, a farmer of Las Animas, Colorado, and Harold Schmeiser, a farmer in Bent County, appeared and testified in support of the instant application, testifying, in general, that they are farmers; that they need applicant's proposed service because present service in the area involved is not adequate to meet their shipping needs and requirements; that they want, and will use, applicant's proposed service.

Robert Harris, of Las Animas Transfer Company, owner and operator of PUC No. 254, appeared in opposition to the granting of authority herein sought, but offered no evidence to establish that the granting of the authority herein sought would impair the efficiency of his operations. In fact, no evidence was introduced by protestant to establish that he is presently adequately serving the territory herein sought to be served by applicant.

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

It does 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 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 be, and the same hereby is, approved.

That N. R. James, Las Animas, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of farm products, including baled and loose hay, but excluding livestock, from farms and ranches within a radius of fifty miles of Las Animas, Colorado, to points within said fifty-mile radius of Las Animas, 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 authority sheets.

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 F. Nigro
Ralph C. Norton
Charles E. Pellego
Commissioners.

Dated at Denver, Colorado,
this 24th day of July, 1959.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JOE R. GUERRERO, 911 WEST FIRST)	
STREET, LA JUNTA, COLORADO, FOR A)	
CLASS "B" PERMIT TO OPERATE AS A)	APPLICATION NO. 17229-PP
PRIVATE CARRIER BY MOTOR VEHICLE)	
FOR HIRE.)	
-----)	

July 24, 1959

Appearances: Charles S. Vigil, Esq.,
Denver, Colorado, for
Applicant;
Chester M. Easton, Pueblo,
Colorado, for Centennial
Truck Lines, Inc.;
Howard D. Hicks, Denver,
Colorado, for Centennial
Truck Lines, Inc.;
Robert L. Harris, Las Animas,
Colorado, for Las Animas
Transfer Company.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of merchandise sold by Montgomery Ward and Company, from point to point within a radius of sixty-five miles of La Junta, Colorado, for Monttrgomery Ward and Company, only.

Said application was regularly set for hearing before the Commission at the Court House, La Junta, Colorado, July 7, 1959, at 1:30 o'clock P. M., due notice thereof being forwarded to all parties in interest.

On July 6, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, 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 Edwin R. Lundborg, as Examiner, conducting

said hearing, he thereafter submitting a report of proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant herein appeared and testified he has suitable equipment to render his proposed service; that he has a net worth of \$1,800; that he will haul merchandise sold by Montgomery Ward and Company, for said company, only; that Montgomery Ward and Company has no other carrier available in the area involved that can satisfy their shipping needs; that he filed the instant application upon request of said company; that he is presently operating under Temporary Authority issued by this Commission.

I. J. Williams, Manager of Montgomery Ward and Company store at La Junta, Colorado, appeared and testified in support of the instant application, stating applicant has been hauling for his store under Temporary Authority and that said service has been very good; that he requires services of applicant, in order to satisfy shipping needs and buying habits of said company's customers in the area involved; that there is no other carrier in the area that can render the service applicant is here proposing.

Chester M. Easton, protestant herein, appeared and testified, only to identify PUC No. 8, being the authority of Centennial Truck Lines, Inc.

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

It does 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 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 be, and the same hereby is, approved.

That Joe R. Guerrero, La Junta, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of merchandise sold by Montgomery Ward and Company, only, from point to point within a radius of sixty-five miles of La Junta, Colorado, for said Montgomery Ward and Company, only.

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

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

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 F. Nigro
Ralph C. Norton
Henry E. Zullings
Commissioners.

Dated at Denver, Colorado,
this 24th day of July, 1959.

ea

original

(Decision No. 52737)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EMPIRE AVIATION, INC., LA JUNTA,)
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY TO) APPLICATION NO. 17227
OPERATE AS A COMMON CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

July 24, 1959

Appearances: George L. Strain, Esq., La
Junta, Colorado, for Appli-
cant;
Chester M. Easton, Pueblo,
Colorado, for Centennial
Truck Lines, Inc.;
Lewis M. Rhoades, Pueblo,
Colorado, for Weicker
Transfer and Storage
Company;
Robert L. Harris, Las Animas,
Colorado, for Las Animas
Transfer Company.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of aircraft, disabled, wrecked, new, used, assembled, or disassembled, and parts in connection therewith, to and from all points in the State of Colorado, and in interstate commerce, to and from all points in the State of Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, La Junta, Colorado, July 7, 1959, at 1:30 o'clock P. M., due notice thereof being forwarded to all parties in interest.

On July 6, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct

the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, 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, Forrest G. Griffith, of La Junta, Colorado, President and General Manager of Applicant and a stockholder in said corporation, appeared and testified in support of the instant application, stating applicant has been engaged in the sales, maintenance, and repair of aircraft since 1946; that applicant has received numerous requests throughout the State of Colorado to pick up disabled and wrecked aircraft and also for delivery of new equipment; that the type of service which applicant proposes to render requires use of highly-specialized equipment, and employment of specially-trained personnel; that, to his knowledge, there is no other common carrier service in the State of Colorado rendering adequate service in such transportation; that there is a very definite need for this type of service; that applicant has the specialized equipment and highly-trained personnel necessary to render this type of service; that the net worth of applicant is \$50,000.

William Marlman, of Las Animas, Colorado, an aircraft operator at Las Animas, Colorado, appeared and testified in support of the instant application, stating he is well acquainted with operations of applicant herein; that any carrier desiring to render said service would need highly-specialized equipment, which, of necessity, would have to be manned by highly-trained personnel; that he needs the service proposed herein by applicant, and would use same, if granted, as there is no other carrier, to his knowledge, in the State of Colorado who can adequately render this specialized type of service.

Chester M. Easton, protestant herein, appeared and testified

only to identify PUC No. 8, viz., the authority of Centennial Truck Lines, Inc.; PUC No. 354, viz., authority of Centennial Truck Lines, Inc.; and PUC No. 341, viz., authority of Weicker Transfer and Storage Company.

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

Report of the Examiner recommends that authority herein sought 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 public convenience and necessity require the proposed motor vehicle common carrier service of applicant herein, on call and demand, 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 Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of Empire Aviation, Inc., La Junta, Colorado, for the transportation of disabled, wrecked, new, used, assembled, or disassembled, aircraft, and parts in connection therewith, to and from all points in the State of Colorado, in intrastate commerce, and the transportation of disabled, wrecked, new, used, assembled, or disassembled, aircraft, and parts in connection therewith, in interstate commerce, between all points in the State of Colorado and the Colorado State Boundary Line, where all highways cross the same, which interstate operating rights not to grant any

authority other than that authorized by the Interstate Commerce Commission, said interstate operating rights to be subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

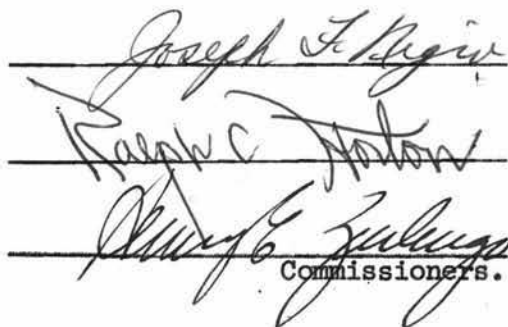
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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 23rd day of July, 1959.

mls

original

(Decision No. 52738)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RALPH GRIMALDO, 923 SOUTH ROYER)
STREET, COLORADO SPRINGS, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

APPLICATION NO. 17179-PP

July 24, 1959

Appearances: Ralph Grimaldo, Colorado
Springs, Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, 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, June 29, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On June 18, 1959, Jones and Meiklejohn, Attorneys for Denver Chicago Transport Company, Inc., filed a written protest herein, stating protestant would have no objection to issuance of authority herein sought, in the event transportation of road-surfacing materials were limited to the use of dump trucks.

On June 26, 1959, the Commission, as provided by law, designated Louis J. Carter, an employee of this 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 herein appeared in support of his application, stating he is presently operating under Temporary Authority issued by this Commission; that he is the owner of a 1950 G.M.C. two and one-half-ton dump truck; that he has a net worth of \$8,000; that he has received numerous requests for his proposed service; that he agrees to limit type of equipment to be used when transporting road-surfacing materials to dump trucks.

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

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

It does 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.

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 Findings be, and the same hereby is, approved.

That Ralph Grimaldo, Colorado Springs, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, 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, transportation of road-surfacing materials 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 authority sheets.

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 F. Nigro
Ralph C. Hahant
Amey E. Selinger
Commissioners.

Dated at Denver, Colorado,
this 24th day of July, 1959.

mls

original

(Decision No. 52739)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
LUDVIK H. HLADIK, LARKSPUR, COLORADO,)	
FOR AUTHORITY TO TRANSFER PERMIT NO.)	APPLICATION NO. 17178-PP-Transfer
B-5493 TO WARREN E. GRESHAM, ELBERT,)	
COLORADO.)	

July 24, 1959

Appearances: Warren E. Gresham, Elbert,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Heretofore, Ludvik H. Hladik, Larkspur, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

milk and cream, and other dairy products, in containers, only, from points within a radius of forty miles of Ramah, Colorado, to the Sinton Dairy, IXL Creamery, Nevada or Frink Creamery, and Beatrice Creamery, in Colorado Springs, Colorado, and Frink Creamery in Larkspur, Colorado, with return of empty containers and dairy supplies; milk and dairy products, over a route within the following-described area, to-wit: beginning at a point on U. S. Highway No. 85, one mile north of Larkspur, Colorado; thence east seven miles to the southeast corner of Section 21, Township 9-South, Range 66-West; thence north nine miles to the southeast corner of Section 4, Township 8-South, Range 66-West; thence west to Castle Rock, Colorado; thence south along U. S. Highway No. 85 to place of beginning, to Larkspur, Colorado, with back-haul of small lots of feed and grain, only, to milk customers; milk and cream, to Larkspur, from farms in the area described as: from Larkspur east to a point about five miles north of Elbert, on Colorado Highway No. 157; thence south along said highway to Elbert, Colorado; thence in a southeasterly direction over country roads through Bijou Basin to Peyton, Colorado; thence westerly along Colorado High-

way No. 50 to Monument, Colorado; thence north along U. S. Highway No. 85 to Larkspur, Colorado; transportation of authorized commodities to include service to shippers on State Highway No. 83, where it intersects Section 5, Township 9-South, Range 65-West; and to include Section 26, Township 7-South, Range 66-West; and from Highway No. 83, via Colorado No. 87, from Franktown to Castle Rock, Colorado, also on U. S. Highway No. 85, from Castle Rock to Section 27, Township 7-South, Range 67-West; thence via U. S. Highway No. 85 to Larkspur, Colorado,

said operating rights being designated "Permit No. B-5493."

By the above-styled application, said permit-holder seeks authority to transfer said Permit No. B-5493 to Warren E. Gresham, Elbert, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Colorado Springs, Colorado, June 29, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On June 26, 1959, the Commission, as provided by law, designated Louis J. Carter, an employee of this 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, transferee herein appeared and testified in support of the application, stating transferor was unable to appear at the hearing; that he has entered into an agreement with said transferor to purchase Permit No. B-5493, copy of which agreement is on file with the Commission; that there is also a copy of financial statement of transferee on file with the Commission; that there are no outstanding unpaid operating obligations against authority herein sought to be transferred; that he is the owner of a 1958 G.M.C. two-ton truck, and a 1955 Chevrolet

one and one-half-ton truck; that in the event authority herein sought is granted, he will obey the laws and rules and regulations of this Commission.

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

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

Report of the Examiner recommends that authority herein sought 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 the proposed transfer is compatible with the public interest, and should be authorized, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

That Ludvik H. Hladik, Larkspur, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-5493 -- with authority as set forth in the Statement preceding, which is made a part of these Findings by reference -- to Warren E. Gresham, Elbert, Colorado, subject to the payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted, and in the future will comply with

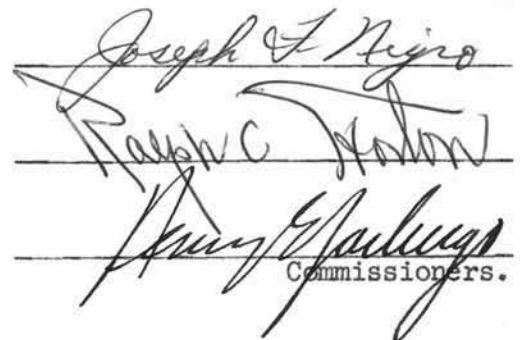
the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of the Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, 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 24th day of July, 1959.

mls

original

(Decision No. 52740)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
VERNE M. DECKER, DOING BUSINESS AS)
"DECKER TRUCK LINE," HAYDEN, COLO-)
RADO, FOR AUTHORITY TO TRANSFER PUC)
NO. 1880 TO R. E. FARRINGTON AND)
R. E. FARRINGTON, JR., CO-PARTNERS,)
DOING BUSINESS AS "YAMPA TRANSFER,")
BOX 252, YAMPA, COLORADO.)
-----)

APPLICATION NO. 17176-Transfer

July 24, 1959

Appearances: Ben Donahay, Esq., Steamboat
Springs, Colorado, for
Applicants.

S T A T E M E N T

By the Commission:

Heretofore, Verne M. Decker, doing business as "Decker
Truck Line," Hayden, Colorado, was authorized to operate as a common
carrier by motor vehicle for hire, for the transportation, on call
and demand, of:

farm products, including livestock, farm supplies,
farm equipment, including furniture, coal, oil,
oil products, construction, building, oil field
and drilling materials and supplies, between points
in that part of Routt County which lies west of the
Range Line between Ranges 85 and 86, and from and to
points in said area, to and from points in the State
of Colorado, without the right to transport oil
products or construction, building, oil field, and
drilling materials and supplies from points in said
County to points in the State of Colorado, or to
transport farm supplies and farm equipment, includ-
ing furniture, between points served by Leonard
Gray, under PUC No. 880, and without the right to
furnish service between points served by line-haul
motor vehicle carriers, in competition therewith,

said operating rights being designated "PUC No. 1880."

By the above-styled application, said certificate-holder
seeks authority to transfer said operating rights to R. E. Farrington
and R. E. Farrington, Jr., co-partners, doing business as "Yampa
Transfer," Yampa, Colorado.

Said application was regularly set for hearing before the Commission at the Court House, Steamboat Springs, Colorado, June 25, 1959, at 9:30 o'clock A. M., due notice thereof being forwarded to all parties in interest.

On June 22, 1959, the Commission, as provided by law, designated Louis J. Carter, an employee of this 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, Verne M. Decker, transferor herein, appeared in support of the application, stating he has entered into an agreement to sell PUC No. 1880, on a cash basis; that there are no outstanding unpaid operating obligations against said operating rights.

R. E. Farrington, Jr. also appeared in support of the application, stating transferees have on file with the Commission a financial statement; that they own four tractors, six trailers, and one freight truck; that they are familiar with, and will obey, the rules and regulations of this Commission, in the event authority herein sought is granted.

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

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

Report of the Examiner recommends that authority herein sought 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 the proposed transfer is compatible with the public interest, and should be authorized, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above Findings be, and the same hereby is, approved.

That Verne M. Decker, doing business as "Decker Truck Line," Hayden, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1880 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to R. E. Farrington and R. E. Farrington, Jr., co-partners, doing business as "Yampa Transfer," Yampa, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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

That 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 the 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

Joseph F. Nigro
Ralph C. Holton
Henry E. Gailings
Commissioners.

Dated at Denver, Colorado,
this 24th day of July, 1959.

ea

original

(Decision No. 52741)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CLARENCE DALE SIMPSON AND GEORGE)
EARL SIMPSON, CO-PARTNERS, DOING)
BUSINESS AS "SIMPSON BROTHERS,")
430 SCHOOL STREET, CRAIG, COLORADO,)
FOR AUTHORITY TO EXTEND OPERATIONS)
UNDER CLASS "B" PERMIT GRANTED BY)
DECISION NO. 51895.)
-----)

APPLICATION NO. 17173-PP-Extension

July 24, 1959

Appearances: Clarence Dale Simpson,
Craig, Colorado, and
George Earl Simpson,
Craig, Colorado, pro se.

S T A T E M E N T

By the Commission:

By the above-styled application, applicants herein seek authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, at the Court House, Steamboat Springs, Colorado, June 25, 1959, at 9:30 o'clock A. M., due notice thereof being forwarded to all parties in interest.

On June 22, 1959, the Commission, as provided by law, designated Louis J. Carter, an employee of this 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, applicants herein requested that said matter be continued, to be re-set for hearing at a later date.

Report of the Examiner recommends that applicants' request 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 the above-styled application should be continued, to be re-set for hearing at a later date to be determined by the Commission, with notice to all parties in interest.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

That Application No. 17173-PP is hereby continued, said matter to be later re-set for hearing before the Commission, with notice to all parties in interest.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Norton
Henry Pauling
Commissioners.

Dated at Denver, Colorado,
this 24th day of July, 1959.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
B. J. MITCHELL, 643 RUSSELL STREET,)
CRAIG, COLORADO, FOR AUTHORITY TO) APPLICATION NO. 17172-PP-Extension
EXTEND OPERATIONS UNDER PERMIT NO.)
B-4419.)
-----)

July 24, 1959

Appearances: Mrs. Robert Burch, Craig,
Colorado, for Applicant.

S T A T E M E N T

By the Commission:

Heretofore, B. J. Mitchell, Craig, Colorado, was authorized
to operate as a Class "B" private carrier by motor vehicle for hire,
for the transportation of:

coal, from Mt. Streeter, Colorado, to Craig,
Colorado; sand and gravel, from point to point
within a radius of fifty miles of Craig, Colorado,

said operating rights being known as "Permit No. B-4419."

By the instant application, said permit-holder seeks authority
to extend operations under said Permit No. B-4419, to include the right
to transport uranium ore, from Little Star Mine, in Moffat County,
north of Highway No. 40, to mills in Maybell, Colorado.

Said application was regularly set for hearing before the
Commission, at the Court House, Steamboat Springs, Colorado, June 25,
1959, at 9:30 o'clock A. M., due notice thereof being forwarded to
all parties in interest.

On June 22, 1959, the Commission, as provided by law, desig-
nated Louis J. Carter, an employee of this 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, Mrs. Robert Burch appeared in behalf of applicant, stating B. J. Mitchell, applicant herein, is her son; that he was unable to appear at the hearing; that he is the owner of a 1957 International three-ton dump truck; that he owns his home, and has a net worth of \$25,000; that applicant herein is presently performing the service herein sought under Temporary Authority issued by this Commission; that he has received numerous requests for his proposed extended operations; that in the event authority herein sought is granted, applicant will obey the law and rules and regulations of this Commission.

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

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

It does not appear that applicant's proposed extended 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 authority herein sought 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 applicant herein should be authorized to extend operations under Permit No. 4419, 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 be, and the same hereby is, approved.

That B. J. Mitchell, Craig, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-4419, to include the right to transport uranium ore, from Little Star Mine, in Moffat County, north of Highway No. 40, to mills in Maybell, Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Joseph F. Nigro
Ralph C. Johnson
Harry E. Zalusky
Commissioners.

Dated at Denver, Colorado,
this 24th day of July, 1959.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ARTHUR HILLMER, 722 NORTH PINE)	
STREET, COLORADO SPRINGS, COLORADO,)	
FOR A CERTIFICATE OF PUBLIC CONVEN-)	APPLICATION NO. 17010
IENCE AND NECESSITY, AUTHORIZING)	
OPERATION AS A COMMON CARRIER BY)	
MOTOR VEHICLE FOR HIRE.)	
-----)	

July 24, 1959

Appearances: Robert G. McIlhenney, Esq.,
 Denver, Colorado, for
 Applicant;
 Karl R. Ross, Esq., Colorado
 Springs, Colorado, for Bill's
 Ash and Trash, Charles Lopez,
 Becker's Ash and Trash, Estes
 Service Company, Garbage Service
 Company, Inc., Disposal Service
 Company;
 C. Lee Goodbar, Jr., Esq., Colo-
 rado Springs, Colorado, for
 Clarence Boshart.

S T A T E M E N T

By the Commission:

Applicant herein seeks a certificate of public convenience and necessity, authorizing him to operate as a common carrier by motor vehicle for hire, for the transportation of ashes, trash, etc., from point to point within the City of Colorado Springs, Colorado, and a radius of ten miles thereof.

Said application was regularly set for hearing before the Commission, at the Court House, Colorado Springs, Colorado, June 29, 1959, at 2:00 o'clock P. M., due notice thereof being forwarded to all parties in interest.

On June 26, 1959, the Commission, as provided by law, designated Louis J. Carter, an employee of this 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 said hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant appeared in support of his application, stating he has a net worth of \$15,608.60, as shown in his Statement of Assets and Liabilities, made an Exhibit herein; that if the instant application is granted, he will purchase the necessary equipment to perform his proposed service; that he has received requests from approximately thirty-five people for trash service, all of whom live in Colorado Springs, Colorado.

Harold Detimore, of Colorado Springs, Colorado, testified he had need for a trash and clean-up service; that services of Disposal Service Company are not satisfactory; that they come at times, and then fail to come again; that he had not had anyone solicit his business.

Mabel Hemenway, of Colorado Springs, Colorado, testified she had lived in Colorado Springs for eleven years, and needed ash and trash service; that she was having trouble with her present service; that in the past, she had called several carriers, some of whom came on the first call, and then again, it would require several calls to get service; that no one had solicited her trash-hauling business.

Byron Maggart testified he had lived in Colorado Springs for fourteen years; that he has a need for disposal service, but the present service offered by Disposal Service is not regular, and the service itself is bad; that he had called several trash-removal concerns, but could not get service.

Fred Pate testified he had lived in Colorado Springs for seventeen years; that he was unable to get trash service; that he had called several carriers as many as four or five times each, but

they did not respond; that he had not contacted Disposal Service Company; that he does not need service at the present time.

In opposition to granting of authority herein sought, John Becker, for Becker's Ash and Trash, and Robert Cummings, for Disposal Service Company, testified their companies had sufficient equipment, and there was no need for additional service in the City of Colorado Springs, Colorado.

John Becker further testified he is President of Colorado Springs Ash and Trash Association, and of his own knowledge, he knew that the members of said Association had many idle trucks at all times.

Report of said Examiner further states that the area herein sought to be served by applicant embraces Manitou Springs, Broadmoor, and Security, said area having a population of over 100,000; that there are presently twenty-nine active ash, trash and disposal services operating in said area.

Report of the Examiner recommends that the above-styled application be denied, inasmuch as applicant herein failed to establish public convenience and necessity for his proposed operations.

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 the above-styled application should be denied, inasmuch as applicant failed to establish public convenience and necessity for his proposed service.

O R D E R

THE COMMISSION ORDERS:


That Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

That public convenience and necessity do not require applicant's proposed service, and that Application No. 17010 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


Joseph F. Nigro
Ralph C. Hagan
Samuel E. Paulings
Commissioners.

Dated at Denver, Colorado,
this 24th day of July, 1959.

ea

original

(Decision No. 52744)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE DEPARTMENT OF HIGHWAYS OF THE)
STATE OF COLORADO, 4201 EAST)
ARKANSAS AVENUE, DENVER, COLORADO,)
FOR AUTHORITY TO CONSTRUCT A HIGH-)
WAY OVERPASS STRUCTURE PARALLELING)
AND ADJACENT TO AN EXISTING HIGHWAY)
OVERPASS ON STATE HIGHWAY NO. 2,)
NEAR THE JUNCTION OF VASQUEZ AND)
COLORADO BOULEVARDS, IN COMMERCE-)
TOWN, STATE OF COLORADO.)

APPLICATION NO. 17089

July 24, 1959

Appearances: Joseph M. Montano, Esq., Denver,
Colorado, for Applicant;
William V. Hodges, Jr., Esq.,
Denver, Colorado, for Chicago,
Rock Island & Pacific Railroad
Co.;
J. L. McNeill, Denver, Colorado,
for the Staff of the Commission.

S T A T E M E N T

By the Commission:

The above-entitled application was filed with the Commission on May 8, 1959, and was thereafter set to be heard in Denver, Colorado, at the State Office Building, on July 8, 1959. After appropriate notice to all interested parties; to the Town Clerk, Commerce Town; to City Engineer, City of Denver; and to the Chairman, Board of Adams County Commissioners, the matter was there heard by Joseph M. McNulty, as a duly appointed Examiner for the Commission. Evidence was received, testimony taken and the files in the matter, together with the Examiner's Report and recommendations, were all submitted to the Commission and the matter taken under advisement.

Purpose of the application is to secure Commission approval

for the construction of an elevated highway overpass structure across trackage of The Chicago, Rock Island and Pacific Railroad Company near the north east city limits of Denver. The new viaduct-type structure will supplement an existing highway overpass as a means to eliminate a hazardous highway intersection of Vasquez Boulevard and Colorado Boulevard.

At the hearing, the following exhibits were offered and explained by Mr. E. L. King, who is Assistant to the Plans and Surveys Engineer of the Department of Highways, at Denver, Colorado:

- Exhibit A: (Attached to Application)
Blue-print copy of an aerial photograph with additional inked lines to show proposed structure over Vasquez Boulevard, S. H. 3.
- Exhibit B: (Application)
Plan Sheet No. 6 to show alinement of proposed viaduct structure in relation to existing roadways and necessary detours during construction.
- Exhibit C: (Application)
Plan Sheet No. 8 to show details of viaduct structure and clearances at C.R.I. & P. RR. track.
- Exhibit D; Prepared Statement of Mr. King to explain further details of location, types of agreements, approvals, need for structure, clearance data, liability insurance protection and statement of costs.

According to the explanation of Mr. King, the proposed elevated structure will be 1044 feet in length and will cross above the main line trackage of the Rock Island Railroad. Primary necessity for the project, which is now under contract by the Department of Highways, is to correct an extremely hazardous street intersection at the junction of Colorado and Vasquez Boulevards. The new viaduct bridge will overpass traffic on Vasquez Boulevard to eliminate the need and hazard of a left-turn movement across two rapidly moving lanes of traffic. Accident records of 1956, 1957, and 1958 indicate the following for this intersection:

Accidents	- 27	Injuries	- 11
Fatalities	- 2	Property Damage	- \$9,700

Proposed structure of reinforced concrete construction with pile bent abutments and drilled caisson piers, consists of seventeen spans and provides for a 30-foot roadway, a 4-foot side-walk on the West side and a 2-foot safety curb on the East side. Plans include steel handrails 3' - 5½" high above walk and safety curb level.

It is proposed that all clearances will be in conformance with the standard regulations established by the Commission in its Order of June 1, 1952. Affected clearances are summarized as follows:

	<u>Railroad Separation</u>		<u>Vasquez Boulevard</u>	
	<u>P.U.C.</u>		<u>P.U.C.</u>	
	<u>Minimum</u>	<u>Plans</u>	<u>Minimum</u>	<u>Plans</u>
Horizontal	8' - 6"	36' - 1" (North) 25' - 9" (South)	30'	38'
Vertical	22' - 6"	34' plus	16'	16.1' 21.0 (Max)

It appears that design of the proposed structure has received careful study by the Department of Highways and the Bureau of Public Roads. Other approvals of the project have been given by Adams County and by the Railroad.

Under the terms of an earlier agreement made October 20, 1949, involving construction of the rail line in this area, it appears that the Department of Highways and Bureau of Public Roads will pay all costs of a highway structure. Upon completion of the new bridge across the railroad, the Department assumes maintenance of all the structure and the railroad only maintaining its track, appurtenances and roadbed..

Estimated costs according to bid prices of the contractor are:

Overpass Structure	\$336,924
Approaches and Detours	71,918
Total	\$408,842

No objections were offered at the hearing and no protests appear in the files of the Commission. At the hearing, Mr. W. V. Hodges, Jr., as counsel for Rock Island, stated the railroad would have no objection, emphasizing only that the work be in accordance with the application and without expense to the railroad according to the former agreement.

Report of the Examiner recommends that the requested authority be granted by appropriate Order of this Commission.

F I N D I N G S

THE COMMISSION FINDS:

That it is informed in the instant matter, and that the Report of the Examiner should be approved.

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

That public safety, convenience and necessity require the construction and maintenance of the grade separation structure as proposed herein, over trackage of The Chicago, Rock Island & Pacific Railroad Company, northeast of the City of Denver, Colorado.

That horizontal and vertical clearances for the proposed structure exceed the clearance requirements established by the Commission, and are therefore acceptable.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner as submitted in the instant matter, should be, and the same hereby is, approved.


That Applicant, the State Highway Commission of Colorado, be, and it hereby is, granted a certificate of public convenience and necessity to authorize and approve the installation, construction and maintenance of the following highway-railroad grade separation structure over trackage of The Chicago, Rock Island & Pacific Railroad Company northeast of the City of Denver, Colorado:

- (a) Structure No. E-17-P. Colorado Boulevard
over Vasquez Boulevard, and C.R.I. & P. RR.

That the new work to be done, costs, installation, maintenance, and other work shall be as indicated in the preceding Statement and Exhibits "A", "B", "C" and "D", all of which, by reference, are made a part hereof.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Joseph F. Agio
Ralph C. Hutton
Samuel E. Zuckerman
Commissioners.

Dated at Denver, Colorado,
this 24th day of July, 1959.

mls

original

(Decision No. 52745)

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 THE)	<u>APPLICATION NO. 17253-Extension</u>
SOUTHWEST QUARTER OF SECTION 18,)	
TOWNSHIP 2-NORTH, RANGE 66-WEST.)	
-----)	

July 24, 1959

S T A T E M E N T

By the Commission:

On July 14, 1959, Union Rural Electric Association, Inc., Brighton, Colorado, filed an application with this Commission for authority to extend its facilities to serve a tenant house of Lee Murata, located in the Southwest Quarter of Section 18, Township 2-North, Range 66-West; which extension will involve the construction of about 1,620 feet of single-phase, primary line. The estimated cost of the construction is \$720.00.

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 the 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 Public Service Company of Colorado, dated July 15, 1959, and a letter from Colorado Central Power Company, dated

July 14, 1959, 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 serve a tenant house of Lee Murata, located in the Southwest Quarter of Section 18, Township 2-North, Range 66-West; 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 a tenant house of Lee Murata, located in the Southwest Quarter of Section 18, Township 2-North, Range 66-West, 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


Joseph F. Nigro
Joseph C. Nolan
Henry G. Adams
Commissioners.

Dated at Denver, Colorado,
this 24th day of July, 1959.
ea

original

(Decision No. 52746)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES W. REINKE AND JEAN INNES)
REINKE, CO-PARTNERS, DOING BUSI-)
NESS AS "EL PASO SANITARY COM-)
PANY," 132 NORTH CORONA, COLO-)
RADO.)

PUC NO. 2452

RE MOTOR VEHICLE OPERATIONS OF)
KENNETH E. BYRD, DOING BUSINESS)
AS "EL PASO SANITARY COMPANY,")
722 SOUTH NEVADA, COLORADO)
SPRINGS, COLORADO.)

PUC NO. 2452

July 24, 1959

S T A T E M E N T

By the Commission:

Heretofore, Charles W. Reinke and Jean Innes Reinke, co-partners, doing business as "El Paso Sanitary Company," Colorado Springs, Colorado, were authorized to operate as a common carrier by motor vehicle for hire, for the transportation of:

sewage and other waste materials upon the public highways, in the Counties of El Paso, Elbert, Douglas, Teller, and Fremont, State of Colorado,

said operating rights being known as "PUC No. 2452."

Thereafter, said certificate-holders, pursuant to authority from this Commission so to do, leased said PUC No. 2452 to Kenneth E. Byrd, doing business as "El Paso Sanitary Company," Colorado Springs, Colorado.

Inasmuch as the Attorney General of the State of Colorado has ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cess-

pools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be cancelled and revoked.

O R D E R


THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part hereof, by reference.

That PUC No. 2452, heretofore issued to Charles W. Reinke and Jean Innes Reinke, co-partners, doing business as "El Paso Sanitary Company," Colorado Springs, Colorado, and leased by said certificate-holders to Kenneth E. Byrd, doing business as "El Paso Sanitary Company," Colorado Springs, Colorado, be, and the same hereby is, cancelled and revoked, inasmuch as this Commission has no jurisdiction over transportation service authorized thereby.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Joseph F. Higin
Joseph C. Hinton
Samuel H. Hinton
Commissioners.

Dated at Denver, Colorado,
this 24th day of July, 1959.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
R. C. CARROLL AND LUCILE HOWELL, DBA)
HOWELL TIRE COMPANY, 624 NORTH GRAND,)
P. O. BOX 614, ENID OKLAHOMA.)
-----)

PERMIT NO. M-10758

July 29, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from R. C. Carroll and
Lucile Howell, dba Howell Tire Company, Enid, Oklahoma
requesting that Permit No. M-10758 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10758, heretofore issued to R. C. Carroll and
Lucile Howell, dba Howell Tire Company, Enid, Oklahoma be,
and the same is hereby, declared cancelled effective July 1, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zalusky
Commissioners

Dated at Denver, Colorado,

this 29th day of July, 195 9

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

MARION G. SOUTHAM, ROUTE 2 BOX 134,)
VERNAL, UTAH.)

PERMIT NO. M-1710

July 29, 1959.

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Marion G. Southam,
Vernal, Utah

requesting that Permit No. M-1710 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1710, heretofore issued to Marion G. Southam,
Vernal, Utah be,
and the same is hereby, declared cancelled effective July 20, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Marion G. Horton
Wm. E. Zullinger
Commissioners

Dated at Denver, Colorado,

this 29th day of July, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MILES F. BLACK, 421 EAST BROADWAY,)
FARMINGTON, NEW MEXICO.)
-----)

PERMIT NO. M-432

July 29, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Miles F. Black,
Farmington, New Mexico
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 Miles F. Black,
Farmington, New Mexico be,
and the same is hereby, declared cancelled effective July 19, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Frank C. Holton
Henry E. Zurlings
Commissioners

Dated at Denver, Colorado,

this 29th day of July, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RANCHAVEN INDUSTRIES, INCORPORATED,)
P. O. BOX 539, GLENWOOD SPRINGS,)
COLORADO.)
-----)

PERMIT NO. M-4835

July 29, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ranchaven Industries,
Inc., Glenwood Springs, Colorado
requesting that Permit No. M-4835 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4835, heretofore issued to Ranchaven Industries,
Inc., Glenwood Springs, Colorado be,
and the same is hereby, declared cancelled effective July 20, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 29th day of July, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
TEXAS KENWORTH, CORPORATION, 1318)
SOUTH LAMAR STREET, DALLAS, TEXAS.)
_____)

PERMIT NO. M-3994

July 29, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Texas Kenworth, Corp.,
Dallas, Texas
requesting that Permit No. M-3994 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3994, heretofore issued to Texas Kenworth, Corp.,
Dallas, Texas be,
and the same is hereby, declared cancelled effective July 1, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Norton
Wm. E. Zullinger
Commissioners

Dated at Denver, Colorado,

this 29th day of July, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

EDAIN R. FRAGER, DBA FRAGER PAINT AND)
GLASS COMPANY, 1105 PEARL STREET,)
BOULDER, COLORADO.)
-----)

PERMIT NO. M-4195

July 29, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Edain R. Frager,
dba Frager Paint and Glass Co., Boulder, Colorado
requesting that Permit No. M-4195 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4195, heretofore issued to Edain R. Frager,
dba Frager Paint and Glass Co., Boulder, Colorado be,
and the same is hereby, declared cancelled effective January 1, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Henry E. Zuley
Commissioners

Dated at Denver, Colorado,

this 29th day of July, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CARL E. HULTQUIST, DBA HULTQUIST TANK)
TRUCK SERVICE, 631 WARNER STREET,)
FORT MORGAN, COLORADO.)
-----)

PERMIT NO. M-4710

July 29, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Carl E. Hultquist,
dba Hultquist Tank Truck Service, Fort Morgan, Colorado
requesting that Permit No. M-4710 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4710, heretofore issued to Carl E. Hultquist,
dba Hultquist Tank Truck Service, Fort Morgan, Colorado be,
and the same is hereby, declared cancelled effective July 26, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zink
Commissioners

Dated at Denver, Colorado,

this 29th day of July, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

CARL E. NICHOLAISEN, P. O. BOX 14,
YAMPA, COLORADO.

PERMIT NO. M-15721

July 29, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Carl E. Nicholaisen,
Yampa, Colorado
requesting that Permit No. M-15721 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15721, heretofore issued to Carl E. Nicholaisen,
Yampa, Colorado be,
and the same is hereby, declared cancelled effective July 1, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Norton
Henry E. Ziehlings
Commissioners

Dated at Denver, Colorado,

this 29th day of July, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
J. C. MOORE, DBA VALLEY FARM SUPPLY,)
PLAINVIEW, TEXAS.)

PERMIT NO. M-15953

July 29, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from J. C. Moore, dba
Valley Farm Supply, Plainview, Texas
requesting that Permit No. M-15953 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15953, heretofore issued to J. C. Moore, dba
Valley Farm Supply, Plainview, Texas be,
and the same is hereby, declared cancelled effective July 26, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Wm. E. Zurling
Commissioners

Dated at Denver, Colorado,

this 29th day of July, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
E. H. WARREN COMPANY, 925)
LYSANDER STREET, DETROIT 1,)
MICHIGAN.)

PUC NO. 1573 -- I

July 29, 1959

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from E. H. Warren

Company, Detroit, Michigan

requesting that Certificate of Public Convenience and Necessity No. 1573-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. 1573-I heretofore issued to E. H. Warren

Company, Detroit, Michigan

be, and the same is hereby, declared cancelled effective July 2, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Hout
Wm. E. Zarlengo
Commissioners

Dated at Denver, Colorado,
this 29th day of July, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
FRED L. LIVINGSTON AND WALTER)
WILSON)
DBA LIVINGSTON AND WILSON)
POST OFFICE, BOX 819)
LONGMONT, COLORADO.)

PERMIT NO. B-5551

July 23, 1959
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that their Permit No. B-5551 be suspended for six months from July 20, 1959.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Fred L. Livingston and Walter Wilson, dba Livingston & Wilson

be, and is hereby, authorized to suspend their operations under Permit No. B-5551 until January 20, 1960.

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

Joseph F. Negro
Samuel C. Horton
Wm. E. Zullinger
Commissioners

Dated at Denver, Colorado,
this 23rd day of July, 1959.

original

(Decision No. 52758)

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, 1531 STOUT STREET,)
DENVER, COLORADO, FOR AUTHORITY TO)
TEMPORARILY CLOSE ITS AGENCY STATION)
AT MINNEQUA, COLORADO, DUE TO THE)
NATIONAL STEEL STRIKE.)

APPLICATION NO. 17268

July 22, 1959

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

S T A T E M E N T

By the Commission:

On the 20th day of July, 1959, The Denver and Rio Grande Western Railroad Company filed letter application with this Commission, requesting authority to temporarily close its agency station at Minnequa, Colorado, alleging that the functions of said agency are confined almost entirely to the handling of coal and steel shipments, but that as a result of the National steel strike, there is no business for said agency, and that the ordinary needs of the public do not require the operation of this agency until the termination of said steel strike.

Said letter application further requests a Commission waiver, pursuant to Rule 6 of the rules of this Commission applicable to discontinuance of agency stations.

Upon investigation, the Commission is advised that said agency is confined to shipments of steel, and that said agency does not serve the public generally, and that the needs of the public would not be inconvenienced by the discontinuance thereof. It is the opinion of this Commission that public interest will not suffer by the temporary

closing of said station.

If it should appear, however, that public convenience and necessity require the resumption of the service of said station, on the basis of substantial and numerous protests, this Commission will then take whatever action is necessary.


O R D E R

THE COMMISSION ORDERS:

That The Denver and Rio Grande Western Railroad Company, Denver, Colorado, be, and it hereby is, authorized to temporarily close its agency station at Minnequa, Colorado, pending the continued existence of the steel strike, subject, however, that if substantial protests are received from the shipping public, showing inconvenience as a result of said discontinuance of said agency station, said The Denver and Rio Grande Western Railroad Company shall immediately resume agency service, and said agency service to be automatically resumed upon termination of said National steel strike.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Joseph I. Regier
Joseph C. Horton
Henry E. Sullivan
Commissioners.

Dated at Denver, Colorado,
this 22nd day of July, 1959.

mls

original

(Decision No. 52759)

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, 1531 STOUT STREET,)
DENVER, COLORADO, FOR AUTHORITY TO)
TEMPORARILY CLOSE ITS AGENCY STATION)
AT TRINIDAD, COLORADO, DUE TO THE)
NATIONAL STEEL STRIKE.)

APPLICATION NO. 17269

July 22, 1959

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

S T A T E M E N T

By the Commission:

On the 20th day of July, 1959, The Denver and Rio Grande Western Railroad Company filed letter application with this Commission, requesting authority to temporarily close its agency station at Trinidad, Colorado, alleging that the functions of said agency are confined almost entirely to the handling of coal shipments, and as a result of the national steel strike there is no business for said agency, and that the ordinary needs of the public do not require the operation of this agency until the termination of said steel strike.

Said letter application further requests a Commission waiver, pursuant to Rule 6 of the rules of this Commission applicable to discontinuance of agency stations.

Upon investigation, the Commission is advised that said agency is confined to shipments of coal, and that said agency does not serve the public generally, and that the needs of the public would not be inconvenienced by the discontinuance thereof. It is the opinion of this Commission that public interest will not suffer by the tem-

porary closing of said station.

If it should appear, however, that public convenience and necessity require the resumption of the service of said station, on the basis of substantial and numerous protests, this Commission will then take whatever action is necessary.


O R D E R

THE COMMISSION ORDERS:

That The Denver and Rio Grande Western Railroad Company, Denver, Colorado, be, and it hereby is, authorized to temporarily close its agency station at Trinidad, Colorado, pending the continued existence of the steel strike, subject, however, that if substantial protests are received from the shipping public, showing inconvenience as a result of said discontinuance of said agency station, said The Denver and Rio Grande Western Railroad Company shall immediately resume agency service, and said agency service to be automatically resumed upon termination of said national steel strike.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Joseph F. Nigro
Ralph C. Hobart
Henry E. Ashbaugh
Commissioners.

Dated at Denver, Colorado,
this 22nd day of July, 1959.

mls

original

(Decision No. 52760)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
THOMAS L. JOHNSTON, 513 WEST)
STREET, FORT COLLINS, COLORADO.)

PUC NO. 3737

July 27, 1959

S T A T E M E N T

By the Commission:

Heretofore, Thomas L. Johnston, Fort Collins, Colorado, was granted a certificate of public convenience and necessity (PUC No. 3737), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

contents of septic tanks, grease traps, and cesspools, within a radius of one hundred and fifty miles of Fort Lupton, Colorado, except that no service shall be performed in the County of Boulder, State of Colorado.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be cancelled and revoked.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part hereof, by reference.

That PUC No. 3737, heretofore issued to Thomas L. Johnston,

Derby, Colorado, be, and the same hereby is, cancelled and revoked,
inasmuch as this Commission has no jurisdiction over transportation
service authorized thereby.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nyiro
Ralph C. Hutton
May E. Pauling
Commissioners.

Dated at Denver, Colorado,
this 27th day of July, 1959.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE VARIOUS CHANGES IN RATES, RULES)
AND REGULATIONS IN THE COLORADO MOTOR)
CARRIERS' ASSOCIATION, AGENT, LOCAL)
AND JOINT FREIGHT TARIFF NO. 12-A,)
COLORADO P.U.C. NO. 11, ISSUED BY)
J. R. SMITH, CHIEF OF TARIFF BUREAU,)
4060 ELATI ST., DENVER 16, COLORADO.)

CASE NO. 1585

July 22, 1959

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 July 22, 1959, designated as set forth in Appendix "A", attached hereto and made a part hereof.

Under the provision 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.

Item No. 380 (Groceries, packed in accordance with classification requirements as particularly named), is being amended by the addition of various other grocery items presently rated in the Uniform National Motor Freight Classification No. A-4, Colorado P.U.C. No. 1, as Columns 60 and 65 ratings to the Column 55 rating as provided in this item.

Mr. E. F. Baker, Traffic Manager, Morey Mercantile Division, Consolidated Foods Corporation, Denver, Colorado, is the instigator for the publication change. The contention and reasons in support as outlined in his letters were due to recent (April 16, 1959, Decision No. 51402) change-over from the National Motor Freight Classification No. 14 to the National Motor Freight Classification No. A-4, wherein ratings of various commodities were subject to either increases or reductions.

In this particular instance the commodities involved had ratings in a majority of items 4th Class (Column 55) and under the A-4 classification would be rated Column 60 and Column 65, wherein he states his company would be subjected to a 10% increase in transportation costs.

The matter was presented to the Commission by Mr. Baker prior to the effective date of April 16, 1959, requesting suspension and further hearing; however, this was denied. The Commission through correspondence with certain carriers and the Motor Carriers' Association, with copies to Mr. Baker and replies, developed from certain major carriers that:

Carrier A for a period April 1 to April 13, inclusive, the carrier transported two shipments for Morey, and received a total revenue of \$8.50.

Carrier B for a period April 1 to April 10, inclusive -

Number of Shipments - - - - -	35
Total Weight - - - - -	12,858 Pounds
Total Revenue - - - - -	\$228.31
Average Revenue per Shipment - - - -	\$6.52
Average Weight per Shipment - - - -	367 Pounds

Carrier C for a period March 30 to April 10, inclusive -

Total Weight - - - - -	7,861 Pounds
Total Revenue - - - - -	\$100.46
Average Revenue per Day - - - - -	\$10.05
Average Weight per Day - - - - -	786 Pounds

On five days during this period, the carrier received no freight.

It was also stated that Morey Mercantile uses its own equipment to a great extent in making deliveries to its customers.

FINDINGS

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 July 22, 1959, be the prescribed rates, rules, regulations and provisions of the Commission.

4. All motor vehicle common carriers who are affected by the changes prescribed herein shall publish or cause to be published new tariffs reflecting the changes prescribed herein.

5. All private carriers by motor vehicle to the extent they are affected by the changes involved herein shall publish, or cause to be published rates, rules, regulations and provisions which shall not be less than those herein prescribed for motor vehicle common carriers.

6. On and after July 22, 1959, all affected motor vehicle common carriers shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein prescribed, provided that call and demand motor vehicle common carriers shall be subject to the penalty rule of twenty (20) per cent.


7. On and after July 22, 1959, all private carriers by motor vehicle operating in competition with any motor vehicle common carrier, affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed, provided that Class "B" private carriers shall be subject to the penalty rule of twenty (20) per cent.

8. This order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Joseph F. Nigro
Harold C. Norton
Henry G. Spillings
Commissioners

Dated at Denver, Colorado,
this 22nd day of July, 1959.

mem

APPENDIX "A"

Colorado Motor Carriers' Association, Agent
Local and Joint Freight Tariff No. 12-A
Colorado P.U.C. No. 11

EXCEPTIONS TO RATINGS OF THE GOVERNING CLASSIFICATION

ITEM NO.	ARTICLES	CLASS RATING
380	<p>Groceries, packed in accordance with classification requirement, viz.:</p> <p>Bags, paper.</p> <p>Bakery goods, as described under that heading in governing classification.</p> <p>+ Beans, dried.</p> <p>Bird food or seed.</p> <p>+ Biscuits, dog.</p> <p>Bluing, laundry, N.O.I.</p> <p>Candles, N.O.I.</p> <p>Candy, chocolate, confectionery or related articles as described under that heading in governing classification.</p> <p>Cereal food preparations, as described under that heading in governing classification.</p> <p>Foodstuffs, beverages or beverage preparations, not named in other more specific groups:</p> <p>+ Baking powder.</p> <p>+ Butter, peanut.</p> <p>+ Catsup.</p> <p>Cocoa, dry, with or without sugar.</p> <p>Cocoa butter (cocoa grease).</p> <p>+ Cocanut.</p> <p>+ Coffee, roasted.</p> <p>Coffee, extract of (condensed, instant or soluble coffee), dry.</p> <p>Coffee, prepared (coffee extract and condensed milk combined).</p> <p>Coffee substitutes, cereal, fruit or vegetable, N.O.I., or chicory, roasted, crushed or ground.</p> <p>+ Compounds, bread making.</p> <p>+ Dessert preparations.</p> <p>Extracts, meat, with or without a mixture of vegetable extracts, including bouillon cubes and soup tablets.</p> <p>Extracts, root beer.</p> <p>Extracts, flavoring compounds or imitation flavors, N.O.I., dry, liquid or paste.</p> <p>+ Fish, canned.</p> <p>+ Fruit, canned.</p> <p>Gelatine, N.O.I.</p> <p>+ Glucose.</p> <p>+ Honey.</p> <p>+ Horseradish.</p> <p>+ Jams and jellies.</p> <p>Juice, fruit, artificial or natural, other than frozen, N.O.I.</p> <p>+ Macaroni.</p> <p>+ Macaroni, noodles or spaghetti, with or without cheese, meat or vegetables.</p> <p>Malt and Milk compound (not malted milk).</p> <p>Malt or milk and chocolate or cocoa compounds, beverage preparations.</p> <p>Malt extract, other than liquid, malt powder (dehydrated malt syrup), or maltose (malt sugar).</p> <p>+ Milk, canned.</p> <p>Milk, malted.</p> <p>Milk beverage, chocolate flavored, liquid.</p> <p>Milk beverage, made of condensed, evaporated or sterilized milk, liquid, flavored or malted.</p> <p>Milk food, other than malted milk.</p>	55

(Continued)

ITEM NO.	ARTICLES	CLASS RATING
380	<div> <div> + Mince meat. + Molasses. + Mustard. + Noodles. + Olives. + Pickles. + Potatoes, cooked and powdered or shredded, other than frozen, N.O.I. + Preserves. + Relishes. + Rice. + Salad dressing. + Fruit, dried. Hops. Insecticides or fungicides, agricultural, as described under that heading in governing classification. Insecticides or insect repellants, other than agricultural, vermin exterminators or animal repellants. + Meats, canned, with or without vegetable ingredients. Nuts, edible. + Olive oil. Pectin, fruit or vegetable. + Popcorn, not popped. Potato chips. Roots or spices, as described under that heading in governing classification. Syrup, flavoring or fruit. Toothpicks. Wax, laundry compounds. </div> <div> + Sandwich spread. + Sauces. + Soup or soup mix. + Spaghetti. + Syrup. + Tapioca. Tea or tea dust. + Vegetables, canned. + Vinegar. </div> </div>	55
	<p>The provisions of this item will not apply via or in connection with Linton C. Austin, Melvin A. Chance and Joe F. Enright, DBA Boulder-Denver Truck Lines; Boulder Truck Service, Inc.; Brighton-Ft. Lupton Transfer, Inc.; Lowell E. Brooks and Wendell B. Brooks, DBA Brooks Transportation Co.; Buckingham Transportation, Inc.; G. O. Anderson, DBA Castle Rock Transfer; Centennial Truck Lines, Inc.; Edward B. & Rose M. Thomas, DBA Clear Creek Transportation Co.; Denver-Laramie-Walden Truck Line, Inc.; Denver-Limon-Burlington Transfer Co.; Floyd A. Henrikson, DBA Denver-Loveland Transportation; C. R. Bryant, DBA Evergreen Freight Line; Interstate Motor Lines, Inc.; Thomas D. Lane, DBA Thomas D. Lane Truck Lines; McKie Transfer Co.; Ivan Miller and Dwight Miller, DBA Miller Bros. Truck Line; Navajo Freight Lines, Inc.; North Eastern Motor Freight, Inc.; Overland Motor Express, Inc.; Prucka Transportation, Inc.; Rio Grande Motor Way, Inc. (Subject to Item No. 690); Westway Motor Freight, Inc., and Yuma County Transportation Co.</p>	

+ - Denotes addition.

original

(Decision No. 52762)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
FLORENCE GOODWIN, DOING BUSINESS)
AS "GOODWIN SEPTIC TANK SERVICE,")
1610 DOLORES AVENUE, GRAND)
JUNCTION, COLORADO.)

PUC NO. 3641

July 27, 1959

S T A T E M E N T

By the Commission:

Heretofore, Florence Goodwin, doing business as "Goodwin Septic Tank Service," Grand Junction, Colorado, was granted a certificate of public convenience and necessity (PUC No. 3641), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

contents of septic tanks, grease traps, cesspools, and outside toilets, from point to point within a radius of sixty-five miles of Grand Junction, Colorado;

refuse, from lime and sulphur pits, sand traps, stock cisterns, basements, carbide pits, from point to point within a radius of sixty-five miles of Grand Junction, Colorado.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be amended, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part hereof, by reference.

That operating rights under PUC No. 3641 be, and the same hereby are, amended, so that in the future, Florence Goodwin, doing business as "Goodwin Septic Tank Service," Grand Junction, Colorado, shall be authorized to operate as a common carrier by motor vehicle for hire, under said PUC No. 3641, for the transportation of:

refuse, from lime and sulphur pits, sand traps, stock cisterns, basements, carbide pits, from point to point within a radius of sixty-five miles of Grand Junction, Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph T. Nigro
Ralph C. Hobart
Henry J. Adams
Commissioners.

Dated at Denver, Colorado,
this 27th day of July, 1959.

mls

original

(Decision No. 52763)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JOE SAUNDERS, BOX 261, FORT) PUC NO. 3995
LUPTON, COLORADO.)
-----)

July 27, 1959

S T A T E M E N T

By the Commission:

Heretofore, Joe Saunders, Fort Lupton, Colorado, was granted a certificate of public convenience and necessity (PUC No. 3995), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

refuse arising from the cleaning of septic tanks, sewers, grease traps, ash pits, and incinerators; trash and refuse in conjunction therewith, from points within a radius of one hundred and fifty miles of Fort Lupton, Colorado, excluding therefrom the City and County of Denver, Colorado, and subject to such licenses as may be required from towns, cities, and disposal districts in said one hundred and fifty-mile radius of Fort Lupton, Colorado, to points within said radius.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be amended, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part hereof, by reference.

That operating rights under PUC No. 3995 be, and the same hereby are, amended, so that in the future, Joe Saunders, Fort Lupton, Colorado, shall be authorized, under said PUC No. 3995, to operate as a common carrier by motor vehicle for hire, for the transportation of:

refuse arising from the cleaning of ash pits and incinerators, and the transportation of trash and refuse in conjunction therewith, from points within a radius of one hundred and fifty miles of Fort Lupton, Colorado, excluding therefrom the City and County of Denver, Colorado, to points within said one hundred and fifty mile radius.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Kiger
Robert C. Hutton
Henry G. Gaudin
Commissioners.

Dated at Denver, Colorado,
this 27th day of July, 1959.

ea

original

(Decision No. 52764)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
LAWRENCE A. VALENCOUR, DOING)	
BUSINESS AS "ACME SANITARY)	
SERVICE," 4704 TEJON STREET,)	<u>PUC NO. 4019</u>
DENVER, COLORADO.)	
-----)	

July 27, 1959

S T A T E M E N T

By the Commission:

Heretofore, Lawrence A. Valencour, doing business as "Acme Sanitary Service," Denver, Colorado, was granted a certificate of public convenience and necessity (PUC No. 4019), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

refuse, offal, and other waste materials, in the operation of a sanitary service, within the City and County of Denver, and within a radius of twenty-five miles of said City and County of Denver; and, in addition, at any location in any area reached or served by the following designated U. S. or State Highways, to the points indicated:

1. U. S. Highways 85 and 87 south to the Town of Monument, Colorado;
2. State Highway No. 83 south to the junction of U. S. Highways 85 and 87;
3. U. S. Highway No. 285 west to the Town of Fairplay, Colorado;
4. U. S. Highway No. 6 west to the Town of Frisco, Colorado;
5. U. S. Highway No. 40 west to the Town of Steamboat Springs, Colorado.
6. State Highway No. 9 between the Towns of Fairplay and Kremmling, Colorado.
7. U. S. Highway No. 34 and State Highway No. 16 between the Towns of Granby and Grand Lake, Colorado;

8. State Highways Nos. 72, 119, 274, 160, and 7 reaching the Towns of Blackhawk, Central City, Pinecliffe, Nederland, East Portal, Ward, and Lyons, Colorado;
9. U. S. Highways Nos. 85, 87 and 287, north to Junction with State Highway No. 60;
10. U. S. Highway No. 6 east to the Town of Roggen, Colorado;
11. U. S. Highways Nos. 36, 40, and 287, east to junction with State Highway No. 71;
12. State Highway No. 86 east to junction with U. S. Highways Nos. 40 and 287;
13. State Highways Nos. 103 and 5 to the summit of Mount Evans;

to regularly-designated and approved disposal places.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be cancelled and revoked.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is made a part hereof, by reference.

That PUC No. 4019, heretofore issued to Lawrence A. Valencour, doing business as "Acme Sanitary Service," Denver, Colorado, be, and the same hereby is, cancelled and revoked, inasmuch as this Commission has no jurisdiction over transportation service authorized thereby.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Lugo
Ralph C. Johnson
Alvin G. Mullins
Commissioners.

Dated at Denver, Colorado,
this 27th day of July, 1959.
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE PUBLICATION CHANGES IN COLORADO MOTOR)
CARRIERS' ASSOCIATION, AGENT, TARIFF NO.)
14, COLORADO P.U.C. NO. 13, VIZ.: BRICK)
AND RELATED ARTICLES AS MORE PARTICULARLY)
STATED HEREIN, ISSUED BY J. R. SMITH,)
CHIEF OF TARIFF BUREAU, 4060 ELATI ST.,)
DENVER 16, COLORADO.)

CASE NO. 1585

July 23, 1959

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 July 20, 1959, 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.

The following information has been received in the office of the Commission relative to the proposed publication as submitted by Mr. Howard D. Hicks, General Traffic Manager, Centennial Truck Lines, Inc., and Mr. Ralph H. Knull, Assistant Traffic Manager, Rio Grande Motor Way, Inc.

Item No. 200 (Brick and related items) taking Column "A" Rates is being amended to include as a participant in this item Centennial Truck Lines, Inc., and remove the application via Donald L. Mikelson, Certificate of Convenience and Necessity No. 454 recently transferred under Decision No. 52152, dated April 27, 1959, from Fred Rein, Jr., DBA Rein Transportation Company, to him. Centennial and Rein had previously restricted the use of this item via their lines.

The item is further amended by the addition under the heading, "slabs, building or roofing", wherein tile, building, hollow, salt-glazed or plain, is a commodity presently listed and "lead and zinc, glazed" are to be added.

Mr. Ralph H. Knull, Assistant Traffic Manager, Rio Grande Motor Way, Inc., states in support of this change that there are now located in Denver manufacturers of this commodity; that the nature of the shipping characteristics and the value are all similar to the presently included items, and that the governing National Motor Freight Classification A-4 classifies plain, lead, salt or zinc glazed, all under Item No. 14380 at Column 50 rating.

Item No. 240 (Lime, plaster, etc.) taking Column "E" Rates contains a "Note" (See Appendix) covering free time for loading and unloading, which is incorporated into Item No. 200 by reference, is being amended by adding Centennial Truck Lines, Inc., as a participant.

By the addition of Centennial Truck Lines, Inc., reduction in charges will ensue via its line. There are no changes in the rate scales.

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, 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 nunc pro tunc as of July 20, 1959.
3. The rates, rules, regulations and provisions set forth in Appendix "A" shall on July 20, 1959, 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 July 20, 1959, 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 July 20, 1959, 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

Joseph T. Nigro
Ralph C. Hobart
Henry G. Searles
Commissioners

Dated at Denver, Colorado,
this 23rd day of July, 1959.

mem

APPENDIX "A"

Colorado Motor Carriers' Association, Agent
Motor Freight Tariff No. 14, Colorado P.U.C. No. 13

ITEM NO.	COMMODITY DESCRIPTION
200	<p>Column "A" Rates will apply on the following: (See Note in Item No. 240)</p> <p>Brick, building or facing (solid, hollow or perforated), except enameled or glazed, other than salt-glazed;</p> <p>Brick, fire, including fire brick shapes; brick, broken, crushed or ground;</p> <p>Brick, plastic, unshaped (fire clay, ground fire brick and water combined);</p> <p>Brick, radial chimney; Brick, salt-glazed, when shipped in same manner as building or facing brick; brick or block, paving, shale or fire clay;</p> <p>Blocks, hollow, building or condensing; Blocks, clay, shale, cement concrete, gypsum, or artificial stone, building or facing (solid, hollow or perforated) except enameled or glazed;</p> <p>Blocks, cinder;</p> <p>Blocks, silo, radial chimney and segment;</p> <p>Clay, crude or ground, not otherwise indexed by name in current classification; Clay, crude burnt; Clay, fire;</p> <p>Conduits, clay or shale, not lined; lining, furnace or kiln; Mortar, high temperature bonding; Rings, acid condensing (earthen);</p> <p>Shale, ground; slabs (not reinforced with metal), viz.: cement, concrete, clay or shale, not enameled, not glazed or ornamental, and not in packages;</p> <p>Slabs, building or roofing (concrete or cement reinforced); staves, cement or concrete; Tile, condensing; Tile, fire clay (not glazed or enameled); Tile, fire-proofing; Tile, building, hollow, + lead, salt or + zinc glazed or plain; Tile, concrete, roofing; Tile, clay roofing.</p> <p>In straight or mixed shipments, minimum weight 10,000 pounds, except as otherwise provided.</p> <p>The provisions of this item will not apply in connection with the scheduled line haul operations of:</p> <p>Boulder-Denver Truck Line, Inc. Brighton-Fort Lupton Transfer, Inc. Lowell E. Brooks and Wendell B. Brooks, DBA Brooks Transportation Co. G. O. Anderson, DBA Castle Rock Transfer Denver-Laramie-Walden Truck Line, Inc. Denver-Limon-Burlington Transfer Co. C. R. Bryant, DBA Evergreen Freight Line McKie Transfer Company + Donald L. Mikelson Ivan Miller and Dwight Miller, DBA Miller Bros. Truck Line Navajo Freight Lines, Inc. North Eastern Motor Freight, Inc. Westway Motor Freight, Inc.</p>

ITEM NO.

COMMODITY DESCRIPTION

240

Column "E" Rates will apply on the following:

Lime;

Plaster, calcined; Plaster of Paris; Stucco or wall plaster, colored consisting of a mixture of two or more of the following commodities: Plaster or lime or Portland cement or gypsum or Keene's cement and not less than 50% sand or chatts; also to include but not to exceed 3% of dry color;

Keene's cement (wall plaster), in packages as provided in current classification;

Blocks, gypsum or plaster, viz.: building (hollow or perforated, except enameled);

Tile, gypsum or plaster, viz.: fire-proofing; hollow building;

Gypsum filler;

Gypsum, ground.

In straight or mixed shipments, minimum weight, sub-column 1, 20,000 pounds; sub-column 2, 10,000 pounds.

The provisions of this item will not apply via or in connection with North Eastern Motor Freight, Inc.

Note: When shipment is transported by + Centennial Truck Lines, Inc., Larson Transportation Company or The Rio Grande Motor Way, Inc., the following restriction will apply: Subject to shipper loading and consignee unloading. Three and one-half hours' free loading time and three and one-half hours' free unloading time will be allowed. All delay in excess of the free time allowed will be charged for at a rate of \$5.50 per hour or fraction thereof.

The balance of loading and unloading exceptions to this item are not shown as not pertinent to these changes.

+ - Denotes additions to items

original

(Decision No. 52766)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE GREELEY GAS COMPANY, 1930 SHERMAN)
STREET, DENVER, COLORADO (AS SUCCES-)
SOR TO CANON CITY GAS COMPANY), TO)
PUBLISH INTERIM GAS RATE INCREASES.)
-----)

SHORT TERM
AUTHORITY NO. 13791

IN THE MATTER OF THE APPLICATION OF)
GREELEY GAS COMPANY, 1930 SHERMAN)
STREET, DENVER, COLORADO, FOR AN)
ORDER AUTHORIZING IT TO PUT INTO)
EFFECT A TEMPORARY GAS RATE ADJUST-)
MENT.)
-----)

APPLICATION NO. 13237

IN THE MATTER OF THE APPLICATION OF)
GREELEY GAS COMPANY, 1930 SHERMAN)
STREET, DENVER, COLORADO (AS SUCCES-)
SOR TO CANON CITY GAS COMPANY), FOR)
AN ORDER AUTHORIZING IT TO PUT INTO)
EFFECT A TEMPORARY GAS RATE ADJUST-)
MENT.)
-----)

APPLICATION NO. 13241

IN THE MATTER OF THE APPLICATION OF)
GREELEY GAS COMPANY, 1930 SHERMAN)
STREET, DENVER, COLORADO, FOR AN)
ORDER AUTHORIZING IT TO CHANGE THE)
FORM OF ITS BASIC RATES FOR GAS)
SERVICE IN ITS WELD COUNTY COLO-)
RADO SERVICE AREA, AND FOR AN ORDER)
AUTHORIZING IT TO PUT INTO EFFECT)
TEMPORARY GAS RATE ADJUSTMENTS.)
-----)

APPLICATION NO. 15483

RE INVESTIGATION AND SUSPENSION OF)
TEMPORARY RIDER, ORIGINAL SHEET NO.)
16 AND ORIGINAL SHEET NO. 17 OF PUC)
TARIFF NO. 4 OF GREELEY GAS COMPANY,)
1930 SHERMAN STREET, DENVER, COLORADO)
-----)

INVESTIGATION AND SUSPENSION
DOCKET NO. 363

July 24, 1959

S T A T E M E N T

By the Commission:

On July 9, 1959, in the above-entitled applications, Greeley Gas Company presented its Petition No 1 for approval of expenditures to defray its costs of gas refunds to its resale customers as ordered

by this Commission in its Decision No. 52003. This Petition is made in accordance with the Order contained in Decision No. 52003, dated April 1, 1959.

In the hearing resulting in the above-mentioned decision, Applicant testified that it estimated \$20,500 as being the cost of performing the refund to its customers of the monies returned to it by Colorado Interstate Gas Company and Colorado-Wyoming Gas Company because of overcharges for gas supplied by the above companies from January 1, 1954 through February 4, 1958. Below is a detailed summary of the costs to date set forth in Exhibit A attached to the Petition, as compared to the costs estimated to be incurred by Applicant:

<u>Service Performed By:</u>	<u>Actual Cost</u>			<u>Original Cost Estimate</u>
	<u>Divisions</u>			
	<u>Greeley</u>	<u>Canon City</u>	<u>Total</u>	
Service Bureau Corporation	\$8,169.28	\$2,821.47	\$10,990.75	\$12,000.00
Arthur Young & Company	2,768.80	1,231.20	4,000.00	4,000.00
Lee, Bryans, Kelly & Stansfield	1,384.00	615.60	2,000.00	2,000.00
The Central Bank & Trust Co.	889.90	307.35	1,197.25	--
Greeley Gas Company	<u>1,494.03</u>	<u>1,084.69</u>	<u>2,578.72</u>	<u>2,500.00</u>
	<u>\$14,706.41</u>	<u>\$6,060.31</u>	<u>\$20,766.72</u>	<u>\$20,500.00</u>

The Commission has examined the record and files herein and believes that this matter is one which can be decided without a formal hearing. It is fully informed in the matter and will issue its order granting the approval as requested by the Petition herein.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission is fully advised in the premises.

That the approval sought by Applicant in its Petition of July 9, 1959 should be granted.

O R D E R

THE COMMISSION ORDERS:

That the request of Petitioner, Greeley Gas Company, for approval of its costs to date of making the gas refund to Petitioner's

customers as such costs are set forth in Exhibit "A" attached to the Petition is hereby granted.

That upon consummation of the refund Greeley Gas Company will present to this Commission for its consideration and approval a complete audit of its expenses incurred in making said refund.

That the Commission retains jurisdiction in this matter to make such further Order, or Orders, as it may deem necessary and proper in the premises.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Hinton
Harry S. Sledge
Commissioners.

Dated at Denver, Colorado,
this 24th day of July, 1959.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN CADY AND CHARLES R. ALCORN, CO-)
PARTNERS, DOING BUSINESS AS "A & C)
DELIVERY SERVICE," 510 DEL NORTE,) APPLICATION NO. 17038-PP-Amended
DENVER, COLORADO, FOR AUTHORITY TO)
OPERATE AS A CLASS "B" PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)
-----)

July 27, 1959

Appearances: John Cady, Denver, Colorado,
 pro se;
 Charles R. Alcorn, Denver,
 Colorado, pro se;
 Raymond B. Danks, Esq., Denver,
 Colorado, for Colorado Transfer
 and Warehousemen's Association;
 John J. Windecker, Pine, Colo-
 rado, for Windecker Truck Line;
 E. B. Evans, Esq., Denver, Colo-
 rado, for Westway Motor Freight,
 Brighton-Fort Lupton Transfer,
 Donald L. Mikelson and Tiller's;
 Melvin E. Chance, Boulder, Colo-
 rado, for Overland Motor Express,
 and Denver-Boulder Truck Line;
 Kenneth Williamson, Golden, Colo-
 rado, for Westway Motor Freight;
 Howard D. Hicks, Denver, Colorado,
 for Centennial Truck Line;
 Ed Tuxhorn, Byers, Colorado, for
 Byers-Denver Truck Line;
 Marion R. Smyser, Esq., Denver,
 Colorado, for Rio Grande Motor
 Way, Inc., and Larson Trans-
 portation Company;
 John H. Lewis, Esq., Denver, Colo-
 rado, for Denver-Laramie-Walden
 Truck Line;
 Dewey W. Beard, Denver, Colorado,
 for North Eastern Motor Freight;
 Hubert Work, Denver, Colorado, for
 Weicker Transfer and Storage
 Company;
 K. D. Wolford, Denver, Colorado,
 for Navajo Freight Lines, Inc.

S T A T E M E N T

By the Commission:

The above-entitled matter comes up for rehearing by virtue

of our Decision No. 52364. On May 6, 1959, the Commission awarded the applicants herein the following authority as a Class "B" private carrier by motor vehicle for hire:

Transportation of insulation material and building supplies within a 20-mile radius of Denver, limited to the use of two vehicles not to exceed 3/4-ton pickups, and further limited to three customers, viz., Wholesale Office Company, Commercial Products Company, and A. H. Bennett Company, all of Denver, Colorado.

At the rehearing held Tuesday, June 30, 1959, Mr. Erwin Walmer, President of Lanning Brothers Printing Company, was the only additional customer-witness who appeared in support of the instant application. He stated that his company was engaged in the printing business, presently using the services of the applicants for the delivery of printing materials, including envelopes, stationery and circulars, from point to point within the City of Denver. The witness states he would like to have the applicants herein authorized as a private carrier to cover the populous area of Metropolitan Denver, which would include a radius of from three to five miles of the city limits of Denver. He further stated that he has made the deliveries to the area immediately surrounding Denver in his private car, and cited as an example the delivery of envelopes to Westminster.

Cady and Alcorn testified that the Commission gave them authority in our first decision to serve Wholesale Office Company which deals exclusively in office furniture and supplies, authority to transport insulation materials and supplies by virtue of a purported stipulation entered into at the original hearing. It is now obvious to the Commission that this stipulation was erroneously interpreted by both the applicants and the Commission. We were of the opinion that protestants were not objecting to applicants taking care of the transportation needs of their restricted customers. Protestants contend -- and we are inclined to agree -- that this stipulation applied only to an amendment to the application as the

record, upon further examination, does not support our interpretation. Protestants, as usual, at the rehearing for the granting of authority for applicant to serve Lanning Brothers Printing Company for the delivery of envelopes, stationery and printed circulars to their customers in that area immediately surrounding the city limits of Denver commonly referred to as "Metropolitan Denver," entered their formal protests. They furnished equipment lists, including large trailers, flat beds, tractors, stake and van-type trucks, to take care of the small shipment of printed envelopes and stationery for Lanning Brothers Printing Company. They emphasized the quality of their service and their availability for this specialized, expedited service required by Lanning Brothers Printing Company for the delivery of approximately 2,500 envelopes to their customers, at a cost that appears to us from the record as \$6.00 per hour, time to be computed from the time they leave their garage until their return to the garage, and if, under their labor contracts, it requires an additional man to make the physical deliveries, it would require an additional \$4.50 per hour. It is probable that this last charge would not be made, but if the carrier so demanded, we are of the opinion that Lanning Brothers Printing Company would have no redress under the law. This, it appears from the record, is the adequate service furnished by some of the protestants at the hearing.

This is an application for a private carrier permit. Chapter 115-11-3, CRS, 1953, provides:

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

Under the above statute as applied to the facts before us, two questions immediately are presented:

1. Will the granting of this permit for printing materials, including envelopes, stationery and circulars, impair the efficient public service of the common carriers here protesting? From a factual and practical situation, we cannot, by any stretch of our imagination, find an impairment of service of common carriers when the deliveries now are made by the customer in his own car. In other words, they did not have the business before, and under their filed rates, it appears to us that they will not get the business in the future.

2. Are the common carriers now adequately serving the area? It appears to us that the service offered by the common carrier for the type of service here requested is impractical and economically not feasible.

From the record before us, the Commission is of the opinion that many motor vehicle common carriers are under the impression that they have a complete monopoly on all transportation. They forget that the Legislature also designated two other types of carriers, known as private (contract) carriers and commercial carriers. In other words, it appears that the Legislature did not feel that the common carriers would offer a complete service and needed a check on their monopolistic operations so they provided for private (contract) and commercial carriers. In our opinion, time has proven their wisdom in their desire to furnish to the people of Colorado an efficient transportation service at reasonable cost. They provided that if the cost of common carriers becomes excessive, that shippers, under and by sanction of law, could institute their own transportation service. Or, if common carriers become arbitrary or dictatorial in their operations and fail to give to the shipper the specialized type of transportation service needed, that Colorado will give them a private carrier to take care of their particular needs.

The Commission fails to understand the relative importance of the instant hearing and rehearing as viewed by the protestants herein. The authority asked for in the original application is not

only limited to a few commodities but also limited to the size of equipment used and the number of customers served. When the matter was called for hearing, two small truckers appeared who presently hold common carrier authority from this Commission, and are here asking to further extend this authority to take care of the Metropolitan Denver area for a few of their legal customers. In opposition, we find high-priced executives, fortified by eminent and able lawyers, representing millions of dollars in investments, taking their valuable time covering two partial days of hearing, militantly and aggressively protesting this proposed service, and stating that if the Commission grants any further authority for private carriage for hire, they will be forced to retire from the transportation business. Other carriers appeared protesting, including our line-haul carriers whose routes run through the City and County of Denver and its suburbs. We cannot say -- giving these carriers the benefit of all doubts construed under the most favorable circumstances to their contention -- that their service would in any practical way be impaired, and it is obvious, due to their restrictive authority, that their service is not adequate to take care of Lanning Brothers Printing Company's needs. We are cognizant of the fact that protestants are concerned as to the future of their transportation business, but it is our judgment that they miss the important problems, and trying to drive out the small specialized private carrier with limited authority is not the answer to their transportation problems. Rather, it is our contention that they should resurvey their operations with a view of offering a service at a price that will attract the business now transported under commercial carriage. It is our opinion that if the private (contract) carrier were abolished that the present common carriers would, for all practical purposes, be in no better position than they now are. In other words, based on our experience in regulating for-hire motor vehicle transportation, the for-hire carrier is

pricing himself out of the market-place, and that is the important problem he is now called upon to face.

Applicants are here asking that Decision No. 52211 be enlarged. We, of the Commission, after rehearing of the above-entitled matter, agree that it is our best judgment that applicants' petition be granted, at least in part.

F I N D I N G S

THE COMMISSION FINDS:

1. That the transportation of insulation materials and building supplies within Denver and a 20-mile radius of Denver, limited to the use of two vehicles not to exceed 3/4-ton pickups, and limited to two customers, only, viz., Commercial Products Company and A. H. Bennett Company, be granted.

2. That the transportation of office furniture and supplies within Denver and a 5-mile radius of Denver, limited to the use of two vehicles not to exceed 3/4-ton pickups, and limited to one customer, viz., Wholesale Office ~~Furniture and Supply~~ Company, be granted.

3. That the transportation of printing materials, including envelopes, stationery and circulars within Denver and a 5-mile radius of Denver, limited to the use of two vehicles not to exceed 3/4-ton pickups, and limited to one customer, viz., Lanning Brothers Printing Company, be granted.

Another question presents itself: Has the Commission authority to enlarge the scope of an authority previously granted on a rehearing? By way of illustration: in the original hearing the transportation of printing materials, including envelopes and stationery, was denied for the reason that no need was shown for the service. At the second hearing, evidence was introduced for this service, which service we have discussed in the preceding Statement. After a study of the statute governing rehearings, we are convinced that we can grant the above authority, that is, the transportation of printing materials, including envelopes, stationery and circulars, and are proceeding under that belief. In the last analysis, that is a question

for the Courts, but for the purpose of writing this Order, we are giving the statute a broad interpretation for the reason that, in our judgment, public interest will be best served by that construction, and it was the intent of the Legislature to give to the Commission broad powers in its regulation of motor carriers.

The Commission further finds that the granting of the above authority will not, in our opinion, from the record, and our experience as regulators, impair the efficiency of existing, authorized common carrier motor vehicle service now operating in the area sought to be served by applicants.

That in all other respects the application should be denied.

O R D E R

THE COMMISSION ORDERS:

That John Cady and Charles R. Alcorn, co-partners, doing business as "A & C Delivery Service," 510 Del Norte, Denver, Colorado, be, and they are hereby, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

1. Insulation Materials and building supplies within Denver and a 20-mile radius of Denver, limited to the use of two vehicles not to exceed 3/4-ton pickups, and limited to two customers, only, viz., Commercial Products Company and A. H. Bennett Company.
2. Office furniture and supplies within Denver and a 5-mile radius of Denver, limited to the use of two vehicles not to exceed 3/4-ton pickups, and limited to one customer, only, viz., Wholesale Office Furniture and Supply Company.
3. Printing materials, including envelopes, stationery, and circulars, within Denver and a 5-mile radius of Denver, limited to the use of two vehicles not to exceed 3/4-ton pickups, and limited to one customer, only, viz., Lanning Brothers Printing Company.

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

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

their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and have secured authority sheets.

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

That in all other respects the application is denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Heger
Ralph C. Heston
Henry G. Heston
Commissioners.

Dated at Denver, Colorado,
this 27th day of July, 1959.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

SEARLE GAS COMPANY, INCORPORATED,
MAESER ROAD, VERNAL, UTAH

PERMIT NO. M-15498

July 30, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Searle Gas Company,
Inc., Vernal, Utah
requesting that Permit No. M-15498 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15498, heretofore issued to Searle Gas Company,
Inc., Vernal, Utah be,
and the same is hereby, declared cancelled effective July 29, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph L. Negro
Garth C. Norton
Wm. C. Ziehl
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

PRENTICE H. WALKER AND CATHLEENE
WALKER, DBA WALKER'S MOBILE HOMES,
365 - 8TH AVENUE, DURANGO, COLORADO.

PERMIT NO. M-15808

July 30, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Prentice H. Walker & Cathleene Walker, dba Walker's Mobile Homes, Durango, Colorado requesting that Permit No. M-15808 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15808, heretofore issued to Prentice H. Walker & Cathleene Walker, dba Walker's Mobile Homes, Durango, Colorado be, and the same is hereby, declared cancelled effective July 22, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Norton
Henry E. Zink
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

G. C. FRIEDMAN, SILVER DALE RANCH,
MORRISON, COLORADO.

PERMIT NO. M-618

July 30, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from G. C. Friedman,
Morrison, Colorado
requesting that Permit No. M-618 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-618, heretofore issued to G. C. Friedman,
Morrison, Colorado be,
and the same is hereby, declared cancelled effective June 1, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Henry E. Zurling
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MERVIN D. WOLF, DBA WOLF SANITARY)
SERVICE, 4737 SOUTH GALAPAGO, ENGLE-)
WOOD, COLORADO.)
-----)

PERMIT NO. M-10639

July 30, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Mervin D. Wolf,
dba Wolf Sanitary Service, Englewood, Colorado
requesting that Permit No. M-10639 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10639, heretofore issued to Mervin D. Wolf,
dba Wolf Sanitary Service, Englewood, Colorado be,
and the same is hereby, declared cancelled effective July 5, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Samuel C. Boston
Henry E. Zank
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
COLIN W. CAMPBELL, DBA CAMPBELL BUICK)
PONTIAC, 3RD AND WILSON, CASTLE ROCK,)
COLORADO.)
-----)

PERMIT NO. M-12036

July 30, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Colin W. Campbell,
dba Campbell Buick Pontiac, Castle Rock, Colorado
requesting that Permit No. M-12036 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12036, heretofore issued to Colin W. Campbell,
dba Campbell Buick Pontiac, Castle Rock, Colorado be,
and the same is hereby, declared cancelled effective July 1, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zink
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

ROBERT ROY WITCHEL, 7280 KRAMERIA
STREET, DERBY, COLORADO.

PERMIT NO. M-14127

July 30, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Robert Roy Witchel,
Derby, Colorado

requesting that Permit No. M-14127 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14127, heretofore issued to Robert Roy Witchel,
Derby, Colorado be,
and the same is hereby, declared cancelled effective June 25, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Frank C. Horton
Henry E. Zullinger
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ERIC SWAN, ROUTE 1 BOX 27, LARAMIE,)
WYOMING.)
)
)
)
-----)

PERMIT NO. B-5029-I

July 30, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Eric Swan,
Laramie, Wyoming
requesting that Permit No. B-5029-I be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5029-I, heretofore issued to Eric Swan,
Laramie, Wyoming be,
and the same is hereby, declared cancelled effective July 21, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Samuel C. Norton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1959.

original

(Decision No. 52775)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RICHARD BEBBER, DOING BUSINESS AS)
"BEBBER RUBBISH REMOVAL," 1608 WEST)
KENTUCKY AVENUE, ENGLEWOOD, COLO-)
RADO, FOR A CERTIFICATE OF PUBLIC) APPLICATION NO. 17206-Extension
CONVENIENCE AND NECESSITY, AUTHOR-)
IZING EXTENSION OF OPERATIONS UNDER)
PUC NO. 3022.)
-----)

July 28, 1959

Appearances: Dwight A. Hamilton, Esq.,
Denver, Colorado, for
Applicant;
Robert McLean, Esq., Denver,
Colorado, for Associated
Rubbish Removal Association;
John P. Thompson, Esq., Denver,
Colorado, for Fred A. Schroeder,
Arend Lenderink, Harvey Davis,
Ray Lund and Clyde Persinger.

S T A T E M E N T

By the Commission:

The applicant herein is the owner of Certificate of
Public Convenience and Necessity No. 3022, which authorizes:

Transportation of ashes and trash from point
to point within the following described area,
and from said area to any convenient dumps,
this area being described as follows:

Beginning at the intersection of West Alameda
Avenue and Sheridan Boulevard, thence south
along Sheridan Boulevard to its intersection
with Quincy Avenue; thence east on Quincy
Avenue to its intersection with Alcott Street;
thence north on Alcott Street to its inter-
section with College Avenue; thence east on
College Avenue to the intersection with the
South Platte River; thence north along the
South Platte River to West Alameda Avenue;
thence west on West Alameda Avenue to the
point of beginning.

By the instant application, the applicant seeks an ex-
tension of his present certificate, for the transportation of ashes,
trash and garbage from point to point within the following described

area, and from said area to any convenient dump or dumps, this area being described as:

Beginning at the intersection of West Alameda Avenue and Sheridan Boulevard; thence East along West Alameda Avenue to its intersection with South Broadway; thence South on South Broadway to its intersection with the Arapahoe-Douglas County line; thence West on the Arapahoe-Douglas County line to its intersection with the Arapahoe-Jefferson County line on Platte Canyon Road; thence North on the Arapahoe-Jefferson County line to the point of beginning.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at 330 State Office Building, Denver, Colorado, on July 3, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that he presently is operating under PUC No. 3022 and has a net worth of approximately \$10,000; that he has a contract with the Town of Sheridan to pick up garbage and trash, said contract to extend for one year; that this contract was given to him by the city authorities in Sheridan; and that he has filed this application due to an investigation of the territory asked for and the number of telephone calls received asking him to give service. He states he has suitable equipment and is qualified by experience, finances, and equipment to take care of the area asked for in his application.

Harold Elkins, Mayor of Sheridan, and Mr. Eugene Gillespie, City Councilman, testified as to the need for applicant's proposed extension in the City of Sheridan and the territory immediately adjacent thereto. The Mayor stated that the town is faced with a very serious problem in disposing of trash, garbage, and other refuse; that the city council determined that for health reasons and for the purpose of making the town attractive to live in, it was necessary that the town take some formal action; that they did take such action and entered into a contract with the applicant herein to pick up garbage and trash within the city limits and that he was here supporting the application.

The testimony of Mr. Gillespie corroborated the testimony of the Mayor as it pertains to Sheridan. He also enlarged his testimony to include the territory adjacent to Sheridan. Other witnesses appeared, who, in a measure, corroborated the testimony of the other public witnesses.

Several witnesses appeared representing certificated trash carriers who protested the granting of the proposed extension. They particularly protested the granting of the extension in the City of Englewood, and several witnesses appeared, together with Mr. Hamilton, Fire Prevention Officer in Englewood, who testified as to the services now being rendered in Englewood.

After listening to the testimony, it would appear that there are several carriers serving Englewood, and that an adequate service is being performed. Other witnesses appeared as to the area within the City and County of Denver that is being asked for by applicant. There is some question as to the adequacy of the service in that area of Denver, however, the Commission is not convinced that there is a need for additional service in the Denver area. As to the territory outside of the City of Englewood and the City and County of Denver, it appears from the evidence that the service presently given by the certificated carriers is not up to the standard to which the public is entitled. The applicant herein is a certificated common carrier authorized to serve in a portion of the City and County of Denver, and includes the area lying west, which includes the Town of Sheridan. The applicant testified that he has received numerous telephone calls, and the Witness Gillespie pointed out the inadequacy of service.

After a complete review of the evidence, it is the opinion of the Commission that we are not putting a new common carrier in the field. Rather, we are extending the scope and territory of a presently certificated carrier, and it is our best judgment that the public is entitled to a portion of the extended service proposed by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require the extended service of applicant within the area limited in the Order following, for the reasons heretofore set forth in the Statement, which, by reference, is made a part of these Findings.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed extended common carrier motor vehicle call and demand service of the applicant herein, for the transportation of ashes, trash and garbage, from point to point within the following described area, and from said area to any convenient dump or dumps, the area being described as follows:

Beginning at the intersection of West Alameda Avenue and Sheridan Boulevard; thence East along West Alameda Avenue to its intersection with South Broadway; thence South on South Broadway to its intersection with the Arapahoe-Douglas County line; thence West on the Arapahoe-Douglas County line to its intersection with the Arapahoe-Jefferson County line on Platte Canyon Road; thence North on the Arapahoe-Jefferson County line to the point of beginning,


excluding therefrom all territory lying within the boundaries of the City of Englewood and the City and County of Denver. It is definitely understood, however, that it is not the intent of this Order to take away any of the area now certificated under PUC No. 3022, and that applicant retain the territory granted under Decision No. 43130, as amended by Decision No. 44002, 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


Joseph F. Higgins
Ralph C. Johnston
Henry E. Paulsen
Commissioners.

Dated at Denver, Colorado,
this 28th day of July, 1959.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
J. H. STRAHAN, DOING BUSINESS AS)
"DURANGO TRANSFER & STORAGE CO.,")
DURANGO, COLORADO, FOR AUTHORITY) APPLICATION NO. 17238-Transfer
TO TRANSFER PUC NO. 1886 TO W. F.)
CHRISTENSEN, FARMINGTON, NEW MEXICO.)
-----)

IN THE MATTER OF THE APPLICATION OF)
J. H. STRAHAN, DOING BUSINESS AS)
"DURANGO TRANSFER & STORAGE CO.,")
DURANGO, COLORADO, FOR AUTHORITY) APPLICATION NO. 17238-Transfer-
TO TRANSFER PUC NO. 1886 TO WILLIAM) AMENDED
FERREL CHRISTENSEN, DOING BUSINESS)
AS "TRI-CITY TRANSFER & STORAGE,")
FARMINGTON, NEW MEXICO.)
-----)

July 28, 1959

Appearances: McKelvey & McKelvey, Esqs.,
Durango, Colorado, for
Transferor and Transferee.

S T A T E M E N T

By the Commission:

J. H. Strahan, doing business as "Durango Transfer & Storage Co.," Durango, Colorado, is the owner and operator of PUC No. 1886, authorizing:

Transportation of household goods between points in the area embraced or covered by the five counties in the Sixth Judicial District of Colorado, consisting of Archuleta, La Plata, Dolores, Montezuma and San Juan Counties.

Transportation of household goods and used office equipment, store equipment, and fixtures and trunks and baggage, from and to points in the area embraced in the Sixth Judicial District of Colorado, viz., Archuleta, La Plata, Dolores, Montezuma and San Juan Counties, to and from points in the State of Colorado.

Transportation of general commodities in the Counties of Archuleta, La Plata, Dolores, Montezuma and San Juan, Colorado, excluding

transportation between towns on U. S. Highways Nos. 550 and 160, and Colorado Highway No. 172, served by Rio Grande Motor Way, Inc., and excluding transportation from point to point in San Juan County, Colorado, and excluding transportation of oil and gas well equipment and supplies and cement and gas and drilling mud within a radius of 15 miles of Ignacio, Colorado.

and extended to include all points within the home-rule City of Durango, Colorado.

On June 25, 1959, said certificate-holder filed his application to transfer said operating rights to W. F. Christensen, Farmington, New Mexico.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at 330 State Office Building, Denver, Colorado, on July 22, 1959, at 1:30 o'clock P. M., and at the conclusion of the evidence, the matter was taken under advisement.

When the matter was called for hearing, request was made to change the name of the transferee from W. F. Christensen to William Ferrel Christensen, doing business as "Tri-City Transfer & Storage," which amendment was granted.

Contract of Sale and Purchase executed by the parties was marked Exhibit A at the hearing, disclosing that the consideration for the transfer is the sum of \$35,000, of which \$3,500 has been paid down and the balance of \$31,500 is to be paid upon authorization of this Commission for the transfer. All outstanding obligations will be paid.

The evidence further disclosed that the net worth of the transferee is approximately \$170,375, and he is well qualified by experience and financially to carry on his proposed operations.

No one appeared in opposition to the granting of authority herein sought, and it would appear to the Commission that the proposed transfer is compatible with the public interest and should be authorized.

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, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That J. H. Strahan, doing business as "Durango Transfer & Storage Co.," Durango, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 1886 -- with authority as set forth in the preceding Statement which is made a part hereof by reference -- to William Ferrel Christensen, doing business as "Tri-City Transfer & Storage," Farmington, New Mexico, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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

Joseph F. Nye
Ralph C. Norton
Ralph C. Zulauf
Commissioners

(27-23)
A 200
Dated at Denver, Colorado,
this 28th day of July, 1959.
ea

original

(Decision No. 52777)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MARTIN MC GUIRE, 2165 SOUTH ST. PAUL)
STREET, DENVER, COLORADO, FOR AUTH-)
ORITY TO TRANSFER PUC NO. 3371 TO) APPLICATION NO. 17250-Transfer
CARL L. LIND, DOING BUSINESS AS)
"MC GUIRE'S EXPRESS & MOVING," 753)
EAST 20TH AVENUE, DENVER, COLORADO.)
-----)

July 28, 1959

Appearances: Martin McGuire, Denver,
Colorado, pro se;
Carl L. Lind, Denver,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Martin McGuire, Denver, Colorado, the transferor herein,
is the owner and operator of PUC No. 3371, authorizing:

Transportation of general commodities, excepting
commodities which because of size or weight,
require special equipment, and excepting package
delivery service, as such, from point to point
within the City and County of Denver, State of
Colorado.

By the instant application, filed June 25, 1959, the said
certificate-holder seeks authority to transfer said operating rights
to Carl L. Lind, doing business as "McGuire's Express & Moving,"
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, on July 20, 1959, and at the conclusion
thereof the matter was taken under advisement by the Commission.

At the hearing, the evidence disclosed that the consideration
for the sale of said operating rights is the sum of \$250.00, of which
\$10.00 has been paid down, the balance to be paid upon the approval
of this Commission for the transfer. There are no outstanding

obligations against said operations.

The net worth of the transferee is the sum of \$208,000, and he is well qualified by experience in trucking operations, and financially, to carry on the proposed operations.

No one appeared in opposition to the granting of the transfer, and the records and files of the Commission fail to disclose any reason why said transfer 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, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Martin McGuire, Denver, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 3371 -- with authority as set forth in the preceding Order, which is made a part hereof by reference -- to Carl L. Lind, doing business as "McGuire's Express & Moving," Denver, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.


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


Joseph F. Nigro
George C. Hartman
Henry E. Allen
Commissioners.

Dated at Denver, Colorado,
this 28th day of July, 1959.

ea

original

(Decision No. 52778)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WATSON, INC., 718 SYMES BUILDING,)
DENVER, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
- - - - -)

APPLICATION NO. 17008
SUPPLEMENTAL ORDER

- - - - -
July 24, 1959
- - - - -

Appearances: Thomas J. Mitchell, Esq.,
Denver, Colorado, and
E. B. Evans, Esq., Denver,
Colorado, for Applicant;
Paul S. Barnett, Esq.,
Denver, Colorado, for
Ideal Cement Company;
Willard L. Peck, Esq., Denver,
Colorado, for the Colorado
and Southern Railway Company;
Clayton D. Knowles, Esq.,
Denver, Colorado, for Union
Pacific Railroad Company;
Peter J. Crouse, Esq., Denver,
Colorado, and
Royce D. Sickler, Esq., Denver,
Colorado, for the Santa Fe
Railroad Company;
Ernest Porter, Esq., Denver,
Colorado, for the Denver and
Rio Grande Western Railroad
Company, Rio Grande Motor
Way, Inc., and Larson Trans-
portation Company;
Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for Daryl
Hinkle, Ray Fulbright, Atwood
Truck Line, John B. Able, Sorenson
Truck Service, Inc.;
Howard D. Hicks, Denver, Colorado,
for Centennial Truck Lines, Inc.;
Shirley Avery, Buena Vista, Colo-
rado, for Eveready Freight
Service, Inc.;
Charles H. Haines, Jr., Esq.,
Denver, Colorado, and
John R. Barry, Esq., Denver, Colo-
rado, for Verl Harvey, Inc.;
Stanley Blunt, Canon City, Colo-
rado, for Southwestern Trans-
portation Company.

S T A T E M E N T

By the Commission:

By Decision No. 52630, of date July 6, 1959, the Commission granted to Watson, Inc., of Denver, Colorado, authority to operate as a common carrier by motor vehicle for the transportation of:

1. Cement in bulk and in sacks from cement plants located at Boettcher, Colorado, and Portland, Colorado, to Denver, Colorado, and points within a radius of 50 miles of Denver.
2. Pyrites in bulk from Denver and a radius of 5 miles thereof, to Boettcher and Portland, Colorado.
3. That applicant shall not be permitted, without further order from the Commission, to establish a branch office or have any agent employed in any other city than Denver, Colorado, or a 5 mile radius thereof, for the purpose of developing business, PROVIDED, HOWEVER, that the granting of this authority is contingent upon the surrender for cancellation of Certificate of Public Convenience and Necessity No. 498 now held by Harold E. Watson, Jr., doing business as "Watson Transport, Inc."

On July 24, 1959, Petition for Rehearing was filed in said matter by Charles H. Haines, Jr., Attorney for Verl Harvey, Inc.

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

F I N D I N G S

THE COMMISSION FINDS:

That Petition for Rehearing filed herein by Charles H. Haines, Jr., Attorney for Verl Harvey, Inc., should be granted.

O R D E R

THE COMMISSION ORDERS:

That Petition for Rehearing in the above-styled matter, filed by Charles H. Haines, Jr., Attorney for Verl Harvey, Inc., should be, and the same hereby is, granted.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Watson
Henry E. Paulding
Commissioners.

Dated at Denver, Colorado,
this 24th day of July, 1959.
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE VARIOUS CHANGES IN RATES, RULES)
AND REGULATIONS IN THE COLORADO)
MOTOR CARRIERS' ASSOCIATION, AGENT,)
LOCAL AND JOINT FREIGHT TARIFF NO.)
12-A, COLORADO P.U.C. NO. 11, ISSUED)
BY J. R. SMITH, CHIEF OF TARIFF BUREAU,)
4060 ELATI ST., DENVER 16, COLORADO.)

CASE NO. 1585

July 27, 1959

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 July 29, 1959, designated as set forth in Appendix "A", attached hereto and made a part hereof.

Under the provision 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.

In justification of the following changes the Commission has been informed by letters from carriers and supplementary matter, that:

Item No. 375 covering glass, automobile, cut to shape, but not nested, in boxes, is a new exception provision to ratings of the governing classification as more fully shown in the attached appendix.

The item provides alternating charges depending upon the shipper's choice whether the property is transported under released value as specified.

Under the classification this commodity carries a Column 150 rating. Using a gross weight of 60 pounds as an example the charges between the following points on Columns 150, 100 and 300 would be, viz.:

BETWEEN DENVER, COLORADO

AND	PRESENT	PROPOSED	
	COLUMN 150 RATING	COLUMN 100 RATING	COLUMN 300 RATING
COLORADO SPRINGS	\$2.00	\$2.00	\$2.70
CRAIG	2.89	2.89	5.20
PUEBLO	2.00	2.00	3.33
GRAND JUNCTION	3.00	3.00	5.99
GUNNISON	2.89	2.89	5.20
STERLING	2.00	2.00	3.35

Several carriers have submitted to the Commission letters of justification in support of this publication; also, the Colorado Motor Carriers' Association through questionnaires to its carrier members and answers received indicated for this type of glass the proposal is much needed as it is easily damaged through its inherent characteristics.

Through inspections at time of pick-up claims have been greatly reduced.

Mr. Ralph H. Knull, Assistant Traffic Manager, Rio Grande Motor Way, Inc., submitted the following, which is typical of other carriers' justifications, in support of this proposal:

"We obtained all of the bills from May 1st through May 11th of one shipper of automobile glass and found that the total revenue received by Rio Grande Motor Way for the 27 shipments handled over this period was \$111.27. We then checked with the Claim Department that there had been filed on one of these 27 shipments a claim in the amount of \$132.00; therefore, on these 27 shipments we took a net loss of \$20.73. This does not take into consideration the cost of the labor, pick-up and delivery, cutting the freight bills and other office procedures necessary in processing each shipment.

"The over-all picture for the first 5½ months of this year is not quite as black; however, a preliminary survey of the claims filed from January 1st through June 15th indicates that we have received 16 claims on automobile windshields for a total of \$911.02. This is an average of \$56.94 per claim."

No protests have been received by the Commission relative to this proposal.

Item No. 710 (Articles for shipment on which acceptance is optional) is being amended to include the addition as shown in the appendix attached. The change is published to bring the tariff into conformity with the governing classification. In a recent Supplement (No. 21, Item No. 92345, National Motor Freight Classification No. A-4, Colorado P.U.C. No. 1) provisions were made to provide a class rating for certain shipments of "United States Mail."

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 July 29, 1959, be the prescribed rates, rules, regulations and provisions of the Commission.
4. All motor vehicle common carriers who are affected by the changes prescribed herein shall publish or cause to be published new tariffs reflecting the changes prescribed herein.
5. All private carriers by motor vehicle to the extent they are affected by the changes involved herein shall publish, or cause to be published rates, rules, regulations and provisions which shall not be less than those herein prescribed for motor vehicle common carriers.

6. On and after July 29, 1959, all affected motor vehicle common carriers shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein prescribed, provided that call and demand motor vehicle common carriers shall be subject to the penalty rule of twenty (20) per cent.

7. On and after July 29, 1959, all private carriers by motor vehicle operating in competition with any motor vehicle common carrier, affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed, provided that Class "B" private carriers shall be subject to the penalty rule of twenty (20) per cent.

8. This order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph T. Nigro
Ralph C. Horton
Henry J. Paulino
Commissioners

Dated at Denver, Colorado,
this 27th day of July, 1959.

mem

APPENDIX "A"

Colorado Motor Carriers' Association, Agent
Local and Joint Freight Tariff No. 12-A, Colorado P.U.C. 11

EXCEPTIONS TO RATINGS OF THE GOVERNING CLASSIFICATION

ITEM NO.	ARTICLES	CLASS RATING
375	<p>Glass, automobile, cut to shape, bent, not nested in boxes:</p> <p>Released to value not exceeding 20¢ per pound.....</p> <p>The released valuation shall be entered on the shipping order and bill of lading in the following form: "The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding 20¢ per pound for each article."</p> <p>Value of the property not declared or released (See Note 1).....</p> <p>Note 1: Subject to a minimum charge for 100 pounds at the class 300 rate.</p>	<p>100</p> <p>300</p>

RULES AND REGULATIONS

710	<u>APPLICATION</u>
	<p><u>ARTICLES FOR SHIPMENT ON WHICH ACCEPTANCE IS OPTIONAL:</u></p> <p>Carriers may, without discrimination between shippers, refuse to accept for shipment the following, viz.:</p> <p>(A) Freight which, on account of dimensions or nature, cannot be transported over the public highways in safety or without violation of the highway law of the State of Colorado.</p> <p>(B) Freight which cannot be handled practicably by motor trucks or trailer equipment.</p> <p>(C) Dynamite or other high explosive.</p> <p>(D) Livestock, except by special arrangement.</p> <p>(E) Bank Bills; coin or currency; deeds; drafts; notes or valuable papers of any kind; jewelry; postage stamps; letters and packets of letters with or without postage stamps affixed, + other than when the United States Post Office is the consignor and consignee; precious metals or articles manufactured therefrom; precious stones; revenue stamps; or other articles of extraordinary value; or any of the above enumerated articles when same are offered as premiums accompanying other articles.</p> <p>(F) Freight, the nature of which is liable to impregnate or damage other freight or equipment.</p> <p>+ - Denotes addition.</p>

original

(Decision No. 52780)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) ASBURY TRANSPORTATION COMPANY, A) CORPORATION, 2222 EAST 38TH STREET,) LOS ANGELES, CALIFORNIA, FOR AUTH-) ORITY TO EXTEND OPERATIONS UNDER) PERMIT NO. B-5456.) -----)	APPLICATION NO. 17239-PP-Extension
---	------------------------------------

July 29, 1959

Appearances: Thomas J. Mitchell, Esq.,
Denver, Colorado, and
E. B. Evans, Esq., Denver,
Colorado, for Applicant.

S T A T E M E N T

By the Commission:

Asbury Transportation Company, the applicant herein, is
the owner of Private Carrier Permit No. B-5456, which authorizes:

Transportation of liquid nitrogen and oxygen
manufactured by Air Products, Inc., at its
manufacturing plant adjacent to the Martin-
Denver facility, over the five-tenths mile
Colorado State Highway known as Platte River
Road.

On June 9, 1959, the applicant filed an application,
seeking to extend its authority under Permit No. B-5456 to include
the transportation of cryogenic liquids, in bulk, in shipper-owned
specially-designed semi-trailers, between all points within the
State of Colorado.

The above application was regularly set for hearing, and
heard, at 330 State Office Building, Denver, Colorado, on July 14,
1959, and at the conclusion thereof, the matter was taken under
advisement.

At the hearing, Peter J. Allen, Construction Superintendent
for Air Products, Inc., described the service his company needs in
the transportation of cryogenic liquids, in bulk. He stated they had

a contract with the U. S. Air Force and were called upon to make deliveries to air force installations, together with missile bases throughout the State of Colorado; that in the transportation of this commodity it requires specialized equipment and men specialized in handling same. The witness stated that on numerous occasions they had brought in men by airplane from Los Angeles, California, to make deliveries for the reason that they needed experienced men.

W. J. Relaford, one of the officials of Asbury Transportation Company, testified as to the equipment available for transportation, and also the financial condition of the applicant.

No one appeared protesting the granting of the instant application.

It therefore appears that the granting of the application is in the public interest and would not impair authorized common carrier service authorized to serve the area.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted, and that the preceding Statement should be incorporated in these Findings by reference.

O R D E R

THE COMMISSION ORDERS:

That Asbury Transportation Company, a corporation, 2222 East 38th Street, Los Angeles, California, be, and hereby is, authorized to extend its operations under Permit No. B-5456 to include the right to transport cryogenic liquids, in bulk, in shipper-owned specially-designed semi-trailers, between all points within the State of Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph O. Hutton
Henry S. Pulido
Commissioners.

Dated at Denver, Colorado,
this 29th day of July, 1959.
ea

original

(Decision No. 52781)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
LONGMONT FLYING SERVICE, INC., LONG-)	APPLICATION NO. 8895
MONT, COLORADO, FOR A CERTIFICATE OF)	<u>SUPPLEMENTAL ORDER</u>
PUBLIC CONVENIENCE AND NECESSITY.)	
-----)	

July 29, 1959

S T A T E M E N T

By the Commission:

On May 10, 1948, the Commission entered its Decision No. 30437 in the above-styled application, granting to applicant herein a certificate of public convenience and necessity, authorizing:

operations as a common carrier, by airplane, in interstate and intrastate commerce, for the transportation of passengers and property, not on schedule, but on call and demand, in irregular service, between all points in the State of Colorado.

The Commission is now in receipt of a communication from said certificate-holder, requesting authority to suspend operations under said certificate for a period of six months.

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

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Longmont Flying Service, Inc., Longmont, Colorado, be, and hereby is, authorized to suspend operations under authority granted by Decision No. 30437, of date May 10, 1948, until February 1, 1960.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph T. Kiger
Joseph C. Hoban
Harry Spaulding
Commissioners.

Dated at Denver, Colorado,
this 29th day of July, 1959.

ea

original

(Decision No. 52782)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
COLORADO CENTRAL POWER COMPANY, 3470)
SOUTH BROADWAY, ENGLEWOOD, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY TO EXERCISE)
FRANCHISE RIGHTS IN THE TOWN OF)
KEENESBURG, COUNTY OF WELD, STATE)
OF COLORADO.)
-----)

APPLICATION NO. 17217

July 29, 1959

Appearances: Allen, Lynch & Rouse, Esqs.,
Denver, Colorado, by
Philip A. Rouse, Esq.,
for Applicant;
E. R. Thompson, Denver, Colo-
rado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

The above-entitled matter was set for hearing, after due notice to all interested parties, on July 8, 1959, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, and was heard on said date by Joseph M. McNulty, a duly appointed Examiner for the Commission. Evidence received and testimony taken in the matter, together with the Examiner's Report and recommendations were all submitted to the Commission and the matter taken under advisement.

This is an application by Colorado Central Power Company, hereinafter called the "Applicant," seeking a certificate of public convenience and necessity to exercise franchise rights in the Town of Keenesburg, Weld County, Colorado, for the generation, transmission, distribution, and sale of electric energy in the Town of Keenesburg.

No one appeared at the hearing in opposition to the authority sought to be granted by this application.

Applicant is a corporation, organized and existing under and by virtue of the laws of the State of Delaware, qualified in Colorado as a foreign corporation, and is a public utility company subject to the jurisdiction of this Commission, engaged primarily in the purchase, transmission, distribution and sale of electric energy at various points within the State of Colorado.

Applicant's witness, Mr. J. E. Wilson, Vice-President of Applicant, testified that a certified copy of Applicant's Certificate of Incorporation, together with all amendments thereto, has heretofore been filed with this Commission.

The applicant showed that on May 4, 1959, the Board of Trustees of the Town of Keenesburg duly passed and adopted Ordinance No. 63 of the Town of Keenesburg, entitled as follows:

"AN ORDINANCE BY THE TOWN OF KEENESBURG, STATE OF COLORADO, GRANTING TO COLORADO CENTRAL POWER COMPANY, ITS SUCCESSORS AND ASSIGNS, A FRANCHISE AUTHORIZING THE CONSTRUCTION, ACQUISITION, MAINTENANCE AND OPERATION IN AND THROUGH SAID TOWN, AND ALL ADDITIONS THERETO, OF PLANTS, WORKS AND SYSTEM FOR THE MANUFACTURE OR GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRIC ENERGY, AND THE SALE THEREOF TO SAID TOWN AND TO CONSUMERS THEREIN, FOR LIGHT, HEAT, POWER AND OTHER PURPOSES BY MEANS OF CONDUITS, CABLES, POLES, WIRES AND ANY OTHER DEVICES OR MEANS USED FOR, OR IN, THE MANUFACTURE OR GENERATION, DISTRIBUTION, TRANSMISSION AND SALE OF ELECTRIC ENERGY, CONSTRUCTED IN, ALONG, ACROSS, OVER, UNDER AND THROUGH ALL STREETS, ALLEYS, PUBLIC WAYS AND PLACES IN SAID TOWN, AND IN ALL ADDITIONS THERETO, AND FIXING THE TERMS AND CONDITIONS THEREOF."

The term of the franchise is twenty-five years. A certified copy of the franchise contained in the Ordinance, together with a certified copy of the recording of the Ordinance by the Town Clerk, proof of publication after final passage, and the formal acceptance by the Applicant for the said franchise, were introduced at the hearing, and marked Exhibits Nos. 1, 2, 3, and 4 and, by reference, are made a part hereof.

Exhibit No. 5, by reference made a part hereof, is a copy of Ordinance No. 64, of the Town of Keenesburg and provides for an occupation tax. This occupation tax requires an annual payment in the amount of 2% of gross revenue for the first three years; 2½% of

gross revenue for the next three years; and 3% of gross revenue thereafter obtained from customers of Applicant within the corporate limits of the Town of Keenesburg. The tax is not applied to billings in excess of \$2,500 per year for a single consumer, nor to revenue received from the Town for street lighting services. Prior to this time, in lieu of the occupation tax, an allowance of approximately 25.5% of the street lighting bill was made to the Town of Keenesburg. The present occupation tax will increase Applicant's franchise costs in the Town of Keenesburg 50%.

At the present time, Applicant serves approximately 245 meters within the Town limits of Keenesburg.

During the term of this franchise, Applicant anticipates additional capital investment within the Town Limits in the amount of \$46,500. This amount will be used as the basis of the fee 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.

Applicant's witness testified that Applicant had been distributing electric energy in Keenesburg since 1927, and that prior to that time the Town had been served by a predecessor company from the time electric energy was first distributed in said Town.

There has been no other utility engaged in the distribution of electrical energy within the Town of Keenesburg during the period of operation by Applicant.

Applicant further testified it is its present plan to continue the rates now in effect in the Town of Keenesburg.

The Report of the Examiner recommends that the request of authority applied for herein be granted by appropriate order of this Commission.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of Applicant herein, Colorado Central Power Company, and of the subject matter involved

in this application.

That the Commission is fully advised in the premises.

That the foregoing Statement should be made a part hereof by reference.

That public convenience and necessity require, and will require, the exercise by Colorado Central Power Company of the franchise rights granted in and by Ordinance No. 63 of the Town of Keenesburg, dated May 4, 1959, for the generation, transmission, distribution and sale of electric energy in said Town by Colorado Central Power Company, and that the permission sought herein should be granted.

That the Commission is informed in the matter and the Report of the Examiner should be approved.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require, and will require, the exercise by Colorado Central Power Company of franchise rights granted in and by Ordinance No. 63 of the Town of Keenesburg, State of Colorado, dated May 4, 1959, identified as Exhibit No. 1 herein, and, by reference, made a part hereof, for the generation, transmission, distribution and sale of electricity by Colorado Central Power Company in said Town, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That Colorado Central Power Company shall install, operate and maintain its electric system and supply service in the area heretofore designated in accordance with its schedules of electric rates, 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 Colorado Central Power Company 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, consumers' deposits, operations, records of meters and complaints in accordance with the requirements of the Commission.

That the Report of the Examiner, as submitted in the instant matter, be, and the same is hereby, approved.

This Order ~~shall~~ become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Henry E. Kulung
Commissioners.

Dated at Denver, Colorado,
this 29th day of July, 1959.

ea

original

(Decision No. 52783)

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 THE)	APPLICATION NO. 17248-Extension
NORTHEAST CORNER OF SECTION 11,)	
TOWNSHIP 2-SOUTH, RANGE 68-WEST.)	
-----)	

July 29, 1959

S T A T E M E N T

By the Commission:

On July 8, 1959, Union Rural Electric Association, Inc., Brighton, Colorado, filed an application with this Commission for authority to extend its facilities to serve the Green Mill Sportsman Club, located in the Northeast corner of Section 11, Township 2-South, Range 68-West, which extension will involve the construction of about 990 feet of primary line and the estimated cost of the construction is \$531.00.

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 the 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 Public Service Company of Colorado, dated July 13, 1959, and a letter from Colorado Central Power Company, dated

July 8, 1959, 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 serve the Green Mill Sportsman Club, located in the Northeast corner of Section 11, Township 2-South, Range 68-West; 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 Green Mill Sportsman Club, located in the Northeast corner of Section 11, Township 2-South, Range 68-West, 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

Joseph F. Kiger
Ralph C. Horton
Wm. J. Spalding
Commissioners.

Dated at Denver, Colorado,
this 29th day of July, 1959.

original

(Decision No. 52784)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN FOX, 1452 BENTON STREET, DENVER,)
COLORADO, FOR AUTHORITY TO EXTEND) APPLICATION NO. 17241-PP-Extension
OPERATIONS UNDER PERMIT NO. B-2627.)
-----)

July 29, 1959

S T A T E M E N T

By the Commission:

Applicant herein is the owner and operator of Permit No.

B-2627, with authority as follows:

Transportation of sand, gravel and road-surfacing materials from pits and supply points in the State of Colorado, to points within a radius of 75 miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver;

transportation of hay from points in Morgan, Weld, Jackson, Grand, Jefferson and Park Counties, and Adams County west of the east range line of R. 64-W.; Boulder and Larimer Counties east of the west Range line of R. 70-W., to railroad loading points within a radius of 50 miles of baling points, with occasional service to Denver; dry beet pulp from Brighton to Grand County; grain from farms within a radius of 25 miles of Denver to delivery points within said radius; lumber and props from points within a radius of 25 miles of Tabernash, and a radius of 25 miles of Bailey to Denver, and to mines in the northern Colorado coal fields;

transportation of forest and sawmill products between points within a radius of 10 miles of Gould, Colorado, and from points in said area to Walden and to Denver, Colorado.

By the instant application, said permit-holder seeks authority to extend operations under said Permit No. B-2627, 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, and other 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; clay, from pits and supply points within a radius of seventy-five miles of Denver, to brick and tile plants and foundries within a radius of thirty miles of Denver, Colorado; logs, poles, and rough lumber, from forests and sawmills (sawmills located in forests), to railroad loading points, and to places of storage within a radius of thirty-five miles of said forests.

Said application was regularly set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, July 14, 1959, 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 John Fox, Denver, Colorado, should be, and he hereby is, authorized to extend operations under Permit No. B-2627, 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, and other 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; clay, from pits and supply points within a radius of seventy-five miles of Denver, to brick and tile plants and foundries within a radius of thirty miles of Denver, Colorado; logs, poles, and rough lumber, from forests and sawmills (sawmills located in forests), to railroad loading points, and to places of storage within a radius of thirty-five miles of said forests; transportation of road-surfacing materials being restricted to the use of dump trucks, only.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph T. Sigio
Ralph C. Norton
Henry G. Adams
Commissioners.

Dated at Denver, Colorado,
this 29th day of July, 1959.

ea

original

(Decision No. 52785)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ROBERT C. NICHOLS, 1935 HOOKER)	
STREET, DENVER, COLORADO, FOR A)	
CLASS "B" PERMIT TO OPERATE AS A)	APPLICATION NO. 17244-PP
PRIVATE CARRIER BY MOTOR VEHICLE)	
FOR HIRE.)	
-----)	

July 29, 1959

Appearances: Robert C. Nichols, Denver,
Colorado, pro se;
Leslie R. Kehl, Esq., Denver,
Colorado, for Denver
Transport 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, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado,

July 14, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

The applicant appeared in support of his application and testified that he owns a 1959 General Motors Truck; that his net worth is approximately \$14,000; that he is willing that any authority granted be limited to the use of dump trucks only; that he is familiar with the rules and regulations of the Commission, and will abide by them, if the authority sought is granted.

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 as limited in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Robert C. Nichols, 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; transportation of road-surfacing materials being restricted 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 authority sheets.

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 F. Nizio
Ralph C. Hutton
Henry E. Adamego
Commissioners.

Dated at Denver, Colorado,
this 29th day of July, 1959.

ea

original

(Decision No. 52786)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN LEACH, ROUTE 3, BOX 325, DENVER,)
COLORADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 17242-PP
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

July 29, 1959

Appearances: Jack I. Scheiman, Esq., Denver,
Colorado, for Applicant;
Leslie R. Kehl, Esq., Denver,
Colorado, for Denver
Transport 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, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, July 14, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

Jack Scheiman, Denver, Colorado, appeared for the applicant in support of the application and testified that the applicant was unable to appear and had asked him to testify for him; that the applicant owns one International Dump Truck; that his net worth is approximately \$50,000; and that he will conform to the rules and regulations of the Commission if the authority sought is granted.

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 as limited in the Order following.

O R D E R

THE COMMISSION ORDERS:

That John Leach, 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;

transportation of road-surfacing materials being restricted 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 authority sheets.

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 F. Kiger
Reep W. O. Hobart
Henry H. Hurlings
Commissioners.

Dated at Denver, Colorado,
this 29th day of July, 1959.

ea

original

(Decision No. 52787)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRED E. HARDING AND DAVID W. MC)
MILLEN, CO-PARTNERS, DOING BUSINESS)
AS "HARDING & MC MILLEN," 1354 EDITH) APPLICATION NO. 17017-PP-Extension
LANE, COLORADO SPRINGS, COLORADO.)
-----)

July 28, 1959

S T A T E M E N T

By the Commission:

By the above-styled application, applicants sought authority to extend operations under Permit No. B-5461, to include the right to transport tungsten ore, from Stanton Mine, two miles north of Lake George, Colorado, to mill near Boulder, Colorado, for Stanton Mine, only.

Said application was regularly set for hearing before the Commission, at the Court House, Colorado Springs, Colorado, July 30, 1959, due notice thereof being forwarded to all parties in interest.

The Commission is now in receipt of a communication from Fred E. Harding, one of applicants herein, stating applicants no longer desire to prosecute said application, and requesting dismissal thereof.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That hearing of Application No. 17017-PP, presently set for July 30, 1959, at Colorado Springs, Colorado, be, and the same hereby is, vacated.

That said Application No. 17017-PP be, and the same hereby
is, dismissed, upon request of Applicants herein.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Kijar
Frank C. Hobart
Wm. J. Gailings
Commissioners.

Dated at Denver, Colorado,
this 28th day of July, 1959.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
S. G. LIESCHUCK, DOING BUSINESS AS)
"STOCKYARDS LIVESTOCK HAULING CO.,")
4702 WILLIAMS STREET, DENVER, COLO-)
RADO, FOR A CERTIFICATE OF PUBLIC) APPLICATION NO. 17251-Extension
CONVENIENCE AND NECESSITY, AUTHOR-)
IZING EXTENSION OF OPERATIONS UNDER)
PUC NO. 436.)
-----)

July 29, 1959

Appearances: Tull, Hays and Thompson, Esqs.,
by John P. Thompson, Esq.,
Denver, Colorado, for
Applicant;
Truman A. Stockton, Jr., Esq.,
Denver, Colorado, and
John H. Lewis, Esq., Denver,
Colorado, for Livestock
Transport, Inc., Yockey
Trucking Company, and Barn-
hill Truck Line;
Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, and
Leslie R. Kehl, Esq., Denver,
Colorado, for Sorenson
Truck Service;
Guy Hart, Longmont, Colorado,
for Farm Hauling Service;
Oliver Clyncke, Boulder, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein is the owner of Certificate of Public
Convenience and Necessity No. 436, originally issued June 26, 1929,
authorizing:

Transportation of livestock between Denver and
all points in the State of Colorado. No branch
offices, agencies or agents outside of Denver
to solicit business;

and on May 11, 1946, he was authorized to extend his operations to
include:

Transportation of horses and colts between points
within a radius of fifty miles of Denver, Colorado;

and on September 13, 1950, by Decision No. 35314, his authority was extended to include:

Transportation of horses between points and places in the State of Colorado.

On May 13, 1959, the applicant herein filed his application to extend his authority to include the transportation of livestock between points within a radius of twenty-five miles of Denver, Colorado, including Denver; and from and to points within said radius to and from points in the State of Colorado.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard in the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, on July 20, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

In support of the application, twenty-one witnesses appeared. We will not attempt to summarize the evidence of each individual witness, but, rather, will attempt to summarize the testimony of twenty public witnesses.

In our judgment, the evidence disclosed that the applicant herein is a common carrier who is efficiently taking care of the livestock transportation needs of all traffic originating or terminating in Denver; that the applicant has suitable equipment and is prompt and efficient in his service. All witnesses stated that they definitely need, and will use, applicant's proposed extended service.

The witnesses were not too critical of other common carrier service but it appeared to the Commission that they especially desired applicant's proposed service because of the efficient methods used by him to take care of their hauling needs to and from the Denver area. The evidence indicated that in recent years, within a few miles of the City and County of Denver, cattle buyers and feeders now have feed lots, and they desire the applicant to serve their needs in this area.

It is apparent from the testimony that the witnesses who appeared are the shippers who use applicant's motor carrier service from and to Denver. The certificate under which the applicant operates is one of the first livestock motor carrier certificates issued in Colorado, as the original authority for livestock was issued in 1929. The evidence indicates conditions have now changed. Dairies have moved out of Denver's incorporated area to Derby, and applicant can no longer serve them under a strict interpretation of his authority. Feed lots have become common in the area beyond the city limits. These customers also cannot be served by applicant under a strict interpretation of his authority. This, in substance, is the service requested by the twenty public witnesses.

Protestants testified as to the equipment they now have available. They state they have idle equipment on hand and contend there is no need for applicant's proposed extended service. Protestants, however, failed to produce customer-witnesses as to the adequacy of the service offered by them. The only witnesses appearing protesting were the owners and holders of competitive certificates. It is obvious that these witnesses have a definite personal interest. One of protestants contends that the Colorado Public Utilities Commission has placed, and is placing, too many carriers in the field for the transportation of livestock, and especially in the Denver area, that is, a radius of seventy-five miles of Denver. This accusation or complaint seriously perplexes the Commission, so we have earnestly checked our record, and it is our best judgment that the following is substantially correct:

The last livestock common carrier authorized in this area is the authority held by Oliver Clyncke which was issued September 13, 1950, and a detailed examination of this authority discloses that this was a conversion from a private carrier authority to a common carrier, and applicant, and his predecessor, have operated as a livestock carrier since 1937.

All other carriers here protesting this application have authorities which were issued prior to the enactment of the 1935 Common Carrier Act. It is our judgment that the authorization of common carriers for the transportation of livestock throughout the State of Colorado has been negligible since World War II. It is true that the increase in livestock carrier facilities has been brought about by more and larger equipment owned by the presently certificated carriers of livestock, and it is our judgment that the presently certificated carriers have not only increased the number of pieces of equipment but also much larger equipment, and the surplus equipment, if any there be for the transportation of livestock, is brought about by the carriers themselves and not by the authorization of additional carriers, for the reason that the records of the Commission do not show any appreciable change in the number of livestock carriers in the past fifteen years. We appreciate the attitude of the carriers, but we believe that this charge or accusation should be clarified, and that is the purpose of the foregoing remarks.

The applicant is here asking for extension of authority. In considering this application we must bear in mind that he and his predecessor represent one of the pioneers in livestock transportation. The evidence and the record indicate that the applicant is an excellent carrier and has a large following in Denver. These customers desire to use his service in the Denver Metropolitan Area. They contend that he gives better and more efficient service. We cannot say that the protestants are not giving service, but we are convinced that applicant is giving a better service and that an improved service is needed.

The corporate boundaries of the City and County of Denver are fixed, and a strict interpretation of that authority does not permit the applicant to go beyond those corporate boundaries. The Commission in the past, has given numerous extensions to common carriers extending their service in the Denver area under the belief that the public

interest demands extension of their boundaries. We have given careful consideration to the record here made and it is our judgment, after deliberations, that the public convenience and necessity require extended service by applicant.

We cannot say that we should give this extended service to Boulder County. We find we have a small livestock carrier in Boulder County who is serving a definite need. His territory, due to residential and industrial expansion of Denver and Boulder Metropolitan Areas, has been cut down, and to place another carrier in this small territory might seriously jeopardize that service. This, in our opinion, is corroborated by the public witnesses appearing in support of the application. The Commission, as has been its policy in the past fifteen years, hesitates to change the competitive system in livestock hauling. However, we are convinced, after listening to and weighing the evidence of twenty shipper-witnesses, that applicant's proposed service is definitely needed by the shipping public, and to deny the application in its entirety would be a disservice to the public.

F I N D I N G S

THE COMMISSION FINDS:

That the applicant is a duly certificated common carrier authorized by this Commission to transport livestock between Denver and points in the State of Colorado.

That public convenience and necessity require that the application for extension, as hereinafter limited, should be granted, for the reasons heretofore given in the preceding Statement which, by reference, is made a part of these Findings, which, in the opinion of the Commission, the public interest requires, and that a certificate of public convenience and necessity should issue therefor.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the extended motor vehicle common carrier service of S. G. Lieschuck, doing business as "Stockyards Livestock Hauling Co.," Denver, Colorado, for the

transportation, under PUC No. 436, of livestock between points within a radius of twenty-five miles of Denver, Colorado, including Denver; and from and to points within said radius to and from points in the State of Colorado, excluding therefrom that portion of Boulder County lying in said twenty-five-mile radius, it being the intent of this exclusion to protect Certificate No. 2149, 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

Joseph F. Nigro
Joseph C. Anton
Henry G. Ludwig
Commissioners.

Dated at Denver, Colorado,
this 29th day of July, 1959.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
H. C. RYBERG, DOING BUSINESS AS THE)
RYBERG CONSTRUCTION COMPANY, 1664)
SOUTH CLARKSON STREET, DENVER 10,)
COLORADO, TO PRESCRIBE RATES FOR)
HOUSE AND BUILDING MOVES.)

CASE NO. 1585

July 28, 1959

S T A T E M E N T

By the Commission:

The Commission is in receipt of a petition from Mr. H. C. Ryberg, doing business as Ryberg Construction Company, 1664 South Clarkson Street, Denver, Colorado, by Mr. Bruce Ownbey, his Attorney, requesting the Commission to prescribe rates and rules to cover the movement of houses and buildings. A copy of the petition and suggested rates and rules are attached hereto, and are self-explanatory.

F I N D I N G S

THE COMMISSION FINDS, That:

This matter should be set for hearing where all interested parties may appear and present evidence and testimony in support of their respective positions.

O R D E R

THE COMMISSION ORDERS, That:

1. Case No. 1585 be and the same is hereby re-opened for further hearing for the reception of evidence and testimony relating to the instant matter.

2. The matters and things involved in this proceeding be and the same are hereby assigned for public hearing on August 25, 1959, in the hearing room of the Commission, 330 State Office Building, Denver, Colorado, at 10:00 A.M. for the taking of evidence and testimony by all parties concerned.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Riga
Joseph C. Hinton
Henry E. Padgett
Commissioners

Dated at Denver, Colorado,
this 28th day of July, 1959.

mem

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SOUTHWEST FERTILIZER AND CHEMICAL)
COMPANY OF EL PASO, INCORPORATED,)
P. O. BOX 5218, ASCARATE BRANCH,)
EL PASO, TEXAS.)
-----)

PERMIT NO. M-15056

July 30, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Southwest Fertilizer
and Chemical Company of El Paso, Inc., El Paso, Texas
requesting that Permit No. M-15056 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15056, heretofore issued to Southwest Fertilizer
and Chemical Company of El Paso, Inc., El Paso, Texas be,
and the same is hereby, declared cancelled effective April 3, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Norton
Henry E. Zink
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ORVILLE KEATON, DBA O. K. BY-PRODUCTS)
521 - 24TH STREET, GREELEY, COLO-)
RADO.)
_____)

PERMIT NO. M-7812

July 30, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Orville Keaton, dba
O. K. By-Products, Greeley, Colorado
requesting that Permit No. M-7812 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7812, heretofore issued to Orville Keaton, dba
O. K. By-Products, Greeley, Colorado be,
and the same is hereby, declared cancelled effective July 2, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Norton
Henry E. Zaulings
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

RUSSEL E. HENDERSON, P. O. BOX 44,)
SILT, COLORADO.)

PERMIT NO. M-10625

July 30, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Russel E. Henderson,
Silt, Colorado

requesting that Permit No. M-10625 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10625, heretofore issued to Russel E. Henderson,
Silt, Colorado be,
and the same is hereby, declared cancelled effective July 25, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Norton
Henry E. Zaulinger
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

LOUIS MESTAS, ROUTE 1 BOX 22,
TRINIDAD, COLORADO.

PERMIT NO. M-722

July 30, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Louis Mestas,

Trinidad, Colorado

requesting that Permit No. M-722 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-722, heretofore issued to Louis Mestas,

Trinidad, Colorado

be,

and the same is hereby, declared cancelled effective July 30, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph L. Negro
Joseph C. Hord
Henry C. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

VICTOR BAIN, DBA VIC BAIN'S, 131)
SOUTH MAIN, PUEBLO, COLORADO.)
)
)
)
-----)

PERMIT NO. M-2189

July 30, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Victor Bain, dba
Vic Bain's, Pueblo, Colorado
requesting that Permit No. M-2189 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2189, heretofore issued to Victor Bain, dba
Vic Bain's, Pueblo, Colorado be,
and the same is hereby, declared cancelled effective August 7, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Hobart
Harry E. Zink
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 195 9.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ALBERT J. VIGIL, 7370 KRAMERIA)	
STREET, DERBY, COLORADO, FOR A)	
CLASS "B" PERMIT TO OPERATE AS A)	APPLICATION NO. 17245-PP
PRIVATE CARRIER BY MOTOR VEHICLE)	
FOR HIRE)	
-----)	

July 29, 1959

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, July 14, 1959, 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 Albert J. Vigil, Derby, 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; transportation of road-surfacing materials being restricted 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 authority sheets.

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 A. Nizio
Ralph C. Hutton
Henry E. Pulangs
Commissioners.

Dated at Denver, Colorado,
this 29th day of July, 1959.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
E. L. LOCKHART, 10 VIKING DRIVE,)	
ENGLEWOOD, COLORADO, FOR A CLASS)	<u>APPLICATION NO. 17243-PP</u>
"B" PERMIT TO OPERATE AS A PRIVATE)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	
-----)	

July 29, 1959

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, July 14, 1959, 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 E. L. Lockhart, 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; transportation of road-surfacing materials being restricted 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 authority sheets.

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 F. Kiger
Ralph C. Horton
Henry A. Zuluaga
Commissioners.

Dated at Denver, Colorado,
this 29th day of July, 1959.

ea

original

(Decision No. 52797)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GROVER TELEPHONE EXCHANGE (MRS.)
EDITH RICHARDS, OWNER), GROVER,)
COLORADO, FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE A TELEPHONE EXCHANGE)
AND SYSTEM WITHIN THE TOWN OF)
GROVER, COUNTY OF WELD, STATE OF)
COLORADO)
-----)

APPLICATION NO. 14435

IN THE MATTER OF THE APPLICATION OF)
GROVER TELEPHONE EXCHANGE (AN IN-)
DIVIDUALLY-OWNED COMPANY), GROVER,)
COLORADO, FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE A TELEPHONE EXCHANGE)
AND SYSTEM IN THE COUNTY OF WELD,)
STATE OF COLORADO.)
-----)

APPLICATION NO. 17232

July 29, 1959

Appearances: Mr. and Mrs. LeRoy Richards,
Grover, Colorado, for
Applicant;
E. R. Thompson, Denver,
Colorado, and
P. M. Brown, Denver, Colo-
rado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

Mr. and Mrs. LeRoy Richards, doing business as "Grover Telephone Exchange," hereinafter referred to as "Applicant," is a co-partnership, engaged in the business of supplying telephone service to subscribers in the Town of Grover and the surrounding area, in Weld County, Colorado.

In Application No. 14435, Applicant sought a certificate of public convenience and necessity to exercise franchise rights granted by the Town of Grover.

In Application No. 17232, Applicant seeks from this Commission a certificate of public convenience and necessity to furnish

telephone service in a larger territory described in the application.

The matters were set for hearing and were heard in the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, at two o'clock P. M., on Wednesday, July 15, 1959, after due notice to all interested parties. 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 these applications.

The Grover Telephone Exchange is a co-partnership operated by Mr. and Mrs. LeRoy Richards. Mrs. Edith Richards, who submitted the original application, is also known as Mrs. LeRoy Richards.

Application No. 14435 was filed with this Commission on May 22, 1956, and on May 27, 1957, by Decision No. 47949, this application was permitted to be withdrawn upon request of applicant. On December 16, 1957, this Commission, in its Decision No. 49242 again upon request of applicant, permitted reinstatement of the application. Since Application No. 17232 is for an area larger than and including the area requested to be certificated in Application No. 14435, applicant has again requested withdrawal of Application No. 14435.

Applicant's witness stated it had acquired, by purchase, its telephone system from the Estate of Grace Evans, the former owner of Grover Telephone Exchange. This system has been operating under "Grandfather Rights." In all other respects Applicant has complied with the rules and regulations of this Commission and is subject to its jurisdiction. Applicant serves approximately 75 customers on a magneto-type telephone system.

About eight months from now applicant plans the installation of a modern dial system. Applicant was requested to file a copy of the feasibility study for dial operation as it will be proposed for its system. Further testimony indicated there would be comparatively little expenditure required on outside lines as a preliminary to dial

operation. A substantial expenditure would be required for the dial switching equipment and telephones.

A Petition signed by sixteen members of the Hereford Telephone Company was presented at the hearing by Imogene E. Boggs, Secretary of the Hereford Telephone Company, an organization of 76 members. The signators to the Petition alleged that they are members of the Hereford system, a non-profit organization, organized on a cooperative basis with each telephone user on the system being a member. Since they are satisfied with the telephone service they now receive, they indicated they did not desire service from the Grover system and on this basis are opposed to the application. Since this Commission has not asserted jurisdiction over this cooperative, and as long as it continues to serve members only, this cooperative could not be adversely affected by the granting of this application.

F I N D I N G S

THE COMMISSION FINDS:

That this Commission has jurisdiction of said Applicant and of the subject matter of the instant applications.

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

That the Commission is fully advised in the premises.

That Application No. 14435 should be dismissed.

That the issuance of the certificate of public convenience and necessity requested in Application No. 17232 is consistent with the provisions of Chapter 115, Colorado Revised Statutes of 1953.

That the Grover Telephone Exchange is now and will continue to be performing the functions of a public utility in the area sought.

That public convenience and necessity require and will require continued operation, maintenance and extension of a telephone system in the territory as set forth in the Order below.

That Grover Telephone Exchange should set up its books and accounts and continue to keep them in accordance with the Uniform

System of Accounts as prescribed by this Commission.

That not less than thirty (30) days prior to the establishment of automatic dial telephone system the Grover Telephone Exchange should file with this Commission its rates, rules and regulations and its feasibility study in support thereof as proposed to be applied to its dial system operation.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require and will continue to require the operation by the Grover Telephone Exchange of a telephone system supplying telephone service to the public generally in the area described as follows:

Beginning at a point on the Southwest corner of Section 31, Township 10-North, Range 63-West; thence North 9 miles to the Northwest corner of Section 19, Township 11-North, Range 63-West; thence East 3 miles to the Northeast corner, Section 21, Township 11-North, Range 63-West; thence South $2\frac{1}{2}$ miles to the center line of Section 34, Township 11-North, Range 63-West; thence East 6 miles to the West line of Section 34, Township 11-North, Range 62-West; thence North $3\frac{1}{2}$ miles to the Southwest corner, Section 10, Township 11-North, Range 62-West; thence East 1 mile to the Southeast corner Section 10, Township 11-North, Range 62-West; thence North 2 miles to the Northwest corner Section 2, Township 11-North, Range 62-West; thence East 9 miles to the Northeast corner of Section 6, Township 11-North, Range 60-West; thence South 13 miles to the Southeast corner Section 6, Township 9-North, Range 60-West; thence West 5 miles to the Southeast corner Section 5, Township 9-North, Range 61-West; thence South 1 mile to the Southeast corner Section 8, Township 9-North, Range 61-West; thence West 3 miles to the Southwest corner Section 12, Township 9-North, Range 62-West; thence North 2 miles to the Northwest corner Section 1, Township 9-North, Range 62-West; thence West 11 miles to the point of beginning.

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

That Grover Telephone Exchange shall continue to use the rates, rules and regulations as now on file with this Commission until such time as they may be changed according to law and the rules and regulations of this Commission.

That Application No. 14435 shall be dismissed.

That Grover Telephone Exchange shall set up and continue to keep its books and accounts in accordance with the Uniform System of Accounts, to be reported annually as prescribed by this Commission.

That this Commission shall retain jurisdiction of the matter to issue such further Order, or Orders, as it may deem necessary.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph L. Nigro
Ralph C. Hobart
Wm. E. Spaulding
Commissioners.

Dated at Denver, Colorado,
this 29th day of July, 1959.

ea

original

(Decision No. 52798)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JOHN C. BERTRAM, 7011 WEST 20TH)	
AVENUE, DENVER, COLORADO, FOR A)	
CLASS "B" PERMIT TO OPERATE AS A)	APPLICATION NO. 17240-PP
PRIVATE CARRIER BY MOTOR VEHICLE)	
FOR HIRE.)	
-----)	

July 29, 1959

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, July 14, 1959, 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 John C. Bertram, 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; transportation of road-surfacing materials being restricted 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 authority sheets.

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 F. Nigro
Ralph C. Holton
Harry G. Huley
Commissioners.

Dated at Denver, Colorado,
this 29th day of July, 1959.

ea

original

(Decision No. 52799)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE DEPARTMENT OF HIGHWAYS OF THE)
STATE OF COLORADO, 4201 EAST AR-)
KANSAS AVENUE, DENVER, COLORADO, FOR)
AUTHORITY TO CONSTRUCT, OPERATE AND)
MAINTAIN A RAILROAD-HIGHWAY GRADE)
SEPARATION STRUCTURE OF INTERSTATE)
ROUTE NO. 80S AT A POINT 602.9 FEET)
NORTHEASTERLY FROM MILE POST 148)
OF THE MAINLINE TRACKS OF CHICAGO,)
BURLINGTON AND QUINCY RAILROAD COM-)
PANY, IN MORGAN COUNTY, STATE OF)
COLORADO.)
-----)

APPLICATION NO. 17067

July 29, 1959

Appearances: Joseph M. Montano, Assistant
Attorney General, Denver,
Colorado, for Applicant,
Department of Highways;
W. L. Peck, Esq., Denver,
Colorado, for Chicago,
Burlington & Quincy Rail-
road Company;
J. L. McNeill, Denver, Colo-
rado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

The above-entitled application was filed with the
Commission on May 1, 1959, and was thereafter set to be heard
in Denver, Colorado, at 330 State Office Building, Denver, Colo-
rado, on July 8, 1959. After appropriate notice to all inter-
ested parties; and to the Chairman, Board of Morgan County Com-
missioners, the matter was there heard by Joseph M. McNulty, as
a duly appointed Examiner for the Commission. Evidence was
received, testimony taken, and the files in the matter, together
with the Examiner's Report and recommendations, were all sub-
mitted to the Commission, and the matter taken under advisement.

The purpose of the application is to secure Commission approval for the construction of a highway overpass structure across trackage of The Chicago, Burlington & Quincy Railroad Company, northeasterly from Brush, Colorado. The new highway overpass is the result of a new location for U. S. Highway Nos. 6 and 34 in the area from Brush to west of Fort Morgan, Colorado (16 miles). The new road is also to be in open farming country about one mile north from the present highway. Present highway has been improved between Brush and Fort Morgan and is to remain as a service road. Interchange points on the new road will offer connections for Brush and Fort Morgan traffic.

At the hearing, the following exhibits were offered and explained by Mr. E. L. King, who is Assistant to the Plans & Surveys Engineer of the Department of Highways, at Denver, Colorado:

- Exhibit A: (Attached to Application)
Title page and Plan Sheet No. 1.
Showing general location of
highway project.
- Exhibit B: (Application)
General Plan and Elevation sheet
showing layout and clearances of
proposed structure at railroad
crossing near Burlington Mile
Post 148.
- Exhibit C: (Application)
Plan Sheet No. 38 to show further
details of crossing location and
adjacent property ownership.
- Exhibit D: Prepared Statement of Mr. King
to explain further details of
location, types of agreements,
approvals, need for structure,
clearance data, liability insurance
protection and statement of costs.
- Exhibit E: Agreement of January 12, 1959,
between Department of Highways and
Burlington Railroad for construction
of overpass.

From the testimony and reports given in the instant matter it appears that the new overpass structure is required by reason of the new highway location and to further comply with the Interstate Highway Design Standards whereby it is necessary to eliminate all railroad grade crossings.

It is proposed that all clearances will be in conformance with the standard regulations established by the Commission in its Order of June 1, 1952. The affected clearances are summarized as follows:

	<u>Commission's Requirements (Minimum)</u>	<u>602.9 ft. NE of MP 148</u>
Horizontal	8' 6"	20.2' Lt to centerline of piers 23.3' Rt to centerline of piers
Vertical	22' 6"	23.6" (From top of Rail)

According to Mr. King, design of the proposed structure has received careful study by the Department of Highways and the Bureau of Public Roads. Being a part of the Interstate Highway System, the structure must also be of the highest type design to meet ordinary military loads and will be maintained by the Department of Highways.

Under the agreements governing the proposed work, the entire cost is to be shared by The Colorado Department of Highways and The United States Bureau of Public Roads. The railroad is to be reimbursed for any extra work performed to meet the contractor or department convenience. Excluding Rights-of-Way and Engineering expense, the estimated structure costs are as follows:

Temporary and permanent rail work	\$1,085
Overpass structure. Beaver Creek and Railroad	<u>\$344,000</u>
Total Cost - - -	-\$345,085

Other testimony as given by R. W. Scott, Assistant Chief Engineer, Burlington Railroad, was to the effect that the project was supported by the railroad as noted by acceptance of the instant agreement; that work of related right-of-way fencing was to be accomplished according to provisions of the agreement; that removal of the present grade crossing and replacement by the instant overpass offered a safer installation.

In addition to the above agreement of the Railroad Company, approvals for the proposed work have been given by Morgan County; by the U. S. Bureau of Public Roads and by the Chief Engineer, Colorado Department of Highways. Report of the Examiner also recommends that

the requested authority be granted by appropriate Order of this Commission. No objections were offered at the hearing and no protests appear in the files of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That it is informed in the instant matter and the Report of the Examiner should be approved.

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

That public safety, convenience and necessity require the construction and maintenance of the grade separation structure as proposed herein, over trackage of The Chicago, Burlington & Quincy Railroad Company northeast of the City of Brush, Morgan County, Colorado.

That horizontal and vertical clearances for the proposed structure exceed the clearance requirements established by the Commission, and are therefore acceptable.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner as submitted in the instant matter, should be, and the same is hereby, approved.

That Applicant, the State Highway Commission of Colorado, be, and it hereby is, granted a certificate of public convenience and necessity to authorize and approve the installation, construction and maintenance of the following highway-railroad grade separation structure over trackage of The Chicago, Burlington & Quincy Railroad Company northeast of the City of Brush, Morgan County, Colorado:

(a) Twin bridge highway overpass - 602.9 feet northeasterly from Mile Post 148, Brush to Sterling Line, being in SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 36, Township 4-North, Range 56-West.

That the new work to be done, costs, installation, maintenance, and other work, shall be as indicated in the preceding Statement and Exhibits "A", "B", "C", "D" and "E", all of which,

by reference, are made a part hereof.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Hoban
Henry G. DeLoe
Commissioners.

Dated at Denver, Colorado,
this 29th day of July, 1959.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MELVIN BUTTERFIELD, 516 SOUTH RAILWAY,)
BRUSH, COLORADO.)
)
)
)
-----)

PERMIT NO. M-13129

July 30, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Melvin Butterfield,
Brush, Colorado
requesting that Permit No. M-13129 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13129, heretofore issued to Melvin Butterfield,
Brush, Colorado be,
and the same is hereby, declared cancelled effective June 27, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Horton
Wm. E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 30th day of July, 1959.

reginal

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
WILSON HALEY, DOING BUSINESS AS)	
"WILSON HALEY WATER COMPANY," BOX)	
14, STERLING, COLORADO, FOR A CER-)	APPLICATION NO. 16900
TIFICATE OF PUBLIC CONVENIENCE AND)	<u>SUPPLEMENTAL ORDER</u>
NECESSITY TO OPERATE AS A COMMON)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	
- - - - -)	

- - - - -
July 30, 1959
- - - - -

Appearances: Wolvington and Carleton, Esqs.,
Sterling, Colorado, by
Neil L. Carleton, Esq., Sterling,
Colorado, for Applicant;
Jones and Meiklejohn, Esqs.,
Denver, Colorado, by
Leslie Kehl, Esq., Denver, Colo-
rado, for Denver-Chicago
Trucking Company, Inc.;
Herbert M. Boyle, Esq., Denver,
Colorado, for Basin Truck
Company.

S T A T E M E N T

By the Commission:

On may 11, 1959, the Commission entered its Decision
No. 52238 in the above-styled application, granting to applicant
herein a certificate of public convenience and necessity to operate
as a common carrier by motor vehicle for hire, as therein set forth.

On May 18, 1959, "Petition for Rehearing" was filed herein
by Jones and Meiklejohn, Attorneys for Denver Chicago Transport
Company, Inc.

The Commission has reviewed the evidence adduced at the
hearing on said application, and has carefully considered Petition
for Rehearing filed herein.

F I N D I N G S

THE COMMISSION FINDS:

That no error was committed in the entry of its said Decision
No. 52238; that no useful purpose would be served by granting re-
hearing herein, and that said Petition for Rehearing should be denied.

O R D E R

THE COMMISSION ORDERS:

That Petition for Rehearing in the above-styled application, filed by Jones and Meiklejohn, Attorneys, on behalf of Denver Chicago Transport Company, Inc., on May 18, 1959, be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(B E R T)

ALBERT A. BROWN

[Handwritten signature]

Joseph F. Nigro
Ralph C. Holton
Wm. G. Salgado
Commissioners.

Dated at Denver, Colorado,
this 30th day of July, 1959.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT LANTZ AND JACQUELINE LANTZ,)
CO-PARTNERS, DOING BUSINESS AS)
"LANTZ TRUCK LINE," BENNETT, COLO-)
RADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 559 TO COLORADO MILK TRANS-)
PORT, INC., ROUTE 1, BOX 141,)
BROOMFIELD, COLORADO.)
-----)

APPLICATION NO. 16831-Transfer
SUPPLEMENTAL ORDER

July 30, 1959

Appearances: Paul M. Hupp, Esq., Denver,
Colorado, for Applicants.

S T A T E M E N T

By the Commission:

On February 16, 1959, the Commission entered its Decision No. 51743 in the above-styled application, authorizing transfer of PUC No. 559 from Robert Lantz and Jacqueline Lantz, co-partners, doing business as "Lantz Truck Line," Bennett, Colorado, to Colorado Milk Transport, Inc., Broomfield, Colorado, authority under said PUC No. 559 being therein set forth.

It now appears that operating rights under said PUC No. 559 were not set forth in their entirety in the Statement contained in said Decision No. 51743.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 51743 of date February 16, 1959, should be amended, nunc pro tunc, as of said 16th day of February, 1959, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 51743, of date February 16, 1959, be, and the same hereby is, amended, nunc pro tunc, as of said 16th

day of February, 1959, by striking therefrom description of operating rights under said PUC No. 559, appearing in the Statement contained in said Decision No. 51743, on Pages 1 and 2 thereof, and substituting in lieu thereof, the following:

"milk and cream, on call and demand, to Denver and intermediate points, with return of empty cans, from an area described as follows: Commencing at a point on the Middle Bijou Creek and Highway 40, the same being approximately 1 mile southeast of Peoria, Colorado; thence northwest along Highway 40 to Peoria, Colorado; thence west 3 miles; thence south 5 miles to the Deertrail Road (the same being the southwest corner of Section 13, Township 5-South, Range 61 West of the 6th P. M.); thence east along the Deertrail Road to the point where the Deertrail Road crosses Middle Bijou Creek; thence south along Middle Bijou Creek to Elbert County to a point on the dividing line between Townships 6 and 7-South, which point is approximately 6 miles south of the County Line dividing Arapahoe County from Elbert County; thence west to the highway which directly connects Bennett and Kiowa, Colorado; thence north to the Arapahoe-Elbert County Line along said highway; thence west 14 miles; thence north 13 miles; thence east 2 miles; thence north 7 miles; thence east 11 miles; thence north 4 miles; thence east approximately 1 mile to the road which directly connects Bennett and Prospect Valley; thence north along said road 9 miles; thence east 5 miles; thence north 3 miles; thence east 9 miles; thence south 6 miles to the dividing line between Adams and Weld Counties; thence east to Bijou Creek; thence southerly along Bijou Creek to point of beginning;

milk and cream, with return of empty cans, between Denver, Colorado, and points in the following-described territory: Commencing at a point on U. S. Highway No. 36 where it crosses East Bijou Creek; thence east on U. S. Highway No. 36 to the southeast corner of Section 35, Township 3-South, Range 60 West of the 6th P. M.; thence north 12 miles to the southeast corner of Section 35, Township 1-South, Range 60-West of the 6th P. M.; thence west to Bijou Creek; thence southerly along Bijou Creek and East Bijou Creek to its intersection with U. S. Highway No. 36, the same being the point of beginning; also, commencing at a point on the southwest corner of Section 28, Township 3-South, Range 65-West of the 6th P. M.; thence north 10 miles to the northwest corner of Section 9, Township 2-South, Range 65-West of the 6th P. M.; thence east 13 miles to the northeast corner of Section 9, Township 2-South, Range 63-West of the 6th P. M.; thence south 3 miles to the southeast corner of Section 21, Township 2-South, Range 63-West of the 6th P. M.; thence west 11 miles to the southwest corner of Section 23, Township 2-South, Range 65-West of the 6th P. M.; thence south 7 miles to the southeast corner of Section 27, Township 3-South, Range 65-West of the 6th P. M.; thence west 2 miles to the point of beginning."

That, except as herein amended, Decision No. 51743 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Norton
Henry E. Arduengo
Commissioners.

Dated at Denver, Colorado,
this 30th day of July, 1959.

ea

original

(Decision No. 52803)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
GEORGE MELCHIOR, HENDERSON, COLO-)	
RADO, FOR AUTHORITY TO TRANSFER)	
INTERSTATE OPERATING RIGHTS TO)	<u>PUC NO. 3531-I-Transfer</u>
GEORGE MELCHIOR AND CHRISTINE)	
MELCHIOR, CO-PARTNERS, 6672)	
ONEIDA STREET, DERBY, COLORADO.)	
-----)	

July 30, 1959

S T A T E M E N T

By the Commission:

By the above-styled application, George Melchior, Henderson, Colorado, owner and operator of PUC No. 3531-I, seeks authority to transfer said operating rights to George Melchior and Christine Melchior, co-partners, Derby, Colorado, said PUC No. 3531-I being the right to operate as a common carrier by motor vehicle for hire, for the transportation of:

freight, between all points in the State of Colorado and the Colorado State Boundary Lines, where all highways cross the same, in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That George Melchior, Henderson, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest

in and to PUC No. 3531-I--with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to George Melchior and Christine Melchior, co-partners, Derby, Colorado, 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

Joseph F. Nizio
Raymond C. Hutton
Harvey H. Adams
Commissioners.

Dated at Denver, Colorado,
this 30th day of July, 1959.

ea

original

(Decision No. 52804)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
WALTER GOETSCH, 1458 TENTH) PERMIT NO. B-4642
STREET, GREELEY, COLORADO.)
-----)

July 17, 1959

S T A T E M E N T

By the Commission:

On January 26, 1959, the Commission entered its Decision No. 51625, authorizing the above-styled permit-holder to suspend operations under Permit No. B-4642 until July 19, 1959.

The Commission is now in receipt of a communication from said permit-holder, requesting authority to further suspend operations under said permit 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 Walter Goetsch, Greeley, Colorado, be, and he hereby is, authorized to further suspend operations under Permit No. B-4642, until January 20, 1960.

That unless said permit-holder shall, prior to 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 be revoked, without right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Hyslop
Ralph C. Watkins
Henry J. Hartung
Commissioners.

Dated at Denver, Colorado,
this 17th day of July, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

WALTER L. COLDIRON, DBA SNAP-ON-
TOOLS, 3306 VIRGINIA AVENUE, COLO-
RADO SPRINGS, COLORADO.
-----)

PERMIT NO. M-11724

August 4, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Walter L. Coldiron,
dba Snap-On-Tools, Colorado Springs, Colorado
requesting that Permit No. M-11724 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11724, heretofore issued to Walter L. Coldiron,
dba Snap-On-Tools, Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective August 2, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Frank C. Holton
Henry E. Zaulings
Commissioners

Dated at Denver, Colorado,

this 4th day of August, 1959

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SOLOMON DURAN, SEGUNDO, COLORADO.)

PERMIT NO. M-15345

August 4, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Solomon Duran,
Segundo, Colorado
requesting that Permit No. M-15345 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15345, heretofore issued to Solomon Duran,
Segundo, Colorado be,
and the same is hereby, declared cancelled effective July 10, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Samuel C. Horton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 4th day of August, 1959.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
CENTENNIAL TRUCK LINES, INC., P. O.)	
BOX 5040, TERMINAL ANNEX, DENVER,)	
COLORADO, FOR AUTHORITY TO TRANSFER)	
TO KENNETH W. NELSON, DOING BUSINESS)	APPLICATION NO. 17247-Transfer
AS "CAPITOL HILL TRANSFER & STORAGE)	
CO.," 1666 LAFAYETTE STREET, DENVER,)	
COLORADO, A PORTION OF PUC NO. 354)	
AND PUC NO. 354-I.)	

July 30, 1959

Appearances: John P. Thompson, Esq.,
Denver, Colorado, for
Transferor and Trans-
feree.

S T A T E M E N T

By the Commission:

Centennial Truck Lines, Inc., Denver, Colorado, is the owner
of Certificate of Public Convenience and Necessity No. 354 and No.
354-I, which authorizes:

Conduct of the transfer, moving, and general
cartage business in the Counties of Weld,
Larimer, Boulder, and Morgan, in the State of
Colorado, and for occasional service through-
out the State of Colorado, and in each of the
Counties thereof, subject to the terms and
conditions hereinafter stated:

For the transportation of commodities other
than household goods between points served
singly or in combination by scheduled car-
riers the applicant shall charge rates which
shall be as much as twenty (20) percent higher
in all cases than those charged by scheduled
carriers. The applicant shall not operate on
schedule between any points. The applicant
shall not be permitted without further author-
ity from the Commission to establish a branch
office or to have an agent employed in any
other town or city than Greeley for the pur-
pose of developing business. Restrictions:
That from the effective date of this Order for-
ward, PUC No. 354 shall not be operated between

any points which are served as a regular route carrier by the owner thereof. Further, that no solicitation shall be conducted in connection with PUC No. 354, except by personnel stationed and domiciled in Greeley, Colorado.

Between all points in Colorado and the Colorado state boundary lines where all highways cross same in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

On June 20, 1959, Centennial Truck Lines, Inc., filed an application for authority to transfer a portion of PUC No. 354 to Kenneth W. Nelson, doing business as "Capitol Hill Transfer & Storage Co.," Denver, Colorado.

The above application was regularly set for hearing, and heard, after appropriate notice to all interested parties, at 330 State Office Building, Denver, Colorado, on July 22, 1959, and at the conclusion thereof, the matter was taken under advisement.

The evidence discloses that transferee is the owner of Certificate of Public Convenience and Necessity No. 539, which authorizes:

Transportation of household goods, only, in the Counties of Adams, Arapahoe and Jefferson, in the State of Colorado, and also for occasional transportation thereof elsewhere throughout the State of Colorado, subject to the following conditions: (a) that applicant shall not operate on schedule between any towns; (b) that applicant shall not be permitted, without further authority from the Commission, to establish a branch office or to have an agent employed in any town or city than Denver for the purpose of developing business.

Conduct of a transfer, moving and general cartage business in the City and County of Denver, State of Colorado, excepting therefrom the transportation of commodities which, because of size or weight, require special equipment, and provided that there shall be no package delivery service, as such, under authority herein granted, between points in the City and County of Denver.

It further appears that transferee is well qualified by

experience and is financially responsible, and it appears that if said transfer should be authorized it would be in the hands of an excellent operator.

Centennial Truck Lines, Inc. is engaged primarily in line-haul operations under PUC No. 8. It appears that this company is in financial trouble, and in order to get ready money and to pay off some indebtedness, is endeavoring to sell a portion of its certificate, contending this will solve its financial problems.

The Commission is sympathetic toward Centennial and would like to be of assistance. However, we do not feel justified in splitting one of our general cartage occasional authorities under the record here before us. This authority was originally granted to take care of certain definite needs and to split that authority defeats, in our judgment, the reason for the granting of this type of authority. In other words, by the splitting of this authority we are placing two carriers in the field where one carrier now serves.

The transferor and the transferee suggest by Exhibit No. 2 that the authorization of the transferred authority be as follows:

"(a) The term 'household goods' means personal effects and property used or to be used in a dwelling when a part of the equipment or supply of such dwelling; furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals, or other establishments when a part of the stock, equipment or supply of such stores, offices, museums, institutions, hospitals, or other establishments; and articles, including objects of art, displays, and exhibits, which because of their unusual nature or value require specialized handling and equipment usually employed in moving household goods."

The Commission, in the past, has refused to split certificates similar to the one here in question, and in our Decision No. 45534, dated March 30, 1956, we said:

"It seems to us, and we thought we had made it clear, that the difficulty confronting applicant is that its certificate is not amenable to being split, in all the facts and circumstances.

"Without attempting a third time to review the circumstances under which this authority was issued, we will nevertheless once more explain the problem.

"PUC No. 31, the authority here sought to be split, was issued in 1929 to a predecessor of the present applicant. It was issued in recognition of the 'grandfather rights' of the operator at that time, who for many years prior to that time had operated a local cartage service in and around Grand Junction. With certain qualifications, it authorizes motor common carrier operations for the:

"conduct of a transfer, moving and general cartage business in the Counties of Mesa, Garfield, and Delta, in the State of Colorado, and for occasional service throughout the State of Colorado, and in each of the Counties thereof..."

"It will thus be seen that the certificate authorizes an all-inclusive truck service to communities in the immediate commercial zone of Grand Junction."

The policy in regard to the general cartage occasional service has been definitely established by the Commission, and we are unable to see where this transfer is in any different position than the ones we have heretofore passed upon. In other words, we believe the policy set forth in Decision No. 45534 is compatible with the public interest.

Furthermore, in support of the foregoing conclusion, we quote Rule 5(b) of the Rules and Regulations Governing Common Carriers by Motor Vehicle, to-wit:

"(b) Unless the commission finds after a hearing that the public interest otherwise requires, said application will not be entertained unless all the rights granted under said certificate are sought to be sold, assigned, leased, encumbered, or transferred, or the rights not so included are voluntarily surrendered."

It is not at all clear that the public interest will be served by authorizing this partial transfer for the purpose of raising money to put applicant in a better financial status when simultaneously with such transfer the carrier would be cutting off all the revenue derivable from the operations transferred.

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 not compatible with the public interest and should be denied, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the instant application be, and hereby is, denied, for the reasons heretofore set forth in our Statement which is made a part hereof by reference.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Kiger
Joseph C. Norton
Wm. G. Salway
Commissioners.

Dated at Denver, Colorado,
this 30th day of July, 1959.

mls

original

(Decision No. 52808)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
W. E. DOWNEY, LOMA, COLORADO, FOR)
AUTHORITY TO TRANSFER INTERSTATE)
OPERATING RIGHTS TO LOUIS P. GILLI-)
LAND AND WILLIAM R. IRWIN, CO-PART-)
NERS, GRAND JUNCTION, COLORADO.)

PUC NO. 4241-I-Transfer

July 30, 1959

S T A T E M E N T

By the Commission:

Heretofore, W. E. Downey, Loma, Colorado, was granted a certificate of public convenience and necessity, authorizing operation as a common carrier by motor vehicle for hire, in interstate commerce, on call and demand, for the transportation of:

freight, between all points in Colorado and the Colorado State Boundary Lines, where all highways cross same, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended,

said operating rights being known as "PUC No. 4241-I."

Said certificate-holder now seeks authority to transfer said PUC No. 4241-I to Louis P. Gilliland and William R. Irwin, Grand Junction, Colorado.

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, as set forth in the Order following.


O R D E R

THE COMMISSION ORDERS:

That W. E. Downey, Loma, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 4241-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Louis P. Gilliland and William R. Irwin, co-partners, Grand Junction, Colorado, 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


Joseph F. Megin
Harold C. Horton
Henry E. Juleugo
Commissioners.

Dated at Denver, Colorado,
this 30th day of July, 1959.

mls

original

(Decision No. 52809)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
SAM MC KINLEY, DOING BUSINESS AS)
"MC KINLEY DRIVEAWAY COMPANY," 2205)
NORTH PITCHER STREET, KALAMAZOO,)
MICHIGAN, FOR AUTHORITY TO TRANSFER)
INTERSTATE OPERATING RIGHTS TO)
MC KINLEY AUTO TRANSPORT, INC., 126)
LINCOLN AVENUE, PITTSBURGH, PENNSYL-)
VANIA.)

PUC NO. 2373-I-Transfer

July 30, 1959

S T A T E M E N T

By the Commission:

Heretofore, Sam McKinley, doing business as "McKinley Drive-
away Company," Kalamazoo, Michigan, was granted a certificate of pub-
lic convenience and necessity (PUC No. 2373-I), authorizing operation
as a common carrier by motor vehicle for hire, on call and demand, in
interstate commerce, only, subject to the provisions of the Federal
Motor Carrier Act of 1935, as amended, for the transportation of:

freight, between all points in Colorado and the
Colorado State Boundary Lines, where all high-
ways cross the same.

Said certificate-holder now seeks authority to transfer said
operating rights to McKinley Auto Transport, Inc., Pittsburgh, Pennsyl-
vania.

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, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Sam McKinley, doing business as "McKinley Driveaway Company," Kalamazoo, Michigan, be, and he hereby is, authorized to transfer all right, title, and interest in and to PUC No. 2373-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to McKinley Auto Transport, Inc., Pittsburgh, Pennsylvania, 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

Joseph F. Nigro
Harold C. Norton
Alvin E. Adams
Commissioners

Dated at Denver, Colorado,
this 30th day of July, 1959.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
HAROLD J. SHAW AND CLAYTON)
PHILLIPS, DOING BUSINESS AS)
"SHAW AND PHILLIPS DISPOSAL,")
IDLEDALE, COLORADO.)

PUC NO. 4063
CASE NO. 90488-INS.

July 31, 1959

S T A T E M E N T

By the Commission:

Heretofore, on July 15, 1959, the Commission entered its Order in Case No. 90488-Ins., revoking PUC No. 4063 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. 4063 be, and the same hereby is, reinstated, as of July 15, 1959, revocation order entered by the Commission on said date in Case No. 90488-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph L. Kiger
Reginald C. Horton
Henry E. Zuleaga
Commissioners.

Dated at Denver, Colorado,
this 31st day of July, 1959.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
PAUL SPEKEN, DOING BUSINESS AS)
"SPEKEN FURNITURE COMPANY," 217)
SOUTH UNION AVENUE, PUEBLO,)
COLORADO.)

PERMIT NO. M-15118
CASE NO. 90398-INS.

July 31, 1959

S T A T E M E N T

By the Commission:

On July 15, 1959, the Commission entered its Order in Case No. 90398-Ins., revoking Permit No. M-15118 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 permit-holder, without lapse,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be reinstated.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-15118 be, and the same hereby is, restored to active status, as of July 15, 1959, revocation order entered by the Commission on said date in Case No. 90398-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Kyrie
Frederic H. Norton
Alvin E. Zuck
Commissioners.

Dated at Denver, Colorado,
this 31st day of July, 1959.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
LEO HURLA, DOING BUSINESS AS)
"LEO'S GARAGE," P. O. BOX 52,)
DE BEQUE, COLORADO.)

PERMIT NO. M-14935
CASE NO. 90483-INS.

July 31, 1959

S T A T E M E N T

By the Commission:

On July 15, 1959, the Commission entered its Order in Case No. 90483-Ins., revoking Permit No. M-14935 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that said permit-holder has filed proper insurance with the Commission, 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-14935 be, and the same hereby is, reinstated, as of July 15, 1959, revocation order entered by the Commission on said date in Case No. 90483-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Kiger
Ralph C. Holton
Henry J. Paulsen
Commissioners.

Dated at Denver, Colorado,
this 31st day of July, 1959.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JOHN RANES AND COLORADO APPLI-)
ANCE CORPORATION, DOING BUSI-)
NESS AS "GOLDEN FURNITURE AND)
APPLIANCE COMPANY," 1106 WASH-)
INGTON AVENUE, GOLDEN, COLORADO.)

PERMIT NO. M-8236
CASE NO. 90499-INS.

July 31, 1959

S T A T E M E N T

By the Commission:

On July 15, 1959, the Commission entered its Order in Case No. 90499-Ins., revoking Permit No. M-8236 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that said permit-holder has filed insurance with the Commission, 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-8236 be, and the same hereby is, reinstated, as of July 15, 1959, revocation order entered by the Commission on said date in Case No. 90499-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Kigis
Ralph C. Hahn
Henry E. Zedeno
Commissioners.

Dated at Denver, Colorado,
this 31st day of July, 1959.

mls

original

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, 1531 STOUT STREET,)
DENVER, COLORADO, FOR AUTHORITY TO)
TEMPORARILY CLOSE ITS AGENCY STATION)
AT CARBONDALE, COLORADO, DUE TO THE)
NATIONAL STEEL STRIKE.)
-----)

APPLICATION NO. 17270

July 30, 1959

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

S T A T E M E N T

By the Commission:

On the 20th day of July, 1959, The Denver and Rio Grande Western Railroad Company filed letter application with this Commission, requesting authority to temporarily close its agency station at Carbondale, Colorado, alleging that the functions of said agency are confined almost entirely to the handling of coal shipments, and as a result of the national steel strike there is no business for said agency, and that the ordinary needs of the public do not require the operation of this agency until the termination of said steel strike.

Said letter application further requests a Commission waiver, pursuant to Rule 6 of the rules of this Commission applicable to discontinuance of agency stations.

Protests as to the closing of said station were received from the Town Board of Trustees of Carbondale, the Board of County Commissioners of Garfield County, and the Chamber of Commerce of Carbondale, Colorado.

This Commission initiated an investigation in the matter, and it is our conclusion that the public has been misinformed as to

the nature of the closing of the Carbondale Station.

Our investigation discloses that it is widely rumored that this application for temporary closing is a precursor of a permanent closing by the railroad.

Certainly the application of the railroad in the instant matter can have no such force and effect, and the application is restricted only to a temporary closing for the duration of the steel strike.

A special problem arises in that during the latter part of August and early September the services of this station may be required for shipment of cattle. In the event that the steel strike is prolonged to the extent that the public will require the services of the Station Agent for the shipment of cattle, we will require that the station be re-opened for that purpose, and an appropriate order will be entered herein.

O R D E R

THE COMMISSION ORDERS:


That The Denver and Rio Grande Western Railroad Company, Denver, Colorado, be, and it hereby is, authorized to temporarily close its agency station at Carbondale, Colorado, pending the continued existence of the steel strike, said agency service to be automatically resumed upon termination of the national steel strike.

That in the event the national steel strike is still in force and effect during the latter part of August and the early part of September, and the service of said station will be required by the public for shipment of cattle, The Denver and Rio Grande Western Railroad Company is hereby ordered to re-open said station temporarily, for the accommodation of the public to ship said cattle, and to keep said station open during said period of public need; otherwise, applicant shall be governed by our Order hereinabove entered.

This Order shall become effective as of the day and

date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Joseph F. Nigro
Joseph C. Anton
Henry Spillings
Commissioners.

Dated at Denver, Colorado,
this 30th day of July, 1959.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE W. MCINTIRE, DBA GRANBY SAND)
AND GRAVEL COMPANY, STAR ROUTE,)
GRANBY, COLORADO.)
-----)

PERMIT NO. M-9767

August 4, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from George W. McIntire,
dba Granby Sand and Gravel Company, Granby, Colorado
requesting that Permit No. M-9767 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9767, heretofore issued to George W. McIntire,
dba Granby Sand and Gravel Company, Granby, Colorado be,
and the same is hereby, declared cancelled effective July 6, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Horton
Henry E. Zank
Commissioners

Dated at Denver, Colorado,

this 4th day of August, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE PUBLICATION OF AN EXCEPTION RATING ON)
FILM, MOTION PICTURE, EXPOSED, N.O.I., IN)
TARIFF NO. 1-A, COLORADO P.U.C. NO. 3,)
FOR ACCOUNT OF DENVER-CLIMAX TRUCK LINE,)
INC., ISSUED BY MOTOR TARIFF SERVICE,)
JOHN P. NORMAN, MANAGER, 1410 16TH ST.,)
DENVER, COLORADO.)

CASE NO. 1585

July 30, 1959

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 August 1, 1959, designated as set forth in Appendix "A", attached hereto and made a part hereof.

Under the provision 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.

The National Motor Freight Classification No. A-4, Colorado P.U.C. No. 1, which governs the transportation of various class rated items intrastate in Colorado, designates the ratings assigned to the commodities for the determination of freight charges.

In this particular instance, the ratings on film are shown as follows in this classification:

Item No. 18825 - Films, photographic, moving picture or other than moving picture, or records on films; exposed, non-inflammable, not exceeding 16 M.M., in boxes, less-than-truckload, 200; Volume (truckload), 85.

Item No. 18850 - Moving picture films, or films other than moving pictures; exposed, N.O.I., in boxes, less-than-truckload, 0; Volume (truckload), 0. The "0" rating means that such articles are subject to the rates and regulations of the individual carriers.

Heretofore, this carrier had no provisions for the transportation of film other than Item No. 18825. It now places itself on record that motion picture exposed, N.O.I., will be transported via its line as provided in the exception shown in the attached Appendix "A".

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 August 1, 1959, be the prescribed rates, rules, regulations and provisions of the Commission.
4. All motor vehicle common carriers who are affected by the changes prescribed herein shall publish or cause to be published new tariffs reflecting the changes prescribed herein.
5. All private carriers by motor vehicle to the extent they are affected by the changes involved herein shall publish, or cause to be published rates, rules, regulations and provisions which shall not be less than those herein prescribed for motor vehicle common carriers.
6. On and after August 1, 1959, all affected motor vehicle common carriers shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein prescribed, provided that call and demand motor vehicle common carriers shall be subject to the penalty rule of twenty (20) per cent.


7. On and after August 1, 1959, all private carriers by motor vehicle operating in competition with any motor vehicle common carrier, affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed, provided that Class "B" private carriers shall be subject to the penalty rule of twenty (20) per cent.

8. This order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Joseph F. Higgins
Ralph C. Johnson
Henry E. Adams
Commissioners

Dated at Denver, Colorado,
this 30th day of July, 1959.

mem

APPENDIX "A"

Motor Tariff Service
Colorado Motor Freight Tariff No. 1-A
Colorado P.U.C. No. 3

EXCEPTIONS TO CLASSIFICATION RATINGS

ITEM NO.	COMMODITY	RATING
126	Film, Motion Picture, exposed, N.O.I. Applies only for the account of Denver-Climax Truck Line, Inc.	100

N.O.I. - Denotes not otherwise indexed by name.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FORT COLLINS TRANSIT, INC., 1830)
LA PORTE AVENUE, FORT COLLINS, COLO-)
RADO, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO OPERATE)
AS A COMMON CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

APPLICATION NO. 17280

July 31, 1959

S T A T E M E N T

By the Commission:

Applicant herein seeks a certificate of public convenience and necessity, authorizing operation as a common carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, at the Court House, Fort Collins, Colorado, August 5, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On July 29, 1959, applicant herein informed the Commission that it does not desire a hearing on said application on said date, and requested that said hearing set for August 5, 1959, be vacated.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That hearing of Application No. 17280, presently set for August 5, 1959, at Fort Collins, Colorado, be, and the same hereby is, vacated, at request of Applicant herein, said matter to be later re-set for hearing, with notice to all parties in interest.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Kysio
Ralph C. Holm
Henry E. Paulsen
Commissioners.

Dated at Denver, Colorado,
this 31st day of July, 1959.

ea

original

(Decision No. 52818)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
VERNE M. DECKER, DOING BUSINESS AS
"DECKER TRUCK LINE," HAYDEN, COLO-
RADO, FOR AUTHORITY TO TRANSFER PUC
NO. 1880 TO R. E. FARRINGTON AND
R. E. FARRINGTON, JR., CO-PARTNERS,
DOING BUSINESS AS "YAMPA TRANSFER,"
BOX 252, YAMPA, COLORADO.

APPLICATION NO. 17176-Transfer
SUPPLEMENTAL ORDER

August 3, 1959

Appearances: Ben Donahay, Esq., Steamboat
Springs, Colorado, for
Applicants.

S T A T E M E N T

By the Commission:

On July 24, 1959, the Commission entered its Decision No. 52740 in the above-styled application, authorizing transfer of PUC No. 1880 from Verne M. Decker, doing business as "Decker Truck Line," Hayden, Colorado, to R. E. Farrington and R. E. Farrington, Jr., co-partners, doing business as "Yampa Transfer," Yampa, Colorado.

It now appears that operating rights under PUC No. 1880 were erroneously set forth in the Statement contained in said Decision No. 52740, appearing on Page 1 thereof.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 52740, of date July 24, 1959, should be amended, nunc pro tunc, as of said 24th day of July, 1959, to conform to the facts, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

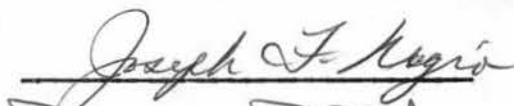
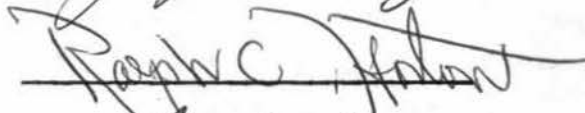

That Decision No. 52740, of date July 24, 1959, be, and the same hereby is, amended, nunc pro tunc, as of said 24th day of

July, 1959, by striking therefrom description of operating rights under PUC No. 1880, appearing on Page 1 thereof, and substituting in lieu thereof the following:

"farm products, including livestock, farm supplies, farm equipment, including furniture, coal, oil products, construction, building, oil field and drilling materials and supplies, between points in that part of Routt County which lies west of the Range Line between Ranges 85 and 86, and from and to points in said area, to and from points in the State of Colorado, without the right to transport oil products or construction, building, oil field, and drilling materials and supplies from points in said Counties to points in the State of Colorado, or to transport farm supplies and farm equipment, including furniture, between points served by Leonard Gray under PUC No. 880 (except such service as Hayden Transfer Company is authorized to perform under Decision No. 8339), and without the right to furnish service between points served by line-haul motor vehicle common carriers, in competition therewith; and for the conduct of a general transfer and cartage business in the Town of Hayden, Colorado."

That, except as herein amended, said Decision No. 52740 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 3rd day of August, 1959.

ea

original

(Decision No. 52819)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
WESLEY D. HILGENFELD, 683 25 ROAD,)	
GRAND JUNCTION, COLORADO, FOR A)	
CLASS "B" PERMIT TO OPERATE AS A)	APPLICATION NO. 17212-PP
PRIVATE CARRIER BY MOTOR VEHICLE)	
FOR HIRE.)	
-----)	

August 3, 1959

Appearances: Wesley D. Hilgenfeld, Grand
Junction, Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, 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; coal, from point to point within a radius of ten miles of Grand Junction, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Grand Junction, Colorado, July 16, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On July 3, 1959, written protest to the granting of authority herein sought was filed by Jones and Meiklejohn, Attorneys for Denver Chicago Transport Company, Inc., unless said authority be limited to the use of dump trucks, only, in the transportation of road-surfacing materials.

Said application was heard at the time and place designated in the Notice of Hearing, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, the operating experience and financial responsibility of applicant were established to the satisfaction of the Commission.

It does 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 herein.

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

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Wesley D. Hilgenfeld, Grand Junction, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, 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; coal, from point to point within a radius of ten miles of Grand Junction, Colorado, transportation of road-surfacing materials 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 authority sheets.

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 T. Nigro
Francis Horton
Henry E. Adams
Commissioners.

Dated at Denver, Colorado,
this 3rd day of August, 1959.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
MATHEW K. SILBURN, 3232 EAST)	PERMIT NO. M-15780
11TH AVENUE, DENVER, COLORADO.)	CASE NO. 90352-INS.
-----)	

August 3, 1959

S T A T E M E N T

By the Commission:

On July 15, 1959, in Case No. 90352-Ins., the Commission entered its Order, revoking Permit No. M-15780 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 Permit No. M-15780 be, and the same hereby is, reinstated, as of July 15, 1959, revocation order entered by the Commission on said date in Case No. 90352-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Kiger
Ralph C. Hutton
Henry J. Pauls
Commissioners.

Dated at Denver, Colorado,
this 3rd day of August, 1959.

original

(Decision No. 52821)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DANIEL L. O'CONNELL, RIDGEWAY, COLO-)
RADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 17204-PP

August 3, 1959

S T A T E M E N T

By the Commission:

By the above-styled application, applicant herein sought authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of forest and sawmill products, from and to forests and places of storage, and sawmills, within a radius of one hundred miles of Montrose, Colorado, excluding service east of a line drawn north and south parallel to the Continental Divide, at Leadville, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Montrose, Colorado, July 14, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On July 13, 1959, the applicant herein advised the Commission he no longer desired to prosecute said application, and requested dismissal thereof.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

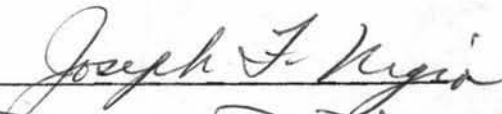
THE COMMISSION ORDERS:

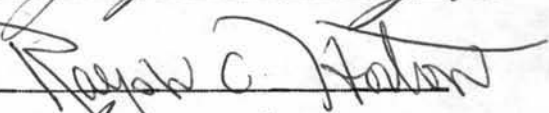
That Application No. 17204-PP be, and the same hereby is, dismissed, upon request of Applicant herein.


That filing fee in the above-styled application shall be refunded to applicant 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 3rd day of August, 1959.

mls

original

(Decision No. 52822)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PIKES PEAK AIR SERVICE, INC., COLO-)
RADO SPRINGS, COLORADO, FOR A CER-)
TIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY.)

APPLICATION NO. 8020
SUPPLEMENTAL ORDER

August 3, 1959

S T A T E M E N T

By the Commission:

On March 15, 1947, the Commission entered its Decision No. 27765, in the above-styled application, granting to applicant herein a certificate of public convenience and necessity, authorizing:

non-scheduled operations, by air, in inter-state and intrastate commerce, for the transportation of passengers and property, between all points within the State of Colorado.

The Commission is now in receipt of a communication from said certificate-holder, requesting authority to suspend operations under said certificate for a period of six months.

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

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Pikes Peak Air Service, Inc., Colorado Springs, Colorado, be, and hereby is, authorized to suspend operations under authority granted by Decision No. 27765, of date March 15, 1947, until February 1, 1960.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph T. Kyrie
Ralph C. Hutton
Henry E. Paulsen
Commissioners.

Dated at Denver, Colorado,
this 3rd day of August, 1959.

mls

original

(Decision No. 52823)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
COLORADO AVIATION, INC., 7190 WEST)
38TH AVENUE, WHEATRIDGE, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY.)

APPLICATION NO. 16868

August 3, 1959

S T A T E M E N T

By the Commission:

On March 9, 1959, the Commission entered its Decision No. 51852 in the above-styled application, granting to applicant herein a certificate of public convenience and necessity, authorizing:

operation as a common carrier, by airplane, in intrastate commerce, for the transportation of passengers and property, by airplane, not on schedule, from Longmont, Colorado, to and between all points in the State of Colorado, with base of operations at Longmont, Colorado, and airports within a radius of ten miles thereof.

The Commission is now in receipt of a communication from said certificate-holder, requesting authority to suspend operations under said certificate for a period of six months.

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

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Colorado Aviation, Inc., Wheatridge, Colorado, be,

and hereby is, authorized to suspend operations under authority granted by Decision No. 51852, of date March 9, 1959, until February 1, 1960.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph T. Kiger
Ralph C. Horton
Harry E. Zuller
Commissioners.

Dated at Denver, Colorado,
this 3rd day of August, 1959.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES R. TROUTT, DBA DENVER METAL)
PRODUCTS COMPANY, 1880 WEST BERKLEY)
PLACE, DENVER 21, COLORADO.)
-----)

PERMIT NO. M-4019

August 4, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles R. Troutt,
dba Denver Metal Products Company, Denver 21, Colorado
requesting that Permit No. M-4019 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4019, heretofore issued to Charles R. Troutt,
dba Denver Metal Products Company, Denver 21, Colorado be,
and the same is hereby, declared cancelled effective July 30, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
George C. Horton
Henry E. Zaulings
Commissioners

Dated at Denver, Colorado,

this 4th day of August, 1959.

original

(Decision No. 52825)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CLINTON R. CLIFT, BOX 443, NUCLA,)
COLORADO, FOR AUTHORITY TO EXTEND) APPLICATION NO. 17200-PP-Extension
OPERATIONS UNDER PERMIT NO. B-4705.)
-----)

August 4, 1959

Appearances: Leonard Campbell, Esq.,
Montrose, Colorado,
for Applicant.

S T A T E M E N T

By the Commission:

Applicant herein is the owner and operator of Permit
No. B-4705, being the right to operate as a Class "B" private
carrier by motor vehicle for hire, for the transportation of:

ore, from mines located within a radius of 100
miles of Naturita, Colorado, to mills in Naturita,
Colorado, and Durango, Colorado; sand, gravel, and
other road-surfacing materials used in the construc-
tion of roads and highways, from pits and supply
points in the State of Colorado, to road jobs within
a radius of fifty miles of said pits and supply points;
sand, gravel, dirt, stone, and refuse, from and to
building construction jobs, to and from points within
a radius of fifty miles of said jobs; excluding
service in Boulder, Clear Creek and Gilpin Counties.

By the above-styled application, said permit-holder seeks
authority to extend operations under said Permit No. B-4705, to
include the right to transport coal, from coal pit belonging to
the Edna Coal Company, to the Colorado Ute Power Plant at Nucla,
Colorado.

Said application, pursuant to prior setting, after appro-
priate notice to all parties in interest, was heard at the Court
House, Montrose, Colorado, July 14, 1959, and at the conclusion
of the evidence, the matter was taken under advisement.

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

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

It does not appear that applicant's proposed extended operations will impair the efficiency of service of any common carrier operating in the territory sought to be served by applicant herein.

F I N D I N G S

THE COMMISSION FINDS:

That authority herein sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Clinton R. Clift, Nucla, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-4705, to include the right to transport coal, from coal pit belonging to the Edna Coal Company, to the Colorado Ute Power Plant, at Nucla, Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Regier
Robert C. Hobart
Henry E. Paulungo
Commissioners.

Dated at Denver, Colorado,
this 4th day of August, 1959.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN DEE DILLON, NATURITA, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE) APPLICATION NO. 17201-PP
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)
- - - - -)

- - - - -
August 4, 1959
- - - - -

Appearances: John Dee Dillon, Naturita,
Colorado, pro se;
Marion R. Smyser, Esq.,
Denver, Colorado, for
Rio Grande Motor Way, Inc.;
C. J. Schuler, Telluride,
Colorado, for Telluride
Transfer;
Orville Dunlap, Montrose,
Colorado, pro se.

S T A T E M E N T

By the Commission:

This is an application for authority to operate as a Class "B" private carrier by motor vehicle for hire, in intrastate and interstate commerce, for the transportation of ore, sand, gravel, dirt, rock, road-building material, mine supplies, logs, poles, and lumber, from point to point within a radius of seventy-five miles of Norwood, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Montrose, Colorado, July 14, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant appeared and testified he has been engaged to haul crude ore, consisting of uranium and vanadium, to Uravan and to Durango; that he is willing to limit his authority to transportation of crude ore. It was also established that he has hauled mine supplies to mines from Uravan or Naturita.

The protestants, in view of applicant's testimony, did not produce any evidence in opposition to the granting of authority herein sought.

Applicant also testified as to his need for sand and gravel authority.

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

It does 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.

F I N D I N G S

THE COMMISSION FINDS:

That authority herein sought should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That John Dee Dillon, Naturita, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire in interstate and intrastate commerce, for the transportation of crude uranium and vanadium ore, sand, gravel, dirt, rock, road-building material, mine supplies, logs, poles and lumber, from point to point within a radius of seventy-five miles of Norwood, 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 authority sheets.

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

Joseph F. Negro
Robert C. Harkness
Henry E. Paulsen
Commissioners.

Dated at Denver, Colorado,
this 4th day of August, 1959.

ea

original

(Decision No. 52827)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INVESTIGATION AND SUSPENSION OF)
PROPOSED DISCONTINUANCE OF WATER)
SERVICE BY PURE SPRING WATER SUP-)
PLY COMPANY, FOWLER, COLORADO.)
-----)

INVESTIGATION AND SUSPENSION
DOCKET NO. 409
SUPPLEMENTAL ORDER

August 4, 1959

S T A T E M E N T

By the Commission:

On July 24, 1959, Pure Spring Water Supply Company, in Investigation and Suspension Docket No. 409, filed a Petition with this Commission setting forth the present status of customers being supplied by Pure Spring Water Supply Company, and wherein it was requested that the Commission make its order permitting Applicant to cease all operations as a public utility as soon as possible. In Decision No. 50155, dated April 25, 1958, the Commission ordered:

"That the matter of discontinuance of water service by Pure Spring Water Supply Company in Investigation and Suspension Docket No. 409 should be held in abeyance pending further order of this Commission."

This provision was contained in the Order to give customers of the Company sufficient opportunity to investigate and procure a water supply from another source. Due to lack of sufficient revenues to the Company, it appeared inevitable the water supply would have to be suspended in the near future. Since the date of the above-mentioned Decision, fifteen months have elapsed and the then customers of the Pure Spring Water Supply Company have had a reasonable time to obtain another source of supply for their water.

In its Petition, the Company advises that a water supply has been provided by various means for all but eleven customers located along the line in Otero County. As of the decision date above mentioned, approximately 130 customers were being served.

On July 3, 1959, the Company notified its customers that it planned to discontinue the supply of water to its system as of August 1, 1959. The Commission notified the Company that service could not be discontinued until a further order of this Commission. As a result, the above-mentioned Petition to discontinue service was received. The Company again notified its customers as of the date of this Petition, July 23, 1959, that the Company had filed with the Commission a request for an order to be granted allowing water service to be discontinued on July 23, 1959, unless suspended in accordance with the rules of the Commission. It is obvious that revenues to the Company are so reduced and the number of customers so few that it is economically impossible for it to continue the supply of water service.

The Commission has examined the record and files herein and believes this matter is one which can be decided without a further hearing. It is fully informed in the matter and will issue its approval to discontinue the operation of the water system as set forth in the Order below.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission is fully advised in the premises.

That the authority sought in the Company's Petition should be granted.

O R D E R

THE COMMISSION ORDERS:

That the discontinuance of water service by Pure Spring Water Supply Company in Investigation and Suspension Docket No. 409, be, and it hereby is, authorized to become effective August 31, 1959.

That the Pure Spring Water Supply Company shall notify all of its customers of the effective date of discontinuance of water service as set forth in this Order, and, who had not, as of the effective date of this Order, arranged for a different water supply.

That this Commission shall retain jurisdiction of the matter to issue such further Order, or Orders, as it may deem necessary.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Wm. J. Galley
Commissioners.

Dated at Denver, Colorado,
this 4th day of August, 1959.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
CHARLIE W. BURBRIDGE, BOX 23, NUCLA,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 17199-PP

August 4, 1959

Appearances: Charlie W. Burbridge, Nucla,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, 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; contents of septic tanks, grease traps, cesspools, and outside toilets, from points within Montrose and San Miguel Counties, to authorized disposal places within said counties; coal, between points within Montrose and San Miguel Counties.

Said application, pursuant to prior setting, after appro-

priate notice to all parties in interest, was heard at the Court House, Montrose, Colorado, July 14, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

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

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

Pursuant to an opinion of the Attorney General of the State of Colorado, transportation of contents of septic tank is not normally a matter of concern for this Commission, and this Commission has no jurisdiction over the transportation thereof. We therefore will not grant authority for said type of transportation.

It does not appear that authority herein sought by applicant will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Charlie W. Burbridge, Nucla, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, 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; coal, between points within Montrose and San Miguel Counties.

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

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

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 F. Negro
Robert C. Holm
Alvin E. Adrege
Commissioners.

Dated at Denver, Colorado,
this 4th day of August, 1959.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
T. J. VOGELSANG, NATURITA, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY TO OPERATE AS A)
COMMON CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 17198

August 4, 1959

Appearances: T. J. Vogelsang, Naturita,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks a certificate of public convenience and necessity, authorizing operation as a common carrier by motor vehicle for hire, for the transportation of garbage and trash, in and around the Town of Naturita, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Montrose, Colorado, July 14, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, it appeared that applicant, financially and by experience, is qualified to carry on his proposed operation.

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

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require applicant's proposed motor vehicle common carrier transportation service, 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:

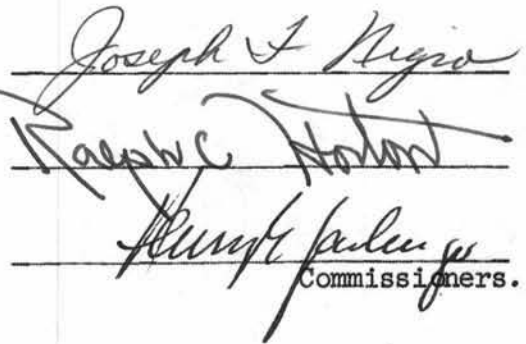
That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of T. J. Vogelsang, Naturita, Colorado, for the transportation of garbage and trash, in and around the Town of Naturita, Colorado, and this Order shall be taken, deemed, and held to be 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 4th day of August, 1959.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JAMES F. AYERS, 416 HOWARD STREET,)
DELTA, COLORADO, FOR AUTHORITY TO) APPLICATION NO. 17210-PP-Extension
EXTEND OPERATIONS UNDER PERMIT NO.)
B-4931.)

August 4, 1959

Appearances: James F. Ayers, Delta,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein is presently the owner and operator of Permit No. B-4931, being the right to operate as a private carrier by motor vehicle for hire, for the transportation of:

logs, from forests to sawmills within a radius of fifty miles of Delta, Colorado; rough lumber, from sawmills to lumber yards and storage places within a radius of fifty miles of Delta, Colorado, for Burkey Lumber Company, of Delta, Colorado, only.

By the above-styled application, said permit-holder seeks authority to extend operations under said Permit No. B-4931, by the elimination of customer restriction, only.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Delta, Colorado, July 15, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant appeared in support of his application, and testified that he has been requested to render service to numerous lumber companies, from forests to lumber companies in the area.

This type of service is strictly an off-route, off-highway

service that is not performed by any common carrier. It would appear that the public interest would be better served by eliminating the restriction, as requested.

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

F I N D I N G S

THE COMMISSION FINDS:

That the granting of authority herein sought will not impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

That the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That operating rights under Permit No. B-4931, owned and operated by James F. Ayers, Delta, Colorado, be, and they hereby are, extended and amended, by eliminating therefrom the restriction that he perform service for Burkey Lumber Company, of Delta, Colorado, only, so that in the future, said permit-holder, under said Permit No. B-4931, shall be authorized to operate as a private carrier by motor vehicle for hire, for the transportation of:

logs, from forests to sawmills within a radius of fifty miles of Delta, Colorado;
rough lumber, from sawmills to lumber yards and storage places within a radius of fifty miles 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

Joseph L. Negro
Ralph C. Hobbs
Henry G. Adams
Commissioners.

Dated at Denver, Colorado,
this 4th day of August, 1959.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
CARL E. DAVIS, P. O. BOX 186, DELTA,)	
COLORADO, FOR A CLASS "B" PERMIT TO)	APPLICATION NO. 17211-PP
OPERATE AS A PRIVATE CARRIER BY)	
MOTOR VEHICLE FOR HIRE.)	
-----)	

August 5, 1959

Appearances: Carl E. Davis, Delta,
Colorado, pro se.

S T A T E M E N T

By the Commission:

This is an application by Carl E. Davis, Delta, Colorado, for authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within Delta and Montrose Counties, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Delta, Colorado, July 15, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant appeared and testified in his own behalf, establishing that he is an experienced truck driver, whose training, experience, and financial responsibility are satisfactory. He stated he has had numerous requests from lumber companies to render his proposed services.

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

It does 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.

F I N D I N G S

THE COMMISSION FINDS:

That authority herein sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Carl E. Davis, Delta, 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 and poles, from forests in the State of Colorado, to sawmills and railroad loading points within Delta and Montrose Counties, 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 authority sheets.

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 F. Negro
Robert C. Nelson
Henry E. Paulsen
Commissioners.

Dated at Denver, Colorado,
this 5th day of August, 1959.

ea

original

(Decision No. 52832)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
W. A. HAMILTON, CEDAREDGE, COLO-)
RADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 1204 TO ORVILLE DUNLAP AND) APPLICATION NO. 17197-Transfer
HAROLD DUNLAP, CO-PARTNERS, DOING)
BUSINESS AS "ORVILLE DUNLAP & SON,")
ROUTE 3, MONTROSE, COLORADO.)
-----)

August 5, 1959

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

S T A T E M E N T

By the Commission:

This is an application for transfer of PUC No. 1204
from W. A. Hamilton, Cedaredge, Colorado, to Orville Dunlap and
Harold Dunlap, co-partners, doing business as "Orville Dunlap &
Son," Montrose, Colorado, said PUC No. 1204 being the right to
operate as a common carrier by motor vehicle for hire, for the
transportation of:

fruit, farm products, livestock, coal,
household furniture and building materials,
from point to point within a radius of fifty
miles of Cedaredge, provided, however, that
in transportation of said commodities, appli-
cant shall not be permitted to make pick-up
and deliveries of less-than-truckload lots
along the route of N. H. McCormick (PUC No.
260), and in competition with said N. H.
McCormick; transportation of commercial
fertilizer, trash, machinery, and pipe,
within a fifty-mile radius of Cedaredge,
Colorado, provided, however, that in the
transportation of said commodities, applicant
shall not be permitted to make pick-up or
delivery of less-than-truckload lots along
the route served under PUC No. 260, and in
competition with said authority; transporta-
tion, 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 fifty-mile radius 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 twenty per cent higher than those prescribed by line-haul or scheduled common carriers operating between towns or cities.

Said application, pursuant to prior setting after appropriate notice to all parties in interest, was heard at the Court House, Montrose, Colorado, July 14, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, it was established that Orville Dunlap is a well-experienced trucker, who presently holds authorities from this Commission. He has contracted with the transferor herein to purchase said PUC No. 1204 for a total purchase price of \$16,500, upon the terms and conditions of \$1,300 down, and \$1,300 yearly thereafter until purchase price is fully paid. Said authority has been leased to Dale Blumberg, doing business as "Dale's Transfer and Storage," at Delta, Colorado, who appeared and testified that he is releasing his lease-hold interest in said certificate, subject to approval of this Commission.

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

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

F I N D I N G S

THE COMMISSION FINDS:

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

O R D E R

THE COMMISSION ORDERS:

That lease of PUC No. 1204 from W. A. Hamilton, Cedaredge,

Colorado, to Dale Blumberg, doing business as "Dale's Transfer and Storage," Delta, Colorado, be, and the same hereby is, terminated.

That W. A. Hamilton, Cedaredge, Colorado, be, and he hereby is, authorized to transfer all right, title, and interest in and to said PUC No. 1204 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Orville Dunlap and Harold Dunlap, co-partners, doing business as "Orville Dunlap & Son," Montrose, Colorado, subject to payment of outstanding indebtedness against said operation if any there be, whether secured or unsecured.

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

Joseph T. Nigro
Ralph C. Nelson
Harry Spaulding
Commissioners.

Dated at Denver, Colorado,
this 5th day of August, 1959.

ea

original

(Decision No. 52833)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
HARRY B. HAWKS, 421 SOUTH NINTH,)	
MONTROSE, COLORADO, FOR AUTHORITY)	<u>APPLICATION NO. 17225-PP-Extension</u>
TO EXTEND OPERATIONS UNDER PERMIT)	
NO. B-4929.)	
-----)	

August 5, 1959

Appearances: T. L. Brooks, Esq., Montrose,
Colorado, for Applicant;
Marion R. Smyser, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc.;
C. J. Schuler, Telluride,
Colorado, for Telluride
Transfer;
Orville Dunlap, Montrose,
Colorado, for Orville
Dunlap and Son.

S T A T E M E N T

By the Commission:

Applicant herein is presently the owner and operator of
Permit No. B-4929, authorizing transportation of:

logs, from forests to sawmills within a radius
of fifty miles of Montrose, Colorado; lumber,
from sawmills to planing mills, and from saw-
mills and planing mills to lumber yards and
storage places within a radius of fifty miles
of Montrose, Colorado; logs and unfinished
lumber, from and to forests, sawmills, planing
mills and lumber yards within a radius of
seventy-five miles of Montrose, Colorado.

By the instant application, said permit-holder seeks
authority to extend operations under said Permit No. B-4929, to
include the right to transport rough lumber, to and from points
within a seventy-five-mile radius of Montrose, Colorado, from and
to all points within the State of Colorado; sacked cement, from
points in the State of Colorado, to Philip Schneider, of Montrose,
Colorado, and to Grand Mesa Lumber, of Delta, Colorado, only.

Said application was regularly set for hearing, and heard, pursuant to prior setting and appropriate notice to all parties in interest, at the Court House, Montrose, Colorado, July 14, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

It is immediately apparent that applicant seeks to extend his authority to enable him to transport lumber from the area in which he operates in and out to and from points in Colorado, and to use cement as a back-haul.

At the hearing, applicant testified he had received several demands for this expanded service from the Paradox Lumber Company, and others, for service to Denver, Colorado Springs, Granby, and Craig, and that both Mesa Lumber Company and Philip Schneider Lumber Company had requested his service for transportation of cement from Portland, Colorado.

Protestant, Rio Grande Motor Way, established that it had authority to perform this service, and was ready, willing, and able to do so.

Protestant Rio Grande Motor Way serves along regular routes, but it would not have authority to originate hauls from points of origin that this applicant would serve.

Since most of the points of origin would be off-route points, another factor must be considered that if the lumber and log-producers do not have a shipper to transport their products from off-route points of origin to points within the State of Colorado, they must ship to a point by private carrier, permit the goods to come to rest, and re-ship by common carrier, since interline is prohibited between private and common carriers. It is conceded by the applicant that he does not seek authority to originate shipments of planed or rough lumber on points on U. S. Highways Nos. 50 and 550.

Protestant Orville Dunlap now has the authority to do practically everything that the applicant herein seeks, save and except that Protestant Dunlap's authority is a radial authority and limited to an origin area of fifty miles of Norwood.

It was established by testimony that the hauls of cement from Portland over the road to Montrose and Delta is used by existing common carriers as a back-haul on their trips to Denver.

This Commission has repeatedly stated that the Private Carrier Act authorizes the granting of authority only in those instances where inadequacy of existing common carrier service to the class of customers to be served has been well established, and where there will be no impairment of existing common carrier service.

In the instant case, we must conclude that there exists no common carrier service for transportation of rough lumber from forests and sawmills which are basically off-route points to other points in the State of Colorado. There also exists the difficulty of interlining created by the fact that private carriers customarily haul from forests and sawmills to points normally served by common carriers.

In view of this, it is our conclusion that there does exist good grounds for the granting of authority to this applicant for the transportation of logs and rough lumber, from forests and sawmills within a radius of seventy-five miles of Montrose, Colorado, to and from all points in the State of Colorado, with the restriction that applicant shall not be entitled to load on U. S. Highways Nos. 50 and 550.

With reference to the transportation of cement, however, there is a complete failure of proof to establish inadequacy of existing service, and, in fact, the contrary was proven, that existing service is available, and is needed and utilized as a back-haul for existing common carriers.

In the present state of the record, it is our conclusion that applicant has wholly failed to prove his case for authority to transport sacked cement.

F I N D I N G S

THE COMMISSION FINDS:

That applicant's proposed extended service, as hereinafter limited, will not impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

That granting of authority to applicant herein to transport cement would impair the ability of existing common carriers to serve the public, and should be denied.

O R D E R

THE COMMISSION ORDERS:

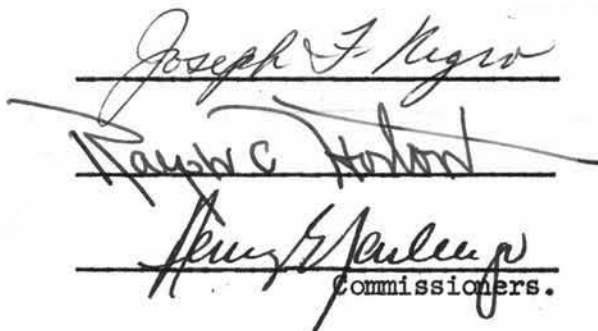
That Harry B. Hawks, Montrose, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-4929, to include the right to transport logs and rough lumber, from forests and saw-mills within a radius of seventy-five miles of Montrose, Colorado, to and from all points within the State of Colorado, provided, however, that applicant shall not be authorized to load any said commodities on U. S. Highways Nos. 50 and 550.

That this Order is made part of the permit granted to applicant.

That, in all other respects, Application No. 17225-PP 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 5th day of August, 1959.

ea

original

(Decision No. 52834)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
R. E. FRANCIS, ROUTE 1, BOX 33,)
GUNNISON, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-) APPLICATION NO. 17202-PP
RIER BY MOTOR VEHICLE FOR HIRE.)
-----)

August 5, 1959

Appearances: R. E. Francis, Gunnison,
Colorado, pro se;
Marion R. Smyser, Esq.,
Denver, Colorado, for
Rio Grande Motor Way, Inc.;
C. J. Schuler, Telluride,
Colorado, for Telluride
Transfer;
Orville Dunlap, Montrose,
Colorado, pro se.

S T A T E M E N T

By the Commission:

This is an application for authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of rough lumber, from Gunnison National Forest, within a radius of fifty miles of Iola, Colorado, to loading points and places of storage at Crested Butte and to planing mills at Montrose, Colorado.

Said application was regularly set for hearing, and heard, pursuant to prior notice to all parties in interest, at the Court House, Montrose, Colorado, July 14, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified in his own behalf, stating he has had demands for transportation of rough lumber, from forests which are off-route points, to various points named in his application. He is willing to restrict authority to prohibit loading of rough lumber on U. S. Highway No. 50.

In view of this restriction, protestants did not offer any evidence in opposition to granting of authority herein sought.

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

It does not appear that applicant's operations, as herein-after limited, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That R. E. Francis, Gunnison, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of rough lumber, from Gunnison National Forest, within a radius of fifty miles of Iola, Colorado, to loading points and places of storage at Crested Butte and to planing mills at Montrose, Colorado, specifically excluding the right to load on U. S. Highway No. 50.

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 authority sheets.

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 F. Negin
Ralph C. Hobson
Wm. E. Paulino
Commissioners.

Dated at Denver, Colorado,
this 5th day of August, 1959.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RICHARD J. BERGES, BOX 84, BIG
SPRINGS, NEBRASKA.

PERMIT NO. M-14705

August 5, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Richard J. Berges,
Big Springs, Nebraska
requesting that Permit No. M-14705 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14705, heretofore issued to Richard J. Berges,
Big Springs, Nebraska be,
and the same is hereby, declared cancelled effective May 1, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Norton
Henry E. Zurling
Commissioners

Dated at Denver, Colorado,

this 5th day of August, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
RICHARD J. BERGES, BOX 84, BIG)
SPRINGS, NEBRASKA.)

PUC NO. 4186-I

August 5, 1959

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Richard J. Berges,
Big Springs, Nebraska

requesting that Certificate of Public Convenience and Necessity No. 4186-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. 4186-I heretofore issued to Richard J.
Berges, Big Springs, Nebraska

be, and the same is hereby declared cancelled effective May 1, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Franklin C. Woodmont
Henry E. Zarlengo
Commissioners

Dated at Denver, Colorado,
this 5th day of August, 1959.

original

(Decision No. 52837)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
OWEN K. LONDBERG, ROUTE 2, BOX 1-K,)
MONTROSE, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 17203-PP

August 5, 1959

Appearances: Owen K. Londberg, Montrose,
Colorado, pro se;
Marion Smyser, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc.;
Orville Dunlap, Montrose,
Colorado, pro se.

S T A T E M E N T

By the Commission:

This is an application for authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of forest and sawmill products, consisting of logs and rough lumber, from and to forests and railroad loading points, and places of storage, within a radius of one hundred miles of Montrose, Colorado, excluding service east of a line drawn north and south parallel to the Continental Divide at Leadville, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Montrose, Colorado, July 14, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified in his own behalf, stating he has received requests for his proposed services; that he is willing to restrict authority to prohibit loading of rough lumber on U. S. Highways Nos. 50 and 550.

In view of this restriction, protestants did not offer evidence in opposition to the granting of authority herein sought.

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

It does not appear that applicant's operations, as herein-after limited, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Owen K. Londberg, 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 forest and sawmill products, consisting of logs and rough lumber, from and to forests and railroad loading points, and places of storage, within a radius of one hundred miles of Montrose, Colorado, excluding service east of a line drawn north and south parallel to the Continental Divide at Leadville, Colorado, and specifically excluding the right to load on U. S. Highways Nos. 50 and 550.

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 authority sheets.

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 F. Nigro
Ralph C. Hobart
Henry G. Mulder
Commissioners.

Dated at Denver, Colorado,
this 5th day of August, 1959.

mls

original

(Decision No. 52838)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HENRY B. CARNES AND BESSIE M. WAL-)
TON, CO-PARTNERS, DOING BUSINESS AS)
"B & M SERVICE COMPANY," RANGELY,)
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY TO)
OPERATE AS A COMMON CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 17171

RE MOTOR VEHICLE OPERATIONS OF)
HENRY B. CARNES AND BESSIE M. WAL-)
TON, CO-PARTNERS, DOING BUSINESS AS)
"B & M SERVICE COMPANY," RANGELY,)
COLORADO.)

PERMIT NO. B-3897

SUPPLEMENTAL ORDER

August 5, 1959

Appearances: E. B. Evans, Esq., Denver,
Colorado, for Applicants;
Leslie R. Kehl, Esq., Denver,
Colorado, for Stanton
Transportation Company,
Weiss Trucking Company,
W. R. Hall Transportation
and Storage.

S T A T E M E N T

By the Commission:

On July 14, 1959, the Commission entered its Decision No. 52668 in the above-styled matters.

On July 24, 1959, "Petition for Rehearing" was filed herein by Leslie R. Kehl, Attorney, on behalf of Stanton Transportation Company, Weiss Trucking Company, W. R. Hall Transportation & Storage Company, and North Park Transportation Company.

The Commission has carefully considered said Petition for Rehearing, and reviewed the evidence adduced at the hearing on the above-styled matter.

F I N D I N G S

THE COMMISSION FINDS:

That said Petition for Rehearing should be granted.

O R D E R


THE COMMISSION ORDERS:

That Petition for Rehearing, filed with the Commission in the above-styled matter on July 24, 1959, by Leslie R. Kehl, Attorney, on behalf of Stanton Transportation Company, Weiss Trucking Company, W. R. Hall Transportation & Storage Company, and North Park Transportation Company, be, and the same hereby is, granted.

That Application No. 17171 shall be later set for rehearing before the Commission on a date to be determined by the Commission, with notice to all parties in interest.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Joseph F. Kyrle
George C. Hoban
Quincy E. Arledge
Commissioners.

Dated at Denver, Colorado,
this 5th day of August, 1959.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
DAVE ROMINES, 419 SOUTH SEVENTH)	
STREET, MONTROSE, COLORADO, FOR A)	
CLASS "B" PERMIT TO OPERATE AS A)	APPLICATION NO. 17226-PP
PRIVATE CARRIER BY MOTOR VEHICLE)	
FOR HIRE.)	
-----)	

August 6, 1959

Appearances: John Kreidler, Esq., Montrose,
Colorado, for Applicant;
Orville Dunlap, Montrose,
Colorado, for Orville
Dunlap and Son;
Marion R. Smyser, Esq., Denver,
Colorado, for Rio Grande
Motor Way, 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 forest and sawmill products, from forests to sawmills, railroad loading points, and lumber yards within a radius of one hundred miles of said forests; rough lumber, from forests to Denver unloading points, in intrastate and interstate commerce.

Said application was regularly set for hearing, and heard, at the Court House, Montrose, Colorado, July 14, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, the financial responsibility and operating experience of applicant were established to the satisfaction of the Commission.

No evidence was introduced in opposition to the granting of authority herein sought.

It does 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.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Dave Romines, 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 forest and sawmill products, from forests to sawmills, railroad loading points, and lumber yards within a radius of one hundred miles of said forests; rough lumber, from forests to Denver unloading points, in intrastate and interstate commerce.

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 authority sheets.

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 interstate operating rights herein granted shall be subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro

Ralph C. Nolan

Henry E. Bailey
Commissioners.

Dated at Denver, Colorado,
this 6th day of August, 1959.
ea

original

(Decision No. 52840)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
M. J. HUNT AND B. D. HUNT, CO-)
PARTNERS, DOING BUSINESS AS "HUNT)
WATER SERVICE," 137 MIRIAM AVENUE,)
GRAND JUNCTION, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

APPLICATION NO. 17213-PP

August 6, 1959

Appearances: Warren F. Reams, Esq., Grand
Junction, Colorado, for
Applicants;
Lincoln Coit, Esq., Grand
Junction, Colorado, for
Estes Trucking Company,
Harp Transportation Line,
Daryl Hinkle, W. R. Hall
Transportation & Storage,
Stanton Transportation
Company, Weiss Trucking
Company.

S T A T E M E N T

By the Commission:

This is an application for authority to operate as a
Class "B" private carrier by motor vehicle for hire, for the trans-
portation, in intrastate commerce, of water, for domestic and com-
mercial purposes, in tank lots, over irregular routes, with various
sources of supply, to mines, agricultural, highway, industrial,
construction and oil field operations, within the Counties of
Routt, Moffat, Garfield, Mesa, Delta, Montrose, and Rio Blanco,
State of Colorado.

Applicants are experienced water haulers, who presently
operate under a Commercial Carrier Permit. They have been requested
by several companies, including Continental Oil, Texaco, and South-
western Engineering Company, to supply the service which applicants
herein seek authority to perform.

The nature of this service is to provide water used in the drilling of oil wells. By the very nature of the operation, these wells are located many times in remote off-route points. The oil wells will often require emergency supplies of water during drilling operations.

The application was strongly supported by several potential customers of applicants.

Representatives of Estes Trucking, Harp Transportation Company, Weiss Trucking Company, and Daryl Hinkle appeared in protest, in addition to stipulation entered into between the parties that other protestants would testify as they had. Protestants testified they had authority, and were ready, willing and able to perform service herein sought to be performed by applicants.

Because of the very nature of this operation, it is the type of personalized service that requires the services of a private carrier. Although common carriers can render this service, and some of the protestants are equipped to do so, the nature of the operation would compel the common carrier to act as a private carrier in the service to be rendered. We feel that such would constitute either an imposition on the common carrier, or it would leave the customer with inadequate service. It is significant that none of the public witnesses supporting the application had ever used existing common carriers, their reasons being, in effect, that the nature of the service is such that it required private carrier service. Although the public witnesses may have employed different language, we are satisfied that this is the substance of their testimony.

We feel, therefore, that the granting of this authority is compatible with the public interest, and will not impair the efficiency of any common carrier service operating in the territory sought to be served by applicants herein.

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

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicants herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That M. J. Hunt and B. D. Hunt, co-partners, doing business as "Hunt Water Service," Grand Junction, Colorado, be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, in intrastate commerce, of water, for domestic and commercial purposes, in tank lots, over irregular routes, with various sources of supply, to mines, agricultural, highway, industrial, construction and oil field operations, within the Counties of Routt, Moffat, Garfield, Mesa, Delta, Montrose, and Rio Blanco, State of Colorado.

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

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

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 F. Nigro
Joseph C. Hobbs
Henry E. Huley
Commissioners.

Dated at Denver, Colorado,
this 6th day of August, 1959.
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HAROLD O. WILLISON, RURAL ROUTE 1,)
GRAND JUNCTION, COLORADO, FOR AU-) APPLICATION NO. 17214-PP-Extension
THORITY TO EXTEND OPERATIONS UNDER)
PERMIT NO. B-5215.)
-----)

August 6, 1959

Appearances: Harold O. Willison, Grand
Junction, Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein is presently the owner and operator of
Permit No. B-5215, authorizing operation as a private carrier by
motor vehicle for hire, for the transportation of:

sand, gravel, and other road-surfacing materials
used in the construction of roads and highways,
from pits and supply points in the State of Colo-
rado, 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 rail-
road loading points, and to homes and small con-
struction jobs within a radius of fifty miles of
said pits and supply points; sand, gravel, dirt,
stone, and refuse, from and to building construc-
tion 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.

By the above-styled application, said permit-holder seeks
authority to extend operations under said Permit No. B-5215, to
include the right to transport logs, for Burkey Sawmill, from point
to point within a radius of fifty miles of Delta, Colorado.

Said application, pursuant to prior setting, after appro-
priate notice to all parties in interest, was heard at the Court House,
Grand Junction, Colorado, July 16, 1959, and at the conclusion of
the evidence, the matter was taken under advisement.

At the hearing, it appeared that applicant, both financially and by experience, is qualified to carry on his proposed extended operations.

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

It does 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.

F I N D I N G S

THE COMMISSION FINDS:

That applicant herein should be authorized to extend operations under Permit No. B-5215, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Harold O. Willison, Grand Junction, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-5215, to include the right to transport logs, for Burkey Sawmill, from point to point within a radius of fifty miles of Delta, Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(S E A L)

RECEIVED - PUBLIC UTILITIES COMMISSION
AUG 11 1959

[Handwritten signature]

Joseph F. Nigro
Ralph C. Horton
Alvin J. Bailey
Commissioners.

Dated at Denver, Colorado,
this 6th day of August, 1959.

ea

original

(Decision No. 52842)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LESTER A. WILLISON, 676 29½ ROAD,)
GRAND JUNCTION, COLORADO, FOR AU-) APPLICATION NO. 17215-PP-Extension
THORITY TO EXTEND OPERATIONS UNDER)
PERMIT NO. B-4976.)
-----)

August 6, 1959

Appearances: Lester A. Willison, Grand
Junction, Colorado,
pro se.

S T A T E M E N T

By the Commission:

Applicant herein is the owner and operator of Permit
No. B-4976, authorizing operation as a private carrier by motor
vehicle for hire, for the transportation of:

sand, gravel, and other road-surfacing materials
used in the construction of roads and highways,
from pits and supply points in the State of Colo-
rado, 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 rail-
road loading points, and to homes and small con-
struction jobs within a radius of fifty miles of
said pits and supply points; sand, gravel, dirt,
stone, and refuse, from and to building construc-
tion 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; cement and concrete,
from point to point within a radius of fifty miles
of Grand Junction, Colorado, operations hereunder
to be limited to the use of dump trucks, only.

By the above-styled application, said permit-holder seeks
authority to extend operations under said Permit No. B-4976, to
include the right to transport logs, for Burkey Sawmill, from point
to point within a radius of fifty miles of Delta, Colorado.

Said application, pursuant to prior setting, after appro-
priate notice to all parties in interest, was heard at the Court House,

Grand Junction, Colorado, July 16, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

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

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

It does not appear that applicant's proposed extended operations will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That applicant herein should be authorized to extend operations under Permit No. B-4976, as set forth in the Order following.

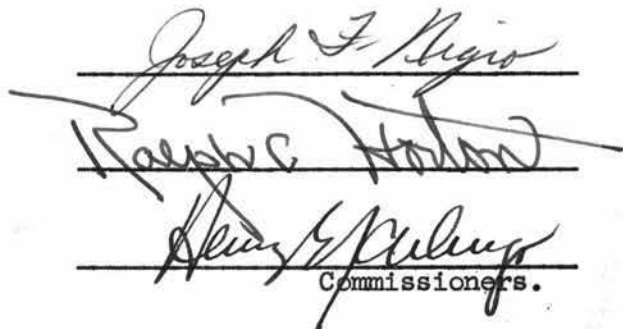
O R D E R

THE COMMISSION ORDERS:

That Lester A. Willison, Grand Junction, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-4976 to include the right to transport logs, for Burkey Sawmills, from point to point within a radius of fifty miles of Delta, Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

Dated at Denver, Colorado,
this 6th day of August, 1959.

ea

Original

(Decision No. 52843)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INVESTIGATION AND SUSPENSION OF)
COLORADO P.U.C. TARIFFS NOS. 1 TO)
11, INCLUSIVE, OF THE COLORADO)
INTERSTATE GAS COMPANY.)

INVESTIGATION AND SUSPENSION
DOCKET NO. 422
SECOND SUPPLEMENTAL ORDER

August 4, 1959.

S T A T E M E N T

By the Commission:

This Commission, pursuant to Chapter 115-6-11, C.R.S., 1953, on April 20, 1959, by Decision No. 52120, ordered for hearing the propriety of the contracts, tariffs and rates heretofore filed by Colorado Interstate Gas Company, pursuant to Order of this Commission.

Pursuant to said statute, said Order suspended said contracts, tariffs, and rates, for a period of not to exceed 120 days, which period shall expire on the 18th day of August, 1959.

Pursuant to the provisions of said statute, this Commission has the power in its discretion to extend said period of suspension for a period of not to exceed six months, and in order that the Commission may be advised fully in the exercise of said discretion, it is our opinion that hearing should be held on the question, issue, necessity, propriety, and feasibility of extending said suspension period from and after the 18th day of August, 1959, for a period not to exceed six months, pursuant to statute, for the purpose of completing the investigation of said contracts, tariffs, and rates.

Accordingly, this Commission will order that notice of such hearing be sent to all parties in interest, and that such hearing be held on the 17th day of August, 1959.

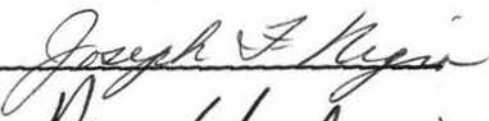
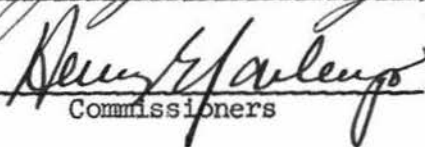
O R D E R

THE COMMISSION ORDERS:

That on August 17, 1959, at ten o'clock A. M., at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, hearing be held on the question, issue, necessity, propriety, and feasibility of extending the period of suspension of the contracts, tariffs, and rates of Colorado Interstate Gas Company heretofore filed, for the purpose of further investigating the propriety of said contracts, tariffs, and rates, and that appropriate notice of said hearing be sent to all parties in interest.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER RALPH C. HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 4th day of August, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

PETE HOPPAL, DOING BUSINESS AS)
"SPEEDY'S SHAMROCK GAS AND OIL COM-)
PANY", STERLING, COLORADO.)
-----)

PERMIT NO. M-12595

August 5, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Pete Hoppal, doing
business as, "Speedy's Shamrock Gas and Oil Company", Sterling, Colorado
requesting that Permit No. M-12595 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12595, heretofore issued to Pete Hoppal, doing
business as, "Speedy's Shamrock Gas and Oil Company", Sterling, Colorado be,
and the same is hereby, declared cancelled effective August 8, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zank
Commissioners

Dated at Denver, Colorado,

this 5th day of August, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

HARRY HIRAO, ROUTE 1 BOX 322, LONG-
MONT, COLORADO.

PERMIT NO. M-13354

August 5, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Harry Hirao,
Longmont, Colorado
requesting that Permit No. M-13354 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13354, heretofore issued to Harry Hirao,
Longmont, Colorado be,
and the same is hereby, declared cancelled effective August 4, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 5th day of August, 195 9.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JACK BALKENHOL AND PHIL HILDERBRANDT,)
DOING BUSINESS AS, "SEATTLE TRAILER)
DEPOT", 10835 PACIFIC HIGHWAY SOUTH,)
SEATTLE, WASHINGTON.)

PERMIT NO. M-8249

August 5, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Jack Balkenhol and
Phil Hilderbrandt, dba "Seattle Trailer Depot", Seattle, Washington
requesting that Permit No. M-8249 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8249, heretofore issued to Jack Balkenhol and
Phil Hilderbrandt, dba "Seattle Trailer Depot", Seattle, Washington be,
and the same is hereby, declared cancelled effective July 2, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zurling
Commissioners

Dated at Denver, Colorado,

this 5th day of August, 1959.

Original
(Decision No. 52847)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INVESTIGATION AND SUSPENSION OF
COLORADO P.U.C. TARIFFS NOS. 1 TO
11, INCLUSIVE, OF THE COLORADO
INTERSTATE GAS COMPANY.

INVESTIGATION AND SUSPENSION
DOCKET NO. 422
SUPPLEMENTAL ORDER

August 5, 1959.

S T A T E M E N T

By the Commission:

On August 4, 1959, the Commission entered its Decision No. 52843
in the above-styled matter.

Reference was made to previous decision of the Commission in the
first paragraph of the Statement contained in said Decision No. 52843. It now
appears that said decision number, and the date thereof, were erroneously set
forth.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 52843, of date August 4, 1959, should be amended
to conform to the facts, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 52843, of date August 4, 1959, be, and the same
hereby is, amended, nunc pro tunc, as of said 4th day of August, 1959, by
striking therefrom the first paragraph of the Statement contained in said
Decision, appearing on Page 1 thereof, and inserting in lieu thereof the
following:

"This Commission, pursuant to Chapter 115-6-11,
C.R.S., 1953, on May 13, 1959, by Decision No.
52270, as amended by Decision No. 52272, of date
May 14, 1959, ordered for hearing the propriety
of the contracts, tariffs and rates heretofore
filed by Colorado Interstate Gas Company, pursuant
to Order of this Commission."

That, except as herein amended, said Decision No. 52843 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Harry M. Gering
Commissioners

COMMISSIONER RALPH C. HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 5th day of August, 1959.

HW

original

(Decision No. 52848)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
COLORADO MILK TRANSPORT, INC., BOX)
141, ROUTE 1, BROOMFIELD, COLORADO,) APPLICATION NO. 17185-PP-Extension
FOR AUTHORITY TO EXTEND OPERATIONS)
UNDER PERMIT NO. B-3622.)
-----)

August 6, 1959

Appearances: Paul M. Hupp, Esq.,
Denver, Colorado,
for Applicant;
Max Snyder, Esq., Fort
Morgan, Colorado, for
Brush Milk Lines Co.,
and Star Milk Lines,
Protestants.

S T A T E M E N T

By the Commission:

By Decision No. 52616, dated July 2, 1959, the Commission denied the application of the above-named applicant to extend operations under Permit No. B-3622.

On July 22, 1959, "Petition for Rehearing" was filed in said matter by Paul M. Hupp, Attorney for the above-named applicant.

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

F I N D I N G S

THE COMMISSION FINDS:

That Petition for Rehearing filed herein by Colorado Milk Transport, Inc., by Paul M. Hupp, Attorney, should be denied.

O R D E R

THE COMMISSION ORDERS:

That Petition for Rehearing in the above-styled matter,

filed by Colorado Milk Transport, Inc., Broomfield, Colorado, by
Paul M. Hupp, its Attorney, should be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Henry Paulsen
Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 6th day of August, 1959.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

FRANK WILSON, DOING BUSINESS AS,
"FRANK WILSON OIL COMPANY", VONA,
COLORADO.

PERMIT NO. M-11134

August 11, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Frank Wilson, doing
business as, "Frank Wilson Oil Company", Vona, Colorado
requesting that Permit No. M-11134 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11134, heretofore issued to Frank Wilson, doing
business as, "Frank Wilson Oil Company", Vona, Colorado be,
and the same is hereby, declared cancelled effective July 1, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Frank C. Norton
Wm. E. Zalusky
Commissioners

Dated at Denver, Colorado,

this 11th day of August, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
NORTON B. SAVACOO, DOING BUSINESS AS,)
"NORTON DISTRIBUTOR", P. O. BOX 206,)
KITREDGE, COLORADO.)
-----)

PERMIT NO. M-10631

August 11, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Norton B. Savacool,
doing business as, "Norton Distributor", Kittredge, Colorado
requesting that Permit No. M-10631 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10631, heretofore issued to Norton B. Savacool,
doing business as, "Norton Distributor", Kittredge, Colorado be,
and the same is hereby, declared cancelled effective July 1, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Norton
Wm E. Zalusky
Commissioners

Dated at Denver, Colorado,

this 11th day of August, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

J. E. ALLBEE, DOING BUSINESS AS, "J.)
E. ALLBEE AND COMPANY", 3731 SOUTH)
ACOMA, ENGLEWOOD, COLORADO.)
-----)

PERMIT NO. M-9167

August 11, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from J. E. Allbee, doing
business as, "J. E. Allbee and Company", Englewood, Colorado
requesting that Permit No. M-9167 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9167, heretofore issued to J. E. Allbee, doing
business as, "J. E. Allbee and Company", Englewood, Colorado be,
and the same is hereby, declared cancelled effective July 26, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 11th day of August, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE W. FREETO, DOING BUSINESS AS,)
"FREETO DISTRIBUTING COMPANY", 1418)
NORTH HOWARD, COLORADO SPRINGS, COLO-)
RADO.)

PERMIT NO. M-2793

August 11, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from George W. Freeto,
doing business as, "Freeto Distributing Company", Colorado Springs, Colorado
requesting that Permit No. M-2793 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2793, heretofore issued to George W. Freeto,
doing business as, "Freeto Distributing Company", Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective January 19, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Horton
Henry E. Ziegler
Commissioners

Dated at Denver, Colorado,

this 11th day of August, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
BILL C. L. SHUPE, BOX 1460, GREELEY,)
COLORADO.)

PERMIT NO. M-5878

August 11, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Bill C. I. Shupe,
Greeley, Colorado
requesting that Permit No. M-5878 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5878, heretofore issued to Bill C. L. Shupe,
Greeley, Colorado be,
and the same is hereby, declared cancelled effective August 8, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
 Ralph C. Horton
 Henry E. Zuckerman
 Commissioners

Dated at Denver, Colorado,

this 11th day of August, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
BILL C. L. SHUPE, BOX 1460,)
GREELEY, COLORADO.)
-----)

PUC NO. 2869-I

August 11, 1959

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. 2869-I be suspended for six months from August 8, 1959.

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 Bill C. L. Shupe, Greeley, Colorado

_____, be, and _____ is hereby, authorized to suspend operations under PUC No. 2869-I until February 8, 1960.

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

Joseph F. Nigro
Frank C. Norton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,
this 11th day of August 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JACK GRAVES, DOING BUSINESS AS)
"JACK GRAVES PRODUCE," 2501)
53RD STREET, LUBBOCK, TEXAS.)
- - - - -)

PERMIT NO. M-11317
CASE NO. 90290-INS.

- - - - -
August 6, 1959
- - - - -

S T A T E M E N T

By the Commission:

On July 15, 1959, the Commission entered its Order in Case No. 90290-Ins., revoking Permit No. M-11317 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 Permit No. M-11317 be, and the same hereby is, reinstated, as of July 15, 1959, revocation order entered by the Commission on said date in Case No. 90290-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Myers
Blair E. Hulse
Commissioners

Commissioner
Ralph C. Horton
Not Participating.

Dated at Denver, Colorado,
this 6th day of August, 1959.
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

KARL RAMSTETTER, ROUTE 2 BOX 7A,
GOLDEN, COLORADO.

PERMIT NO. M-4834

AUGUST 11, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Karl Ramstetter,
Golden, Colorado
requesting that Permit No. M-4834 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4834, heretofore issued to Karl Ramstetter,
Golden, Colorado be,
and the same is hereby, declared cancelled effective August 8, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Wm. E. Ziehlings
Commissioners

Dated at Denver, Colorado,

this 11th day of August, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
VALLEY SEED AND GRAIN, A CORPORATION,)
VALLEY, NEBRASKA.)
_____)

PERMIT NO. M-14723

August 11, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Valley Seed and
Grain, A Corporation, Valley, Nebraska
requesting that Permit No. M-14723 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14723, heretofore issued to Valley Seed and
Grain, A Corporation, Valley, Nebraska be,
and the same is hereby, declared cancelled effective June 20, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Charles C. Norton
Henry E. Zalusky
Commissioners

Dated at Denver, Colorado,

this 11th day of August, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
BARLOW'S SERVICE, INCORPORATED,)
P. O. BOX 6835, STOCKYARDS)
STATION, 5101 YORK STREET,)
DENVER 16, COLORADO.)

PUC NO. 1685-I

August 11, 1959

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Barlow's Service,
Incorporated, Denver 16, Colorado

requesting that Certificate of Public Convenience and Necessity No. 1685-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. 1685-I heretofore issued to Barlow's
Service, Incorporated, Denver 16, Colorado

be, and the same is hereby, declared cancelled effective August 5, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Tigro
Joseph C. Horton
Henry E. Zerkow
Commissioners

Dated at Denver, Colorado,
this 11th day of August, 1959.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LEE E. TROUT, DOING BUSINESS AS)
"SMOKY HILL TRUCK LINE," 1660 RUTH,)
THORNTON, COLORADO, FOR AUTHORITY) APPLICATION NO. 16752-Transfer
TO TRANSFER TO LOUIS J. THIEL,)
PARKER, COLORADO, A PORTION OF PUC)
NO. 614.)
-----)

IN THE MATTER OF THE APPLICATION OF)
LEE E. TROUT, DOING BUSINESS AS)
"SMOKY HILL TRUCK LINE," 1660 RUTH,) APPLICATION NO. 16753-Transfer
THORNTON, COLORADO, FOR AUTHORITY)
TO TRANSFER PUC NO. 1811 TO LOUIS J.)
THIEL, PARKER, COLORADO.)
-----)

August 10, 1959

Appearances: Leland S. Huttner, Esq.,
Denver, Colorado, for
Applicants;
Paul M. Hupp, Esq., Denver,
Colorado, for Rocky Mountain
Truck Leasing Company, Inc.

S T A T E M E N T

By the Commission:

By Application No. 16752, Lee E. Trout, doing business
as "Smoky Hill Truck Line," Thornton, Colorado, seeks authority
from this Commission to transfer to Louis J. Thiel, Parker, Colo-
rado, a portion of PUC No. 614, as set forth in said application.

By Application No. 16753, Lee E. Trout, doing business
as "Smoky Hill Truck Line," Thornton, Colorado, seeks authority
from this Commission to transfer PUC No. 1811 to Louis J. Thiel,
Parker, Colorado.

Both applications were regularly set for hearing, after
appropriate notice to all interested parties, at 330 State Office
Building, Denver, Colorado, on August 3, 1959, at 2:00 o'clock P. M.,
and at the conclusion thereof, the matter was taken under advisement.

A motion was made that the above applications be consolidated for hearing, and there being no objection, the motion was granted.

A motion was made by the applicant that he be permitted to voluntarily surrender that portion of PUC No. 614, viz.:

Transportation of milk between Denver and points within an area extending eleven miles east from the City of Denver, two miles south of Colfax Avenue and the Denver-Limon Highway, and three miles north of said avenue, except, however, the Town of Aurora, Colorado.

There being no objection thereto, and the Transferee Thiel being present at the hearing, said motion was granted.

It appeared from the evidence that the transferee is the owner of one 1959 Chevrolet 2-ton tank truck, adapted for hauling milk; has an approximate net value of \$14,500; and has had about six years experience in the trucking field.

The transferee testified that he did not know "there was anything against the certificates," and that the Commission, he thought, would grant the transfer more or less as a matter of routine as the hauling was not a paying proposition. He has been hauling daily, and if he ceases to haul there are no other carriers who will serve the public need. This latter statement remained uncontradicted.

The protestant, by its attorney, objected to the transfer on the ground that the transferor is indebted to the protestant. A motion was made by the protestant that the applications be dismissed as the Rules of the Commission with regard to transfers had not been complied with.

The protestant made claim of a debt due from the transferor in the sum of \$240.00, while the transferor contended the debt, if any, should be in the sum of \$180.00. There was vague and indefinite testimony that the transferor had become a bankrupt and had listed this particular debt in such proceeding.

The Commission, upon inquiry to the Bankruptcy Court, received in reply a memorandum dated August 7, 1959, which has been

filed with its records in this matter, and indicates that the transferor was adjudicated November 10, 1958. The Commission has taken official notice of such memorandum.

F I N D I N G S

THE COMMISSION FINDS:

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

That protestant's motion for dismissal based on non-compliance of the applications with the Rules, should be denied, as it appears to the Commission that such non-compliance has not been prejudicial to any of the parties herein or detrimental to the public interest.

That the protest is not well taken, that the transfers are compatible with the public interest and, therefore, should be granted as set out in the following Order.

O R D E R

THE COMMISSION ORDERS:

That protestant's motion for dismissal be, and the same hereby is, denied.

That Lee E. Trout, doing business as "Smoky Hill Truck Line," Thornton, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to that portion remaining of PUC No. 614, fully described as follows, to-wit:

"Transportation of milk, cream and dairy products to the City of Denver, from territory lying within $1\frac{1}{2}$ miles of the following route or routes: Beginning at a point on the airline highway one mile east of Denver-Parker Highway; thence east on said airline highway to a point $\frac{1}{2}$ mile east of the line dividing Ranges 63 and 62; thence back along said airline highway to the SW corner of Section 2, T. 5-S., R. 64-W; thence south to the SW corner of Section 14 in said last described township and range; thence west 4 miles; thence back along said route to said airline highway and west thereon to the SW corner of Section 4, T. 5-S., R. 65-W; thence south one mile; thence east $\frac{1}{2}$ mile; thence south $1\frac{1}{2}$ miles; thence southwest to a point on the north $\frac{1}{2}$ of Section 6, T. 6-S., R. 65-W; thence southeast to the

Smoky Hill Road; thence northwest along said road to a point one mile east of the Denver-Parker Highway; provided, however, that territory shall include no territory west of points on the airline and Smoky Hill Highways 1 mile east of the Denver-Parker Highway, and shall include no territory in Douglas County lying in Range 66; transportation to Denver of farm products from the territory above described and the transportation of farm supplies from Denver to milk producers served by applicant in said territory; transportation of milk and dairy products between Denver and all points in the territory described as: Sections 13 to 36, inclusive, R. 66-W., T. 4-S; Sections 17, 18, 19, 20, 29, 30, 31, 32 and 33, R. 65-W., T. 4-S., Sections 1 to 6, R. 66-W., T. 5-S.; Sections 4, 5, 6, R. 65-W., T. 5-S; Sections 13, 14, 15, 23, 24, 25, R. 67-W., T. 4-S; Arapahoe County, Colorado, and the right to transport all farm supplies except grain and feed from Denver back to milk producers residing in the above-described area, no authority being granted hereby to move freight, except milk and dairy products in this area to Denver, Colorado,"

which now is the whole authority under PUC No. 614, any and other portions of said authority having been surrendered -- to Louis J. Thiel, Parker, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That Lee E. Trout, doing business as "Smoky Hill Truck Line," Thornton, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1811 -- with authority as follows, to-wit:

Transportation of milk from farms within the area described as: Beginning at the northwest corner of Section 36, T. 4-S., R. 68-W.; thence east three miles; thence south one mile; thence east one mile; thence south one mile; thence east one mile; thence south two miles; thence east one mile; thence south one mile; thence east one mile; thence south five miles to the southeast corner of Section 13, T. 6-S., R. 67-W.; thence west five miles; thence north six miles; thence west two miles; thence north four miles to a point of beginning; to Denver and points within a radius of two miles thereof, with back-haul of empty cans,

to Louis J. Thiel, Parker, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

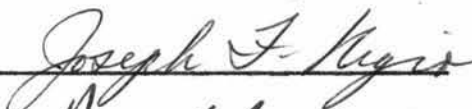

That said transfers shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificates have been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements 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 this Order shall automatically revoke the authority herein granted to make the transfers, 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 (PUC No. 614 and PUC No. 1811) 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.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 10th day of August, 1959.

ea

original

(Decision No. 52860)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LEE E. TROUT, DOING BUSINESS AS)
"SMOKY HILL TRUCK LINE," 1660 RUTH,)
THORNTON, COLORADO, FOR AUTHORITY)
TO TRANSFER TO ROBERT LANTZ AND)
JACQUELINE LANTZ, CO-PARTNERS, DOING)
BUSINESS AS "LANTZ TRUCK LINE,")
BENNETT, COLORADO, A PORTION OF)
PUC NO. 614.)
-----)

APPLICATION NO. 16751-Transfer

August 10, 1959

Appearances: Leland S. Huttner, Esq.,
Denver, Colorado, for
Applicants;
Paul M. Hupp, Esq., Denver,
Colorado, for Rocky Mountain
Truck Leasing Company, Inc.,
Protestant;
Robert Lantz, Bennett, Colo-
rado, Transferee, pro se.

S T A T E M E N T

By the Commission:

This is an application by Lee E. Trout, doing business as "Smoky Hill Truck Line," 1660 Ruth, Thornton, Colorado, for authority to transfer to Robert Lantz and Jacqueline Lantz, co-partners, doing business as "Lantz Truck Line," Bennett, Colorado, a portion of PUC No. 614, viz.:

Transportation of milk between Denver and points within an area extending eleven miles east from the city of Denver, two miles south of Colfax Avenue and the Denver-Limon Highway, and three miles north of said avenue, except, however, the Town of Aurora, Colorado.

The application was regularly set for hearing, after appropriate notice to all parties in interest, at 330 State Office Building, Denver, Colorado, on August 3, 1959, at 2:00 o'clock P. M.

When the matter was called for hearing, a motion was made by the applicant that the application be dismissed.

F I N D I N G S

THE COMMISSION FINDS:

There being no valid reason or objection why said motion should not be granted, that the motion should be allowed.

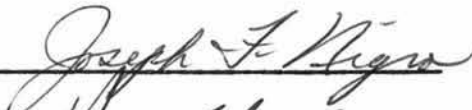
O R D E R


THE COMMISSION ORDERS:

That the within application be, and the same hereby is, dismissed.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 10th day of August, 1959.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

RALPH LUDLUM, 102 EAST 1ST STREET,
LA JUNTA, COLORADO.

PERMIT NO. M-5617

August 11, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ralph Ludlum,
La Junta, Colorado
requesting that Permit No. M-5617 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5617, heretofore issued to Ralph Ludlum,
La Junta, Colorado be,
and the same is hereby, declared cancelled effective August 7, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Wm. E. Zurling
Commissioners

Dated at Denver, Colorado,

this 11th day of August, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

JERRY E., ROBERT E. AND RICHARD Q.)
LONGSINE, DOING BUSINESS AS, "TRI-)
VALLEY PROPANE SERVICE", ARAPAHOE,)
NEBRASKA.)
-----)

PERMIT NO. M-15070

August 11, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Jerry E., Robert E. and Richard Q. Longsine, dba "Tri-Valley Propane Service", Arapahoe, Nebraska requesting that Permit No. M-15070 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15070, heretofore issued to Jerry E., Robert E. and Richard Q. Longsine, dba "Tri-Valley Propane Service", Arapahoe, Nebraska be, and the same is hereby, declared cancelled effective August 14, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Samuel C. Horton
Henry E. Spillings
Commissioners

Dated at Denver, Colorado,

this 11th day of August, 1959.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
WESLEY CONDA, ROUTE 1, BOULDER,)	
COLORADO, FOR AUTHORITY TO TRANSFER)	
PERMIT NO. B-2933 TO WESLEY D.)	
CONDA AND R. FRANCES CONDA, CO-)	APPLICATION NO. 17265-PP-Transfer
PARTNERS, DOING BUSINESS AS "WESLEY)	
CONDA," ROUTE 1, BOULDER, COLORADO.)	
-----)	

August 11, 1959

Appearances: Truman A. Stockton, Jr., Esq.,
Denver, Colorado, for
Transferor and Transferees.

S T A T E M E N T

By the Commission:

Wesley Conda, Route 1, Boulder, Colorado, is the owner
and operator of Permit No. B-2933, being a private carrier by
motor vehicle for hire, for:

Transportation of sand, gravel, and other
materials used in making up the surface of
the roads, from pits and supply points in
the State of Colorado, to road and building
construction jobs within a radius of fifty
(50) miles of said pits and supply points;
coal from mines in the Northern Colorado
coal fields to Boulder, to Valmont Plant of
Public Service Company located near Boulder,
Colorado, and to points within a radius of
ten miles of Boulder, Colorado; transporta-
tion of clay from pits and supply points in
the State of Colorado, to brick and clay
plants within a radius of fifty (50) miles
of said pits and supply points.

The transferor, Wesley Conda, has made application to
transfer Permit No. B-2933 to himself, Wesley D. Conda and R.
Frances Conda, doing business as "Wesley Conda."

The application was regularly set for hearing, and heard,
at the County Court Room, County Court House, Boulder, Colorado, at
ten o'clock A. M., July 31, 1959, and at the conclusion thereof, the
matter was taken under advisement.

The evidence disclosed that Wesley Conda has been operating under Temporary Authority issued by this Commission; that he is financially responsible; and has ample experience in the trucking business to carry on the proposed operations.

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

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, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

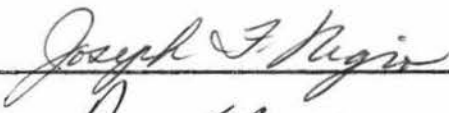
That Wesley Conda, Route 1, Boulder, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-2933 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Wesley D. Conda and R. Frances Conda, co-partners, doing business as "Wesley Conda," Route 1, Boulder, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.


That said transfer shall become effective only if and when, but not before, said transferor and transferees, in writing, have advised the Commission that said permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of 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 transferees to operate under this Order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering operations under said permit up to time of transfer of said permit.

This order is made a part of the permit authorized to be transferred, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 11th day of August, 1959.

ea

original

(Decision No. 52864)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
DONALD R. SWANSON, 107 MARSHALL,)	
LONGMONT, COLORADO, FOR AUTHORITY)	APPLICATION NO. 17267-PP
TO OPERATE AS A CLASS "B" PRIVATE)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	
- - - - -)	

- - - - -
August 11, 1959
- - - - -

S T A T E M E N T

By the Commission:

The applicant herein filed his application for 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, pursuant to prior setting, after appropriate notice to all interested parties, was called for hearing in the County Court Room, County Court House, Boulder, Colorado, at ten o'clock A. M., on July 31, 1959.

No appearances were made.

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

F I N D I N G S

THE COMMISSION FINDS:

That the application should be granted as asked for in the application.

O R D E R

THE COMMISSION ORDERS:

That Donald R. Swanson, 107 Marshall, Longmont, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of 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; transportation of road-surfacing materials being hereby restricted 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 authority sheets.

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 F. Nizio
Harry E. Paulding
Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 11th day of August, 1959.

ea

original

(Decision No. 52865)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
ROBERT F. SULLIVAN, DOING BUSINESS
AS "SULLIVAN'S MOVING & STORAGE,"
538 BROSS STREET, LONGMONT, COLO-
RADO, FOR A CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY AUTHOR-
IZING EXTENSION OF OPERATIONS UNDER
PUC NO. 1780.

APPLICATION NO. 17053-Extension

August 11, 1959

Appearances: Stockton, Linville and Lewis,
Esqs., Denver, Colorado, by
Truman A. Stockton, Jr., Esq.,
for Applicant;
Tull, Hays and Thompson, Esqs.,
Denver, Colorado, by
John P. Thompson, Esq., for
Sorenson Truck Service,
Golden Transfer, McKie
Transfer, City Storage and
Transfer, Inc., and Bailey
Storage and Transfer.

S T A T E M E N T

By the Commission:

Robert F. Sullivan, doing business as "Sullivan's Moving &
Storage," Longmont, Colorado, is the owner and operator of PUC No.
1780, authorizing:

Transportation of packages between points within
the area included in the City of Longmont and a
one (1) mile radius thereof, and from and to
points in said area to and from the Municipal
Airport, without the right to transport sugar
from sugar factory located in said radius.

Transportation of general commodities, excluding
livestock, between points and places within a ten-
mile radius of Longmont, Colorado, including Long-
mont; excluding, however, any transportation of
commodities from Longmont to Berthoud and Long-
mont to Mead, and return; applicant to be limited
to the use of two trucks, only, neither to exceed
one-ton capacity.

By the instant application, said certificate-holder seeks
authority to extend his authority hereunder to include the right to

transport:

Household goods between points within a ten-mile radius of Longmont, Colorado, on the one hand, and, on the other, points within the State of Colorado; and, further, that the Commission remove the restriction now imposed on said PUC No. 1780 limiting applicant to the use of two trucks, at the same time not to exceed a one-ton rating.

The application was regularly set for hearing, and heard, at the County Court Room, County Court House, Boulder, Colorado, at ten o'clock A. M., July 31, 1959, and at the conclusion thereof, the matter was taken under advisement.

At the hearing, Glenn D. Sullivan testified in support of the application that 75% of applicant's business consists in the movement of household goods; that at times he had to turn down business for lack of authority.

The other witnesses in support of the application testified, in effect, that it would be desirable for Sullivan to have larger trucks; that Sullivan's service was satisfactory when used, and that some difficulty was encountered in obtaining service from others. This evidence was general, vague, and uncertain. In particular, Witness Waters testified that he had engaged Golden Transfer, had then cancelled the order, and when he again attempted to reinstate his order was told that no definite time could be given as to when the service could be rendered. This was denied in rebuttal.

On the other hand, the testimony in protest was abundant and clear and to the effect that the common carriers already in the area were adequately serving the public, had proper and sufficient equipment, and had experienced men. Some of the protestants had been operating for many, many years.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is hereby incorporated in these Findings by reference.

That public convenience and necessity has not been proven to justify granting the application, whereas, granting of the application would be detrimental to the public interest.

That the application should be denied.

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

Joseph F. Nigro
Henry E. Paulsen
Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 11th day of August, 1959.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

ORLO L. COTTEN, P. O. BOX 2, MAHER,)
COLORADO.)

PERMIT NO. M-15592

August 13, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Orlo L. Cotten,
Maheer, Colorado

requesting that Permit No. M-15592 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15592, heretofore issued to Orlo L. Cotten,
Maheer, Colorado be,
and the same is hereby, declared cancelled effective January 1, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Garth C. Horton
Henry E. Zalkowsky
Commissioners

Dated at Denver, Colorado,

this 13th day of August, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASES AND REDUCTIONS IN RATES)
AND CHANGES IN RULES, REGULATIONS AND)
PROVISIONS IN THE SO-CALLED HEAVY)
COMMODITIES TARIFF, THE COLORADO MOTOR)
CARRIERS' ASSOCIATION, AGENT, MOTOR)
FREIGHT TARIFF NO. 13, COLORADO P.U.C.)
NO. 12, ISSUED BY J. R. SMITH, CHIEF)
OF TARIFF BUREAU, 4060 ELATI STREET,)
DENVER 16, COLORADO.)

INVESTIGATION
AND
SUSPENSION
DOCKET NO. 426

August 10, 1959

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, J. R. Smith, Chief of Tariff Bureau, 4060 Elati Street, Denver 16, Colorado, a tariff containing schedules stating new rates, rules and regulations for the transportation of oil field, oil refining, pipe line and pole line machinery, equipment, material and supplies, heavy machinery, heavy or cumbersome commodities and parts between points in the State of Colorado, to become effective August 12, 1959, designated as follows:

Revised Pages to The Motor Truck Common Carriers'
Association, Agent, Motor Freight Tariff No. 13,
Colorado P.U.C. No. 12:

3rd Revised Page No. 2
3rd Revised Page No. 13
Original Page No. 18-A
3rd Revised Page No. 24
3rd Revised Page No. 33
3rd Revised Page No. 34

The said schedules contained in said tariff make certain reductions and increases in the rates and charges and changes in rules, regulations and provisions, wherein the rights and interests of the public may be injuriously affected, and it being the opinion of the Commission that the effective date of the schedules as enumerated above should be postponed pending a hearing and decision thereon.

F I N D I N G S

THE COMMISSION FINDS:

That, upon complaint, the proposed schedules as hereinbefore specified should be suspended and that it should enter upon a hearing concerning the lawfulness of the said rates, rules and changes.

O R D E R

THE COMMISSION ORDERS, That:

1. The statement and findings are hereby made a part hereof.
2. It shall, upon complaint, enter upon a hearing concerning the lawfulness of the proposed rates, rules and changes as set forth in said tariff.
3. 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 December 9, 1959, 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.
4. 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.
5. 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, Agent, Chief of Tariff Bureau, The Colorado Motor Carriers' Association, Agent, 4060 Elati Street, Denver 16, Colorado, Mr. John Norman, Manager, Motor Tariff Service, Room 205, 1410 16th St., Denver 2, Colorado, Colorado Transfer and Warehousemen's Association, 1790 Logan St., Denver 3, Colorado, Mr. Edward A. Upp, Traffic Manager, The Colorado Builders Supply Co., 1534 Blake St., Denver 2, Colorado, and Mr. Gordon M. Dewart, Manager - Sales, Koppers Co., Inc., Wood Preserving Division, 5601 Fox Street, Denver 16, Colorado.

6. This proceeding be, and the same is hereby, assigned for hearing August 27, 1959, at 10:00 A.M., in the hearing room of the Commission, Room 330, State Office Building, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Kyrie
Harry E. Adams
Commissioners

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 10th day of August, 1959.

mem

original

(Decision No. 52868)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
DONALD EWY, ALLENSPARK, COLORADO.) PUC NO. 74
-----)

August 12, 1959

S T A T E M E N T

By the Commission:

Heretofore, Donald Ewy, Allenspark, Colorado, was authorized to operate as a common carrier by motor vehicle for hire, and PUC No. 74 issued to him.

Said certificate-holder has now informed the Commission he is desirous of doing business under the firm name and style "Allenspark Transfer Service," and requests the Commission to change its records to so show.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That the Secretary of the Commission is hereby instructed to change the records of the Commission to show:

"Donald L. Ewy, doing business as 'Allenspark Transfer Service,' "

to be the owner and operator of PUC No. 74, in lieu of:

"Donald L. Ewy."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Myers
Harry J. Allenspark
Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.
Dated at Denver, Colorado,
this 12th day of August, 1959.
ea

original

(Decision No. 52869)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
CONSOLIDATED FREIGHTWAYS, INC.,)	PUC NO. 1685
2424 ARAPAHOE STREET, DENVER,)	<u>PUC NO. 3263</u>
COLORADO.)	
-----)	

August 12, 1959

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Consolidated Freightways, Inc., Denver, Colorado, owner of PUC No. 1685 and PUC No. 3263, requesting authority for said certificate-holder to do business under said PUC No. 1685 and PUC No. 3263 as "Barlow's Service Division of Consolidated Freightways, Inc."

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That the Secretary of the Commission is hereby instructed to change the records of the Commission to show:

"Barlow's Service Division of Consolidated Freightways, Inc.,"

to be the owner and operator of PUC No. 1685 and PUC No. 3263, in lieu of:

"Consolidated Freightways, Inc."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Henry G. Culver
Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.
Dated at Denver, Colorado,
this 12th day of August, 1959.
ea

original

(Decision No. 52870)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
BELL TRANSFER & STORAGE, INC.,)	PUC NO. 3952
2048 SOUTH COLORADO BOULEVARD,)	<u>PUC NO. 3952-I</u>
DENVER, COLORADO.)	
-----)	

August 12, 1959

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Don G. Wiederspan, Manager of the above-styled certificate-holder, stating the corporate name of Bell Transfer & Storage, Inc. has been changed to "University Van & Storage, Inc.," copy of Amendment to Certificate of Incorporation being attached thereto, and requesting that the records of the Commission be changed to reflect said change in corporate name.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That the Secretary of the Commission is hereby instructed to change the records of the Commission to show that:

"University Van & Storage, Inc."
is the owner and operator of PUC No. 3952 and PUC No. 3952-I, in lieu of:

"Bell Transfer & Storage, Inc."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Henry J. Paulsen
Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.
Dated at Denver, Colorado,
this 12th day of August, 1959.
ea

original

(Decision No. 52871)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HERMAN MAPELLI AND EUGENE MAPELLI,)
CO-PARTNERS, DOING BUSINESS AS)
"H. MAPELLI AND SONS," P. O. BOX)
5014, TERMINAL ANNEX, DENVER, COLO-)
RADO, FOR AUTHORITY TO TRANSFER)
INTERSTATE OPERATING RIGHTS TO)
H. MAPELLI & SONS, INC., P. O. BOX)
5014, TERMINAL ANNEX, DENVER, COLO-)
RADO.)
- - - - -)

PUC NO. 3363-I-Transfer

- - - - -
August 12, 1959
- - - - -

S T A T E M E N T

By the Commission:

Heretofore, Herman Mapelli and Eugene Mapelli, co-partners, doing business as "H. Mapelli and Sons," Denver, Colorado, were authorized to operate as a common carrier by motor vehicle for hire, in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, and PUC No. 3363-I issued to them.

Said certificate-holders now seek authority to transfer said operating rights to H. Mapelli & Sons, Inc., Denver, Colorado.

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, as set forth in the Order following.

O R D E R

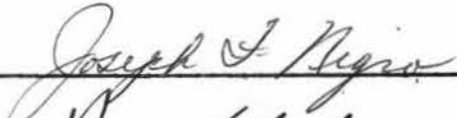

THE COMMISSION ORDERS:

That Herman Mapelli and Eugene Mapelli, co-partners, doing business as "H. Mapelli and Sons," Denver, Colorado, be, and they

hereby are, authorized to transfer all right, title, and interest in and to PUC No. 3363-I, to H. Mapelli & Sons, Inc., Denver, Colorado, 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.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 12th day of August, 1959.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

CHARLES L. LUELLEN, MANCOS, COLO-
RADO.

PERMIT NO. M-14041

August 13, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles L. Luellen,
Mancos, Colorado
requesting that Permit No. M-14041 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14041, heretofore issued to Charles L. Luellen,
Mancos, Colorado be,
and the same is hereby, declared cancelled effective August 7, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Horton
Henry E. Zuley
Commissioners

Dated at Denver, Colorado,
this 13th day of August, 1959.

original

(Decision No. 52873)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CENTENNIAL TRUCK LINES, INC., P. O.)
BOX 5040, TERMINAL ANNEX, DENVER,)
COLORADO, FOR AUTHORITY TO TRANSFER)
TO KENNETH W. NELSON, DOING BUSINESS)
AS "CAPITOL HILL TRANSFER & STORAGE)
CO.," 1666 LAFAYETTE STREET, DENVER,)
COLORADO, A PORTION OF PUC NO. 354)
AND PUC NO. 354-I.)
-----)

APPLICATION NO. 17247-Transfer
SUPPLEMENTAL ORDER

August 13, 1959

Appearances: John P. Thompson, Esq.,
Denver, Colorado,
for Applicants.

S T A T E M E N T

By the Commission:

On July 30, 1959, the Commission entered its Decision No. 52807 in the above-styled matter, denying said application.

On August 7, 1959, "Application for Rehearing" was filed with the Commission by Applicants herein, by John P. Thompson, Attorney.

The Commission has read and considered each and every allegation of said Application for Rehearing.

F I N D I N G S

THE COMMISSION FINDS:

That said Application for Rehearing should be granted.

O R D E R

THE COMMISSION ORDERS:

That Application for Rehearing filed herein by Applicants, by their attorney, John P. Thompson, on August 7, 1959, be, and the same hereby is, granted.

That rehearing of the above-styled application be, and the same hereby is, set for ten o'clock A. M., August 28, 1959,

at the Hearing Room of the Commission, 330 State Office Building,
Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nizio
Harry E. Paulsen
Commissioners

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 13th day of August, 1959.

ea

Original

(Decision No. 52874)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
IRENE WRIGHT LYBARGER, DOING BUSI-)
NESS AS "HOMER AND IRENE WRIGHT,")
1013 SEVENTH AVENUE, LONGMONT, COLO-)
RADO, FOR REINSTATEMENT OF PERMIT)
NOT. A-723, AND FOR AUTHORITY TO) APPLICATION NO. 17264-PP-Transfer
TRANSFER SAID OPERATING RIGHTS TO)
WESLEY D. CONDA AND R. FRANCES)
CONDA, CO-PARTNERS, DOING BUSINESS)
AS "WESLEY CONDA," ROUTE 1, BOULDER,)
COLORADO.)
-----)

August 13, 1959

Appearances: Stockton, Linville and Lewis,
Esqs., Denver, Colorado, by
Truman A. Stockton, Jr., Esq.,
and
Tull, Hays and Thompson, Esqs.,
Denver, Colorado, by John P.
Thompson, Esq., for Boulder-
Denver Truck Line, Overland
Motor Express, Centennial
Truck Lines, Inc.;
Melvin Chance, Boulder, Colorado,
for copy of Order only;
Ray Pherson, Boulder, Colorado,
for copy of Order only;
Jack L. K. Grunwald, Denver, Colo-
rado, for copy of Order only.

S T A T E M E N T

By the Commission:

Irene Wright Lybarger, doing business as "Homer and
Irene Wright," Longmont, Colorado, is the owner and operator of
Permit No. A-723, which authorizes the transportation of:

freight between Boulder and Ward, Sugar Loaf,
Caribou, Jimtown, and Gold Hill and Magnolia
mining districts and intermediate points via
various county roads; and between Boulder and
Colorado Springs and intermediate points via
U. S. Highways 87 and 285 and Colorado Highway 7;

ores from mines within a radius of 30 miles of
Walden, Colorado, to mill of Ozark-Mahoning
Mining Company, about three miles west of Kings
Canon; concentrates from said mill of Ozark-
Mahoning Mining Company to railroad loading
point at Kings Canon.

By Decision No. 52393, dated June 9, 1959, said Permit No. A-723 was suspended until November 21, 1959.

By the present application, Irene Wright Lybarger, doing business as "Homer and Irene Wright," Longmont, Colorado, requests that Permit No. A-723 be reinstated, and the same transferred to Wesley D. Conda and R. Frances Conda, co-partners, doing business as "Wesley Conda," Boulder, Colorado.

The application was regularly set for hearing, and heard, at the County Court Room, County Court House, Boulder, Colorado, at ten o'clock A. M., on July 31, 1959, after due notice to all interested parties, and at the conclusion thereof, the matter was taken under advisement.

No objection was made to reinstatement of the authority, which, pursuant to request of the permittee, was suspended from May 21, 1959 to November 21, 1959, subject to reinstatement by the permittee before the latter date.

The protestants, however, vigorously protest and contend that the authority no longer is in full force and effect; that the only rights remaining thereunder are those rights of transportation actually engaged in by the holders of the permit; that all other rights have ceased to exist and are lost to the permittee. They do not protest the transfer if the authority is compressed and limited to the rights actually exercised. Without saying so in so many words, the fundamental basis of the protest is the contention that since issuance of the permit some twenty-five years ago only a portion of the authority was used and that at this time to allow the transferee to use the authority as originally granted would, to the extent of the unexercised part of the originally authorized operations, by the additional and new competition which would ensue, impair the efficient public service of authorized common carriers now adequately serving the same territory. The transferee testified he proposes to fully use the authority as originally granted.

The evidence is abundant and clear that authorized common carriers now are adequately serving the public with transportation in that area of operations originally authorized by the permit but never engaged in by the holders thereof to the present time. Some evidence was proffered to the effect that there were operations under the permit in such area. However, such evidence is too vague and inconsequential to support such contention.

The late-filed Exhibit "Recapitulation of Ton-Mile Tax Report filed with the State of Colorado by Irene Wright Lybarger, doing business as 'Homer and Irene Wright,' from January 1, 1957 to June 1, 1959" of the transferor, indicates that from January, 1957 to May 1959, there were operations involving the following points, to-wit: Jamestown, Boulder, Denver, Imperial and Erie.

There was testimony that all the hauling was in dump-type equipment and there was no scheduled operation since the 1940's.

The evidence of protestants was to the effect that adequate common carrier service was being rendered the public; that substantial new equipment had been purchased in reliance upon the visible competition; that loss of business would impair the efficient public service of the common carriers as more revenue is needed to strengthen their financial stability.

The Commission is informed by its enforcement division that the permittee has been forced to and should be authorized to use the loading ramp at Leyden, Colorado. Official notice is taken of this fact.

F I N D I N G S

THE COMMISSION FINDS:

That the foregoing Statement by reference is herein incorporated.

That the financial standing and qualifications of the transferee to conduct the operation has been established to the satisfaction of the Commission.

That under the facts here present to now allow the transferee to assert and use rights which have been left dormant since issuance of the permit some twenty-five years ago would be tantamount to the issuance of a new certificate, resulting in detriment to the common carriers now adequately rendering public service, and would be against the public interest.

That Permit No. A-723 should be reinstated for the purpose of transfer.

That the transfer should be granted, but the authority restricted to the use of dump trucks only and limited to only those rights of operations actually exercised as between the points involved as shown above.

O R D E R

THE COMMISSION ORDERS:

That Permit No. A-723 should be, and the same hereby is, reinstated as of the day and date hereof.

That Irene Wright Lybarger, doing business as "Homer and Irene Wright," Longmont, Colorado, should be, and she is hereby, authorized to transfer all her right, title, and interest in and to Permit No. A-723, to Wesley D. Conda and R. Frances Conda, co-partners, doing business as "Wesley Conda," Boulder, Colorado, subject to the restrictions and limitations that said Permit No. A-723 shall only include transportation in dump-type equipment and involving only the following points, to-wit:

Freight, to and from and from and to Jamestown-Boulder-Denver-Erie, and shall have the right to make use of the ramp at Leyden, Colorado, via various state and county roads.

Such transfer shall be subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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

Joseph F. Nigro
Henry J. Zalusky
Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 13th day of August, 1959.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ARTHUR F. COLLINS, DOING BUSINESS AS)
"WHEATRIDGE EXCAVATING COMPANY",)
6820 WEST 68TH AVENUE, ARVADA, COLO-)
RADO.)

PERMIT NO. M-2116

August 18, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Arthur F. Collins,
doing business as, "Wheatridge Excavating Company", Arvada, Colorado
requesting that Permit No. M-2116 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2116, heretofore issued to Arthur F. Collins,
doing business as, "Wheatridge Excavating Company", Arvada, Colorado be,
and the same is hereby, declared cancelled effective August 1, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Robert C. Horton
Henry E. Zalusky
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ARTHUR F. COLLINS, DOING BUSINESS AS)
"WHEATRIDGE EXCAVATING COMPANY",)
6820 WEST 68TH AVENUE, ARVADA, COLO-)
RADO.)
-----)

PERMIT NO. B-4597

August 18, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Arthur F. Collins,
doing business as, "Wheatridge Excavating Company", Arvada, Colorado
requesting that Permit No. B-4597 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4597, heretofore issued to Arthur F. Collins,
doing business as, "Wheatridge Excavating Company", Arvada, Colorado be,
and the same is hereby, declared cancelled effective August 1, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
George C. Horton
Henry E. Zank
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 195 9.

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 52877)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CARL F. PINKSTON, P. O. BOX)
632, LEADVILLE, COLORADO.)
)
)
)

PERMIT NO. B-1399

August 18, 1959

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-1399 be suspended for six months from August 12, 1959.

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 Carl F. Pinkston, Leadville, Colorado

be, and is hereby, authorized to suspend his operations under Permit No. B-1399 until February 12, 1960.

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

Joseph F. Negro
Frank C. Horton
Henry E. Zurling
Commissioners

Dated at Denver, Colorado,
this 18th day of August, 1959.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GROVER TELEPHONE EXCHANGE (MRS.)
EDITH RICHARDS, OWNER), GROVER,)
COLORADO, FOR A CERTIFICATE OF) APPLICATION NO. 14435
PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE A TELEPHONE EXCHANGE)
AND SYSTEM WITHIN THE TOWN OF)
GROVER, COUNTY OF WELD, STATE OF)
COLORADO.)
-----)

IN THE MATTER OF THE APPLICATION OF)
GROVER TELEPHONE EXCHANGE (AN)
INDIVIDUALLY-OWNED COMPANY), GROVER,)
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY TO) APPLICATION NO. 17232
OPERATE A TELEPHONE EXCHANGE AND)
SYSTEM IN THE COUNTY OF WELD,)
STATE OF COLORADO.)
-----)

SUPPLEMENTAL ORDER

August 13, 1959

Appearances: Mr. and Mrs. LeRoy Richards,
Grover, Colorado, for
Applicant;
E. R. Thompson, Denver,
Colorado, and
P. M. Brown, Denver, Colo-
rado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

On July 29, 1959, the Commission entered its Decision
No. 52797 in the above-styled applications, granting to Grover
Telephone Exchange a certificate of public convenience and neces-
sity for operation of a telephone system, supplying telephone
service to the public generally in the area therein described.

On July 31, 1959, "Application for Rehearing" was filed
herein by The Mountain States Telephone and Telegraph Company.

On August 10, 1959, "Applicant's Reply to Application
for Rehearing filed on behalf of The Mountain States Telephone and

Telegraph Company" was filed herein by Jones and Meiklejohn,
Attorneys for Applicant herein.

The Commission has reviewed the evidence adduced at the
hearing on said applications, and has carefully considered Appli-
cation for Rehearing and Applicant's Reply thereto.

F I N D I N G S

THE COMMISSION FINDS:

That said Application for Rehearing should be granted.

O R D E R

THE COMMISSION ORDERS:

That Application for Rehearing filed herein by The Mountain
States Telephone and Telegraph Company, on July 31, 1959, be, and
the same hereby is, granted.

That rehearing of the above-styled applications be, and
the same hereby is, set for two o'clock P. M., August 28, 1959, at
the Hearing Room of the Commission, 330 State Office Building,
Denver, Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro

Robert J. Holm

Henry J. Paulsen
Commissioners.

Dated at Denver, Colorado,
this 13th day of August, 1959.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE APPLICATION NO. 129, BY THE COLORADO)
 MOTOR CARRIERS' ASSOCIATION, AGENT,)
 J. R. SMITH, CHIEF OF TARIFF BUREAU,)
 4060 ELATI STREET, DENVER 16, COLORADO,)
 REQUESTING PERMISSION TO PUBLISH ON ONE)
 DAY'S NOTICE, RATES ON CEMENT IN BULK)
 OR BAGS FROM PORTLAND, COLORADO, TO)
 POINTS IN THE SAN JUAN BASIN AND CORTEZ,)
 COLORADO.)

CASE NO. 1585

 August 13, 1959

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

On August 7, 1959, the above stated application was filed with the Commission for and on behalf of John B. Able, DBA Montezuma Truck Line, Southwestern Transportation Company, and Verl Harvey, Inc., to publish rates as follows in Colorado Motor Carriers' Association, Agent, Motor Freight Tariff No. 14, Colorado P.U.C. No. 13 (The Motor Truck Common Carriers' Association, Agent, Series) and requesting permission to publish on one day's notice.

RATES IN CENTS PER 100 POUNDS

COMMODITY	FROM	TO	RATES
Cement, in bulk or in bags, minimum weight 45,000 lbs. Shipments in bags to be loaded by consignor and unloaded by consignee.	Portland, Colorado	Cortez,	46
		Durango,	42
		Ignacio,	42
		Dolores,	48
		Pagosa Springs,	39
		Bayfield, Colorado	42

The publishing agent bases this application for its justification upon facts set forth in a letter of the Montezuma Truck Line's letter of July 28, 1959. The other carriers involved acquiesce in this matter. The following is quoted.

"As you probably know, the Ideal Cement Company has opened their new plant at Tijeras, near Albuquerque, New Mexico. In doing this it has cut the mileage and the rates into Cortez, Durango, Dolores, Ignacio, Bayfield and Pagosa Springs, and all other points in Colorado in the San Juan Basin. Since cement is one of our major hauls we are definitely concerned. * * * (Portion deleted, ours.) We have discussed this matter with the Ideal Cement Company and our customers and they have assured us that these rates will get this business back for the Colorado businesses concerned.

"We feel that the 45,000 pound minimum load is justified in view of the low rates we have proposed and the fact that with our light weight equipment we regularly haul 51,000 lb. loads."

F I N D I N G S

THE COMMISSION FINDS:

That the request as set forth in the statement of this order, 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 and findings be, and the same are hereby made a part hereof.
2. On and after August 18, 1959, the provisions as set forth in the statement of this order shall upon one day's notice to the general public and this Commission, be the prescribed rates, rules, regulations and provisions of the Commission.
3. All motor vehicle common carriers who are affected by the changes prescribed herein shall publish or cause to be published new tariffs reflecting the changes prescribed herein.
4. All private carriers by motor vehicle to the extent they may be 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. 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.

6. 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.

7. Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph T. Nigro
Henry S. Pauling
Commissioners

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 13th day of August, 1959.

mem

original

(Decision No. 52880)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BENNY BODO, DOING BUSINESS AS)
"BENNY'S," BOX 1372, DURANGO, COLO-)
RADO, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO OPERATE)
AS A COMMON CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 17286

August 13, 1959

S T A T E M E N T

By the Commission:

On May 18, 1959, the above-styled applicant filed with this Commission his application, seeking a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, for the transportation of septic tank contents, between points within a radius of fifty miles of Durango, Colorado.

Inasmuch as the Attorney General of the State of Colorado has now ruled that The Public Utilities Commission of the State of Colorado has no jurisdiction over transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps,

F I N D I N G S

THE COMMISSION FINDS:

That said application should be dismissed, and filing fee paid by Applicant herein refunded to him.

O R D E R

THE COMMISSION ORDERS:

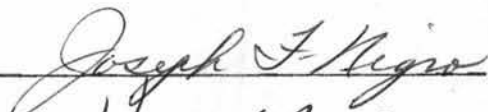
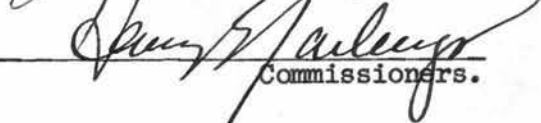
That the above and foregoing Statement is made a part hereof, by reference.

That Application No. 17286 be, and the same hereby is, dismissed, for the reason that this Commission does not have jurisdiction over transportation service herein sought to be performed by Applicant.

That filing fee paid by Benny Bodo, doing business as "Benny's," Durango, Colorado, in the above-styled application shall be refunded to him.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER RALPH C. HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 13th day of August, 1959.

mls

original

(Decision No. 52881)

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-)	APPLICATION NO. 17296-Extension
ORITY TO EXTEND FACILITIES IN THE)	
SOUTHEAST QUARTER OF SECTION 25,)	
TOWNSHIP 2-NORTH, RANGE 67-WEST.)	

August 13, 1959

S T A T E M E N T

By the Commission:

On August 3, 1959, Union Rural Electric Association, Inc., Brighton, Colorado, filed an application with this Commission for authority to extend its facilities by building about 1,320 feet of primary line to serve a home of Ralph Vincent located in the Southeast Quarter of Section 25, Township 2-North, Range 67-West. The estimated cost of the construction is \$464.00.

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 August 4, 1959, and a letter from Colorado Central Power Company, dated August 3,

1959, 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 the 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 serve a home of Ralph Vincent located in the Southeast Quarter of Section 25, Township 2-North, Range 67-West; 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 a home of Ralph Vincent located in the Southeast Quarter of Section 25, Township 2-North, Range 67-West, 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

Joseph F. Nigro
Henry E. Paulsen
Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 13th day of August, 1959.
mls

original

(Decision No. 52882)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PUBLIC SERVICE COMPANY OF COLORADO,)
900 FIFTEENTH STREET, DENVER, COLO-)
RADO, FOR AUTHORITY TO EXTEND)
ELECTRIC LINES AND FACILITIES IN)
SECTION 27, TOWNSHIP 2-SOUTH, RANGE)
68-WEST, ADAMS COUNTY, COLORADO, TO)
SERVE ADAMS COUNTY SCHOOL DISTRICT)
NO. 1, AT REAR OF 651 EAST 80TH)
(SCHOOL BUS GARAGE AND WAREHOUSE IN)
REAR OF SCHOOL DISTRICT ADMINISTRA-)
TION BUILDING).)
-----)

APPLICATION NO. 17004-Extension

August 13, 1959

Appearances: Lee, Bryans, Kelly & Stans-
field, Esqs., by Fletcher
Thomas, Esq., Denver, Colo-
rado, for Public Service
Company of Colorado;
Grant, Shafroth and Toll, Esqs.,
by Erl H. Ellis, Esq., Denver,
Colorado, for Union Rural
Electric Association, Inc.;
Edwin R. Lundborg, Esq., Denver,
Colorado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

On April 8, 1959, Public Service Company of Colorado
filed its application to render electric service to the School
Bus Garage and Warehouse of the Adams County School District No. 1,
located approximately 400 feet north of East 80th Avenue, 600 feet
west of North Washington Street in Adams County, Colorado. On
April 22, 1959, Union Rural Electric Association, Inc. filed its
protest to the application of Public Service Company of Colorado.

The matter was set for hearing, after due notice to all
interested parties, on July 1, 1959, at ten o'clock A. M., in the
Hearing Room of the Commission, 330 State Office Building, Denver,
Colorado. At said time and place this application was heard on a

joint record, together with Applications Nos. 17020 of Public Service Company of Colorado, and 17106 of Union Rural Electric Association, Inc. At the conclusion of the hearing, the matter was taken under advisement by the Commission.

The procedure being followed in these proceedings was set forth by the Commission in its Decision No. 47074 of January 7, 1957, in Application No. 13576 - Case No. 5108. This procedure set forth the manner in which Applicants could proceed in the event it was necessary to extend facilities over 300 feet in the aggregate from presently existing facilities. Applicants are also following the procedure set forth in the mutually agreed upon Stipulation, being Exhibit "I" in Application No. 15076 and Application No. 15150.

The subject matter of the instant application has to do with the extension of electric service to the School Bus Garage and Warehouse of Adams County School District No. 1, located as heretofore designated. Public Service Company of Colorado is presently serving the School Administration Building which is being constructed approximately 250 feet south of the proposed garage and warehouse. The proposed extension will consist of 267 feet of pole line, the stringing of three-phase primary and setting transformers, to serve an estimated load of 49 KW. Union Rural Electric Association, Inc. has a single-phase primary line, approximately 65 feet west of the proposed garage and warehouse site.

Union Rural Electric Association, Inc. did not file an application for said service but protested the service by Public Service. The Public Service Company has a signed application from the School Board requesting the service. After reviewing the testimony in the record herein, we believe that the public can best be served by granting the application of Public Service Company of Colorado.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of this matter and of

the Public Service Company of Colorado.

That the above Statement be made a part hereof by reference.

That the Commission is fully advised in the premises.

That Public Service Company of Colorado should be granted a certificate of public convenience and necessity to render electric service to the School Bus Garage and Warehouse, School District No. 1, Adams County, Colorado.

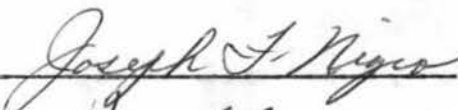

O R D E R

THE COMMISSION ORDERS:

That Public Service Company of Colorado be, and it hereby is, granted a certificate of public convenience and necessity to extend its facilities to render electric service to the School Bus Garage and Warehouse of the Adams County School District No. 1, at 651 East 80th, Adams County, Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 13th day of August, 1959.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PUBLIC SERVICE COMPANY OF COLORADO,)
900 FIFTEENTH STREET, DENVER, COLO-)
RADO, FOR AUTHORITY TO EXTEND)
ELECTRIC LINES AND FACILITIES IN) APPLICATION NO. 17020-Extension
SECTIONS 9 AND 16, TOWNSHIP 2-SOUTH,)
RANGE 67-WEST, ADAMS COUNTY, COLO-)
RADO, TO SERVE MIKE DEMOTT AND CARL)
SISSON, SOUTH OF EAST 104TH AVENUE)
AND WEST OF BRIGHTON ROAD, RESPEC-)
TIVELY.)
-----)

IN THE MATTER OF THE APPLICATION OF)
UNION RURAL ELECTRIC ASSOCIATION,)
INC., BRIGHTON, COLORADO, FOR AUTH-)
ORITY TO EXTEND LINES TO SERVE HOMES)
OF MIKE BRONCUCCI AND MIKE DEMOTT) APPLICATION NO. 17106-Extension
AND WELL, ALL IN THE NORTH HALF OF)
SECTION SIXTEEN, TOWNSHIP 2-SOUTH,)
RANGE 67-WEST, ADAMS COUNTY, COLO-)
RADO.)
-----)

August 13, 1959

Appearances: Lee, Bryans, Kelly & Stans-
field, Esqs., by Fletcher
Thomas, Esq., Denver, Colo-
rado, for Public Service
Company of Colorado;
Grant, Shafroth & Toll, Esqs.,
by Erl H. Ellis, Esq., Denver,
Colorado, for Union Rural
Electric Association, Inc.;
Edwin R. Lundborg, Esq., Denver,
Colorado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

On April 16, 1959, Public Service Company of Colorado
filed its application to serve the residences of Mike DeMott
and Carl Sisson. Both of these residences are in the vicinity
of 104th Avenue and Counter Drive, in Adams County, Colorado.
On April 29, 1959, Union Rural Electric Association, Inc. filed

a protest to the application of Public Service Company of Colorado. Union Rural Electric Association, Inc. filed an application with the Commission on May 19, 1959, proposing to extend service to Mike Broncucci and Mike DeMott. The Broncucci residence is also in the vicinity of 104th Avenue and Counter Drive. On May 25, 1959, Public Service Company of Colorado filed its protest to the application of Union Rural Electric Association, Inc.

These matters were duly set for hearing by the Commission, after due notice to all interested parties, on July 1, 1959, at ten o'clock A. M., in the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado. At said time and place these matters were duly heard on a joint record, together with Application No. 17004 of Public Service Company of Colorado. At the conclusion of the hearing, the Commission took the matters under advisement.

The procedure being followed in these proceedings was set forth by the Commission in its Decision No. 47074, of January 7, 1957, in Application No. 13576 - Case No. 4108. This procedure set forth the manner in which Applicants could proceed in the event it was necessary to extend facilities over 300 feet in the aggregate from presently existing facilities. Applicants are also following the procedure set forth in the mutually agreed upon Stipulation, being Exhibit "T" in Application No. 15076 and Application No. 15150.

At the hearing, a further stipulation was made by and between the parties as follows:

1. Each company has adequate facilities and sufficient power supply to render the service.
2. Each applicant has the financial ability and the necessary supplies to render the service.
3. Each applicant is a Colorado corporation and a public utility under the jurisdiction of this Commission following the procedure set forth in the Commission's Decision No. 47074.
4. Either company would use the tariffs presently on file and in effect with this Commission to render the service.

By its application, Public Service Company proposes to extend its lines from presently existing lines westward to serve the residence of Carl Sisson, and by further extension of this line in a southerly direction to cross 104th Avenue to render service to the residence of Mr. DeMott. Union Rural Electric Association, Inc. did not request authority in its application to serve the Carl Sisson residence, but is requesting service to the DeMott residence and Mr. Broncucci, whose residence is also on the south side of 104th Avenue but northeasterly from Mr. DeMott's residence.

Testimony at the hearing revealed that Public Service Company of Colorado is presently serving the residence of Mr. Broncucci, and no useful purpose would be served by requiring the abandonment of this service to enable Union Rural Electric Association, Inc. to serve. However, we feel that Public Service Company, in rendering service to Mr. Broncucci, is giving a very liberal interpretation of the Commission's Order in Decision No. 47074 in view of this Company's own past practices in regard to electric line extensions. We would caution Public Service Company that a more uniform application in accord with its own past practice is in order, despite the effects of competition with which it is now faced.

In view of the testimony at the hearing, we feel that public convenience and necessity can best be served by granting the application of Public Service Company to serve the residence of Mr. Carl Sisson, but to deny said application as it pertains to the service of Mr. Mike DeMott. It would appear from the evidence in this record that Union Rural Electric Association, Inc. can best serve the residence of Mike DeMott and, consequently, in our Order to follow, authority will be issued as set out above.

F I N D I N G S

THE COMMISSION FINDS:

1. That the Commission has jurisdiction of both Applicants herein, and of the subject matter involved in the instant applications.

2. That the Commission is fully advised in the premises.

3. That the foregoing Statement be made a part hereof by reference.

4. That public convenience and necessity require that Public Service Company of Colorado should be granted authority to extend its facilities to serve the residence of Mr. Carl Sisson, but that it be denied authority to extend said service to the residence of Mr. Mike DeMott.

5. That Union Rural Electric Association, Inc. be permitted to extend its facilities to render electric service to the residence of Mr. Mike DeMott, but that its application for service to the Broncucci residence be denied.

O R D E R

THE COMMISSION ORDERS:

That Public Service Company of Colorado, be, and it hereby is, granted a certificate of public convenience and necessity to extend its facilities to render electric service to the residence of Carl Sisson located near the intersection of East 104th Avenue and Counter Drive in Adams County, Colorado, all as more fully shown by Exhibit No. 4 at the hearing and, by reference, made a part hereof.

That the application of Public Service Company of Colorado to render electric service to the residence of Mike DeMott be, and it hereby is, denied.

That Union Rural Electric Association, Inc., of Brighton, Colorado, be, and it hereby is, granted a certificate of public convenience and necessity to extend service to the residence of Mike DeMott located in the North Half of Section 16, Township 2-South, Range 67-West, south of 104th Avenue, Adams County, Colorado.

That the application of Union Rural Electric Association, Inc., of Brighton, Colorado, to render electric service to the residence of Mike Broncucci be, and it hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Henry E. Perkins
Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 13th day of August, 1959.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WRIGHT RIG COMPANY, INC., 121 JACK-)
SON STREET, DENVER, COLORADO, FOR) APPLICATION NO. 17216-PP-Extension
AUTHORITY TO EXTEND OPERATIONS UNDER)
PERMIT NO. B-4385.)

August 14, 1959

Appearances: Barry, Dawkins & Boyle, Esqs.,
Denver, Colorado, by H. M.
Boyle, Esq., for Applicant;
Coit and Graham, Esqs., Grand
Junction, Colorado, by L. D.
Coit, Esq., for Estes Truck-
ing Co.; Daryl Hinkle; Harp
Transportation Line; W. R.
Hall Transportation & Stor-
age Co.; Weiss Trucking Co.,
Protestants;
L. E. Eichinger, Denver, Colo-
rado, for Rio Grande Motor
Way, Inc., Protestant.

S T A T E M E N T

By the Commission:

Wright Rig Company, Inc., Denver, Colorado, is the owner and
operator of Permit No. B-4385, which authorizes:

Transportation of oil well drilling rigs by
means of Athey Track Equipment only and oil
well supplies between points within a radius
of 75 miles of Sterling, Colorado;

the right to transport, by motor vehicle, for
hire, machinery, equipment, materials, and
supplies used in or in connection with the
discovery, development, production, refining,
manufacture, processing, storage, transmission,
and distribution of natural gas and petroleum
and their products and by-products, and machin-
ery, materials, equipment, and supplies used in
or in connection with the construction, opera-
tion, repair, service, maintenance, and dis-
mantling of pipe lines, including the stringing
and picking up thereof, from and to all points
and places within a radius of 150 miles of
Sterling, Colorado;

transportation of (1) machinery, equipment, materials and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and (2) machinery, materials, equipment, and supplies used in, or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof; between points within a radius of 50 miles of Ignacio, Colorado, excluding, however, trunk line pipe line work, water, drilling mud, mud chemicals, and lost circulating materials; the operation to be restricted to the use of equipment with a manufacturer's rated capacity not greater than three tons; and prohibiting the use of tandem tractors and trailers.

By the present application, applicant seeks authority to extend operations under Permit No. B-4385 for the transportation of machinery, equipment, materials, and supplies, used in or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products and the machinery, materials, equipment, and supplies used in or in connection with the construction, operation, repair, service, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, from and to all points and places within a seventy-five mile radius of Silt, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Grand Junction, Colorado, July 16, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

The evidence is clear and uncontradicted that there is need for the type of service proposed by the applicant. The applicant testified that he will base his operations at Silt, Colorado, as that location will prove most efficient, time-wise and from the economical standpoint, in so far as the service to be rendered to the prospective cus-

tomers is concerned. He testified that he has had negotiations with, among others, the following drilling companies, to-wit: George Nowland, Laughlin Brothers, Carnack, Sun Oil, V. J. Allison, National Association, Oil Exploration.

The evidence is clear and uncontradicted that there is need for the type of service proposed by applicant. The protestants themselves do not dispute this need. The gist of their grounds for protest is that they are now adequately serving in the general area and therefore there is no need for the applicant to render such service, even though it may be specialized and, if the authority should be granted to the applicant, their efficient public service as common carriers will be impaired.

Witnesses in support of the application testified that at times they would need emergency service, and standby service, and that cost was of the utmost importance to them. It was pointed out that even short delays, with the great overhead expenses involved, would be very serious. They felt that the common carrier service available would not meet their requirements as fully or as satisfactorily as private carrier service. The fact that applicant would be based at Silt, with the needed specialized equipment, and with employees experienced in the customers needs, concentrating on meeting their special needs, while the common carriers would not be based at Silt, would not all have all the needed necessary specialized equipment, and would at all times be duty bound to serve the public at large in addition to attending to their specialized needs, prompted their desire that the application be granted.

The protestants' testimony indicated that some of them had most of the necessary equipment and had experienced men. However, with the exception of Estes, who is based at Rifle, the others were at substantial distances necessarily involving more time and expense in rendering the service.

Estes testified, with some particularity, that he needed this new business. However, it was not clearly shown how it would impair his public service, except in a general way, that he could use the revenue if he got the business. In general, the protestants would not like to see new possible revenue divided with a newcomer.

The evidence does not show what volume of business will result from the contemplated operations of the drillers so that it remains impossible to approximate just what revenue the protestants might lose, if any, if the authority is granted. How this unknown quantity will affect the efficient public service of the protestants is somewhat a mystery.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement be, and it hereby is, made a part hereof by reference.

That the public interest will be served by granting the application.


O R D E R

THE COMMISSION ORDERS:

That Wright Rig Company, Inc., Denver, Colorado, should be, and it is hereby, authorized to extend operations under Permit No. B-4385 to include the transportation of machinery, equipment, materials, and supplies, used in or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products and the machinery, materials, equipment, and supplies used in or in connection with the construction, operation, repair, service, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, from and to all points and places within a seventy-five mile radius of Silt, 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


Joseph F. Negro
Henry E. Paulings
Commissioners.

COMMISSIONER RALPH C. HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 14th day of August, 1959.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CLARENCE AND ANNA MC GINLEY, BOX 144,)
MANASSA, COLORADO.)
_____)

PERMIT NO. M-9686

August 18, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Clarence and Anna
McGinley, Manassa, Colorado
requesting that Permit No. M-9686 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9686, heretofore issued to Clarence and Anna
McGinley, Manassa, Colorado be,
and the same is hereby, declared cancelled effective August 7, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Norton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 1959

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

WANE SINGER, DOING BUSINESS AS,
"WESTERN PIZZA COMPANY, 8110 EAST
COLFAX AVENUE, DENVER 8, COLORADO.

PERMIT NO. M-14005

August 18, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Wane Singer, doing
business as, "Western Pizza Company", Denver, Colorado
requesting that Permit No. M-14005 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14005, heretofore issued to Wane Singer, doing
business as, "Western Pizza Company", Denver, Colorado be,
and the same is hereby, declared cancelled effective August 12, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Wood
Wing C. Zurlungo
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LEE R. JOHNSON, JR., DOING BUSINESS)
AS, "LEE JOHNSON BIT SERVICE", BOX)
516, SEMINOLE, TEXAS.)
-----)

PERMIT NO. M-12366

August 18, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Lee R. Johnson, Jr.,
doing business as, "Lee Johnson Bit Service", Seminole, Texas
requesting that Permit No. M-12366 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12366, heretofore issued to Lee R. Johnson, Jr.,
doing business as, "Lee Johnson Bit Service", Seminole, Texas be,
and the same is hereby, declared cancelled effective April 30, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Francis C. Horton
Henry E. Zank
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE VARIOUS CHANGES IN RATES, RULES AND)
REGULATIONS AS PUBLISHED IN NORTH PARK)
TRANSPORTATION CO., MOTOR FREIGHT TARIFF)
NO. 1-A, COLORADO P.U.C. NO. 3, ISSUED)
BY PETER B. KOOI, PRESIDENT, 1343 29TH)
STREET, DENVER 5, COLORADO.)

CASE NO. 1585

August 14, 1959

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 August 11, 1959, designated as set forth in Appendix "A", attached hereto and made a part hereof.

Under the provision 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.

Mr. Peter B. Kooi, President, North Park Transportation Company, Inc., submitted a letter to the Commission in support of the following changes.

Item No. 50 (Loading and Unloading of Heavy or Bulky Articles) is being amended (see attached appendix) by increasing the charges for additional help during the hours of 8:00 A.M. to 6:00 P.M., except Sundays or legal holidays, and also during the time other than mentioned above. The present charges per employee during 8:00 A.M. to 6:00 P.M. is \$2.00 per hour or fraction for each additional employee, and \$3.00 per hour for the other time.

Mr. Kooi states the increase in labor charges was necessary as at the old rate, "We were losing money each time we put out an extra employee." Carriers in other intrastate tariffs have provisions for extra help at \$3.50 per hour.

Item No. 420 is a new commodity item as set forth in the attached appendix. Under this carrier's present tariff, the rates applicable as determined per Item No. 69940 of the governing classification, i.e., mud or compounds, gas or oil well drilling, in bags or barrels, would produce for the same distances as the proposal shows based on 10,000 pounds, minimum weight, the following:

5 Miles and Under		49¢ per 100 Pounds
10 Miles and Over	5	53¢ " " "
20 "	" " 10	56¢ " " "
30 "	" " 20	66¢ " " "
40 "	" " 30	71¢ " " "
50 "	" " 40	77¢ " " "
60 "	" " 50	84¢ " " "

The mud or compounds are transported to Walden, Colorado, by rail to a local concern which distributes to the surrounding area according to Mr. Kooi. He also states that the proposed rates should produce approximately 8% profit.

In the application of Item No. 420, the Commission has been informed by the carrier that service under this item will be performed on an irregular basis; therefore, common and private carriers operating in competition to this carrier, it should not be construed that they are to be subject to the 20% penalty rule as provided for in Case No. 1585.

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 nunc pro tunc, as of August 11, 1959.
3. The rates, rules, regulations and provisions set forth in Appendix "A" shall on August 11, 1959, be the prescribed rates, rules, regulations and provisions of the Commission.
4. All motor vehicle common carriers who are affected by the changes prescribed herein shall publish or cause to be published new tariffs reflecting the changes prescribed herein.
5. All private carriers by motor vehicle to the extent they are affected by the changes involved herein shall publish, or cause to be published rates, rules, regulations and provisions which shall not be less than those herein prescribed for motor vehicle common carriers.
6. On and after August 11, 1959, all affected motor vehicle common carriers shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein prescribed, provided that call and demand motor vehicle common carriers shall be subject to the penalty rule of twenty (20) per cent, except as noted in the statement of this decision.
7. On and after August 11, 1959, all private carriers by motor vehicle operating in competition with any motor vehicle common carrier, affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed, provided that Class "B" private carriers shall be subject to the penalty rule of twenty (20) per cent, except as noted in the statement of this order.
8. This order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Henry E. Zaulinger
Commissioners

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 14th day of August, 1959.

mem

APPENDIX "A"

NORTH PARK TRANSPORTATION COMPANY
MOTOR FREIGHT TARIFF NO. 1-A, COLORADO P.U.C. NO. 3

ITEM NO.	EXCEPTIONS TO RULES OF THE CURRENT CLASSIFICATION
50	<p>LOADING OR UNLOADING OF HEAVY OR BULKY ARTICLES (Exception to Rule 21 of the current Classification)</p> <p>1. Where an article (or articles) in a single container or shipping form tendered, weighs 500 pounds or more, or if the greatest dimension exceeds 8 feet, or greatest and intermediate dimension each exceeds 4 feet, loading or unloading shall be performed by the shipper or consignee, as the case may be, subject to the Exception provided below, and except as provided in Item 300 on Colorado intrastate traffic.</p> <p>Exception: - The provisions of Paragraph 1 will not apply if such article (or articles), weighing less than 500 pounds:</p> <p>(I) exceeds 8 feet but does not exceed 22 feet in its greatest dimension and does not exceed 2 feet in any other dimension, or</p> <p>(II) if it does not exceed 10 feet in its greatest dimension and does not exceed 5 feet in its intermediate dimension and does not exceed 1 foot in its least dimension.</p> <p>2. If requested, carrier will undertake, in behalf of the shipper or consignee, as the case may be, to employ additional help or additional equipment. No charge will be made for labor performed by the driver, but the following charges will be made:</p> <p>(I) Where the carrier provides additional help without additional equipment, the charge will be:</p> <p>(1) (A) \$3.50 per hour or fraction thereof for each additional employee from 8:00 A.M. to 6:00 P.M., except Sunday or legal holidays.</p> <p>(2) (A) \$5.25 per hour or fraction thereof for each additional employee for all other time, except as provided in sub-paragraph (I) (1).</p> <p>(II) Where the carrier provides additional help and additional equipment, or additional equipment without additional help, for loading or unloading trucks, the charge will be:</p> <p>(1) balance of item not listed here as not affected.</p>

(A) Denotes increase and the amendments to the item.

ITEM NO.	DISTANCE COMMODITY RATES IN CENTS PER 100 POUNDS				
420	COMPOUNDS OR MUD, GAS OR OIL WELL DRILLING Note 1: Rates named in this item apply only on Colorado Intrastate traffic. Note 2: Loading and Unloading: Rates named in this item include loading and unloading only in instances where such service can be performed by the driver of the vehicle. Extra help will be furnished by the shipper, or other person contracting the service of the carrier, or upon request, this extra help will be furnished by the carrier at a charge of \$3.50 per hour or fraction thereof for each additional employee from 8:00 A.M. to 6:00 P.M., except Sunday or legal holidays, and at a charge of \$5.25 per hour or fraction thereof for each additional employee on Sunday or legal holidays and all time other than from 8:00 A.M. to 6:00 P.M.	Distance in Miles (See Item 155)	RATES		
			Minimum Weight		
			10M	15M	20M
		5 and under	22	19	15
		10 and over 5	25	22	18
		20 and over 10	29	25	23
		30 and over 20	32	29	28
		40 and over 30	35	32	32
		50 and over 40	39	36	35
		60 and over 50	42	40	39

original

(Decision No. 52889)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
AMERICAN BUSLINES, INC., 1341 "P"
STREET, LINCOLN, NEBRASKA, FOR AU-
THORITY TO TRANSFER PUC NO. 36 AND
PUC NO. 36-I TO DENVER-COLORADO
SPRINGS-PUEBLO MOTOR WAY, INC.,
TRAVEL CENTER BUILDING, DENVER,
COLORADO.

APPLICATION NO. 17273-Transfer

August 17, 1959

Appearances: Barry, Dawkins and Boyle, Esqs.,
Denver, Colorado, for Denver-
Colorado Springs-Pueblo Motor
Way, inc. and American Bus-
lines, Inc.;
I. B. James, Denver, Colorado, for
Colorado Motorway, Inc.;
P. L. Bergman, Salt Lake City,
Utah, for Amalgamated Association
of Street, Electric and Motor
Coach Employees of America,
Division 1468.

S T A T E M E N T

By the Commission:

This is an application for authority to transfer certain
portions of PUC No. 36 and PUC No. 36-I from American Buslines,
Inc., to Denver-Colorado Springs-Pueblo Motor Way, Inc.'

American Buslines, Inc. is a transcontinental bus system,
operating buses both in interstate and intrastate commerce, in the
several states, generally in an east-west direction, with north-south
branch lines.

American Buslines, Inc. proposes to transfer that part of
its interstate and intrastate operating rights in Colorado under
said PUC No. 36 and PUC No. 36-I to Denver-Colorado Springs-Pueblo
Motor Way, Inc.

Denver-Colorado Springs-Pueblo Motor Way, Inc. is a presently-
certificated operator, whose principal authority is on a north-south

route, from Denver, Colorado, to Pueblo, Colorado. The acquisition of this authority will give it authority to extend northward to the State Line and beyond, to Billings, Montana, and to Rapid City, South Dakota. If the transfer is approved in Colorado and in the other states and by the Interstate Commerce Commission, Denver-Colorado Springs-Pueblo Motor Way, Inc. proposes to integrate this north-south operation to Billings, Montana, with the present local operations of Denver-Colorado Springs-Pueblo Motor Way, Inc. The integration of the schedules and equipment will provide considerable advantage to the traveling public, in the form of eliminating change stops, providing for more convenient ticketing for passengers, and one-way billing for express. It will also provide more efficient management because of closer supervision.

This proposed transfer is to be effected pursuant to Purchase Agreement entered into July 1, 1959, between the respective companies, providing for the purchase of portions of the certificate and certain equipment in the several states, and including interstate authority.

It is the opinion of this Commission that the transferee is qualified, financially, to assume this added responsibility under the terms of the contract.

Neither Colorado Motorway nor representative of the Union appeared in protest.

The principal concern of Colorado Motorway, Inc. was the honoring of a contract by the transferee that existed between Colorado Motorway, Inc. and American Buslines, Inc., whereby American Buslines, Inc. honored tickets sold by Colorado Motorway, Inc., on a percentage basis.

The point of interest of the representative of the Union was involved with the members of that Union who might now come under the employment of the transferee.

With regard to the honoring of existing contracts, the Commission received no direct evidence in the nature of such a

contract as to whether or not it had ever been approved by the Commission, and there was not sufficient evidence to disclose whether or not such a contract affected the terms and conditions of service. Generally, a transfer will not allow the transferee to curtail or affect service in any manner. It is our opinion that the matter of this contract is not properly before the Commission at this time, and there may be a question as to whether or not this Commission has jurisdiction over such a contract. In the event of the termination of such contract by the transferee, the question of service may be gone into at that time, if the Commission has jurisdiction.

With regard to labor relations, the authority of this Commission is restricted, and any problems concerning employment must be the subject of collective bargaining.

In all other respects, it is quite evident that the transfer of this partial authority is in the public interest, and will afford a more efficient service for the citizens of Colorado. We therefore must grant our approval.

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, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That American Buslines, Inc., Lincoln, Nebraska, be, and hereby is, authorized to transfer to Denver-Colorado Springs-Pueblo Motor Way, Inc., Denver, Colorado, a portion of PUC No. 36 and PUC No. 36-I, viz.:

(a) Transportation of passengers, baggage, mail and express between Fort Collins, Colorado, and the Colorado-Wyoming state line, with service to and from all intermediate points, via Colorado Highway 1 to junction U. S. Highway 87, thence over U. S. Highway 87. Amended to include occasional motor coach service by special charter, for the transportation of passengers from point to point within the State of Colorado, subject to the terms set forth in Decision No. 7516.

(b) The transportation of passengers, baggage, mail and express in interstate commerce between Denver, Colo., ~~the Colorado-Wyoming State Line~~, over a route corresponding to the Interstate Commerce Commission authority proposed to be transferred: From Denver over U. S. Highway 87 (also known as Colorado Highway 185) to junction Colorado Highway 7, thence over Colorado Highway 7 to Lafayette, Colo., thence over U. S. Highway 287 via Ft. Collins, Colo., to junction Colorado Highway 1, thence over Colorado Highway 1 to junction U. S. Highway 87, thence over U. S. Highway 87 to the Colorado-Wyoming State Line.

(c) Between junction Colorado Highways 185 and 7 (junction U. S. Highway 87 and Colorado Highway 7) (6 miles east of Lafayette, Colo.), and Loveland, Colo., for operating convenience only: From junction Colorado Highway 185 (U. S. Highway 87) and Colorado Highway 7, over Colorado Highway 185 (U. S. Highway 87) to junction U. S. Highway 34, and thence over U. S. Highway 34 to Loveland and return over the same route. Service is not authorized to or from intermediate points.

(d) Between junction Colorado Highway 185 (U. S. Highway 87) and U. S. Highway 34 (5 miles east of Loveland, Colo.) and Wellington, Colo., with service at the junction of Colorado Highway 185 (U. S. Highway 87) and U. S. Highway 34 for the purpose of joinder only: From junction Colorado Highway 185 (U. S. Highway 87) and U. S. Highway 34 over Colorado Highway 185 (U. S. Highway 87) to junction Colorado Highway 14, thence over Colorado Highway 14 to Ft. Collins, Colo., thence return over Colorado Highway 14 to junction Colorado Highway 185 (U. S. Highway 87), and thence over Colorado Highway 185 (U. S. Highway 87) to Wellington, Colo., and return over the same route. Service is authorized to and from the intermediate point of Ft. Collins, Colo.

Transportation of passengers between its bus station in Denver and the Cloverleaf Kennel Club situate in the vicinity of the junction of Colorado State Highway No. 34 and U. S. Highway No. 87, west of Greeley, Colorado, and return, same being scheduled bus service limited to the duration of the racing season at said Cloverleaf Kennel Club in each year, as the same shall be determined by the Racing Commission of the State of Colorado.

American Buslines, Inc. is further authorized to transfer

all of its interstate rights appertaining to said authority as transferred, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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 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 the 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.

That a new number shall be assigned to transferee, covering operating rights herein transferred.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Commissioners.

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of August, 1959.
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ALVA B. HOLLINGSHEAD, 2519-15th AVENUE,
GREELEY, COLORADO.

PERMIT NO. M-12550

August 18, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Alva B. Hollingshead,
Greeley, Colorado
requesting that Permit No. M-12550 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12550, heretofore issued to Alva B. Hollingshead,
Greeley, Colorado be,
and the same is hereby, declared cancelled effective August, 12, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Norton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 1959.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
TOM J. BEGHTOL, 6033 NELSON, ARVADA,)	
COLORADO, FOR A CLASS "B" PERMIT TO)	APPLICATION NO. 17275-PP
OPERATE AS A PRIVATE CARRIER BY)	
MOTOR VEHICLE FOR HIRE.)	
-----)	

August 18, 1959

Appearances: Tom J. Beghtol, Arvada,
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 farm produce, excluding livestock, from points within a radius of seventy-five miles of Arvada, Colorado, to markets and storage places within said seventy-five mile radius, and to Denver, Colorado.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, August 4, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 3, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, 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 appearing in support of his application, testifying he has

sufficient equipment with which to render his proposed services; that he has a net worth of \$2,000; that he has received numerous requests for his proposed operation.

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

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

It does 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 authority herein sought 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 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 Findings be, and the same hereby is, approved.

That Tom J. Beghtol, Arvada, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of farm produce, excluding livestock, from points within a radius of seventy-five miles of Arvada, Colorado, to markets and storage places within said seventy-five-mile radius, and to Denver, Colorado.

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

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

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 F. Negro
Joseph C. Hobart
Henry E. Aulengo
Commissioners.

Dated at Denver, Colorado,
this 18th day of August, 1959.
ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
C. E. HARDRICK, RAINBOW COURTS,)	
FLORENCE, COLORADO, FOR AUTHORITY)	<u>APPLICATION NO. 17277-PP-Extension</u>
TO EXTEND OPERATIONS UNDER PERMIT)	
NO. B-5026.)	
-----)	

August 18, 1959

Appearances: Leslie R. Kehl, Esq.,
Denver, Colorado, for
Denver Chicago Transport
Company, Inc.

S T A T E M E N T

By the Commission:

Applicant herein is presently the owner and operator
of Permit No. B-5026, authorizing operation as a private carrier
by motor vehicle for hire, for the transportation of:

coal, from mines in Fremont County, Colorado,
to the Colorado State Hospital, located at
Pueblo, Colorado, to the Pueblo Ordnance Depot,
near Pueblo, Colorado, to Fort Carson, located
near Colorado Springs, Colorado, to plants of
the Southern Colorado Power Company located at
Pueblo and Canon City, Colorado, and to coal
dealers and coal yards located in Pueblo, Colo-
rado; transportation, in dump trucks, only, 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 Colo-
rado, 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 rail-
road 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 construc-
tion 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; coal, from Pike View, Colorado,
to Southern Colorado Power Company Plants in Pueblo
and Canon City, Colorado; coal, from coal mines in
Fremont County, to Colorado Springs, Colorado.

By the above-styled application, said permit-holder seeks authority to extend operations under said Permit No. B-5026 to include the right to transport sand, gravel, and other road-surfacing materials, from pits and supply points in Wheatridge, Colorado, to road jobs within a radius of twenty-five miles of Agate, Colorado.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, August 4, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 3, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this 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.

Thereupon, the files were made a part of the record herein, and the application was heard and taken under advisement.

Attorney for Protestant herein stated there would be no objection to issuance of authority herein sought, in the event operations thereunder were limited to the use of dump trucks.

The files of the Commission disclose that applicant is qualified, financially and by experience to conduct his proposed extended operations; that he is presently operating under Temporary Authority issued by this Commission.

It does not appear that applicant's proposed extended 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 extended authority issued 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 extend operations under Permit No. B-5026, 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 be, and the same hereby is, approved.

That C. E. Hardrick, Florence, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-5026, to include the right to transport sand, gravel, and other road-surfacing materials, from pits and supply points in Wheatridge, Colorado, to road jobs within a radius of twenty-five miles of Agate, Colorado, transportation of road-surfacing materials to be restricted against use of tank 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

Joseph F. Nigro
Ralph C. Horton
Shirley G. Adams
Commissioners.

Dated at Denver, Colorado,
this 18th day of August, 1959.

ea

original

(Decision No. 52893)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF }
F. DAVE VIGIL, 105 WEST LONGSPEAK, }
BRIGHTON, COLORADO, FOR A CLASS "B" }
PERMIT TO OPERATE AS A PRIVATE CAR- }
RIER BY MOTOR VEHICLE FOR HIRE. }
----- }

APPLICATION NO. 17279-PP

August 18, 1959

Appearances: F. Dave Vigil, Brighton,
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 natural fertilizer, between all points within a radius of fifty miles of Brighton, Colorado.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, August 4, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 3, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, 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 herein appeared in support of his application, testifying that he has sufficient equipment to conduct his proposed operations; that he has a net worth of \$1,500; that he has received numerous

requests for his proposed service; that he is presently operating under Temporary Authority issued by this Commission.

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

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

It does 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.

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 be, and the same hereby is, approved.

That F. Dave Vigil, Brighton, Colorado, be, and he hereby is authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of natural fertilizer, between all points within a radius of fifty miles of Brighton, 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

authority sheets.

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 F. Negro
Ralph C. Horton
Amos Gailings
Commissioners.

Dated at Denver, Colorado,
this 18th day of August, 1959.

ea

original

(Decision No. 52894)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GALE A. CATHCART, 2014 NORTH NEVADA,)
COLORADO SPRINGS, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 17258-PP

August 18, 1959

Appearances: Gale A. Cathcart, Colorado
Springs, Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, 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, July 30, 1959, due notice thereof being forwarded to all parties in interest.

On July 29, 1959, the Commission, as provided by law, desig-

nated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, 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 and testified in support of his application, stating he is presently operating under Temporary Authority issued by this Commission; that he has sufficient equipment to conduct his proposed operation; that he has a net worth of \$6,000; that he has received many requests for his proposed services; that he agrees to limit the type of equipment to be used in transportation of road-surfacing materials to dump trucks.

The file of the Commission discloses that Jones and Meiklejohn, Attorneys for Denver Chicago Transport Company, Inc., filed with the Commission a statement to the effect there would be no objection to granting authority herein sought, in the event transportation of road-surfacing materials were limited to the use of dump trucks.

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

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

It does 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 set forth in the Order following.

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 be, and the same hereby is, approved.

That Gale A. Cathcart, Colorado Springs, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, 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, transportation of road-surfacing materials 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 authority sheets.

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

Joseph F. Negro
Ralph C. Nelson
Henry Spaulding
Commissioners.

Dated at Denver, Colorado,
this 18th day of August, 1959.

mls

original

(Decision No. 52895)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAYMOND L. SEARS AND RUBEN SEARS,)
CO-PARTNERS, 1013 SOUTH CASCADE,)
COLORADO SPRINGS, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 17259-PP

August 18, 1959

Appearances: Ruben Sears, Colorado
Springs, Colorado,
for Applicants.

S T A T E M E N T

By the Commission:

Applicants herein seek authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, 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, July 30, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On July 29, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

On July 22, 1959, Jones and Meiklejohn, Attorneys for Denver Chicago Transport Company, Inc., filed a statement with the Commission to the effect there would be no objection to the granting of authority herein sought, in the event transportation of road-surfacing materials was limited to the use of dump trucks.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, 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, Ruben Sears, one of applicants herein, appeared in support of the instant application, stating applicants have sufficient equipment to render their proposed services; that their net worth is approximately \$5,000; that they have received numerous requests for their proposed service; that it is agreeable that transportation of road-surfacing materials be limited to the use of dump trucks.

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

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

It does not appear that applicants' proposed operations, as hereinafter restricted, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicants.

Report of the Examiner recommends that authority herein sought be granted, 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 permit should issue to applicants 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 be, and the same hereby is, approved.

That Raymond L. Sears and Ruben Sears, co-partners, Colorado Springs, Colorado, be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, 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, transportation of road-surfacing materials 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 applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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

Joseph F. Nigro
Robert C. Hobart
Henry E. Zulewicz
Commissioners.

Dated at Denver, Colorado,
this 18th day of August, 1959.

original

(Decision No. 52896)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LAWRENCE H. TAFOYA, 720 SOUTH)
CORONA, COLORADO SPRINGS, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE AS)
A PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 17260-PP

August 18, 1959

Appearances: Lawrence H Tafoya, Colorado
Springs, Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, 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, July 30, 1959, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On July 22, 1959, Jores and Meiklejohn, Attorneys for Denver Chicago Transport Company, Inc., filed a statement to the effect that there would be no objection on their part to the granting of authority herein sought, in the event transportation of road-surfacing materials was limited to the use of dump trucks, only.

On July 29, 1959, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, 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 herein appeared in support of his application, testifying that he is presently operating under Temporary Authority issued by this Commission; that he has sufficient equipment with which to conduct his proposed operations; that his net worth is \$7,000; that he has received numerous requests for the service proposed by him; that it is agreeable that he be limited to the use of dump trucks, when transporting road-surfacing materials.

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

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

It does 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 set forth in the Order following.

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 be, and the same hereby is, approved.

That Lawrence H. Tafoya, Colorado Springs, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, 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, transportation of road-surfacing materials 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 authority sheets.

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 F. Nigro
Joseph C. Hobart
Henry E. Paulsen
Commissioners.

Dated at Denver, Colorado,
this 18th day of August, 1959.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

E. D. FINCHER, 4197 NORTH VENTURA
AVENUE, VENTURA, CALIFORNIA

PERMIT NO. M-6301

August 18, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from E. D. Fincher,
Ventura, California
requesting that Permit No. M-6301 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6301, heretofore issued to E. D. Fincher,
Ventura, California be,
and the same is hereby, declared cancelled effective April 13, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Norton
Henry E. Zalusky
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
E. D. FINCHER, 4197 NORTH)
VENTURA AVENUE, VENTURA,)
CALIFORNIA.)

PERMIT NO. B-4005

August 18, 1959

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

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-4005 be suspended for six months from April 13, 1959.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That E. D. Fincher, Ventura, California

be, and is hereby, authorized to suspend his operations under Permit No. B-4005 until October 13, 1959.

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

Joseph F. Negro
Ralph C. Horton
Henry E. [illegible]
Commissioners

Dated at Denver, Colorado,
this 18th day of August, 1959.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE ISSUANCE OF)	
TEMPORARY CERTIFICATES OF PUBLIC)	
CONVENIENCE AND NECESSITY UNDER)	
CHAPTER 80, SESSION LAWS OF COLO-)	
RADO, 1951, FOR EMERGENCY MOVE-)	<u>APPLICATION NO. 17329</u>
MENT OF FARM PRODUCE AND GRAIN)	
IN THE SAN LUIS VALLEY, STATE)	
OF COLORADO.)	
-----)	

August 14, 1959

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, indicating that an emergency exists because of shortage of trucks for transportation of farm produce and grain in the San Luis Valley, State of Colorado, and that said emergency will probably continue for a period of approximately thirty (30) days hereafter.

Request is made for an Order of this Commission relative to issuance of temporary certificates of public convenience and necessity for the season transportation of said farm produce and grain in theSan Luis Valley.

F I N D I N G S

THE COMMISSION FINDS:

That an emergency exists because of shortage in certificated trucks for transportation of farm produce and grain in the Counties of Alamosa, Conejos, Costilla, Rio Grande, and Saguache, State of Colorado, and that public convenience and necessity should issue for the operation of motor vehicles for transportation of said farm produce and grain, to market or place of storage, as provided by Chapter 80, Session Laws of 1951, said certificates to be effective

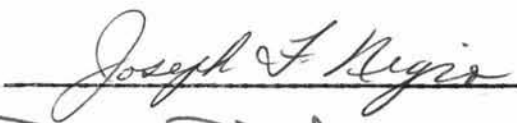
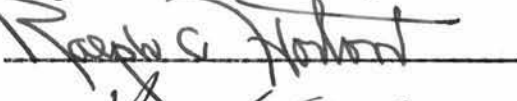
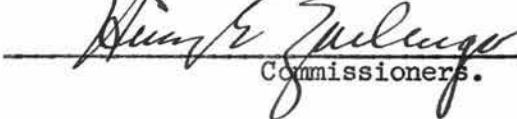
from August 15, 1959 to September 15, 1959, both dates inclusive.

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 operation of motor vehicles, for transportation of farm produce and grain, to market or place of storage, in the Counties of Alamosa, Conejos, Costilla, Rio Grande, and Saguache, State of Colorado, said certificates to be effective August 15, 1959, and to continue in force up to and including September 15, 1959, 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.

Dated at Denver, Colorado,
this 14th day of August, 1959.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
STEFFIE TAULLIE, DOING BUSINESS AS)
"TAULLIE MEATS", 1321 BERKLEY,)
PUEBLO, COLORADO.)
-----)

PERMIT NO. M-552

August 25, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Steffie Taullie,
doing business as, "Taullie Meats", Pueblo, Colorado
requesting that Permit No. M-552 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-552, heretofore issued to Steffie Taullie,
doing business as, "Taullie Meats", Pueblo, Colorado be,
and the same is hereby, declared cancelled effective August 20, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zank
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MARSHALL E. TEWELL, DOING BUSINESS AS)
"TEWELL'S MARKET", 3098 SOUTH PENN-)
SYLVANIA, ENGLEWOOD, COLORADO.)
_____)

PERMIT NO. M-10341

August 25, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Marshall E. Tewell,
doing business as, "Tewell's Market", Englewood, Colorado
requesting that Permit No. M-10341 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10341, heretofore issued to Marshall E. Tewell,
doing business as, "Tewell's Market", Englewood, Colorado be,
and the same is hereby, declared cancelled effective August 17, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
THIESING CONSTRUCTION COMPANY, CORP-)
ORATION, BOX 594, DURANGO, COLORADO.)

PERMIT NO. M-8559

August 25, 1959

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Thiesing Construction
Company, Corporation, Durango, Colorado
requesting that Permit No. M-8559 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8559, heretofore issued to Thiesing Construction
Company, Corporation, Durango, Colorado be,
and the same is hereby, declared cancelled effective July 26, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. [unclear]
Henry E. [unclear]
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 1959.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JOHN L. DENNIS, 110 EIGHTH)
STREET, FOWLER, COLORADO.)
-----)

PUC NO. 1415

August 25, 1959
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that his PUC No. 1415 be suspended for six months from August 13, 1959.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That John L. Dennis, Fowler, Colorado

_____, be, and _____ is hereby, authorized to suspend operations under PUC No. 1415 until February 13, 1960.

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

Joseph F. Nigro
Joseph C. Gordon
Henry E. Fickling
Commissioners

Dated at Denver, Colorado,
this 25th day of August 1959.

original

(Decision No. 52904)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
G. A. KEISER, DOING BUSINESS AS)
"GREELEY TRUCK LINE," 1645 FIRST)
AVENUE, GREELEY, COLORADO, FOR AUTH-)
ORITY TO TRANSFER PUC NO. 774 AND)
PUC NO. 774-I TO G. A. KEISER AND)
M. W. STERLING, CO-PARTNERS, DOING)
BUSINESS AS "GREELEY TRUCK LINE,")
1645 FIRST AVENUE, GREELEY, COLORADO.)

APPLICATION NO. 17297-Transfer

IN THE MATTER OF THE APPLICATION OF)
G. A. KEISER, DOING BUSINESS AS)
"GREELEY TRUCK LINE," 1645 FIRST)
AVENUE, GREELEY, COLORADO, FOR AUTH-)
ORITY TO TRANSFER PUC NO. 2048 AND)
PUC NO. 2048-I TO G. A. KEISER AND)
M. W. STERLING, CO-PARTNERS, DOING)
BUSINESS AS "GREELEY TRUCK LINE,")
1645 FIRST AVENUE, GREELEY, COLORADO.)

APPLICATION NO. 17298-Transfer

August 19, 1959

Appearances: G. A. Keiser, Greeley,
Colorado, pro se.

S T A T E M E N T

By the Commission:

G. A. Keiser, doing business as "Greeley Truck Line," Greeley,
Colorado, is the owner and operator of PUC No. 774, PUC No. 774-I, PUC
No. 2048, and PUC No. 2048-I, with the following authority:

PUC No. 774 and PUC No. 774-I:

Transportation of livestock from point to point
in the territory within a radius of 15 miles of
Kersey, and the transportation of livestock from
auction sales pavilions in and about Greeley,
over Highway No. 85 from Greeley to Denver, and
from Denver over U. S. Highway No. 85 to points
within a radius of 15 miles of Kersey;

between all points in Colorado and the Colorado
State boundary lines where all highways cross
same in interstate commerce, only, subject to
the provisions of the Federal Motor Carrier Act
of 1935, as amended.

PUC No. 2048 and PUC No. 2048-I:

Transportation on call and demand of livestock, within a base area as that included within a line drawn straight east and west through a point sixteen (16) miles north of Cornish, Colorado; a line drawn north and south through a point sixteen (16) miles due west of Cornish, Colorado; a line drawn east and west through a point sixteen (16) miles due south of Cornish, Colorado, and a line drawn north and south through a point sixteen (16) miles due east of Cornish, Colorado, save and except that there shall be no service rendered in that portion of this territory lying on and west of U. S. Highway No. 85. This is to be the base area for the livestock operation, and applicant may haul from this area to sales barns along U. S. Highway 85 and from sales barns back to this area; from this area to Denver, Colorado, and back to this area from Denver, Colorado. Also to engage in the transportation of farm products and coal between points within a twenty-five (25) mile radius of Cornish, Colorado, on the one hand, and coal from the northern Colorado coal fields to said area on the other hand, with no town-to-town service on any of these commodities and no milk hauls;

transportation, on call and demand, of livestock within an area bounded by a line east and west through a point sixteen (16) miles north of Cornish, Colorado; a line drawn north and south through a point sixteen (16) miles west of Cornish, Colorado; a line drawn east and west through a point sixteen (16) miles south of Cornish, Colorado, and a line drawn north and south through a point sixteen (16) miles east of Cornish, Colorado, with no service in that part of the area lying on and west of U. S. Highway 85, with authority to transport livestock from the above-described area to and from sales barns along U. S. Highway 85 and to and from Denver, Colorado; also for the transportation of farm products and coal between points within a radius of twenty-five (25) miles of Cornish, Colorado, and coal from the northern Colorado coal fields to points in said area, with no authority to transport milk, or town-to-town service on any of these commodities; also to include the transportation of livestock between points in the above-described area on the one hand, and points in the State of Colorado, on the other hand;

between all points in Colorado and the Colorado State boundary lines, where all highways cross same in interstate commerce only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

By Application No. 17297, G. A. Keiser, doing business as

"Greeley Truck Line," Greeley, Colorado, seeks authority to transfer

PUC No. 774 and PUC No. 774-I to G. A. Keiser and M. W. Sterling, co-partners, doing business as "Greeley Truck Line," Greeley, Colorado.

By Application No. 17298, G. A. Keiser, doing business as "Greeley Truck Line," Greeley, Colorado, seeks authority to transfer PUC No. 2048 and PUC No. 2048-I to G. A. Keiser and M. W. Sterling, co-partners, doing business as "Greeley Truck Line," Greeley, Colorado.

Said applications, pursuant to prior setting, after appropriate notice to all parties in interest, were heard at the District Court Room, Greeley, Colorado, August 13, 1959, and at the conclusion of the evidence, the matter was taken under advisement.

The applications were consolidated for hearing without objection on the part of any one.

G. A. Keiser, the transferor, and one of the transferee co-partners, appeared in support of the applications and testified that the operation will remain substantially the same; that the same personnel will be used; and that the sole purpose of the transfer was to change the operation from his individual operation to an operation by a partnership, wherein he is a partner. He also testified that the filed list of power units and financial statement for himself and for M. W. Sterling, his partner, are substantially correct.

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

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

F I N D I N G S

THE COMMISSION FINDS:

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

O R D E R

THE COMMISSION ORDERS:

That G. A. Keiser, doing business as "Greeley Truck Line," Greeley, Colorado, should be, and he is hereby, authorized to transfer all his right, title and interest in and to PUC No. 774, PUC No. 774-I, PUC No. 2048 and PUC No. 2048-I, with authority as set forth in the preceding Statement, which is made a part hereof by reference, to G. A. Keiser and M. W. Sterling, co-partners, doing business as "Greeley Truck Line," Greeley, Colorado, subject to payment of outstanding indebtedness against said certificates, if any there be, whether secured or unsecured; and that the transfer of interstate operating rights herein authorized is subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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 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

Joseph F. Nigro
Ralph C. Holton
Alvin E. Sulem
Commissioners.

Dated at Denver, Colorado,
this 19th day of August, 1959.

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