

original

(Decision No. 65290)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JUNE HARRINGTON AND JOHN G. PORTMAN, )  
DOING BUSINESS AS "J & J CONSTRUC- )  
TION CO.," 3227 E 1/2 ROAD, GRAND JUNC- )  
TION, COLORADO, FOR A CLASS "B" PER- )  
MIT TO OPERATE AS A PRIVATE CARRIER )  
BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 21192-PP

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June 28, 1965  
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Appearances: John G. Portman, Grand Junc-  
tion, Colorado, for Appli-  
cants.

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 75 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 home and small construction jobs within a radius of 75 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 75 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 75 miles of said pits and supply points, transportation of road-surfacing materials restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the County Court

House, Grand Junction, Colorado, June 19, 1965, and at the conclusion of the evidence, the matter was taken under advisement.

John G. Portman testified that he is in partnership with June Harrington and that they do business under the name of "J & J Construction Co.," 3227 E.  $\frac{1}{2}$  Road, Grand Junction, Colorado. The partnership has a net financial worth in excess of \$15,000, and is the owner of a six yard dump truck which the partnership plans to utilize to render service under the authority sought herein. He is familiar with the rules and regulations of this Commission and with the statutes of the State of Colorado and will comply therewith if the authority is granted. The J & J Construction Company has been operating under Temporary Authority for about two months, during which period of time they have been busy hauling for various contractors in the area. If the authority is granted, the partnership plans to enter into contracts with individuals and companies desiring to utilize the transportation services of the partnership.

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

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

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

### F I N D I N G S

#### THE COMMISSION FINDS:

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

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



## O R D E R

### THE COMMISSION ORDERS:

That June Harrington and John G. Portman, doing business as "J & J Construction Co.," Grand Junction, Colorado, should be, and 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 75 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 home and small construction jobs within a radius of 75 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 75 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 75 miles of said pits and supply points, the transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.


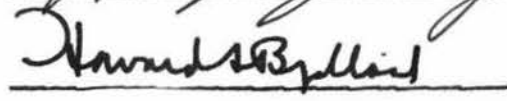

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of June, 1965.

mls

Original

(Decision No. 65291)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LAWRENCE A. KRANTWASHL, 2909 BONITA, )  
GRAND JUNCTION, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
----- )

APPLICATION NO. 21251-PP

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June 28, 1965  
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Appearances: Stella W. Krantwashl, Grand  
Junction, Colorado, for  
Applicant.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of 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 65 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 home and small construction jobs within a radius of 65 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 65 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 65 miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the County Court

House, Grand Junction, Colorado, June 18, 1965, and at the conclusion of the evidence, the matter was taken under advisement.

Stella Krantwashl testified that she is the wife of Lawrence A. Krantwashl, the applicant herein, and that she appears in the instant proceeding at the direction of her husband. Her husband has a net financial worth in excess of \$5,000, and is the owner of a 2½-ton dump truck which he plans to utilize to render service under the authority sought herein. He is familiar with the rules and regulations of the Commission and the statutes of the State of Colorado, and will comply therewith if this authority is granted. He plans to enter into contracts with various contractors in the area for the performance of transportation service under the authority requested herein.

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:

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

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

#### O R D E R

##### THE COMMISSION ORDERS:

That Lawrence A. Krantwashl, Grand Junction, Colorado, should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of

sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 65 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 home and small construction jobs within a radius of 65 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 65 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 65 miles of said pits and supply points; the transportation of road-surfacing materials being restricted against the use of tank vehicles, and this ORDER shall be deemed to be, and be a PERMIT therefor.

and 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 28th day of June, 1965.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
P. J. HOLZMEISTER, DOING BUSINESS AS )  
"HOLZMEISTER COAL CO., " 39 MAIN )  
STREET, MONTROSE, COLORADO, FOR )  
AUTHORITY TO TRANSFER PERMIT NO. )  
B-6024 TO DEWEY BLAIR, WILLIAM L. )  
BLAIR, AND KENNETH W. BLAIR, DOING )  
BUSINESS AS "DEWEY BLAIR AND SONS," )  
BOX 403, OLATHE, COLORADO. )  
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APPLICATION NO. 21186-PP-Transfer

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June 28, 1965  
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Appearances: William L. Blair, Olathe,  
Colorado, for Transferor  
and Transferees.

S T A T E M E N T

By the Commission:

P. J. Holzmeister, doing business as "Holzmeister Coal Co.,"  
Montrose, Colorado, is the owner and operator of Permit No. B-6024,  
authorizing 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 home 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, the transportation of road-surfacing ma-  
terials being restricted against the use of tank vehicles;  
farm products to and from, from and to, farms, to market  
or warehouse facilities, within a radius of fifty miles  
of Olathe, Colorado.

and by the instant application seeks authority to transfer said Permit  
No. B-6024 to Dewey Blair, William L. Blair and Kenneth W. Blair, doing  
business as "Dewey Blair and Sons, Olathe, Colorado.



Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the District Court Room, Court House, Montrose, Colorado, June 11, 1965, and at the conclusion of the evidence, the matter was taken under advisement.

William L. Blair, a member of the partnership of Dewey Blair and Sons, testified that such partnership has entered into a contract to purchase Permit No. B-6024 from P. J. Holzmeister, doing business as Holzmeister Coal Co.; that the consideration for such sale is \$50.00, which amount will be paid upon approval of the transfer. Dewey Blair and Sons are presently operating in interstate commerce in the transportation of exempt commodities and are operating in Colorado under an "M" permit issued by this Commission. The partnership is familiar with the rules and regulations of the Commission and the statutes of the State of Colorado and will comply therewith if this transfer application is approved. The partnership has a net financial worth in excess of \$25,000, has several pieces of equipment and will enter into contracts with users of the service if this transfer application is granted.

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

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

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

##### THE COMMISSION FINDS:

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

#### O R D E R

##### THE COMMISSION ORDERS:

That P. J. Holzmeister, doing business as "Holzmeister Coal Co.," Montrose, Colorado, be, and hereby is, authorized to

transfer all right, title, and interest in and to Permit No. B-6024--  
with authority as set forth in the preceding Statement, which is made  
a part hereof by reference -- to Dewey Blair, William L. Blair and  
Kenneth W. Blair, doing business as "Dewey Blair and Sons," Olathe,  
Colorado, subject to encumbrances, if any, against said authority ap-  
proved by the Commission.

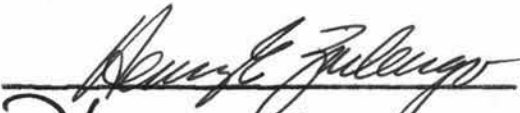
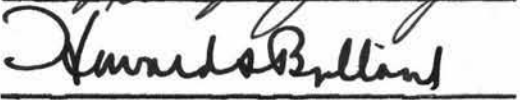
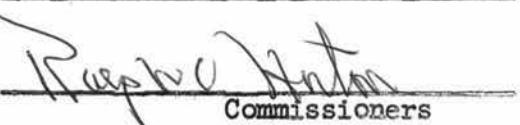
That said transfer shall become effective only if and when,  
but not before, said Transferor and Transferee, in writing, have ad-  
vised the Commission that said permit has been formally assigned, and  
that said parties have accepted, and in the future will comply with,  
the conditions and requirements of this Order, to be by them, or eith-  
er of them, kept and performed. Failure to file said written accept-  
ance of the terms of this order within thirty (30) days from the ef-  
fective 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 Com-  
mission, 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 28th day of June, 1965  
et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
EDGAR L. RICE, DOING BUSINESS AS  
"CRAWFORD-MAHER STAGE LINE," CRAW-  
FORD, COLORADO, FOR AUTHORITY TO  
TRANSFER PUC NO. 579 AND PUC NO.  
579-I TO KRISTOFFER D. SORTLAND,  
DOING BUSINESS AS "CRAWFORD-MAHER  
STAGE LINE," P. O. BOX 158, CRAWFORD  
COLORADO.

APPLICATION NO. 21187-Transfer

June 28, 1965

Appearances: Edgar L. Rice, Crawford,  
Colorado, Transferor,  
pro se;  
Kristoffer D. Sortland,  
Crawford, Colorado,  
Transferee, pro se.

S T A T E M E N T

By the Commission:

Edgar L. Rice, doing business as "Crawford-Maher Stage Line,"  
Crawford, Colorado, is the owner and operator of PUC No. 579 and PUC  
No. 579-I, authorizing the transportation of:

freight and express between Hotchkiss and Maher, Colorado,  
and intermediate points; 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.

and by the instant application seeks authority to transfer said PUC  
No. 579 and PUC No. 579-I to Kristoffer D. Sortland, who also intends  
to do business as "Crawford-Maher Stage Line," Crawford, Colorado.

Said application, pursuant to prior setting, after appro-  
priate notice to all parties in interest, was heard at the District  
Court Room, Court House, Montrose, Colorado, June 11, 1965, and at  
the conclusion of the evidence, the matter was taken under advise-  
ment.

Edgar L. Rice testified that he is owner of PUC No. 579 and PUC No. 579-I; that he does business under the name and style of Crawford-Maher Stage Line; that he has sold his authority to Kristoffer D. Sortland for \$300.00, subject to the approval of the Commission; that no debts now exist against the operation; and that he requests the Commission to approve the transfer.

Kristoffer D. Sortland testified that he has purchased PUC No. 579 and PUC No. 579-I from Edgar L. Rice for \$300.00, which amount has been paid, subject to the approval of the Commission as to the transfer. Sortland further stated that he has a net financial worth of approximately \$15,000; has had five or six years of experience in the trucking business; has a 1½-ton Chevrolet truck which he plans to use to render service, if the transfer is granted; and that he is familiar with the rules and regulations of the Commission and the statutes of the State of Colorado, and will comply therewith.

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

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

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

##### THE COMMISSION FINDS:

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

#### O R D E R

##### THE COMMISSION ORDERS:

That Edgar L. Rice, doing business as "Crawford-Maher Stage Line," Crawford, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 579 and PUC No. 579-I-- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Kristoffer D. Sortland, doing business as "Crawford-Maher Stage Line," Crawford, Colorado, subject to

encumbrances, if any, against said authority approved by the Commission.

That transfer of interstate operating rights herein authorized is subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.


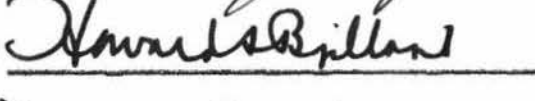

That said transfer shall become effective only if and when, but not before, said Transferor and Transferee, in writing, have advised the Commission that said certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements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

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

The right of Transferee to operate under this Order shall depend upon the prior filing by Transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 28th day of June, 1965

et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
W. B. DAVIS, DOING BUSINESS AS )  
"RIFLE CAB SERVICE," BOX 272, RIFLE, )  
COLORADO, FOR REINSTATEMENT OF PUC )  
NO. 1787, AND FOR AUTHORITY TO )  
TRANSFER SAID OPERATING RIGHTS TO )  
TONY MACCHIONE, DOING BUSINESS AS )  
"RIFLE CAB SERVICE," BOX 1109, )  
RIFLE, COLORADO. )

APPLICATION NO. 21071-Transfer

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June 28, 1965  
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Appearances: Vernon T. Shelton, Esq.,  
Glenwood Springs, Colorado,  
for Transferor and Transferee.

STATEMENT AND FINDINGS

By the Commission:

The above named Transferor is the owner and operator of PUC  
No. 1787, which authorizes the transportation, on call and demand, of:

passengers and their baggage in the same vehicle between  
all points within a radius of twenty miles of, and including,  
the town of Rifle, Colorado, and from points in said area  
to points within a radius of fifty (50) miles of Rifle, Colo-  
rado, with the right to furnish continuous round-trip service  
from points in said twenty mile radius to points within a  
radius of fifty (50) miles of Rifle, and return -- said round-  
trip service to be furnished in one day -- and from and to  
Rifle, to and from points in the so-called "Trappers Lake  
area" located east of Meeker, Colorado, and northeast of  
Rifle, Colorado. Dec.#28300: AMENDED to include transporta-  
tion of express between the town of Rifle and the Municipal  
Airport.

By the instant application said Transferor seeks authority to  
transfer PUC No. 1787 to Tony Macchione, doing business as "Rifle Cab  
Service," Rifle, Colorado.

Said application, pursuant to prior setting, after appropriate  
notice to all parties in interest, was heard at the County Court House,  
Grand Junction, Colorado, June 18, 1965, and at the conclusion of the  
evidence, the matter was taken under advisement.



The application in the instant proceeding was originally set for hearing by the Commission in Grand Junction, Colorado, on April 20, 1965. At that time it appeared that the owner of the authority to be transferred was deceased and that no Court order had been entered transferring the interest of the deceased to his widow. The matter was therefore continued and re-set for hearing as provided above.

Mrs. W. B. Davis testified that as the widow of W. B. Davis she is now the owner of PUC No. 1787, ownership of such authority having passed to her under an order of the District Court of Garfield County entered on May 28, 1965, Docket No. 9-3041. The records of the Commission show that a certified copy of such order has been filed with the Commission. Mrs. Davis testified further that she has entered into a contract to transfer such authority to Tony Macchione, the purchase price to be paid to her upon approval of the transfer by the Commission. She stated that there is a need for cab service in the Rifle area, that there is no indebtedness against the certificate, and that she requests the Commission to approve the transfer.

Tony Macchione testified that he has contracted to purchase PUC No. 1787 from Mrs. W. B. Davis and that he will commence rendering service immediately upon approval of the transfer by the Commission. He has a net financial worth in excess of \$100,000, has a taxicab immediately available, has prepared tariffs for filing with the Commission, will give twenty-four hour service through the Hotel switchboard in Rifle, and that he is familiar with and will comply with the rules and regulations of the Commission and the statutes of the State of Colorado. He presently operates a cafe in Rifle and is of the opinion that Rifle needs a cab service.

The record shows that since the death of W. B. Davis in the late 1950s, it has been necessary for his widow from time to time to request temporary suspension of service under the authority. The last

suspension authorized by the Commission expired April 15, 1965, during the pendency of this proceeding. It is necessary that PUC No. 1787 be reinstated for purpose of transfer. An Order provision to follow will so provide.

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

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

#### O R D E R

##### THE COMMISSION ORDERS:

That PUC No. 1787 be, and hereby is, reinstated for the purpose of transfer.

That Mrs. W. B. Davis, widow of W. B. Davis, doing business as "Rifle Cab Service," Rifle, Colorado, be and hereby is, authorized to transfer PUC No. 1787 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Tony Macchione, doing business as "Rifle Cab Service," Rifle, Colorado, subject to encumbrances, if any, against said authority approved by the Commission.

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 the 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

*Alvin E. Zuckerman*  
*Howard B. Bell*  
*Ralph C. Hester*  
Commissioners

Dated at Denver, Colorado,  
this 28th day of June, 1965

et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF )  
JOHN H. STURGIS, DOING BUSINESS )  
AS "STURGIS LOGGING", P. O. BOX )  
533, PAONIA, COLORADO. )

PERMIT NO. B-6503

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July 1, 1965  
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S T A T E M E N T

By the Commission:

On February 2, 1965, the Commission authorized John H. Sturgis, doing business as, "Sturgis Logging", to suspend his Permit No. B-6503, until August 2, 1965.

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-6503, should be, and the same hereby is, reinstated as of May 18, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry C. Zickler*  
*Howard S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 1st day of July, 1965.

Original

(Decision No. 65296)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF ISSUANCE OF TEMPORARY )  
CERTIFICATES OF PUBLIC CONVENIENCE AND )  
NECESSITY UNDER CHAPTER 115, SESSION )  
LAWS OF COLORADO, 1963, FOR EMERGENCY )  
MOVEMENT OF PEAS, SNAP BEANS, SWEET )  
CORN, TOMATOES, RED BEETS, PICKLES, )  
AND EARLY POTATOES. )

APPLICATION NO. 21274  
SUPPLEMENTAL ORDER

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July 1, 1965  
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STATEMENT AND FINDINGS OF FACT

By the Commission:

By Decision No. 65235, dated June 23, 1965, temporary certificates of public convenience and necessity were issued for the operation of motor vehicles, for transportation of peas, snap beans, sweet corn, tomatoes, red beets, pickles, and early potatoes, from fields for processing and storage, in Adams, Larimer, Weld, Morgan, Mesa, Boulder and Delta Counties, Colorado.

It now appears that the Counties of Montrose and Ouray should be added to the above list of Counties.

The Commission finds that Decision No. 65235, dated June 23, 1965, should be amended, as set forth in the Order following.

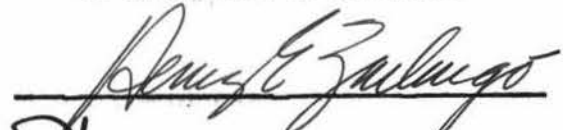
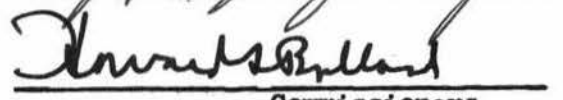
O R D E R

THE COMMISSION ORDERS:

That Decision No. 65235, dated June 23, 1965, should be, and the same is hereby, amended, nunc pro tunc, as of said 23rd day of June, 1965, by adding the Counties of Montrose and Ouray, State of Colorado, to the list of Counties set forth in said Decision No. 65235.

That, except as herein amended, said Decision No.65235  
shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners

COMMISSIONER RALPH C. HORTON NECESSARILY  
ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 1st day of July, 1965

et

Dated at Denver, Colorado,  
this 1st day of July, 1965

et



Original

(Decision No.65297)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF ISSUANCE OF TEMPORARY  
CERTIFICATES OF PUBLIC CONVENIENCE AND  
NECESSITY UNDER CHAPTER 115, SESSION  
LAWS OF COLORADO, 1963, FOR EMERGENCY  
MOVEMENT OF WHEAT. }

APPLICATION NO. 21308

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-----  
July 1, 1965  
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STATEMENT AND FINDINGS OF FACT

By the Commission:

Report has been received by the Commission from Frank Pagliano, Supervisor, Complaint and Investigation Division of this Commission, indicating that an emergency exists because of shortage of trucks for transportation of wheat, in the counties of Kit Carson, Washington, Yuma, Phillips, Sedgwick, Logan, Weld, Morgan, Adams and Arapahoe, Colorado.

Request is made for an Order of the Commission relative to issuance of temporary certificates of public convenience and necessity for the seasonal transportation of said crop in the above counties.

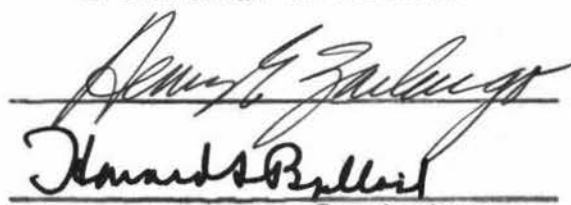
The Commission states and finds that an emergency exists because of the shortage in certificated trucks for the transportation of wheat, in the Counties of Kit Carson, Washington, Yuma, Phillips, Sedgwick, Logan, Weld, Morgan, Adams and Arapahoe, Colorado, and that public convenience and necessity require that temporary certificates of public convenience and necessity should issue for the operation of motor vehicles for the transportation of said crop, as provided by Chapter 115, Article 9, Section 4, Session Laws of 1963, and said certificates to be effective for a period of thirty days, commencing July 5, 1965.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity be, and hereby are, authorized to be issued for the operation of motor vehicles for the transportation of wheat, in the Counties of Kit Carson, Washington, Yuma, Phillips, Sedgwick, Logan, Weld, Morgan, Adams, and Arapahoe, State of Colorado, said certificates to be effective for a period of thirty (30) days, commencing July 5, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

COMMISSIONER RALPH C. HORTON NECESSARILY  
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 1st day of July, 1965

et

Original

(Decision No. 65298)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF ISSUANCE OF TEMPORARY )  
CERTIFICATES OF PUBLIC CONVENIENCE AND )  
NECESSITY UNDER CHAPTER 115, SESSION )  
LAWS OF COLORADO, 1963, FOR EMERGENCY )  
MOVEMENT OF WHEAT. )  
-----

APPLICATION NO. 21307

-----  
July 1, 1965  
-----

STATEMENT AND FINDINGS OF FACT

By the Commission:

Report has been received by the Commission from Frank Pagliano, Supervisor, Complaint and Investigation Division of this Commission, indicating that an emergency exists because of shortage of trucks for transportation of wheat, in the counties of Las Animas, Baca, Otero, Bent, Prowers, Crowley, Lincoln, Elbert, Cheyenne, Douglas, El Paso, Pueblo, and Kiowa, Colorado.

Request is made for an Order of the Commission relative to issuance of temporary certificates of public convenience and necessity for the seasonal transportation of said crop in the above counties.


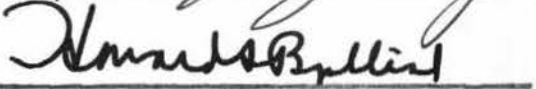
The Commission states and finds that an emergency exists because of the shortage in certificated trucks for the transportation of wheat, in the Counties of Las Animas, Baca, Otero, Bent, Prowers, Crowley, Lincoln, Elbert, Cheyenne, Douglas, El Paso, Pueblo, and Kiowa, Colorado, and that public convenience and necessity require that temporary certificates of public convenience and necessity should issue for the operation of motor vehicles for the transportation of said crop, as provided by Chapter 115, Article 9, Section 4, Session Laws of 1963, and said certificates to be effective for a period of thirty days, commencing July 1, 1965.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity be, and hereby are, authorized to be issued for the operation of motor vehicles, for the transportation of wheat, in the Counties of Las Animas, Baca, Otero, Bent, Prowers, Crowley, Lincoln, Elbert, Cheyenne, Douglas, El Paso, Pueblo, Kiowa, State of Colorado, said certificates to be effective for a period of thirty (30) days, commencing July 1, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners

COMMISSIONER RALPH C. HORTON NECESSARILY ABSENT, NOT  
PARTICIPATING

Dated at Denver, Colorado,  
this 1st day of July, 1965

et

original

(Decision No. 65299)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
DON WARD, INC., 241 WEST 56TH AVENUE, )	
DENVER, COLORADO, FOR A CERTIFICATE )	
OF PUBLIC CONVENIENCE AND NECESSITY )	
TO OPERATE AS A COMMON CARRIER BY )	
MOTOR VEHICLE FOR HIRE. )	<u>APPLICATION NO. 21270</u>
-----	

-----  
July 1, 1965  
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STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, Don Ward, Inc., sought authority to transport fly ash, between all points in the State of Colorado, as a common carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission at 10:00 o'clock A. M., July 6, 1965, at 532 State Services Building, Denver, Colorado, due notice thereof having been forwarded to all parties in interest.

The Commission is now in receipt of a communication from Peter J. Crouse, Attorney for Applicant herein, requesting dismissal of said application.

The Commission states and finds that hearing of Application No. 21270, presently set for 10:00 o'clock A. M., July 6, 1965, at Denver, Colorado, should be vacated and Application No. 21270 should be dismissed.

O R D E R

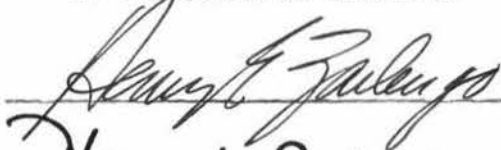
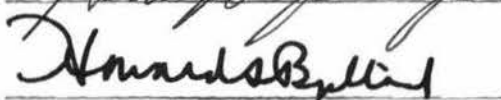
THE COMMISSION ORDERS:

That hearing of Application No. 21270, presently set for 10:00 o'clock A. M., July 6, 1965, at Denver, Colorado, be, and the same hereby is, vacated.

That Application No. 21270 be, and the same hereby is,  
dismissed.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

COMMISSIONER RALPH C. HORTON NECESSARILY  
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 1st day of July, 1965.

mls



Original

(Decision No. 65300)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MORTON G. WYATT, 110 WEST OLIVE, )  
LAMAR, COLORADO, FOR A CERTIFICATE )  
OF PUBLIC CONVENIENCE AND NECESSITY )  
TO OPERATE AS A COMMON CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 21166

-----  
July 9, 1965  
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Appearances: Morton G. Wyatt, Lamar,  
Colorado, pro se;  
Armand L. Forbes, Esq.,  
Las Animas, Colorado, for  
Joseph M. Scriven, Protestant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a common carrier by motor vehicle for hire, for the transportation of passengers and packages within the City of Lamar, Colorado, and a ten-mile radius thereof.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

At the hearing, Morton G. Wyatt, Applicant appeared and testified in support of the application, stating in view of Exhibit A (a letter by G. H. Cornelius, Cornelius Transfer & Storage Company, Lamar, Colorado) introduced in evidence, he would be willing, and did stipulate, to amend his application to limit the weight of any packages delivered to 50 pounds. Applicant further testified he operates the Lamar Hotel and Western Union Agency in Lamar, Colorado, and has found over the past several years there is a need in the Lamar area for additional taxi service; he stated

the present Lamar Taxi Company, owned and operated by Joseph M. Scriven, is inadequate to accommodate the needs of the community; he explained also that frequently Western Union finds it necessary to deliver a telegram pertaining to carrier authority to the Port of Entry which is located approximately two miles from Lamar, Colorado, and in these instances, drivers waiting at the Port of Entry have had an unreasonable wait for the delivery of their telegram of authority so that they can clear the Port of Entry. Mr. Wyatt indicated that service rendered for delivery of this type of telegram by Lamar Taxi Company was found to be not economically desirable. He stated if application is granted, his equipment will consist of a 1964 Pontiac 4-door air-conditioned, a 1964 Rambler 4-door air-conditioned, and a 1960 Chevrolet 4-door Station Wagon, not air-conditioned.

Mr. Wyatt further testified, if application is granted, he will employ several experienced drivers and will provide for dispatching the vehicles by radio. Applicant also testified that the ten-mile radius area, including Lamar, would mean service for a population of approximately 11,000. Mr. Wyatt maintained that existing one car taxi service (because of a radius of fifty miles) was not able to take care of the needs, in that, when the one vehicle used by the Lamar Taxi Company is on a fifty-mile trip there is no taxi service available for the period the one vehicle is out of town. Applicant stated that efforts made with intent of upgrading taxi service in Lamar, with Mr. Scriven, have not been acceptable to Protestant herein; Mr. Wyatt states if application herein is granted he will maintain an efficient service, and that in his opinion an additional taxi service is needed in the Lamar area.

On cross-examination by Mr. Forbes, appearing for Protestant, Lamar Taxi Company, Mr. Wyatt testified that on several occasions truck drivers were unable to get taxi service into town from the Port of Entry, and taxi service in Lamar was many times much delayed.

Guy Osban, Lamar, Colorado, testified in support of the application, stating that he was employed as a well driller, and on a

part-time basis had driven a taxi for the Lamar Taxi Company. He stated the vehicle used was in very poor condition, and further stated that no action was taken by Mr. Scriven to remedy said condition. Other witnesses testified that additional taxi service was needed in the Lamar area; that many times they had to wait 45 minutes or longer for a taxi -- sometimes were told the cab was out of town and they must wait. Several witnesses also reported drivers of the Lamar Taxi Company were discourteous.

In support of the protest by Lamar Taxi Company, Mr. Scriven testified that in addition to operating the Lamar Taxi Company, he also operates a coin machine laundry and window cleaning service. He stated the Lamar Taxi Company operates 24 hours a day and is radio dispatched; that he has operated under certificate PUC No. 1528 for approximately four years with authority covering approximately fifty miles radius around Lamar, Colorado; that he operates a 1961 Rambler 4-door Sedan, and a 1963 Rambler 4-door Station Wagon as a stand-by if and when the other vehicle was not available for any reason. Mr. Scriven identified Exhibits 1, 2 and 3 introduced in evidence, being letters from the Lamar Chief of Police, and several residents of the Lamar area, attesting to the adequate and satisfactory service as rendered by Lamar Taxi Company. Mr. Scriven stated in his opinion Lamar and the surrounding area could not possibly support two taxi companies, and further stated that calls for taxi service had never been refused, and any delays for taxi service have never been very long. He also stated that he has kept his taxi in good operating condition and takes every call but there are still many idle hours when his taxi is not in use. He stated there is not enough business for two taxi companies.

Testimony of one of the regular drivers for Lamar Taxi Company, as well as from a physically-disabled person, Bert Winchester, Lamar, Colorado, who uses taxi service for the purpose of shopping and attending to other errands, indicated the Lamar Taxi Company offered excellent

service and the drivers were very courteous.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that Applicant failed to establish public convenience and necessity for the creation of a second taxi service in Lamar, Colorado, and surrounding area; that Applicant failed to establish that the existing taxi service was inadequate or unsatisfactory; that Protestant's evidence established that the existing taxi service was satisfactory and sufficient to accommodate the population in and around Lamar; and, that the application should be denied, as set forth in the Order following.


O R D E R

THE COMMISSION ORDERS:

That Application No. 21166 be, and it hereby is denied, on the ground public convenience and necessity was not established by Applicant.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

Original

(Decision No. 65301)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DAVID W. DELAPLANE AND HELEN M. )  
DELAPLANE, DOING BUSINESS AS "SKY )  
RANCH," DOUTE 1, GLENWOOD SPRINGS, )  
COLORADO, FOR AUTHORITY TO TRANSFER )  
TO ARAPCO ENTERPRISES, INC., 145 ) APPLICATION NO. 21140-Transfer  
EAST COSTILLA, LITTLETON, COLORADO, )  
OPERATING RIGHTS GRANTED BY DECI- )  
SION NO. 60050. )

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July 6, 1965  
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Appearances: Harry E. Carleno, Esq., Englewood,  
Colorado, for Transferor and  
Transferee;  
Ray Wilson, Denver, Colorado, for  
the Staff of the Commission.

STATEMENT AND FINDINGS OF FACT

By the Commission:

David W. Delaplane and Helen M. Delaplane, doing business as  
"Sky Ranch," Glenwood Springs, Colorado, pursuant to authority contained  
in Decision No. 60050, of date February 1, 1963, became the owners and  
operators of a certificate of public convenience and necessity author-  
izing:

Establishment, maintenance, and operation of service, by  
airplane, for the transportation of passengers and property,  
not on schedule, but on call and demand, from Glenwood  
Springs, Colorado, to and between all points in the State  
of Colorado, with a base of operations at Glenwood Springs,  
Colorado, and airports within a radius of ten miles thereof.

By the above-styled application, said certificate-holders  
seek authority to transfer said operating rights to Arapco Enterprises,  
Inc., Littleton, Colorado.

Said application was regularly set for hearing before the  
Commission, and was heard by an Examiner duly designated and to whom  
the hearing was assigned by the Commission. At the conclusion of  
the hearing, the matter was taken under advisement, and said Examiner

transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

The testimony of David W. Delaplane and Helen M. Delaplane revealed they are partners in business, doing business under the trade name of "Sky Ranch", Glenwood Springs, Colorado, and have entered into an agreement to transfer to Arapco Enterprises, Inc., a Colorado corporation, operating rights granted by Decision No. 60050 which grants common carrier by airplane authority.

The consideration for the transfer is a "Lease and Option to Purchase" contract between transferors and transferee (Exhibit 1) by which the transferors as owners of approximately two acres of land adjacent to the Glenwood Springs Airport, are leasing said land, together with improvements thereon including a three-unit apartment building, a residence, and a metal aircraft hangar, to the transferee for ten years at a monthly rental of \$450.00. The contract also gives the transferee an option to purchase at graduated prices over the term of the lease. Exhibit 2 is an Addendum to Exhibit 1, and provides for re-transfer of the authority to transferees if transferee at any time for any reason terminates possession of the premises.

Mr. and Mrs. Delaplane testified their business, which in effect is being leased, is not subject to any past due obligations, and except for a real estate mortgage on the real property and improvements in the amount of approximately \$25,000.00. They stated they are stable financially and that the business will be obligation free on effective date of transfer, if the transfer is approved.

Mr. Delaplane, who is not a pilot, stated that he has had two pilots in his employ; that during the period of peak business, the business has had 4 to 5 charter trips per week; and that the general average over the year would be 2 trips per week. In addition to providing charter plane service, Mr. Delaplane said the transferee



will also furnish flying instructions, and will do a certain amount of maintenance work for airplane owners. Its employee and officer, Mr. John Susi will be the Glenwood Springs Airport Manager. Mr. Delaplane advised that the finances of Arapco Enterprises, Inc. and the equipment owned have been checked by him and that in his opinion, said transferee is well equipped and financially able to carry on a successful operation if the authority is transferred.

Mr. John Susi, Treasurer of Arapco Enterprises, Inc., testified the corporation was organized in August, 1964 and that he will be the operating manager at Glenwood Springs, Colorado, if the transfer herein requested is approved. Mr. Susi related that he had been appointed Glenwood Springs Airport Manager and would function in this capacity also. Mr. Susi stated that the financial condition of the transferee was good and that the equipment as described on the exhibit attached to the application was more than ample to fully and properly serve the public under said authority. He also testified that he is an experienced pilot himself and that in addition two other experienced and well qualified pilots will be hired to assist in the Glenwood Springs operation. In addition to charter service, the transferee proposes to furnish flying lessons and will provide certain limited maintenance work for private airplane owners.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that Transferee will have sufficient equipment and experience to properly carry on the operation; that Transferee's financial standing is established to the satisfaction of the Commission; 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 David W. Delaplane and Helen M. Delaplane, doing business as "Sky Ranch," Glenwood Springs, Colorado, be, and hereby are, authorized to transfer all right, title, and interest in and to certificate of public convenience and necessity acquired by them pursuant to authority contained in Decision No. 60050, of date February 1, 1963 -- with authority as set forth in the preceding statement which is made a part hereof, by reference -- to Arapco Enterprises, Inc., Littleton, Colorado, subject to encumbrances, if any, against said operation approved by this Commission.

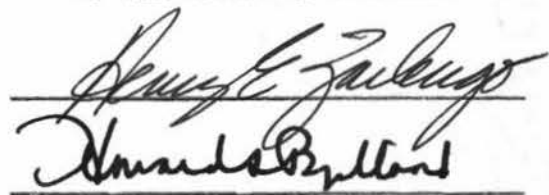
Applicant shall not establish an office or branch for the purpose of developing business at any town other than Glenwood Springs, Colorado, and airports located within ten miles of said town.

Applicant shall file tariffs, rate schedules, and rules and regulations with, and to be approved by, this Commission, and all required reports, within thirty (30) days from the date hereof.

The applicant shall carry suitable insurance protection, covering public liability, property damage, and passenger insurance, and shall continue to carry such insurance and any other insurance protection that may be required by the Commission.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

COMMISSIONER RALPH C. HORTON NECESSARILY ABSENT AND  
NOT PARTICIPATING

Dated at Denver, Colorado,  
this 6th day of July, 1965.

et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

F & S SANITARY REMOVAL,  
10005 Laredo,  
Aurora, Colorado;  
AURORA AND EAST DENVER TRASH DISPOSAL,  
447 Oswego, Aurora, Colorado;  
AURORA REMOCAL,  
1979 Florence, Aurora, Colorado,  
and  
AURORA ASH AND TRASH,  
9900 East Alameda, Aurora, Colorado

CASE NO. 5274

Complainants,

vs.

D. R. HART,  
P. O. Box 317, Commerce City,

Defendants.

July 6, 1965

STATEMENT AND FINDINGS OF FACT

By the Commission:

On March 27, 1964, formal Complaint was filed with the Commission by F & S Sanitary Removal, Aurora and East Denver Trash Disposal, Aurora Removal, and Aurora Ash and Trash, by Martin P. Miller, Attorney for Petitioners, against D. R. Hart, regarding exceeding authority under PUC No. 3995.

On April 13, 1964, Order to Satisfy or Answer was issued by the Commission, directed to said D. R. Hart, Answer thereto being filed with the Commission on April 24, 1964.

On September 8, 1964, hearing was held and continued to a future date in order that Complainants might file Amended Complaint

On September 10, 1964, "Amended Petition to Cease and Desist by Adding Count Two," was filed by Complainants by Martin P. Miller, Attorney.

On September 15, 1964, Answer to Amended Petition to Cease and Desist-- Count Two was filed by Defendant by Francis R. Salazar and Carl L. Harthun, Attorneys.

On October 14, 1964, Order was issued continuing said Case to be later re-set for hearing upon motion of Complainants in order that they might file an Amended Complaint.

Since that time, said matter has been held in abeyance by the Commission, and no Amended Complaint has been received by the Commission from Complainants herein.

The Commission is now desirous of closing its docket on long pending matters. Therefore,

The Commission states and finds that unless Amended Complaint in the above-entitled matter shall be filed with the Commission before the effective date of this Order, said matter shall be closed upon the docket of this Commission.

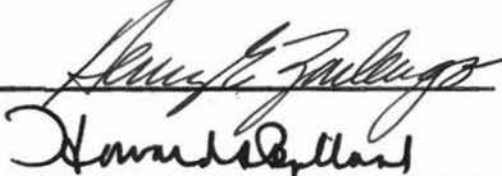
#### O R D E R

##### THE COMMISSION ORDERS:

That unless Amended Complaint in the above-styled Case shall be filed with the Commission before the effective date of this Order, said matter shall be dismissed, without further notice, and closed upon the docket of this Commission.

This Order shall become effective thirty (30) days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

COMMISSIONER RALPH C. HORTON NECESSARILY ABSENT  
AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 6th day of July, 1965

et

Original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ELIZABETH E. PARKER AND SIDNEY T. )  
EMERON, CO-ADMINISTRATORS OF THE )  
ESTATE OF ROBERT PARKER, DECEASED, )  
P. O. BOX 35, EVANS, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUC NO. 3267 )  
TO GORDON R. ROBINSON AND WILLIAM )  
G. RUH, DOING BUSINESS AS "ROBINSON )  
& RUH TRUCK LINE," CORNISH, COLO- )  
RADO. )

APPLICATION NO. 21149-Transfer

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IN THE MATTER OF THE APPLICATION OF )  
GORDON R. ROBINSON AND WILLIAM G. )  
RUH, DOING BUSINESS AS "ROBINSON )  
& RUH TRUCK LINE," CORNISH, COLO- )  
RADO, IN THE EVENT AUTHORITY SOUGHT )  
IN APPLICATION NO. 21149-Transfer )  
IS GRANTED, FOR AUTHORITY TO )  
EXTEND OPERATIONS UNDER PUC NO. )  
3267. )  
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APPLICATION NO. 21150-Extension

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July 6, 1965  
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Appearances: Elizabeth E. Parker, Evans, Colorado,  
Co-Administrator of the Estate of  
Robert Parker, for Transferor;  
Gordon R. Robinson, Cornish, Colorado,  
for Transferee and Applicants.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Robert Parker, Evans, Colorado, was granted the  
following operating rights:

PUC No. 3267  
Transportation of milk, from farms within a radius of  
20 miles of Briggsdale, Colorado, to Johnstown, appli-  
cant not to receive nor to release for interline, any  
milk other than milk destined to Johnstown, Colorado.

Robert Parker has now departed this life, and by Application  
No. 21149-Transfer, Elizabeth E. Parker and Sidney T. Emeron, Co-  
Administrators of the Estate of Robert Parker, Deceased, Evans, Colo-  
rado, seeks authority to transfer PUC No. 3267 to Gordon R. Robinson

and William G. Ruh, doing business as "Robinson & Ruh Truck Line," Cornish, Colorado.

By Application No. 21150-Extension, Gordon R. Robinson and William G. Ruh, doing business as Robinson & Ruh Truck Line," Cornish, Colorado, in the event authority sought in Application No. 21149-Transfer is granted, seek authority to extend operations under PUC No. 3267 to include a 30-mile radius of Briggsdale, Colorado, in lieu of the 20-mile radius presently contained in said PUC No. 3267.

Said applications were regularly set for hearing before the Commission, and were heard, on a consolidated record, by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matters were taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceedings, together with a written statement of his findings of fact and conclusions.

At the hearing, Elizabeth E. Parker, appeared and testified in support of the applications, stating that she and her Co-Administrator have entered into a written Sales Agreement providing for the sale of the authority and equipment to the Transferees herein for the total consideration of \$4,000.00; that the County Court of Weld County, State of Colorado, has authorized the sale of the authority and equipment; that in view of the death of her husband, the Transferees herein have received Temporary Authority from this Commission to operate under PUC No. 3267; that a determination has been made that the Transferees are experienced in the type of operation to be transferred and that they are financially able to adequately function under the authority to be transferred.

Gordon R. Robinson, a co-partner of the Transferee partnership, also appeared and testified that he and his co-partner have been operating under PUC No. 3267 by Temporary Authority received from this Commission; that the partnership has engaged in the dairy and farm

business in Cornish, Colorado; that they have had considerable experience in the transportation of milk and other farm products; and that the authority will be operated with a 1963 International truck, which is more than adequate for the business contemplated under this authority; that the partnership has made provisions for adequate insurance coverage; that it is fully aware of the rules, regulations and laws pertaining to carriers, and that the partnership would abide by such rules, regulations and laws.

As Applicants for Extension of authority under PUC No. 3267, Mr. Robinson further testified that the authority under PUC No. 3267 limits the area presently served to a radius of 20 miles of Briggsdale, Colorado; that the partnership is seeking to extend the radius to 30 miles of Briggsdale, Colorado; that such an extension would permit the partnership to serve three customers who are desirous of using their service as they are unable to make any other adequate arrangements for the transportation problems which they have; that so far as he knows, there is no other carrier within a radius of 30 miles of Briggsdale, Colorado, with the specific type of equipment required for the transportation of milk; and that there is a need and necessity for such transportation facilities in the area within a radius of 30 miles of Briggsdale, Colorado.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant applications; that Applicants will have sufficient equipment and experience to properly carry on the operation of PUC No. 3267 and to conduct the proposed extended service herein sought; that Applicant's financial standing is established to the satisfaction of the Commission; that the proposed transfer and extension are compatible with the public interest, and should be



authorized, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Elizabeth E. Parker and Sidney T. Emeron, Co-Administrators of the Estate of Robert Parker, Deceased, Evans, Colorado, be, and hereby are, authorized to transfer all right, title and interest in and to PUC No. 3267 to Gordon R. Robinson and William G. Ruh, doing business as "Robinson & Ruh Truck Line," Cornish, Colorado, subject to encumbrances against said operating rights, if any, approved by this Commission.

That Gordon R. Robinson and William G. Ruh, doing business as "Robinson & Ruh Truck Line," Cornish, Colorado, be, and they hereby are authorized to extend operations under PUC No. 3267, so that the sole and only authority thereunder shall be as follows, to-wit:

Transportation of milk, from farms within a radius of thirty miles of Briggsdale, Colorado, to Johnstown; applicant not to receive nor to release for interline, any milk other than milk destined to Johnstown, Colorado.

That said transfer shall become effective only if and when, but not before, said Transferor and Transferee, in writing, have advised the Commission that said 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



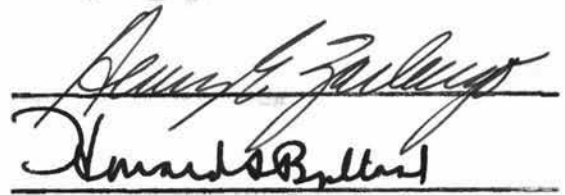
Transferee until changed according to law and the rules and regulations of this Commission.

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.

That Transferee 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.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

COMMISSIONER RALPH C. HORTON NECESSARILY ABSENT  
AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 6th day of July, 1965

et

original

(Decision No. 65304)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MARTIN E. LUST, 2185 EAST NOBLE )  
PLACE, LITTLETON, COLORADO, FOR )  
AUTHORITY TO EXTEND OPERATIONS UNDER )  
PERMIT NO. B-3865. )

APPLICATION NO. 21273-PP-Extension

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-----  
July 8, 1965  
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Appearances: Martin E. Lust, Littleton,  
Colorado, pro se;  
J. F. Nigro, Esq., Denver,  
Colorado, for Weicker  
Transfer & Storage Co.,  
Duffy Storage & Moving  
Co.;  
Robert Means, Esq., Denver,  
Colorado, for K. P. Moving  
& Storage, Inc., Mullis  
Transfer.

STATEMENT AND FINDINGS

By the Commission:

Martin E. Lust, Littleton, Colorado, is the owner and oper-  
ator of Permit No. B-3865, authorizing:

transportation of brick from Denver, Colorado,  
to points within a radius of fifty (50) miles  
of Denver, Colorado, for Denver Sewer Pipe &  
Clay Company, only.

and by the above-styled application seeks authority to extend operations  
under said Permit No. B-3865 to include the right to transport block and  
pipe, from Denver, Colorado, to points within a radius of fifty miles  
of Denver, Colorado, for Denver Brick & Pipe Company, only.

Said application, pursuant to prior setting, after appropriate  
notice to all parties in interest, was heard at the Hearing Room of the  
Commission, 532 State Services Building, Denver, Colorado, July 1, 1965,  
and at the conclusion of the evidence, the matter was taken under ad-  
visement.

Martin E. Lust, applicant herein, testified that he is owner of Permit No. B-3865, and that he seeks an extension of such permit to allow him to haul cinder block, concrete block, clay pipe and concrete pipe, from Denver, Colorado, to points within a radius of fifty miles of Denver, Colorado, for Denver Brick & Pipe Company, only. He is the owner and operator of one truck and he would plan to use this truck to render the proposed service. He would not plan to acquire any additional equipment. The Company basically furnishes transportation in company owned trucks and would use his service only for the transportation of products which for one reason or another could not be hauled in company trucks. He testified that he was willing, if the extended authority were granted, to limit all operations under Permit No. B-3865 to one truck. Upon such statement by the Applicant, the protestants withdrew their respective protests.

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

#### ORDER

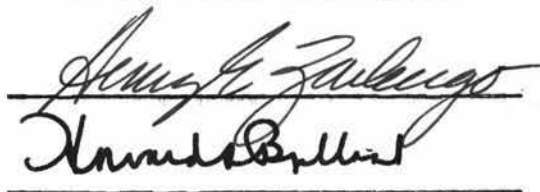
##### THE COMMISSION ORDERS:

That Martin E. Lust, Littleton, Colorado, should be, and hereby is, authorized to extend operations under Permit No. B-3865 to include the transportation of cinder and concrete block and clay and concrete pipe, from Denver, Colorado, to points within a radius of fifty miles of Denver, Colorado, for Denver Brick & Pipe Company, only, limited to the use of one truck only, and this ORDER shall be deemed to be, and be, a PERMIT therefor.

That this Order is made part of the permit granted to Applicant.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT  
PARTICIPATING.

Dated at Denver, Colorado,  
this 8th day of July, 1965

et

Original

(Decision No. 65305)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CLARK MERCER, DOING BUSINESS AS )  
"MERCER'S MOVING & EXPRESS," 1335 )  
WABASH, DENVER, COLORADO, FOR REIN- )  
STATEMENT OF PUC NO. 3346, AND FOR )  
AUTHORITY TO TRANSFER SAID CERTIFI- )  
CATE TO OTTO NELSON, 1851 ONEIDA )  
STREET, DENVER, COLORADO. )

APPLICATION NO. 21122-Transfer

-----  
July 8, 1965  
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Appearances: Gerald A. Kay, Esq., Denver,  
Colorado, for Christine  
Mercer, Conservatrix of the  
Estate of Clark Mercer, the  
Transferor;  
John F. Thompson, Esq., Denver,  
Colorado, for the Transferee;  
Joseph F. Nigro, Esq., Denver,  
Colorado, for the individual  
members of the Colorado  
Transfer and Warehousemen's  
Association, as their interest  
may appear;  
Robert Means, Esq., Denver,  
Colorado, for K. P. Moving &  
Storage, Inc., Mullis Transfer,  
Protestants.

STATEMENT AND FINDINGS

By the Commission:

This matter was set for hearing at the Hearing Room of the  
Commission, State Services Building, Denver, Colorado, on July 1, 1965,  
at which time the above appearances were made.

As a preliminary matter, the Attorney for Christine Mercer  
moved that the transfer proceedings be dismissed, stating as ground  
for such motion that he had been directed by Christine Mercer, the  
Conservatrix of the Estate of Clark Mercer, to disaffirm the contract  
for the transfer. The motion to dismiss was granted.

O R D E R

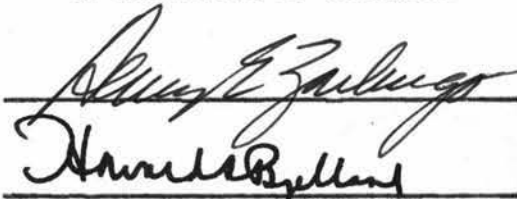
THE COMMISSION ORDERS:

That Application No. 21122 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

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT  
PARTICIPATING.

  
Commissioners

Dated at Denver, Colorado,  
this 8th day of July, 1965

et

Original

IN THE MATTER OF THE PETITION OF  
UNION RURAL ELECTRIC ASSOCIATION,  
INC., BRIGHTON, COLORADO, FOR  
AUTHORITY TO ISSUE SECURITIES  
AND FOR AN ORDER AUTHORIZING IT  
TO BORROW \$1,666,000.00 AND  
EXECUTE ITS NOTE AND MORTGAGE TO  
SECURE THE SAME.

APPLICATION NO. 21316  
SECURITIES

S T A T E M E N T

By the Commission:

Upon consideration of the application filed July 6, 1965,  
by Union Rural Electric Association, Inc., a cooperative corpora-  
tion in the above styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on July 20, 1965,  
at 9:00 o'clock A. M., 532 State Services Building, Denver, Colorado,  
respecting matters involved and issues presented in the proceeding.  
Any interested municipality or any representative of interested  
consumers or security holders of applicant corporation, and any  
other person whose participation herein is in the public interest,  
may intervene in said proceeding. Intervention petitions should be  
filed with the Commission on or before July 14, 1965, and should set  
forth the grounds of the proposed intervention and the position and  
interest of the petitioners, in the proceeding and must be sub-  
scribed by interveners.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 7th day of July, 1965.



*Original*

(Decision No. 65307)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FRESQUEZ LUMBER UNLOADING COMPANY, )  
A COLORADO CORPORATION, 6467 WOLFF, )  
ARVADA, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 21137-PP

-----  
June 28, 1965  
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Appearances: Darrell Harrison, Esq., Denver,  
Colorado, for Applicant;  
Joseph F. Nigro, Esq., Denver,  
Colorado, for Weicker Transfer  
& Storage Co. and Duffy Storage  
& Moving Co.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of lumber from railroad cars spotted within a radius of 100 miles of Denver, Colorado, only, to lumber yards and job sites from the nearest railroad siding; sheet rock, from lumber yards within a radius of 100 miles of Denver, Colorado, to points in said 100-mile radius; with no service to or from Wild Spur, Colorado. Applicant requests, in the event authority herein sought is granted, said operating rights to be known as "Permit No. B-4245," being the number of a permit formerly held by applicant.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado, June 24, 1965, and at the conclusion of the evidence, the matter was taken under advisement.

The Applicant moved that the application be amended by adding thereto and immediately after the wording, to-wit: "to lumber yards and job sites from the nearest railroad siding" the words "with no town-to-town service." The motion should be granted as it is restrictive in its nature of the authority sought under the application.

Faustin Fresquez testified in support of the application to the effect that so far as he knows no carrier is rendering a transportation service substantially the same as the one for which authority is sought; that by having the carloads spotted as closely to the destination as possible substantial savings are realized by the shipper and in addition thereto that the hazard incidental to hauling of lumber over the public highways is materially decreased; and, that he has been working for the Denver Wood Products and Scatterday's Lumber Yard, who have made request upon him that he seek authority and who would use his service if the authority is granted. The Applicant has a truck free and clear of all obligations which he intends to use in the rendering of such service and will make use of some of his relatives to help him when the occasion arises.

No one introduced any evidence in protest to the granting of the application.

The Commission finds that there is a need for the proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; and that it does not appear that the granting of the authority will impair the efficient public service of any common carrier; and that the application should be granted as set forth in the following Order.

#### O R D E R

##### THE COMMISSION ORDERS:

That the motion for amendment of the application be, and the same hereby is, granted.

That Fresquez Lumber Unloading Company, a Colorado corporation, Arvada, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of lumber from railroad cars spotted within a radius of 100 miles of Denver, Colorado, only, to lumber yards and job sites from the nearest railroad siding, with no town-to-town service; sheet rock, from lumber yards within a radius of 100 miles of Denver, Colorado, to points in said 100-mile radius; with no service to or from Wild Spur, Colorado; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

That operating rights herein granted shall be known as "Permit No. B-4245."

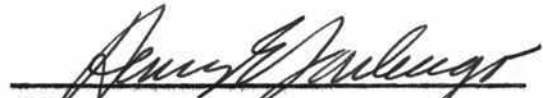
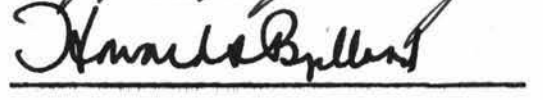

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 28th day of June, 1965

et

original

(Decision No. 65308)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GERALD R. SOUTH, BOX 1076, CORTEZ, )  
COLORADO, FOR A CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY TO )  
OPERATE AS A COMMON CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 21181

-----  
July 9, 1965  
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Appearances: George R. Buck, Esq., Cortez,  
Colorado, for Applicant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a common carrier by motor vehicle for hire, for the transportation of buildings, generally, whole and dismantled, excluding box cars and trolley cars, from point to point in one direction, without return payload, over irregular routes in and about the Counties of San Juan, La Plata, Montezuma, Dolores, Archuleta and San Miguel, State of Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

At the hearing, George R. Buck, Attorney for Applicant appeared and testified in support of the application, stating Applicant has had considerable experience in this type of special service, in that his father and brother have been in the business of moving houses and Applicant has worked for them. Applicant stated he now has similar authority in the State of Utah, and owns the necessary heavy equipment, to-wit: two trucks, heavy timbers, planks, jacks and chains; that in the past

year he has been contacted a number of times for this type of service, and he knows there is a need for such service in the area he is applying for. Applicant also stated he is financially able to operate under this authority, if granted; and that he agrees to operate in accordance with all present and future rules and regulations of the Commission and all laws of the State of Colorado pertaining to common carriers.

In support of the application, Glen Wilson and John D. Manning, both of Cortez, Colorado, stated they have lived in the area for many years and know of a need for such service and, further, they intend to be customers of Applicant, if authority herein sought is granted, and that both of them have houses to be moved from one point to another within the area applied for.

No one appeared to protest the application.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that Applicant will have sufficient net worth, equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that public convenience and necessity require Applicant's proposed 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 Gerald R. South, Cortez, Colorado be, and he hereby is, authorized to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of buildings, generally, whole and dismantled, excluding box cars and trolley cars, from point to point in one direction, without return payload, over irregular routes in and about the Counties of San Juan, La Plata, Montezuma,

Dolores, Archuleta and San Miguel, State of Colorado; and this ORDER shall be deemed to be, and be, a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.

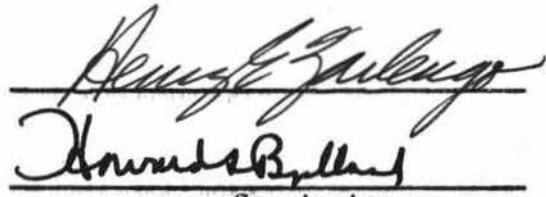
That Applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 9th day of July, 1965

et per



Original

(Decision No. 65309)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF ) H. D. TETER, 4343 VRAIN STREET, ) DENVER, COLORADO, FOR AUTHORITY TO ) TRANSFER PERMIT NO. A-2476 TO MARVIN ) HIGGINS AND DONNA HIGGINS, DOING ) BUSINESS AS "HIGGINS TRUCK LINE," ) 7855 WADSWORTH, WESTMINSTER, COLO- ) RADO. )	APPLICATION NO. 21190-PP-Transfer
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July 9, 1965  
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Appearances: H. D. Teter, Denver,  
Colorado, pro se;  
Marvin Higgins, West-  
minster, Colorado,  
pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, H. D. Teter, Denver, Colorado, seeks authority to transfer Permit A-2476, to Marvin Higgins and Donna Higgins, doing business as "Higgins Truck Line," Westminster, Colorado, said permit being the right to operate as a Class "A" private carrier by motor vehicle for hire, for the transportation of:

- (1) Transportation of newspapers between Denver and Ault and intermediate points on U. S. 85; between Ft. Collins and Denver and intermediate points on U. S. 87, using Colorado 14 in passing from Ault to Ft. Collins, and serving as offline points on Sundays, only, Boulder, Timnath, Windsor, Johnstown and Milliken; and the transportation of bakery goods between Denver and Ft. Collins. (2) Transportation of bakery goods only from Denver to Loveland and Longmont on U. S. 87, provided, however, that under the authority in this section applicant shall not maintain any schedule that leaves Denver at either 2:00 P.M. or 6:00 P.M. in conflict with the operations of the Denver-Loveland-Transportation Company. (3) Transportation of bakery goods from Denver to Greeley, provided, however, that under this section the schedule leaving Denver shall not be later than 2:00 A.M. (4) Transportation of cream, in cans, from Loveland, Colorado, to Denver, Colorado, with return of empty cans, and newspapers from Denver, Colorado, to Walden, Colorado, and to intermediate points between Granby and Walden, Colorado. (5) Transportation of milk and cream, in cans, from Ft. Collins, Colorado, to Denver, Colorado, with return of empty containers.



Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

At the hearing, Mr. H. D. Teter, Transferor herein, appeared and testified that the consideration for transfer of said permit is \$1,500.00, and that there are no outstanding debts against the operating rights of said permit. He also stated that transferees herein were experienced in the transportation business, and fully qualified financially and in experience to effectively operate under said authority.

Mr. Marvin Higgins, one of Transferees herein, testified that he has had many years of experience in the transportation business and was financially able to adequately operate under Permit No. A-2476, if transfer is approved. Mr. Higgins also stated that if transfer is granted, he agrees to operate in accordance with all present and future rules and regulations of the Commission and the laws of the State of Colorado, and has made provisions for insurance as required by the Commission.

No one appeared in protest to this application.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that Transferee will have sufficient equipment and experience to properly carry on the operation; that Transferee's financial standing is established to the satisfaction of the Commission; that the transfer is compatible with public interest, and should be authorized, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That H. D. Teter, Denver, Colorado, be, and he hereby is, authorized to transfer all right, title, and interest in and to Permit No. A-2476 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Marvin Higgins and Donna Higgins, doing business as "Higgins Truck Line," Westminster, Colorado, subject to encumbrances, if any, against said permit, approved by this Commission.

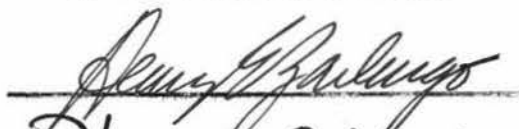

That said transfer shall become effective only if and when, but not before, said Transferor and Transferee, in writing, have advised the Commission that said permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of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

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT  
PARTICIPATING

Dated at Denver, Colorado,  
this 9th day of July, 1965  
et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF )  
LARRY H. BUENO, 570 SOUTH )  
MEADE STREET, DENVER, COLORADO. )  
----- )

PERMIT NO. B-6633

-----  
July 8, 1965  
-----

By the Commission:

On January 1, 1965, the Commission authorized Larry H. Bueno to suspend operations under his Permit No. B-6633, until July 1, 1965.

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-6633, should be, and the same hereby is, reinstated as of July 6, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry C. Zetler*  
*Howard S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 8th day of July, 1965.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

MR. CHESTER BLACKFORD )  
Route 2 )  
Loveland, Colorado )  
----- )

AUTHORITY NO. M 10494

CASE NO. 1424 Ins.

-----  
July 9, 1965  
-----

S T A T E M E N T

By the Commission:

On June 16, 1965, in the above Case, the Commission entered its Order revoking the above Authority for failure to maintain effective insurance on file with the Commission. Proper insurance filing has now been made with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said Authority should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That said Authority be, and the same hereby is, reinstated, as of the date of revocation, and the said revocation Order be, and the same hereby is, vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry C. Ziegler  
Howard S. Bjelland  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,  
this 9th day of July, 1965

Original

(Decision No. 65312)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
RALPH E. HINES, WOODLAND PARK, }  
COLORADO, FOR AUTHORITY TO TRANSFER }  
PERMIT NO. B-5464 TO LEADVILLE }  
TRANSIT CO., INC., BOX 375, }  
LEADVILLE, COLORADO. }

APPLICATION NO. 20998-PP-Transfer

-----  
July 9, 1965  
-----

Appearances: Peter J. Crouse, Esq., Denver,  
Colorado, for Transferor and  
Transferee;  
Lewis Johnson, Esq., Colorado  
Springs, Colorado, for Colorado  
Springs Coach Company, as its  
interest may appear.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, Ralph E. Hines, Woodland  
Park, Colorado, seeks authority to transfer Permit No. B-5464 to Leadville  
Transit Co., Inc., Leadville, Colorado, said permit being the right to  
operate as a private carrier by motor vehicle for hire, for the transporta-  
tion 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; and  
(c) From transportation termini in El Paso County, Colorado,  
to Teller County; and from points in Teller County to trans-  
portation termini in El Paso, County.

EXTENDED 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 opera-  
tions under Permit No. B-5464, except as replacements thereto.

Said application was regularly set for hearing before the Com-  
mission, and was heard by an Examiner duly designated and to whom the  
hearing was assigned by the Commission. At the conclusion of the hear-

ing the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner herein states that Ralph E. Hines, Transferor, testified he has operated under Permit No. B-5464 continuously since 1955, and is now completing negotiations with the Leadville Transit Co., Inc., to transfer and sell this authority, with certain equipment, to that company which contemplates operating under the trade name of "Glover Charter Service, Inc." The consideration for the transaction, as well as a description of equipment and method of payment is set forth in an Agreement, of date February 17, 1965, between Transferor, and Transferee herein, on file with the Commission (Applicant's Exhibit A). Transferor stated he is selling his business due to ill health, and that Transferee herein has been operating under Permit No. B-5464 by virtue of an Emergency Letter. He also stated he is requesting authority from the Commission to execute and file a mortgage on Permit No. B-5464 (Exhibit C) to cover payment of the authority and equipment, and to which request Transferee has agreed. Mr. Hines further stated, in his opinion, Transferee and employees of Transferee were experienced and financially able to effectively continue operations under this authority.

Mr. Dale Glover, Woodland Park, Colorado, testified he is the President of the Leadville Transit Co., Inc., the Transferee herein; that if the transfer is approved by the Commission, it is the desire of Transferee that authority under said Permit No. B-5464 be operated under the trade name "Glover Charter Service, Inc.," and that if approved, the transfer be made to the

Leadville Transit Co., Inc.,  
doing business as  
Glover Charter Service, Inc.



Mr. Glover stated that Certificate of Assumed or Trade Name for "Glover Charter Service, Inc." as a trade name, has been filed with the Clerk and Recorder of Chaffee County, Colorado. (Exhibit F).

Mr. Glover stated that his company is a common carrier under PUC No. 5348 for the transportation of passengers in the Leadville-Climax area and he was of the opinion his company will have adequate experience and equipment to operate successfully under Permit No. B-5464. He also stated that he and the other officers of his company are familiar with the rules and regulations of the Commission pertaining to both private and common carriers, and the laws of the State of Colorado, and they will carefully observe such rules, regulations and laws if transfer is granted.

No one appeared to protest the granting of the instant application.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that Transferee will have sufficient equipment and experience to properly carry on the operation; that Transferee's financial standing is established to the satisfaction of the Commission; that the transfer is compatible with public interest, and should be authorized, as set forth in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That Ralph E. Hines, Woodland Park, Colorado, be, and he hereby is, authorized to transfer all right, title and interest in and to Permit No. B-5464 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference, reworded for clarification as to the number of vehicles to be used under this authority, to-wit:



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; and (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.

EXTENDED 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. The authority under Permit No. B-5464 is limited to use of not more than six (6) motor buses.

to Leadville Transit Co., Inc., doing business as "Glover Charter Service, Inc.," Leadville, Colorado, subject to encumbrances, if any, against said permit, approved by this Commission.

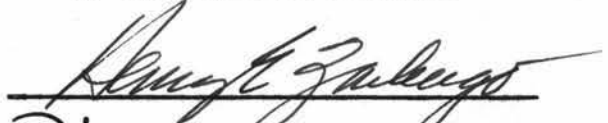
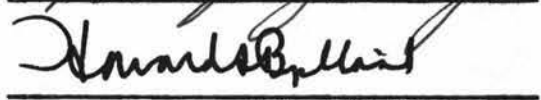
That said transfer shall become effective only if and when, but not before, said Transferor and Transferee, in writing, have advised the Commission that said permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of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

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

original

(Decision No. 65313)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RALPH B. ARNOLD, JR., DOING BUSINESS )  
AS "CARRIAGES LTD.," 2336 NINETH )  
STREET, BOULDER, COLORADO, FOR A )  
CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY TO OPERATE AS A COMMON )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )

APPLICATION NO. 21266

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-----  
July 8, 1965  
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Appearances: Laurence M. Guilford, Esq.,  
Englewood, Colorado, for  
Applicant;  
William F. McGlone, Esq.,  
Denver, Colorado, for  
Central City Sightseeing  
Unlimited, Protestant.

STATEMENT AND FINDINGS

By the Commission:

By the above-styled application, Ralph B. Arnold, Jr., 2336  
Nineth Street, Boulder, Colorado, seeks a certificate of public con-  
venience and necessity authorizing operations as a common carrier by  
motor vehicle for hire, for the transportation of passengers for com-  
pensation within and between the towns of Black Hawk and Central City,  
Colorado, under the trade name and style of "Carriage Ltd."

Said application, pursuant to prior setting, after appro-  
priate notice to all parties in interest, was heard at the Hearing  
Room of the Commission, 532 State Services Building, Denver, Colorado,  
June 25, 1965, and at the conclusion of the evidence, the matter was  
taken under advisement.

The application states that the applicant intends to utilize  
two Model T Fords for the rendition of this service. The evidence in-  
dicated that the service to be rendered by applicant would be primarily

a sightseeing and novelty operation.

Ralph B. Arnold and John Burns testified in support of the application and Exhibits B, C and D were submitted in evidence by the applicant. The Presiding Commissioner allowed Exhibits E through J, inclusive, to be filed for the record. The owner and operator of Central City Sightseeing Unlimited (PUC No. 2393) testified in opposition to the proposal.

We have carefully considered all of the testimony and Exhibits admitted herein and we now find that the applicant has failed to establish that public convenience and necessity require the issuance of the certificate sought herein. The application should be denied.

O R D E R

THE COMMISSION ORDERS:

That the application herein should be, and the same hereby is, denied.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

COMMISSIONER RALPH C. HORTON NECESSARILY  
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 8th day of July, 1965.  
mls

Original

(Decision No. 65314)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THE PUBLIC SERVICE COMPANY OF COLO- )  
RADO, 550 15TH STREET, DENVER, COLO- )  
RADO, FOR A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY TO )  
CONSTRUCT GAS DISTRIBUTION FACILI- )  
TIES AND DISTRIBUTE GAS THEREFROM )  
IN CERTAIN AREAS OF EAGLE, LAKE AND )  
SUMMIT COUNTIES, COLORADO, INCLUDING )  
THE UNINCORPORATED COMMUNITY OF )  
SILVERTHORNE IN SUMMIT COUNTY, COLO- )  
RADO, AND THE INCORPORATED TOWNS OF )  
RED CLIFF AND MINTURN IN EAGLE )  
COUNTY, COLORADO, AND TO EXERCISE )  
GAS AND ELECTRIC FRANCHISE RIGHTS IN )  
SAID INCORPORATED TOWNS WHEN OB- )  
TAINED. )  
-----

APPLICATION NO. 21155-Amended

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July 9, 1965  
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Appearances: Lee, Bryans, Kelly & Stansfield,  
Esqs., Denver, Colorado, by  
E. A. Stansfield, Esq., and  
D. D. Cawelti, Esq., for Applicant;  
Joseph F. Nigro, Esq., Denver,  
Colorado, for the Town of Center,  
Colorado; Salida Gas Service,  
Salida, Colorado; Eveready Freight  
Lines, Buena Vista, Colorado;  
Leadville Utilities, Leadville,  
Colorado; and Gunnison Utilities,  
Gunnison, Colorado;  
Keith L. Brown, Esq., Denver,  
Colorado, for Gas Facilities, Inc.,  
Denver, Colorado;  
Grant E. McGee, Esq., Denver, Colo-  
rado, for Rocky Mountain Gas  
Company, Inc., Denver, Colorado;  
J. M. McNulty, and  
E. R. Thompson, Denver, Colorado,  
for the Staff of the Commission.

STATEMENT AND FINDINGS

By the Commission:

Public Service Company of Colorado filed an application with  
this Commission, seeking a certificate of public convenience and necess-  
ity authorizing the construction of certain gas facilities in a desig-  
nated area in Eagle, Lake and Summit Counties, the exercise of gas and

electric franchises to be acquired in the Towns of Minturn and Red Cliff, and the distribution and sale of gas in said area, generally along the gas transmission pipeline proposed to be constructed by the Western Slope Gas Company in Application No. 21154-Extension, which was filed concurrently with the Public Service Company Application.

By its Decision No. 65237 dated June 25, 1965, this Commission granted to Public Service Company of Colorado the authority, which it sought by said application, excepting, however, the authority to construct gas distribution facilities and distribute gas therefrom in the following described area, to-wit:

Sections 1, 11, 12, 13 and the N $\frac{1}{2}$  of  
Section 14, Township 5 South, Range  
81 West of the 6th P.M.  
County of Eagle, Colorado

On July 7, 1965 Public Service Company of Colorado filed with this Commission its Motion to delete the herein above described area from said Application.

By this reference this Commission adopts, as if fully set forth herein, the Statement and Findings set forth in its Decision No. 65237 dated June 25, 1965, in this Application.

#### O R D E R

##### THE COMMISSION ORDERS:

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

That the Motion as filed with this Commission on July 7, 1965 by the Public Service Company amending Application No. 21155 be, and it hereby is, granted.

That except as to the Motion amending Application No. 21155 granted herein, Decision No. 65237 of June 25, 1965 shall remain in full force and effect.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT  
PARTICIPATING

Dated at Denver, Colorado,  
this 9th day of July, 1965

et



Original

(Decision No. 65315)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WESTERN SLOPE GAS COMPANY, 550 15TH )  
STREET, DENVER, COLORADO, FOR A )  
CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY TO CONSTRUCT AND OPER- ) APPLICATION NO. 21154-Extension  
ATE AN EXTENSION OF ITS NATURAL GAS ) SUPPLEMENTAL ORDER  
TRANSMISSION FACILITIES WITHIN AND )  
TO CERTAIN AREAS OF EAGLE, LAKE AND )  
SUMMIT COUNTIES, COLORADO, AND TO )  
MAKE SALES THEREFROM. )  
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-----  
July 9, 1965  
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Appearances: Lee, Bryans, Kelly & Stansfield,  
Esqs., by  
E. A. Stansfield, Esq., Denver,  
Colorado, and  
Donald D. Cawelti, Esq., Denver,  
Colorado, for Applicant;  
Joseph F. Nigro, Esq., Denver,  
Colorado, for Town of Center,  
Salida Gas Service, Eveready  
Freight Service, Leadville  
Utilities, Gunnison Utilities;  
Keith L. Brown, Esq., Denver,  
Colorado, for Gas Facilities, Inc.  
Grant E. McGee, Esq., Denver, Colo-  
rado, for Rocky Mountain Natural  
Gas Company, Inc.  
J. M. McNulty, and  
E. R. Thompson, Denver, Colorado,  
for the Staff of the Commission.

S T A T E M E N T

By the Commission:

Western Slope Gas Company, a Colorado corporation, herein called "Applicant," filed with this Commission on May 11, 1965, its application requesting a certificate of public convenience and necessity authorizing it to construct and operate an extension of its natural gas transmission facilities within and to certain areas in Eagle, Lake and Summit Counties, Colorado and to make natural gas sales therefrom.

By its Decision No. 65236 dated June 25, 1965, the Commission granted the authority sought by the Applicant for all except a stated portion of the extension for which application has been made. With respect to that portion, an extension into the West Vail area of

Eagle County, Colorado, which extension had been protested by Gas Facilities, Inc., the Commission deferred its decision thereon stating:

"At the conclusion of the hearing, Applicant agreed that in view of the protest of Gas Facilities, Inc. and its application for authority to render gas in the West Vail area, aforesaid described, Applicant would be willing that the Commission defer its decision respecting the extension of Applicant's transmission line into said area until a date subsequent to the hearing on the application of Gas Facilities, Inc. to serve said West Vail area. The Findings and Order following will accordingly be limited to delete that portion of applicant's proposed natural gas transmission lines extending into the West Vail area without prejudice to the right of Applicant to continue to assert its right to extend its gas transmission line into said area at said hearing. In the event the Commission should decide to authorize said extension, a Supplemental Order will be issued accordingly."

The Findings and Order set forth in said Decision No. 65236 contain similar language.

Since the date of said Decision No. 65236, Gas Facilities, Inc. has withdrawn its protest to the authority sought by Applicant to extend its transmission line into the West Vail area and has shown at its hearing held July 2, 1965, on its Application No. 21141 that it has entered into a contract with Applicant to purchase natural gas from Applicant for resale in said West Vail area.

Accordingly, a Supplemental Order should now be issued authorizing Applicant to make an extension into the West Vail area as sought in its Application.

The Commission hereby adopts, and by this reference includes herein, those matters and things set forth in its Statement contained in Decision No. 65236, dated June 25, 1965.

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

##### THE COMMISSION FINDS:

That the above Statement should be made a part hereof by reference.

The Findings contained in the Decision of this Commission, No. 65236, dated June 25, 1965, is hereby adopted as if fully set

forth herein.

That public convenience and necessity require and will require the construction, operation and maintenance of the natural gas transmission line of the Applicant from its point of termination near the Town of Minturn in Eagle County to the area of West Vail, terminating in Section 12, Township 5 South, Range 81 West, Eagle County, Colorado, in order to make natural gas service available to Gas Facilities, Inc., and along the route of said proposed transmission line outside the certificated area of said Gas Facilities, Inc.

O R D E R

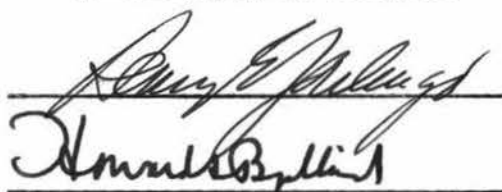
THE COMMISSION ORDERS:

That this Order shall be taken, deemed and held to be a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY to Western Slope Gas Company, Applicant herein, to construct, operate and maintain a natural gas transmission line of the Applicant from its point of termination near the Town of Minturn in Eagle County to the area of West Vail, terminating in Section 12, Township 5 South, Range 81 West, Eagle County, Colorado, in order to make natural gas Service available to Gas Facilities, Inc., and along the route of said proposed transmission line outside the certificated area of said Gas Facilities, Inc.

This Order shall be subject to the matters and things otherwise set forth in the Order of this Commission, No. 65236, and dated June 25, 1965, in this Application.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

*Original*

IN THE MATTER OF THE APPLICATION )  
OF GRAND VALLEY RURAL POWER LINES, )  
INC., 2727 GRAND AVENUE, GRAND )  
JUNCTION, COLORADO, FOR AN ORDER )  
AUTHORIZING ISSUANCE OF MORTGAGE )  
NOTE, MORTGAGE AND AMENDMENT TO )  
LOAN CONTRACT )  
----- )

APPLICATION NO. 21319  
Securities

S T A T E M E N T

By the Commission:


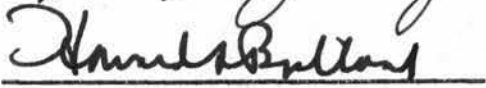

Upon consideration of the application filed on July 9, 1965,  
by Grand Valley Rural Power Lines, Inc., a corporation in the above  
styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on July 20, 1965,  
at 2:00 o'clock P. M., 532 State Service Building, Denver, Colorado,  
respecting matters involved and issues presented in the proceeding.  
Any interested municipality or any representative of interested  
consumers or security holders of applicant corporation, and any other  
person whose participation herein is in the public interest, may  
intervene in said proceeding. Intervention petitions should be filed  
with the Commission on or before July 14, 1965, and should set forth  
the grounds of the proposed intervention and the position and interest  
of the petitioners, in the proceeding and must be subscribed by inter-  
veners.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Original

(Decision No. 65317)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HARVEY D. SHUPE, HOWARD YOST AND )  
CHARLES MYLANDER, A PARTNERSHIP, )  
DOING BUSINESS AS "SHUPE & YOST," )  
2721 EIGHTH AVENUE, GREELEY, COLO- )  
RADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 21153-PP

-----  
July 9, 1965  
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Appearances: Michael T. Corcoran, Esq., Denver,  
Colorado, for Applicants;  
Leslie R. Kehl, Esq., Denver,  
Colorado, for Ashton Trucking  
Company;  
Ernest Porter, Esq., Denver,  
Colorado, for Rio Grande Motor  
Way, Inc.;  
Randall L. Allmendinger, Rocky  
Ford, Colorado, for Beman Motors  
Transportation, Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of grain, feed, feed ingredients, and farm produce, including potatoes, beans, and onions, except liquid commodities, in bulk, between points in Boulder, Weld, Morgan, and Larimer Counties, Colorado; between points in Boulder, Weld, Morgan and Larimer Counties and all other points in Colorado; between points in Otero, Bent and Crowley Counties, Colorado; and between points in Otero, Bend, Crowley, Conejos, Saguache, Costilla, Alamosa, Rio Grande, La Plata, Delta, Mesa, Montrose, and Garfield Counties, Colorado, and all other points in Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom

the hearing was assigned by the Commission, on May 20, 1965, at Greeley, Colorado. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the commencement of said hearing, Michael T. Corcoran, Attorney for Applicants, appeared and stated that he had been in consultation with the various Protestants and he wished to amend the above-styled application so that it will now request the following authority:

"Transportation of grain, feed, feed ingredients, and farm produce (except liquid commodities in bulk), under contract with such shippers as will be named in Applicants' customer lists filed with the Commission, (a) between points in Boulder, Weld, Morgan, and Larimer Counties, and (b) between points in Boulder, Weld, Morgan, and Larimer Counties, on the one hand, and, on the other, all other points in Colorado except those in Otero, Conejos, Saguache, Costilla, Alamosa, Rio Grande, La Plata, Delta, Mesa, Montrose, and Garfield Counties;

Manufactured and processed feed (except liquid commodities in bulk), under contract with Wilgro, Inc., from points in Boulder, Weld, Morgan, and Larimer Counties to points in Conejos, Saguache, Costilla, Alamosa, Rio Grande, La Plata, Delta, Mesa, Montrose, and Garfield Counties."

Motion to amend the application was granted by the Examiner herein, whereupon all above-named protestants stated they desired to withdraw their protest.

Howard S. Yost, Greeley, Colorado, a partner in the firm of "Shupe & Yost," testified that he is engaged in business with partners Harvey D. Shupe and Charles Mylander, doing business under the trade name of "Shupe & Yost." He stated that his firm employs 12 experienced drivers and they have ICC authority for transporting feed products from Missouri to points in Nebraska and Colorado, and for the transportation of salt products from Lake Point, Utah to points in Nebraska, Colorado and Wyoming. Applicant also stated he had been in contact with various prospective customers who have requested the type of special service which they propose to render, if application is granted.



Applicant further stated required insurance has been arranged for, and that he and his partners are familiar with the rules and regulations of this Commission pertaining to private carriers, and the laws of the State of Colorado, and if application is granted they will comply therewith.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application, as amended; that there is a need for Applicants' proposed transportation services; that Applicants will have sufficient equipment and experience to properly carry on the proposed operation; that Applicants' financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Harvey D. Shupe, Howard Yost and Charles Mylander, a partnership, doing business as "Shupe & Yost," Greeley, Colorado, be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of grain, feed, feed ingredients, and farm produce (except liquid commodities in bulk), under contract with such shippers as will be named in Applicants' customer lists filed with the Commission, (a) between points in Boulder, Weld, Morgan, and Larimer Counties, and (b) between points in Boulder, Weld, Morgan, and Larimer Counties, on the



one hand, and, on the other, all other points in Colorado except those in Otero, Conejos, Saguache, Costilla, Alamosa, Rio Grande, La Plata, Delta, Mesa, Montrose, and Garfield Counties; manufactured and processed feed (except liquid commodities in bulk), under contract with Wilgro, Inc., from points in Boulder, Weld, Morgan, and Larimer Counties to points in Conejos, Saguache, Costilla, Alamosa, Rio Grande, La Plats, Delta, Mesa, Montrose, and Garfield Counties; and this ORDER shall be deemed to be, and be, a PERMIT therefor.



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 list 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

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

(Decision No. 65318)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
J. D. BRIGGS AND WILLARD BRIGGS, )  
DOING BUSINESS AS "J. C. BRIGGS & )  
SON," 240 BOWMAN, HOLYOKE, COLORADO, )  
FOR REINSTATEMENT OF PERMIT NO. )  
B-3574, AND FOR AUTHORITY TO TRANS- )  
FER SAID PERMIT TO CLARENCE W. )  
KROEGER, GENERAL DELIVERY, HOLYOKE, )  
COLORADO. )  
-----

APPLICATION NO. 21256-PP-Transfer

-----  
July 9, 1965  
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Appearances: J. C. Briggs, Holyoke,  
Colorado, for Transferor;  
Clarence W. Kroeger, Holyoke,  
Colorado, for Transferee;  
Edwin Welch, Wray, Colorado,  
for Welch House Moving,  
Protestant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, J. D. Briggs and Willard Briggs, doing business as "J. C. Briggs & Son," Holyoke, Colorado, seek authority to reinstate and transfer Permit No. B-3574, to Clarence W. Kroeger, Holyoke, Colorado, said permit being the right to operate as a private carrier by motor vehicle for hire, for the transportation of:

grain and feed to feeders and stockmen residing within a 15-mile radius of Holyoke, Colorado, from points within a 50-mile radius of Holyoke; buildings between points in Phillips County and a 10-mile strip of Northern Yuma County.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said pro-

ceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner herein states that after the commencement of the hearing, Transferor and Transferee asked leave to amend the authority under Permit No. B-3574 to delete the following wording therefrom:

"buildings between points in Phillips County and a ten-mile strip of Northern Yuma County"

Amendment requested was granted and, thereupon, Edwin Welch, Wray, Colorado, the Protestant herein, withdrew his protest.

J. C. Briggs, one of the Transferors, testified that he has an oral agreement with C. W. Kroeger, Holyoke, Colorado, to transfer to him said permit No. B-3574, as now amended, and for this authority agrees to pay the sum of \$50.00; that he and his co-partner have continuously operated under this permit and operating rights is debt free, and requests reinstatement of the permit so transfer, if approved by the Commission, will be completed.

Clarence W. Kroeger, Holyoke, Colorado, Transferee herein, testified that he has ample and suitable equipment, sufficient net worth and operating experience to render continuous operations under said authority; that he will abide by all present and future rules and regulations of the Commission and laws of the State of Colorado pertaining to private carrier permits.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that Transferee will have sufficient equipment and experience to properly carry on the operation; that Transferee's financial standing is established to the satisfaction of the Commission; 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 Permit No. B-3574 be reinstated for purpose of transfer.

That J. C. Briggs and Willard Briggs, doing business as "J. C. Briggs & Son," Holyoke, Colorado, be, and they hereby are, authorized to transfer all right, title, and interest in and to Permit No. B-3574, as Amended, to-wit:

Transportation of grain and feed to feeders and stockmen residing within a 15-mile radius of Holyoke, Colorado, from points within a 50-mile radius of Holyoke, Colorado.

to Clarence W. Kroeger, Holyoke, Colorado, subject to encumbrances, if any, against said permit, approved by this Commission.

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

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT  
PARTICIPATING

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

(Decision No. 65319)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
BILLIE G. BLYZES, 2730 KING STREET, )  
DENVER, COLORADO, FOR AUTHORITY TO )  
TRANSFER PERMIT NO. B-6215 TO WARREN ) APPLICATION NO. 21225-PP-Transfer  
SCHWAB AND DOUGLAS WADE, DOING )  
BUSINESS AS "WADE & SCHWAB," 2379 )  
SOUTH MADISON, DENVER, COLORADO. )  
-----

-----  
July 9, 1965  
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Appearances: Warren Schwab, Brighton,  
Colorado, pro se;  
Douglas Wade, Denver,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, Billie G. Blyzes, Denver, Colorado, seeks authority to transfer Permit No. B-6215 to Warren Schwab and Douglas Wade, doing business as "Wade & Schwab," Denver, Colorado, said permit being the right to operate as a private carrier by motor vehicle for hire, for the transportation of:

building materials, between points within the City and County of Denver, and to construction jobs within a radius of ten miles of said City and County of Denver, State of Colorado, for Rio Grande Company, 123 Santa Fe Drive, Denver, Colorado; building materials, from points within the City and County of Denver, to job sites within a radius of 50 miles of said City and County of Denver, State of Colorado, for Rio Grande Co., 123 Santa Fe Drive, Denver, Colorado, only, PROVIDED, however, applicant shall not operate in competition with scheduled line-haul common carriers, and restricted and limited to the use of one truck.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.



Report of the Examiner states that Transferees herein appeared and testified there is an oral agreement between Transferor and Transferees for the sale of said Permit No. B-6215, for the sum of \$2,200.00, of which amount \$1,100.00 is to be paid in cash and the balance in monthly payments of \$110.00 secured by a chattel mortgage on the equipment only - equipment consists of a 1958 International Flatbed truck. Transferees testified they are experienced in this type of transportation and were financially able to effectively operate under the authority; they also stated if transfer is granted, they agree to operate in accordance with all present and future rules and regulations of the Commission and laws of the State of Colorado pertaining to private carrier permits.

All motions granted, or denied, by the Examiner, if any, are hereby approved.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that Transferee will have sufficient equipment and experience to properly carry on the operation; that Transferee's financial standing is established to the satisfaction of the Commission; 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 Billie G. Blyzes, Denver, Colorado, be, and he hereby is, authorized to transfer all right, title, and interest in and to Permit No. B-6215 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Warren Schwab and Douglas Wade, doing business as "Wade & Schwab," Denver, Colorado, subject to encumbrances, if any, against said permit, approved by this Commission.



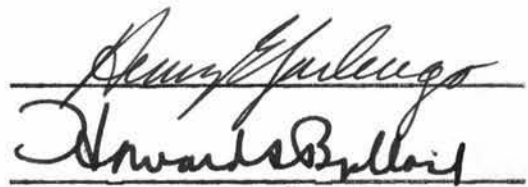
That said transfer shall become effective only if and when, but not before, said Transferor and Transferee, in writing, have advised the Commission that said permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of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

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

(Decision No. 65320)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MARVIN HIGGINS AND DONNA HIGGINS, )  
JOINT TENANTS, DOING BUSINESS AS )  
"HIGGINS TRUCK LINE," 7855 WADS- )  
WORTH, WESTMINSTER, COLORADO, FOR )  
AUTHORITY TO TRANSFER PERMIT NO. )  
A-6421 TO DWIGHT STUBBS AND ANNA )  
MAE STUBBS, 10747 WEST 8TH PLACE, )  
LAKEWOOD, COLORADO. )

APPLICATION NO. 21191-PP-Transfer

-----  
July 9, 1965  
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Appearances: Marvin Higgins, Westminster,  
Colorado, Transferor;  
Dwight Stubbs, Lakewood,  
Colorado, Transferee.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, Marvin Higgins and Donna Higgins, Joint Tenants, doing business as "Higgins Truck Line," Westminster, Colorado, seek authority to transfer Permit No. A-6421 to Dwight Stubbs and Anna Mae Stubbs, Lakewood, Colorado, said permit being the right to operate as a private carrier by motor vehicle for hire, for the transportation of:

(1) Newspapers from Denver to Julesburg, and from Sterling to Holyoke and Wray, and return to Brush, including all intermediate points. (2) Transportation of milk from Fort Morgan to Brush, and sweet milk and cream, in cans and in tank trucks, from the Farmer's Creamery, its successors and assigns, at Fort Morgan, to Denver; milk and cream, in cans, from Fort Morgan to Denver; bakery goods from Denver to Fort Morgan and Sterling and intermediate points, with return of empty containers. (3) Transportation of fresh milk and cream and frozen fruit and juices from Denver to Brush, and intermediate points.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner

transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that shortly after said hearing was completed, Transferees informed the Commission that because of illness, Dwight Stubbs and Anna Mae Stubbs were unable to complete the transaction for transfer of Permit No. A-6421. Transferors and Transferees, accordingly, were contacted to determine the status of instant application; and, on June 23, 1965, Transferors and Transferees appeared at the Commission and advised that by mutual agreement said transfer, as applied for, would not now be completed; and Transferors asked permission to amend their application to reflect another name as Transferee.

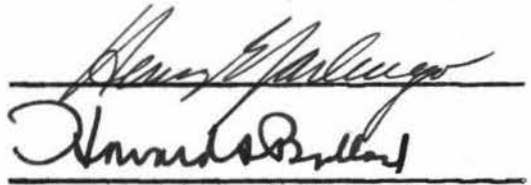
All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

O R D E R

THE COMMISSION ORDERS:

That Transferors, Marvin Higgins and Donna Higgins, Joint Tenants, doing business as "Higgins Truck Line," Westminster, Colorado, be, and they hereby are, permitted to amend their application for the purpose of changing the name of Transferee.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

Original

(Decision No. 65321)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE TRANSPORTATION ACTIVITIES OF )  
BANKERS WAREHOUSE COMPANY, A CORP- )  
ORATION, MURRAY PAUL HAYUTIN AND )  
PHILIP MILSTEIN, 4304 BRIGHTON )  
BOULEVARD, DENVER, COLORADO. )  
-----

CASE NO. 5297

-----  
July 9, 1965  
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Appearances: Robert Moch, Esq., Security  
Building, Denver, Colorado,  
for Respondent;  
Royce D. Sickler, Esq., Denver,  
Colorado, for Rio Grande Motor  
Way, Inc.;  
Alvin J. Meiklejohn, Esq.,  
Denver, Colorado, for Red Ball  
Motor Freight, Inc.;  
John H. Lewis, Esq., Denver,  
Colorado, for Thacker Bros.  
Transportation, Inc., dba  
Clementi-B.C. Truck Line;  
William Schenkein, Esq., Denver,  
Colorado, for Ephraim Freight-  
ways, Inc.;  
Robert Fullerton, Esq., for Staff  
of the Commission.

STATEMENT AND FINDINGS OF FACT

By the Commission:

The above-styled case was regularly set for hearing before the Commission on June 22, 1965, at 10:00 o'clock A.M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado.

At the hearing Respondent moved that the herein instant matter be continued and re-set for hearing at a future date to be determined by the Commission, because the recent flood in the Denver area has placed considerable hardship upon the Respondent.

The Commission states and finds that said Motion should be granted, and that the herein instant matter should be continued and re-set for hearing as set forth in the Order following.

At the hearing, Respondents advised that they might file objections to the Subpoena Duces Tecum heretofore served upon them by the Commission and objections to the intervention of the motor carriers. It was stipulated that such objections would be filed on or before June 29, 1965. No such objections were filed. It was also stipulated that if no objections were filed to the Subpoena Duces Tecum that the documentary material and data required by such Subpoena Duces Tecum would be filed with the Commission on or before July 15, 1965 to enable the material to be correlated for production at the hearing when set.

O R D E R




THE COMMISSION ORDERS:

That Case No. 5297 be, and the same hereby is, continued and reset for hearing before the Commission at 10:00 o'clock A.M., on August 16, 1965, at 532 State Services Building, 1525 Sherman Street, Denver, Colorado, with notice to the parties who entered their appearance on June 22, 1965.

No objections having been filed by Respondents to the Subpoena Duces Tecum, it is hereby ordered that the documentary material and other data required to be produced by such Subpoena Duces Tecum, be, and hereby is, required to be filed with the Commission on or before July 15, 1965.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 9th day of July, 1965.

et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

FREIGHT, ALL KINDS, IN TRAILERS OR )  
SEMI-TRAILERS TOWED BETWEEN POINTS )  
IN COLORADO )  
-----

INVESTIGATION & SUSPENSION  
DOCKET NO. 554

-----  
July 12, 1965  
-----

STATEMENT AND FINDINGS

BY THE COMMISSION:

On June 15, 1965, Sorenson Truck Service, Inc., 306 Kimbark Street, Longmont, Colorado, by its President, Chris Sorenson, filed Supplement No. 2 to its Motor Freight Tariff No. 3, Colorado PUC No. 3, item 70-A, scheduled to become effective July 15, 1965, naming new and reduced rates and charges on freight, all kinds, in trailers or semi-trailers, towed between all points in Colorado.

Upon consideration of the said schedules and the protest of six motor vehicle common carriers, represented by John P. Thompson, Esq., the proposed rates and charges may, if permitted to become effective, result in violations of the Public Utilities Law. It is the opinion of the Commission that said schedules should be suspended and an investigation instituted into and concerning the lawfulness of the rates and charges contained therein.

O R D E R

THE COMMISSION ORDERS, That --

1. The Statement and Findings herein be, and they are hereby, made a part hereof.
2. It shall enter upon a hearing concerning the lawfulness of the rates and charges as published in Sorenson Truck Service, Inc., Motor Freight Tariff No. 3, Colorado PUC No. 3, item 70-A, scheduled to become effective July 15, 1965.
3. The operation of said schedules be, and it is hereby suspended, and the use thereof deferred to and including November 12, 1965, unless otherwise ordered by the Commission.



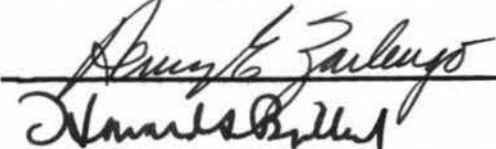
4. The investigation in this proceeding shall not be confined to the matters and issues hereinbefore stated for instituting this investigation, but shall include all matters and issues with respect to the lawfulness of said schedules under the Public Utilities Law.

5. Neither the schedules hereby suspended nor those sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension or any extension thereof, has expired, unless otherwise ordered by the Commission.

6. A copy of this order shall be filed with the schedules in the office of the Commission and that a copy hereof be served upon Sorenson Truck Service, Inc., Chris Sorenson, President, 306 Kimbark Street, Longmont, Colorado, and that said Sorenson Truck Service, Inc., be, and it is hereby, made respondent to this proceeding. The necessary suspension supplement shall be issued, filed and posted to the schedules referred to herein.

7. This Investigation and Suspension Docket No. 554 be, and the same hereby is, set for hearing before the Commission on the 30th day of July, 1965, at 10:00 a.m., in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado 80203.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Commissioner Ralph C. Horton necessarily absent and not participating.

Dated at Denver, Colorado this  
12th day of July, 1965.

dh

Original

(Decision No. 65323)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

FREIGHT, ALL KINDS, IN SHIPPER )  
OWNED CARGOTAINERS BETWEEN )  
POINTS IN COLORADO )  
-----

CASE NO. 5307

-----  
July 12, 1965  
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STATEMENT AND FINDINGS

BY THE COMMISSION:

On June 4, 1965, The Weicker Transfer & Storage Company, 2900 Brighton Boulevard, Denver, Colorado, by its Executive Vice-President, Hubert Work, filed 1st Revised Page No. 22 to its Motor Freight Tariff No. 3, Colorado PUC No. 3, item 1063, scheduled to become effective July 8, 1965, naming rates and charges on freight, all kinds, in shipper-owned cargotainers, filled or empty, between all points in Colorado.

Upon consideration of the tariff schedule and the protest of six motor vehicle common carriers, represented by John P. Thompson, Esq., there is reason to institute an investigation to determine whether it results in rates and charges, rules and practices that are unjust and unreasonable and otherwise unlawful in violation of the Public Utilities Law.

O R D E R

THE COMMISSION ORDERS, That --

1. An investigation be, and it is hereby, instituted into and concerning the lawfulness of the rates, charges, rules, regulations and practices in said schedule with a view to making such findings and orders in the premises as the facts and circumstances shall warrant.

2. The investigation in this proceeding shall not be confined to the matters and issues hereinbefore stated as the reason for instituting this investigation, but shall include all matters and issues with respect to the lawfulness of said rates, charges, rules, regulations and practices under the Public Utilities Law.

3. The Weicker Transfer & Storage Company, is hereby made respondent to the proceeding and that copies of this order be served upon said respondent, and that the proceeding be assigned for hearing on July 30, 1965, at 10:00 a.m., in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado 80203.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Commissioner Ralph C. Horton necessarily absent and not participating.

Dated at Denver, Colorado this  
12th day of July, 1965.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

TERCON CORPORATION, 3609 WAZEE STREET,  
DENVER 16, COLORADO.

PERMIT NO. M-7131

July 15, 1965

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Tercon Corporation,  
Denver 16, Colorado

requesting that Permit No. M-7131 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7131, heretofore issued to Tercon Corporation,  
Denver 16, Colorado be,  
and the same is hereby, declared cancelled effective May 1, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry C. J. [Signature]  
Howard S. [Signature]  
Ralph C. [Signature]  
Commissioners

Dated at Denver, Colorado,

this 15th day of July, 19 65.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

W. E. COOPER AND ANAISE COOPER,  
DOING BUSINESS AS, "W. E. COOPER  
AND COMPANY", HOXIE, KANSAS.

PERMIT NO. M-7484

July 15, 1965

STATEMENT

By the Commission:

The Commission is in receipt of a communication from W. E. Cooper and  
Anaise Cooper, dba "W. C. Cooper & Company", Hoxie, Kansas  
requesting that Permit No. M-7484 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7484, heretofore issued to W. E. Cooper and  
Anaise Cooper, dba "W. C. Cooper & Company", Hoxie, Kansas be,  
and the same is hereby, declared cancelled effective May 3, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry C. Zerk  
Howard S. Bjelland  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 15th day of July, 19 65.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

FLOYD SAMMONS, MIDLAND, SOUTH  
DAKOTA.

PERMIT NO. M-7915

July 15, 1965

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Floyd Sammons,

Midland, South Dakota

requesting that Permit No. M-7915 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7915, heretofore issued to Floyd Sammons,

Midland, South Dakota

be,

and the same is hereby, declared cancelled effective May 20, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry E. Ziegler  
Howard S. Bjelland  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 15th day of July, 19 65.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
UNIVERSITY PARK GARAGE AND OIL COM- )  
PANY, DOING BUSINESS AS, "WILLIAMS )  
RAMBLER, INCORPORATED", 2930 SOUTH )  
UNIVERSITY BOULEVARD, DENVER, COLORADO. )  
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PERMIT NO. M-8941

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July 15, 1965  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from University Park  
Garage & Oil Co. dba, "Williams Rambler, Inc.", Denver, Colorado  
requesting that Permit No. M-8941 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8941, heretofore issued to University Park Garage  
& Oil Co. dba "Williams Rambler, Inc.", Denver, Colorado be,  
and the same is hereby, declared cancelled effective May 31, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry E. Zaehner  
Howard S. Bjelland  
Ralph E. Johnson  
Commissioners

Dated at Denver, Colorado,

this 15th day of July, 19 65.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

TED M. COULTER AND RICHARD B. COULTER,  
DOING BUSINESS AS, "TED M. COULTER  
AND SON", P. O. BOX 1124, RIFLE,  
COLORADO.

PERMIT NO. M-10060

July 15, 1965

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ted M. Coulter & Richard B. Coulter, dba "Ted M. Coulter & Son", Rifle, Colorado requesting that Permit No. M-10060 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10060, heretofore issued to Ted M. Coulter & Richard B. Coulter, dba "Ted M. Coulter & Son", Rifle, Colorado be, and the same is hereby, declared cancelled effective May 3, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
Henry C. Ziehl  
Edward S. Bjelland  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 15th day of July, 19 65.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
C. R. DENTON, 7011 SOUTH WASHINGTON )  
STREET, LITTLETON, COLORADO. )  
\_\_\_\_\_) )  
\_\_\_\_\_)

PERMIT NO. M-10395

\_\_\_\_\_  
July 15, 1965  
\_\_\_\_\_

STATEMENT

By the Commission:

The Commission is in receipt of a communication from C. T. Denton,  
Littleton, Colorado  
requesting that Permit No. M-10395 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10395, heretofore issued to C. T. Denton,  
Littleton, Colorado be,  
and the same is hereby, declared cancelled effective May 22, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry C. Judd  
Edward S. Bjelland  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 15th day of July, 19 65.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)  
G AND P DISTRIBUTORS, INCORPORATED, )  
2545 WEST 8TH AVENUE, DENVER 4, )  
COLORADO. )  
-----)

PERMIT NO. M-13051

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July 15, 1965  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from G & P Distributors,  
Inc., Denver 4, Colorado  
requesting that Permit No. M-13051 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13051, heretofore issued to G & P Distributors, Inc.,  
Denver 4, Colorado be,  
and the same is hereby, declared cancelled effective May 8, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry E. Zaitz  
Howard S. Bjelland  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 15th day of July, 19 65.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

BRUCE T. IMES, ROUTE 1, EVERGREEN,  
COLORADO.

PERMIT NO. M-13134

July 15, 1965

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Bruce T. Imes,  
Evergreen, Colorado

requesting that Permit No. M-13134 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13134, heretofore issued to Bruce T. Imes,  
Evergreen, Colorado be,  
and the same is hereby, declared cancelled effective May 22, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry E. Jackson  
Edward S. Bjelland  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 15th day of July, 19 65.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
GERALD H. RECTOR, DOING BUSINESS AS, )  
"DEERTRAIL TRUCK LINE", DEERTRAIL, )  
COLORADO. )  
-----)

PERMIT NO. M-13704

-----  
July 15, 1965  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Gerald H. Rector,  
Deertrail, Colorado  
requesting that Permit No. M-13704 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13704, heretofore issued to Gerald H. Rector,  
Deertrail, Colorado be,  
and the same is hereby, declared cancelled effective May 1, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry E. Zaehner  
Harold S. Bjelland  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 15th day of July, 19 65.



\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RAYMOND PRADO, 1808 WEST 47TH )  
AVENUE, DENVER 21, COLORADO. )  
 )  
 )  
 )  
-----

PERMIT NO. B-3684

-----  
July 15, 1965  
-----

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-3684 be suspended  
for six months from May 27, 1965.

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 Raymond Prado, Denver 21, Colorado

be, and is hereby, authorized to suspend his operations under Permit  
No. B-3684 until November 27, 1965.

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

Henry C. Ziegler  
Howard S. Bjelland  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,  
this 15th day of July, 1965.

(Decision No.65334)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ORVILLE DUNLAP AND HAROLD ROSS )  
DUNLAP, CO-PARTNERS, DOING BUSINESS )  
AS "ORVILLE DUNLAP & SON," ROUTE 3, )  
MONTROSE, COLORADO. )  
-----

PUC NO. 876, PUC NO. 1204,  
PUC NO. 1346 & I, PUC NO.1861 & I  
PERMIT NO. B-4910, PERMIT NO.B-5654

-----  
July 9, 1965  
-----

STATEMENT AND FINDINGS OF FACT

By the Commission:

Orville Dunlap and Harold Ross Dunlap, co-partners, doing business as "Orville Dunlap & Son," Montrose, Colorado, owner of PUC Nos. 876, 1204, 1346, 1346-I, 1861, 1861-I, and Permit Nos. B-4910 and B-5654, herein seeks authority to mortgage said operating rights to the Montrose National Bank of Montrose, Colorado, to secure payment of the sum of Two Hundred Twenty-Four Thousand Dollars (\$224,000.00), in accordance with the terms and conditions set forth in Chattel Mortgage and Assignment, of date June 7, 1965, which, by reference, are made a part hereof.

The Commission states and finds that authority sought should be granted as set forth in the Order following.


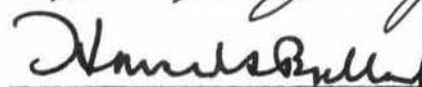
O R D E R

THE COMMISSION ORDERS:

That Orville Dunlap and Harold Ross Dunlap, co-partners, doing business as "Orville Dunlap & Son," Montrose, Colorado, be, and hereby are, authorized to mortgage all right, title and interest in and to PUC Nos. 876, 1204, 1346, 1346-I, 1861, 1861-I, and Permits Nos. B-4910 and B-5654, to the Montrose National Bank of Montrose, Colorado, to secure payment of the sum of Two Hundred Twenty-Four Thousand and no/100 Dollars (\$224,000.00), as set forth in the Statement preceding, which is made a part of this Order, by reference.

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  
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

orig copy

(Decision No. 65335 )

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

C. M. SULLIVAN DBA )

SULLY'S TRANSFER AND STORAGE )

300 South Main Street )

Pueblo, Colorado )

AUTHORITY NO. PUC 2288 Cargo

CASE NO. 1538 Ins.

-----  
July 13, 1965  
-----

S T A T E M E N T

By the Commission:

On July 8, 1965, in the above Case, the Commission entered its Order revoking the above Authority for failure to maintain effective insurance on file with the Commission. Proper insurance filing has now been made with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said Authority should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That said Authority be, and the same hereby is, reinstated, as of the date of revocation, and the said revocation Order be, and the same hereby is, vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry E. Jacobson*  
*Howard S. Bjelland*  
*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado,  
this 13th day of July, 1965

(Decision No. 65336)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE ADDITIONAL ROUTINGS VIA )  
HARP TRANSPORTATION LINE; )  
ADDITION OF COMMODITY ITEMS )  
ON FLOWERS AND GROCERIES )  
AND OTHER CHANGES )  
-----

CASE NO. 1585

-----  
July 15, 1965  
-----

STATEMENT AND FINDINGS

BY THE COMMISSION:

On June 17, 1965, J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, filed revised pages to Local and Joint Freight Tariff No. 12-A, Colorado PUC No. 11\* (\*The Motor Truck Common Carriers' Association, Agent, Series) under Rule 18, Paragraph C-(1) (A) of the Commission's Rules of Practice and Procedure providing changes, scheduled to become effective July 24, 1965, as set forth particularly in Appendix "A", attached hereto and made a part hereof.

The adjustments in the class rates, Section No. 1, pertaining to Peterson Field on the one hand and Colorado Springs on the other and a similar situation between Uravan and Grand Junction resulting in increased rates and charges are necessary due to a previous omission. The changes should have been accomplished under the provisions of Decision No. 65130 dated June 7, 1965 wherein other points were adjusted to the level produced by the distance scale of rates published on pages 189-A and B of tariff No. 12-A. The additional routings (Nos. 103 and 122), for account of Harp Transportation Company, are applicable to class rated traffic transported between Grand Junction and Hayden, Milner, Oak Creek, Phippsburg, Rangely, Rio Blanco, Steamboat Springs, Toponas and Yampa.

Special Permission No. 14934 dated July 1, 1965 has been issued to the Association to make corrections in routings numbered 136 and 159 to reflect Thomas G. Litton and Aileen K. Litton, d/b/a Litton Warehouse Company, d/b/a Gateway Nucla Express, as the carrier operating between Grand Junction and Uravan, Colo. etc., rather than Harry B. Hawks.

Correction is made in note (M) class rates between Grand Junction and Rangely, Colo., by changing the presently published restriction reading, "apply

only on shipments weighing not less than 4,000 pounds" to read "apply only on freight in truckloads of not less than 4,000 pounds". This corrected restriction conforms to the authority embraced in said carrier's Certificate No. 152.

In a letter dated May 17, 1965 addressed to Mr. Smith of the Colorado Motor Carriers' Association and forwarded to the Commission, William W. Shipp of North Eastern Motor Freight, Inc. states in support of Item No. 1790:

"At the present time there is no rate on this commodity since the National Motor Freight Classification does not provide a rating and the exception rating of class 200 in Tariff 12-A has been eliminated.

"The proposed rates are the present LTL class 200 rating to each point. These rates would replace the exception rating of class 200 which has been eliminated."

The Brooks Transportation Company concurs in this publication by letter forwarded to the Commission dated May 18, 1965.

The reduced rates published in Item No. 1975 for account of John G. Riedesel, d/b/a Riedesel Truck Line (Certificate No. 1619) are urged, as being necessary, for the reasons given by the Chief of Tariff Bureau in a letter dated June 22, 1965, to the Commission reading:

"Mr. John G. Riedesel, in requesting this publication, advised that most of these commodities are presently moving at the class 60 rates; that the proposed rates are the presently effective class 50 rates; that the proposed rates are substantially higher than the class 55 rates applicable previously; that the general economy of the territory served is suffering, first, because of drought and, more recently, because of floods; that Associated Grocers will deliver these commodities to the stores at a charge which is less than the presently effective freight rates, and that he must put these proposed rates into effect if he is to retain the transportation of this traffic."

Under the provisions of Rule 18, Paragraph C-(1) (A) of the 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 schedules. Since the proposals appear to represent just, fair and reasonable rates and charges an order should be entered prescribing the said changes.

#### O R D E R

#### THE COMMISSION ORDERS, That:

1. The Statement and Findings herein be, and they are hereby, made a part hereof.



2. The rates, rules, regulations as set forth in Appendix "A" attached hereto, shall 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 tariffs reflecting the changes prescribed herein.

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 24, 1965, 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.

6. On and after July 24, 1965, 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.

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. This order shall become effective forthwith.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Rene E. Ziegler*  
*Donald Bentley*  
Commissioners

APPENDIX "A"

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT  
LOCAL AND JOINT FREIGHT TARIFF 12-A  
COLORADO PUC NO. 11

Changes effective July 24, 1965:

SECTION NO. 1

Class Rate Bases

For Application, See Item No. 927

For Class Rates, See Pages 101 to 124

Index No.	MILES	LESS-THAN TRUCKLOAD	MINIMUM WEIGHT-POUNDS		ROUTE NO.
			5,000	10,000	
			COLORADO SPRINGS, COLORADO		
	Between And				
12th Revised Page No. 134:					
3930	Peterson Field	7	(A) 109	(R) 93 (R) 76	47
	Between And		GRAND JUNCTION, COLORADO		
11th Revised Page No. 161:					
15960	Hayden	169	288	245 202	39; /103; 106
16200	Milner	182	300	255 210	39; /103; 106
16310	Oak Creek	216	317	269 222	39; /103; 106
11th Revised Page No. 162:					
16410	Phippsburg	219	317	269 222	39; /103; 106
16470	Rangely	159	280	238 196	44; (M) 122
16550	Rio Blanco	82	225	191 158	100; /122
16710	Steamboat Springs	195	305	259 214	39; /103; 106
10th Revised Page No. 163:					
16750	Toponas	234	331	281 232	39; /103; 106
16770	Uravan	(R) 92	(A) 235	(A) 200 (A) 165	159; 162
16850	Yampa	225	327	278 229	39; /103; 106

SECTION NO. 2					
Commodity Rates					
(For Application, See Page No. 190 of Tariff)					
Rates are in cents per 100 pounds					
Item No.	Commodities in the same item may be shipped in straight or mixed truck loads.	From	To	Rates	Route No.
/ Ⓡ 1790	Flowers, fresh, cut, N.O.I.	Denver, Colo.	Brush, Colo.	366	32
			Ft. Morgan, Colo.	352	32
			Haxtun, Colo.	440	4
			Holyoke, Colo.	460	4
			Julesburg, Colo.	472	32
			Sterling, Colo.	412	32

Groceries, as described in Item No. 380		Denver, Colo.	See Below	See Below	120
RATES					
MINIMUM WEIGHT - - POUNDS					
/ Ⓡ 1975	Less than 1,000	1,000 to 1,999	2,000	5,000	10,000
	Joes, Colorado	111 106	101	86	
	Kirk, Colorado	112 107	102	87	
(Subject to Items No. 624 and 770)					

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SECTION NO. 5

Routing

---

Routing arrangement is for head line to side line point movement.

For side line to head line points, use reverse routing.

---

Route

No.

Route

---

- 4 - North Eastern Motor Freight, Inc., Sterling, Colorado, Brooks Transportation Company.
  - 32 - North Eastern Motor Freight, Inc. - direct.
  - 39 - Rio Grande Motor Way, Inc., Denver, Colorado, Larson Transportation Company.
  - 44 - Ringsby Truck Lines, Inc., - direct.
  - 47 - Red Ball Motor Freight, Inc. - direct.
  - 100 - Rio Grande Motor Way, Inc., Rifle, Colorado, Harp Transportation Line.
  - 103 - ~~/~~Harp Transportation Line, Craig, Colorado, Larson Transportation Company.
  - 106 - Ringsby Truck Lines, Inc., Craig, Colorado, Larson Transportation Company.
  - 120 - Riedesel Truck Line - direct.
  - 122 - Harp Transportation Line - direct.
  - 136 - Rio Grande Motor Way, Inc., Grand Junction, Colorado © Gateway Nucla Express.
  - 159 - © Gateway Nucla Express - direct.
  - 162 - Orville Dunlap & Son - direct.
- 

- / denotes - addition
- (A) " - increase
- (R) " - reduction
- (C) " - a change resulting in neither an increase nor a reduction
- (M) " - when movement is via Route No. 122 (Harp Transportation Line), rates will apply only on © freight in truckloads of not less than 4,000 pounds

(Decision No. 65337)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RICHARD PEJSKAR, DOING BUSINESS AS )  
"R. P. TRUCKING," 905 WEST ILIFF, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 21014-PP

-----  
July 9, 1965  
-----

STATEMENT AND FINDINGS OF FACT

By the Commission:

The above-styled application was regularly set for hearing at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, March 18, 1965. Prior to the time set for hearing, Mrs. Pejskar, wife of Applicant, notified this Commission that her husband was ill and unable to attend the hearing, and requested a Continuance of the matter. A Continuance was granted, and thereafter, the hearing was set for May 21, 1965, with Notice sent to Applicant.

Report of the Examiner herein states that in an effort to communicate with applicant, it was found that neither his name, nor his operating trade name was listed in the current directory, and Applicant failed to appear at the hearing.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that application should be dismissed, for failure to prosecute, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Application No. 21014-PP filed by Richard Pejskar, doing business as "R. P. Trucking," Denver, Colorado, be, and the same hereby is, dismissed, for failure to prosecute.

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,  
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 9th day of July, 1965.

et

Original

(Decision No. 65338)

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 FOR AUTHORITY TO )  
INSTALL THREE (3) AUTOMATIC FLASHING )  
LIGHT SIGNALS SUPPLEMENTED WITH )  
AUDIBLE WARNING DEVICES AT THE )  
EXISTING GRADE CROSSING OF THE UNION )  
PACIFIC RAILROAD COMPANY'S FORT )  
COLLINS BRANCH LINE AT RAILROADS )  
MILEPOST 27.75, TWO (2) MILES EAST )  
OF THE TOWN OF LA PORTE ON STATE )  
HIGHWAY NO. 14, LARIMER COUNTY, )  
COLORADO. )  
-----

APPLICATION NO. 20937

-----  
July 9, 1965  
-----

S T A T E M E N T

By the Commission:

On January 14, 1965, The Department of Highways of the State of Colorado (Department), filed its application in accordance with the rules of this Commission, seeking approval for installation of automatic protection devices at the highway-railroad grade crossing noted above.

Other explanatory material as submitted with the instant application includes:

Exhibit A: Location Plan Sheet to show crossing situation and sketch dimensions for signal placements at three proposed positions.

Also received by the Commission on June 24, 1965 is a late-filed exhibit submitted by the Applicant consisting of a copy of the fully executed Agreement, dated January 20, 1965, between Union Pacific Railroad and Department of Highways. Map of the crossing area showing proposal of new protection is included as a part of the Agreement.

With reference to the instant application and other investigation of the Commission it is noted that location of the proposed work is known locally as the "Iverson crossing" -- approximately three miles



northwesterly from Fort Collins, Larimer County, Colorado. Colorado Highway No. 14 at the crossing is a part of U. S. Highway No. 287 which crosses Colorado northwesterly from Oklahoma State Line through Springfield, Lamar, Limon, Denver, Longmont and Fort Collins into Laramie and Yellowstone National Park, Wyoming. The local portion of U. P. Railroad is known as the "Buckeye" or 'Boettcher Spur' of the Fort Collins Branch which connects to U. P. Main Line at La Salle, Colorado.

According to Applicant, vehicular traffic on State Highway No. 14 amounts to approximately 4900 vehicles per day. The allowable speed on the highway is 50 miles per hour. It is noted also that no scheduled trains are reported; rail traffic is limited to freight shipments only and averages two call and demand moves per day at limited speeds; consisting generally of north-bound delivery of empty cars to Boettcher Cement plant and return travel with full loads. Moves are customarily made in daytime with trains consisting of five to fifteen cars; meanwhile, added motorist caution is necessary during afternoon westward travel due to glare from setting sun.

In addition to the main east to west highway, there is additional congestion at the crossing due to intersection of a local north-south County Road; an adjacent trailer home sales development on south-east side of railroad and the commercial development of a filling station, store and restaurant at south-west side of rail line and the highway.

Protection now consists of crossbuck signs facing to both east and west and to the north and south at each side of the single-track rail line. Visibility in looking to the south is restricted due to trailer houses and roadside commercial development. Area on north of highway is open farm land; however, rising grade to the west along the highway out of a low depression restricts vision when approaching crossing from east side. Proposal is for installation of three automatic flasher light signal units; One at east side of railroad and two on west side of track, one being for the local



County Road and second in a traffic island near the main highway.

With reference to the above late-filed Agreement exhibit, it is provided that in accordance with current procedures of the U. S. Department of Commerce, Bureau of Public Roads, the Colorado Department of Highways will contribute ninety (90) percent of the costs for the signal improvement and remaining ten (10) percent will be paid by Union Pacific Railroad. Upon completion of the installation of the highway-railroad grade crossing devices as proposed, Union Pacific Railroad shall thereafter, at its sole expense, operate and maintain the protection devices in a proper working condition. Estimated cost of proposed protection and distribution of payment is as follows:

\$9,447.00	Total
- 944 70	By U. P. Railroad (10%)
\$8,502.30	Dept. of Highways (90%)
	(100% Federal Funds)

In its further review of the instant proposal, the Commission forwarded a copy of the application, together with a Notice, to interested parties, including also the Board of Larimer County Commissioners to ascertain if any other action was desired within the period of twenty (20) days as designated in said Notice. No adverse reply has been received by the Commission and no other public utilities are involved.

After consideration of the instant proposal, it is the belief of the Commission that effectiveness of automatic signal protection is accepted by the utility and the public agencies involved herein. The signal installation will upgrade the crossing protection to meet the increased vehicular use. Hence, it is apparent the safety devices as sought here would be in the public interest and protect traffic on both the highway and the railroad.

It is therefore the belief of the Commission that the proposed improvement is compatible with the public interest, and the Commission determined to hear, and has heard, said matter forthwith, without further notice, upon the records and files herein.

## F I N D I N G S

### THE COMMISSION FINDS:

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

That public safety, convenience and necessity require the installation and approval of three standard flashing type automatic crossing signals supplemented with a bell at the grade crossing of State Highway No. 14 (U. S. 287) over Union Pacific Fort Collins Branch Line at Mile Post 27.75, two miles east from the Town of La Porte, Larimer County, Colorado.

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

## O R D E R

### THE COMMISSION ORDERS:

That Applicant, Department of Highways of the State of Colorado, be, and it hereby is, granted a certificate of public convenience and necessity to authorize and approve the installation, operation and maintenance of standard automatic flashing light grade crossing signals supplemented with a bell at the grade crossing of State Highway No. 14 (U. S. No. 287) over Union Pacific Fort Collins Branch Line track at Mile Post 27.75, two miles east from Town of La Porte, Larimer County, Colorado.

That the work to be done, costs, installation and maintenance of the protection devices, shall be as indicated in the preceding Statement. Said Statement, Agreement, and Location Exhibits are, by reference, made a part hereof.

That the signal devices and installation shall all be in conformance with the current Bulletin of the Association of American Railroads' Joint Committee on Railroad Protection.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 9th day of July, 1965

et...

Original

(Decision No. 65339)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

IN THE MATTER OF THE PETITION OF )  
THE DENVER AND RIO GRANDE WESTERN )  
RAILROAD COMPANY AND RAILWAY EXPRESS )  
AGENCY, INCORPORATED, TO WITHDRAW )  
THEIR RESPECTIVE RAIL AND EXPRESS )  
AGENCIES AT HOTCHKISS, COLORADO. )  
-----

APPLICATION NO. 21063

-----  
July 9, 1965  
-----

S T A T E M E N T

By the Commission:

Pursuant to Rule No. 6 of this Commission's "Rules and Regulations Pertaining to Railroads and Express Companies Operating in the State of Colorado", The Denver and Rio Grande Western Railroad Company and Railway Express Agency, Inc., by their Attorneys, filed a Petition requesting authority to close and withdraw the joint Agency service of said firms at Hotchkiss, Delta County, Colorado.

Hotchkiss is located on Colorado Highway No. 92 approximately twenty miles east from Delta and ten miles west of Paonia; the highway generally parallels the North Fork Branch of Rio Grande Railroad extending between Delta and the Paonia-Somerset area. L. C. L. Freight and Express service into Hotchkiss has been offered by Rio Grande Motor Way in substituted rail service since about 1941. Movements are largely inbound in daily service, store-door delivery is made for local shipments and rural merchandise is held at the rail depot for customer pickup.

Applicants report that the only train service provided to Hotchkiss is a tri-weekly freight train which principally handles movement of coal from the Somerset area some eighteen miles eastward; other traffic from Hotchkiss consists of seasonal carload movements of

fruit and livestock with some added lumber shipments; there is no passenger operation so that Express and the milk and cream shipments move on the daily truck service. In view of a past trend of declining revenues and only a small amount of Agency work, it is proposed that necessary carload billing for Hotchkiss traffic may be satisfactorily handled by Railroad Agents at either Delta or Paonia. In this manner, proposed withdrawal of the Hotchkiss agent will eliminate a non-productive station expense; the Agent is not required for safe operation of trains and no change in carload rail or switching service is involved; hence, the man thereby becomes available for more productive work at another location.

In conformance with the Commission rules herein, public notice of the proposed change in service was posted at the Hotchkiss station. Letter protests of identical content relating to potential "delays and inconvenience to the local fruit and livestock industry" were filed by:

Hotchkiss Community Chamber of Commerce

Crawford Community Chamber of Commerce

American Legion Post 190, Crawford, Colorado

No other complaint correspondence or user protests were received.

Meanwhile customary Commission investigation of the proposal has been made. Also, on May 12, 1965, an explanatory reply to above protests was made by Rio Grande and a further meeting was then held with complainants to answer questions and explain how existing services are to be retained. Thereafter, protest withdrawal was submitted to the Commission on basis that future service be offered in accordance with the May 12, 1965 Railroad correspondence as also submitted to this Commission.

In view of the above it appears essential that we herewith briefly review the Hotchkiss situation and future service proposal. Volumes of Railroad and Express traffic are shown as follows:

# SUMMARY: Business at HOTCHKISS STATION

## RIO GRANDE RR.

<u>Item</u>	<u>1962 Rev.</u>	<u>1963 Rev.</u>	<u>1st Half 1964 Rev.</u>		<u>2nd Half 1964 Rev.</u>	<u>LCL Shpts</u>
Forwarded - Car Loads	\$6,937	\$6,310	\$2,449	93	\$7,082	
L.C.L.	143	416	129		---	---
Received - Car Loads	1,085	562	---	---	---	
L.C.L.	<u>380</u>	<u>341</u>	<u>68</u>		<u>123</u>	<u>38</u>
Total Revenue	8,545	7,629	2,646		7,205	
Other totals				93		38
Less: Wages, Taxes, Station Expense	<u>7,236</u>	<u>6,970</u>	<u>3,715</u>		<u>3,349</u>	
Net Station Gain or (Loss)	1,309	659	(1,069)		<u>3,349</u>	
FINAL NET FOR 1964					\$2,280	

## RAILWAY EXPRESS AGENCY

<u>Year</u>	<u>Gross Rev.</u>	<u>No. Shpts.</u>	<u>Agent Expense 10% Comm.</u>
1963	<u>\$3,034.99</u>	<u>440</u>	<u>\$310.26</u>
Avg/Mo.	252.92	37	25.86
1964	<u>2,936.29</u>	<u>467</u>	<u>287.26</u>
Avg/Mo.	\$ 244.69	39	\$ 23.94

It is to be noted that normally two railroad stations are involved in the above traffic -- a station to Originate and one to Receive -- hence, the above Railroad revenues are stated at 50% of the amounts actually handled at the Hotchkiss station. The Station Gains as noted above are related only to the Station expense and no allowance was made for other costs of track upkeep or train operations necessary to move the shipments; therefore, the railroad proposal for expense reduction becomes understandable.

In the data for latter half of 1964, the Carloads averaged 15 per month and L.C.L. shipments averaged 6 per month. Again, it becomes apparent that duties of the Agent in serving the public are quite minor; meanwhile, no Train Orders were handled from Hotchkiss in the past six months, indicating no operating need for the station, so that withdrawal of the agent appears as a logical expense saving with no loss of operating safety and only minor public inconvenience.

With reference to the above Railroad correspondence of May 12, 1965 future service without the Agent is proposed as follows:

1. Carload rail traffic will continue to be set out or picked by same train service.
2. Arrangements for cars or other information can be handled through the Agents at either Delta or Paonia by telephone. Railroad Company will accept toll charges.
3. Motorway truck service will continue for both L.C.L. rail shipments and Express traffic.
4. Rio Grande Motor Way will arrange an agency contract for a storage depository at Hotchkiss to receive and hold shipments which may not be delivered or picked up by the Motor Way truck.

In addition, similar storage handling for Railway Express shipments will be maintained at the proposed Motor Way storage facility, as noted in correspondence dated June 25, 1965 to the Commission by F. T. Halligan, Railway Express Company Division Operations Manager.

Investigation by the Commission has confirmed the situation at Hotchkiss. Due to the irregular schedule of the Freight train operation on a tri-weekly basis, and more often as seasonal needs require, the substitute truck service on a daily basis has been provided by Rio Grande Motorway for many years to move both the L.C.L. rail merchandise and Railway Express shipments. Freight train movements generally occur at night or when the Agent is not on duty. Meanwhile, the Hotchkiss switching and car orders are handled on Dispatchers lineup or on instructions left in a message box for the train crew.

Hotchkiss also serves as a trade center for neighboring rural region including Lazear, Crawford and Maher. Proposal of the truck line storage facility will maintain the former station convenience wherein patrons may continue to bring in or pick up their own shipments at the new truck depot. In this manner the public loading station facility will also be available to the Crawford-Maher Stage Line which provides a passenger and freight service to residents in the Crawford area.

In its consideration of this matter the Commission is also



aware that for carload rail traffic, the routine details of billing or collections can be handled at a station other than the point of origin or destination. Routine procedures are available for establishment of credit whereby the customary requirement of prepayment to non-agency stations is waived and no inconvenience is anticipated for regular patrons.

It is therefore the belief of this Commission that the requested agency withdrawal is compatible with the public interest; that substitute facilities will be available and the Commission has therefore determined to hear, and has heard, said matter forthwith without further notice, upon the records and files herein.

### F I N D I N G S

#### THE COMMISSION FINDS:

That safe and economical railroad operation does not require the maintenance of a joint Railroad - Railway Express Agent at the Hotchkiss station, Hotchkiss, Colorado.

That public convenience and necessity in the Hotchkiss area can be adequately served by proposed alternate facilities.

That the Commission is informed in the instant matter and the foregoing Statement, by reference, is made a part of these Findings.

That authority sought should be granted as set forth in the Order following.

### O R D E R

#### THE COMMISSION ORDERS:

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

That Applicants, The Denver and Rio Grande Western Railroad Company and Railway Express Agency, Inc., be and hereby are, authorized to withdraw their joint agent from the Station at Hotchkiss, Delta County, Colorado, and thereafter to handle all railroad and Railway Express tariff matters at the Agency stations of Delta and/or Paonia, Colorado.

That other service at Hotchkiss shall be maintained in accordance with Rio Grande correspondence of May 12, 1965 and outlined in the above Statement.

That Railway Express Agency, Inc. by means of new Merchant-Agent handling, shall keep its storage service available at Hotchkiss for convenience of local and rural patrons in the area.

That telephone toll expense to Delta or Paonia for handling of Railroad business in the Hotchkiss area shall be paid by the railroad company.

That reference shall be made to this Decision in the affected Railroad and Express Company tariff schedules to show the closing of the railroad station and as authority for such action.

That the Commission shall retain jurisdiction in this matter to make such further orders as may be required.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 9th day of July, 1965.

ls

original

(Decision No.65340)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WILLIAM R. BRUMFIELD AND OLIVET )  
ATWOOD BRUMFIELD, DOING BUSINESS AS )  
"ATWOOD TRUCK LINE," ROUTE 1, FORT ) APPLICATION NO. 21215-PP-Transfer  
MORGAN, COLORADO, FOR AUTHORITY TO )  
TRANSFER PERMIT NO. B-5652 TO ATWOOD )  
TRUCK LINE, INC., A COLORADO CORPOR- )  
ATION, ROUTE 1, FORT MORGAN, COLO- )  
RADO. )  
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IN THE MATTER OF THE APPLICATION OF )  
WILLIAM R. BRUMFIELD AND OLIVET )  
ATWOOD BRUMFIELD, DOING BUSINESS AS )  
"ATWOOD TRUCK LINE," ROUTE 1, FORT ) APPLICATION NO. 21216-Transfer  
MORGAN, COLORADO, FOR AUTHORITY TO )  
TRANSFER PUC NO. 2435 TO ATWOOD )  
TRUCK LINE, INC., A COLORADO CORPOR- )  
ATION, ROUTE 1, FORT MORGAN, COLO- )  
RADO. )  
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IN THE MATTER OF THE APPLICATION OF )  
WILLIAM R. BRUMFIELD AND OLIVET AT- )  
WOOD BRUMFIELD, DOING BUSINESS AS )  
"ATWOOD TRUCK LINE," ROUTE 1, FORT ) APPLICATION NO. 21217-Transfer  
MORGAN, COLORADO, FOR AUTHORITY TO )  
TRANSFER PUC NO. 755 AND PUC NO. )  
755-I TO ATWOOD TRUCK LINE, INC., A )  
COLORADO CORPORATION, ROUTE 1, FORT )  
MORGAN, COLORADO. )  
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July 9, 1965  
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Appearances: Robert P. Grueter, Esq., Denver,  
Colorado, for Transferors and  
Transferee.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, William R. Brumfield and Olivet Atwood Brumfield,  
doing business as "Atwood Truck Line," Fort Morgan, Colorado, were  
granted the following operating rights:

Permit No. B-5652

Transportation of crushed, powdered, or pulverized limestone,  
between all points within the State of Colorado, limited to main-  
tenance of an office in Fort Morgan, Colorado, for the purpose  
of operation and development of business.

PUC No. 2435

Call and demand, for the transportation, in bulk cement tanker units, only, of dry cement in bulk, only, from and to, to and from, and between all points in the State of Colorado, and of bentonite in the same type of equipment, only, from Denver to the plant of Geolite Sales Company or Consolidated Enterprises, Inc., at or near Antonito, Colorado.

PUC No. 755 and PUC No. 755-I

Transportation of: 1. Furniture, livestock, farm products, farm machinery and supplies from and to and to and from all points within Morgan County and an occasional haul of farm products to Sterling, Colorado. 2. Livestock from points in Morgan County to markets in Denver, and in emergencies only, farm machinery, irrigation and highway supplies from Denver and other points in the State to points in Morgan County, subject to the following conditions: (a) for the transportation of all commodities, including machinery, irrigation and highway supplies, other than household goods and livestock, between points served by scheduled carriers, applicant shall charge rates which in all cases shall be at least 20% in excess of those charged by the scheduled carriers. (b) Applicant shall not operate on schedule or engage in the transportation of freight generally between points served by scheduled carriers. Decision No. 10327: Transportation, in intrastate and interstate commerce, of: all commodities into, out of, and between points in Morgan County, provided, however, that applicants shall not transport furniture from or to Brush, to and from points in Colorado, or otherwise compete with the service of Estel Roe (PUC 964), except as stated by Decision No. 6572, and shall not engage in any transportation service of a direct competitive character between points on the line of scheduled common carriers now serving Morgan County, and particularly shall not render point to point service along U. S. 6 and 138, or along State Highway 144 between Orchard and Fort Morgan (except livestock and bulk farm produce), or between points on said Highway 144 and a 10-mile radius from Orchard, Goodrich, and Weldona (except livestock and bulk farm produce and commodities already authorized) or between Denver and any of the aforesaid points, provided, however, nothing herein intended to modify any of the authority already held by Applicants under Decision No. 6572. Decision No. 21152: Transportation of commodities generally, except milk and cream, from point to point in an area in Colorado situated east of a north and south line running through the town of Roggen, and north of U. S. 36, and between points in said area and other points in Colorado east of the Continental Divide, including the right to transport hay between all points east of the Continental Divide, including Middle Park, subject to the following restrictions: (a) applicant shall not operate on schedule or over regular routes and shall not transport any commodities between towns or cities on routes presently served by scheduled common carriers. (b) Applicant shall not maintain an office at any point except the city of Fort Morgan. (c) The extended authority herein granted is subject to the same restrictions as to service contained in Decision No. 6572, so far as competitive service is concerned.

By the above-styled applications, said William R. Brumfield and Olivet Atwood Brumfield, doing business as "Atwood Truck Line," Fort Morgan, Colorado, seek authority to transfer Permit No. B-5652, PUC No. 2435, PUC No. 755 and PUC No. 755-I, to Atwood Truck Line, Inc., a Colorado corporation, Fort Morgan, Colorado.

Said applications were regularly set for hearing before the Commission, and were heard, on a consolidated record, by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matters were taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceedings, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing William R. Brumfield testified that the purpose of the within applications was to transfer the above-numbered authorities from the partnership to Atwood Truck Line, Inc., a Colorado Corporation, Route 1, Fort Morgan, Colorado. He testified that said corporation was incorporated for the purpose of taking ownership and that he, his wife, Olivet Atwood Brumfield, and his father, Ray A. Brumfield, would be the owners of all the stock of said corporation.

Mr. Brumfield identified Exhibit Nos. 1, 2, 3 and 4 which were received in evidence. Exhibit 1 is a certified copy of the Articles of Incorporation of Atwood Truck Line, Inc.; Exhibit 2 is the By-Laws of Atwood Truck Line, Inc; Exhibit 3 is the Balance Sheet showing the liabilities and net worth of the partnership and which will be the same for the corporation; and Exhibit 4 is an equipment list.

Mr. Brumfield testified that there would be no change in the policy of this business and they would continue to operate as it has in the past.

Mr. Brumfield stated that the corporation will operate in accordance with all present and future rules and regulations of the



Public Utilities Commission and the laws of the State of Colorado pertaining to private and common carriers and has made provisions for insurance as required by the Commission.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant applications; that Transferee corporation will have sufficient equipment and experience to properly carry on the operations; that Transferee's financial standing is established to the satisfaction of the Commission; that the proposed are compatible with the public interest, and should be authorized as set forth in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That William R. Brumfield and Olivet Atwood Brumfield, doing business as "Atwood Truck Line," Fort Morgan, Colorado, be, and hereby are, authorized to transfer all right, title, and interest in and to Permit No. B-5652, PUC No. 2435, PUC No. 755 and PUC No. 755-I -- with authority as set forth in the Statement preceding which is made a part hereof, by reference -- to Atwood Truck Line, Inc., a Colorado corporation, Fort Morgan, Colorado, subject to encumbrances against said operating rights, if any, approved by this Commission.

That 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 when and if, but not before, said Transferor and Transferee, in writing, have advised the Commission that said permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order to be by them, or either of them, kept and performed. Failure to file said written acceptance of

the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, 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.

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


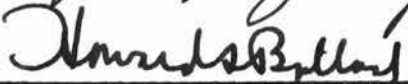
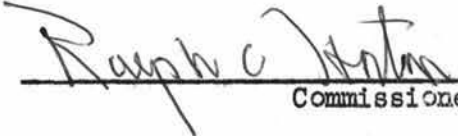
The tariff of rates, rules and regulations of Transferor shall, upon proper adoption notice, become and remain those of Transferee until changed according to law and the rules and regulations of this Commission.

The right of Transferee to operate under this Order shall depend upon the prior filing by Transferor of delinquent reports, if any, covering operations under said certificates up to the time of transfer of said certificates.



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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
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Commissioners

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

original

(Decision No. 65341)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

IN THE MATTER OF THE APPLICATION OF )	
KENNETH BATTUELLO AND DONALD )	
BATTUELLO, 15770 EAST COLFAX, AURORA, )	<u>APPLICATION NO. 21218-PP</u>
COLORADO, FOR A CLASS "B" PERMIT TO )	
OPERATE AS A PRIVATE CARRIER BY MOTOR )	
VEHICLE FOR HIRE. )	
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July 9, 1965  
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Appearances: Kenneth Battuello, Aurora,  
Colorado, pro se;  
Donald Battuello, Aurora,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

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 home 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 restricted against the use of tank vehicles.

Said application was regularly set for hearing before the

Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner herein states that Applicants appeared and testified in support of the application, stating if authority is granted they will enter into special carriage contracts to provide needed and specialized service with certain shippers who have requested his proposed service; that they have ample and suitable equipment, sufficient net worth, and operating experience with which to conduct said proposed operation; and that they will operate in accordance with all the present and future rules and regulations of this Commission and all laws of the State of Colorado pertaining to private carrier permits.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation service; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that Applicant's proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that granting the authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Kenneth Battuello and Donald Battuello, Aurora, Colorado, be, and 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 home 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; the transportation of road-surfacing materials to be restricted against the use of tank vehicles, and this ORDER shall be deemed to be, and be, a PERMIT therefor.


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.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 9th day of July, 1965

ls

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF )  
W. B. DAVIS, DOING BUSINESS AS, )  
"RIFLE CAB SERVICE", P. O. BOX )  
272, RIFLE, COLORADO. )  
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PUC NO. 1787

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July 15, 1965  
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S T A T E M E N T

By the Commission:

On April 15, 1964, the Commission authorized W. B. Davis, doing business as, "Rifle Cab Service" to further suspend operations under his PUC No. 1787, until April 15, 1965.

The Commission is now in receipt of a communication from the above-named certificate-holder requesting that his PUC 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 PUC No. 1787, should be, and the same hereby is, reinstated as of April 15, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry E. Ziehlings*  
*Harold S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 15th day of July, 1965.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CHARLES C. CORN, DOING BUSINESS AS )  
"BOULDER DISPOSAL SERVICE," 4555 )  
MARTIN STREET, BOULDER, COLORADO, FOR ) APPLICATION NO. 21226-Transfer  
AUTHORITY TO TRANSFER PUC NO. 3964 )  
TO CLARENCE BOSMAN, DOING BUSINESS )  
AS "BOULDER DISPOSAL SERVICE," 2519 )  
WEST 11TH AVENUE, DENVER, COLORADO. )  
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July 9, 1965  
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Appearances: Clarence Bosman, Denver,  
Colorado, pro se;  
Roy Henderson, Boulder,  
Colorado, for Transferor.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, Charles C. Corn, doing business as "Boulder Disposal Service," Boulder, Colorado, seeks authority to transfer PUC No. 3964 to Clarence Bosman, doing business as "Boulder Disposal Service," Denver, Colorado.

Said application was regularly set for hearing before the Commission and an Examiner was duly designated to conduct said hearing, he thereafter to submit a report of said proceeding to the Commission.

Report of the Examiner states that at the time and place designated for hearing, Transferee requested that said application be continued in order that further inquiry could be made to determine the financial status of Mr. Charles C. Corn, the Transferor, and any debts of the business and authority which is sought to be transferred by the within application.

Mr. Roy Henderson, real estate agent, Boulder, Colorado, appeared on behalf of the Transferor and agreed to the continuance.



The Commission states and finds that said request should be granted, and the herein instant matter be continued to be re-set for hearing upon completion of the necessary inquiries and notification to the Commission by the parties hereto.


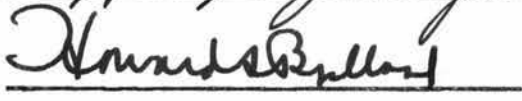

O R D E R

THE COMMISSION ORDERS:

That Application No. 21226-Transfer be, and the same hereby is, continued to be re-set for hearing before the Commission upon request by the parties, with notice to only the parties who entered their appearance on June 23, 1965.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

(Decision No. 65344)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
SIDNEY E. BLANDFORD III AND THOMAS )  
BOURKE, DOING BUSINESS AS "B & B )  
EXCAVATING," 726 JOSEPHINE, DENVER, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 21219-PP

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July 9, 1965  
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STATEMENT AND FINDINGS OF FACT

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 home 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 restricted against the use of tank vehicles.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner

transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that Applicants, Sidney E. Blandford III and Thomas Bourke, doing business as "B & B Excavating," failed to appear either in person or by representative at the time and place designated for said hearing, and since no protestants appeared, the files were made a part of the record and the instant matter was accordingly taken under advisement.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that Applicants will have sufficient net worth, equipment, and experience to properly carry on the proposed operation; that Applicants' financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Sidney E. Blandford III and Thomas Bourke, doing business as "B & B Excavating," Denver, 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 home 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 against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 9th day of July, 1965  
et

Original

(Decision No. 65345)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
GEORGE W. ISAACSON, STRATTON, COLO- }  
RADO, FOR A CLASS "B" PERMIT TO }  
OPERATE AS A PRIVATE CARRIER BY }  
MOTOR VEHICLE FOR HIRE. }

APPLICATION NO. 21252-PP

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July 9, 1965  
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STATEMENT AND FINDINGS OF FACT

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 75 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 home and small construction jobs within a radius of 75 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 75 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 75 miles of said pits and supply points, transportation of road-surfacing materials restricted against the use of tank vehicles.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

points within a radius of 75 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 75 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles.

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

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

Report of the Examiner herein states that Applicant, George W. Isaacson, failed to appear either in person or by representative at the time and place designated for said hearing; and due to the fact no protestants appeared, the files were made a part of the record and the instant matter taken under advisement.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation service; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that Applicant's proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that granting the authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That George W. Isaacson, Stratton, 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 75 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 home and small construction jobs within a radius of 75 miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from



(Decision No. 65346)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LOUIS D. SIMONS, GENERAL DELIVERY, )  
STRATTON, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 21253-PP

-----  
July 9, 1965  
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STATEMENT AND FINDINGS OF FACT

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 75 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 home and small construction jobs within a radius of 75 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 75 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 75 miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that Applicant, Louis D. Simons, failed to appear either in person or by representative at the time and place designated for said hearing; that due to the fact no protestants appeared, the files were made a part of the record and the instant matter taken under advisement.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation service; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that Applicant's proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that granting the authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Louis D. Simons, Stratton, 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 75 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 home and small construction jobs within a radius of 75 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 75 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 75 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.


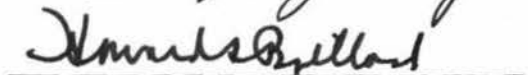
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

Original

(Decision No. 65347)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
EARNER CAGE, 2095 WILSON COURT, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 21220-PP

-----  
July 9, 1965  
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STATEMENT AND FINDINGS OF FACT

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 100 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 home and small construction jobs within a radius of 100 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 100 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 100 miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

Said application was regularly set for hearing before the Commission, and was heard by and Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that Applicant, Earner Cage, failed to appear either in person or by representative at the time and place designated for said hearing. No protestants appeared and, accordingly, the files were made a part of the record and the instant matter taken under advisement.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation service; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that Applicant's proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that granting the authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Earner Cage, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 100 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 home and small construction jobs within a radius of 100 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 100 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 100 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT, therefor.

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

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 9th day of July, 1965.

et



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
L. S. BOWERS, R. L. BOWERS, AND R.E. )  
ROBINSON, DOING BUSINESS AS "BOWERS )  
& SON," 2030 BLAKE STREET, DENVER, )  
COLORADO, FOR A CERTIFICATE OF PUB- )  
LIC CONVENIENCE AND NECESSITY, TO )  
OPERATE AS A COMMON CARRIER BY MOTOR )  
VEHICLE FOR HIRE, IN INTRASTATE AND )  
INTERSTATE COMMERCE. )  
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APPLICATION NO. 21178

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July 9, 1965  
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Appearances: A. J. Meiklejohn, Jr., Esq.,  
Denver, Colorado, for  
Applicant;  
John R. Barry, Esq., Denver,  
Colorado, for Miller Bros.;  
Joseph F. Nigro, Esq., Denver,  
Colorado, for Allied Vans,  
Amick Transfer & Storage Co.,  
Buehler Transfer Co.,  
Bakins Van & Storage Co.,  
Goldstein Transportation &  
Storage Co., Johnson Storage &  
Moving Co., Weicker Transfer &  
Storage Co., Aero Mayflower,  
Morgan Transfer & Storage Co.;  
John P. Thompson, Esq., Denver,  
Colorado, for Overland Motor  
Express;  
William T. Secor, Esq., Longmont,  
Colorado, for Golden Transfer  
Co., and Sorenson Truck Service,  
Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, Applicants herein seek authority to operate as a common carrier by motor vehicle for hire, for the transportation of general commodities between points within a 5-mile radius of Niwot, Colorado, including Niwot, in Colorado intrastate commerce and interstate commerce.

Said application was regularly set for hearing before the Commission, and an Examiner was duly designated to conduct hearing



on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of the Examiner states that at the time and place designated for hearing, A. J. Meiklejohn, Jr., Attorney for Applicants, advised that notice of this hearing had been published in the Federal Register on June 3, 1965; and moved that the herein instant matter be continued to be re-set for hearing at a future date to be determined by the Commission.

The Commission states and finds that said motion should be granted and that the herein instant matter should be continued to be re-set for future hearing as set forth in the Order following.

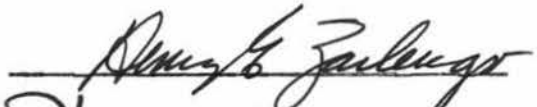
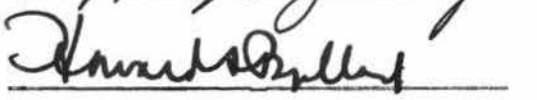

O R D E R

THE COMMISSION ORDERS:

That Application No. 21178 be, and the same hereby is, continued to be re-set for hearing at a later date to be determined by the Commission, with notice to only the parties who entered their appearance on June 25, 1965.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)

PETE SAKALA AND RICHARD SAKALA,  
5215 MORRISON ROAD, DENVER 19, COLO-  
RADO.

PERMIT NO. M-12642

July 9, 1965

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Pete Sakala and  
Richard Sakala, Denver 19, Colorado  
requesting that Permit No. M-12642 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12642, heretofore issued to Pete Sakala and Richard  
Sakala, Denver 19, Colorado be,  
and the same is hereby, declared cancelled effective May 31, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry E. Zaitz  
Howard S. Bjelland  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 9th day of July, 19 65.

Original

(Decision No. 65350)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WILLIAM R. DE QUAZIE AND CHESTER )  
BENNETT, DOING BUSINESS AS "ST. VRAIN )  
TRUCKING", BOX 683, LONGMONT, COLO- )  
RADO, FOR AUTHORITY TO TRANSFER )  
PERMIT NO. B-6571 TO CHESTER BENNETT )  
AND DALE E. GRAHAM, DOING BUSINESS AS )  
"ST. VRAIN TRUCKING", BOX 683, )  
LONGMONT, COLORADO. )

APPLICATION NO. 21249-PP-Transfer

-----  
July 9, 1965  
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Appearances: Chester Bennett, Niwot,  
Colorado, for Applicants.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, William R. DeQuazie and Chester Bennett, doing business as "St. Vrain Trucking", Longmont, Colorado, seek authority to transfer Permit No. B-6571 to Chester Bennett and Dale E. Graham, doing business as "St. Vrain Trucking", Longmont, Colorado, said permit being the right 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 home 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 against the use of tank vehicles; coal, from miles in the Northern Colorado coal fields, to Valmont Plant of Public Service Company of Colorado, located in Boulder, Colorado; peat moss and natural fertilizer, between points within a radius of one hundred miles of Longmont, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states Applicant, Chester Bennett, appeared and testified his partner, Mr. DeQuazie has agreed to sell his interest in the partnership to Dale E. Graham for the consideration of \$3,000, which will include two 1960 dump trucks. Mr. Bennett stated the Transferees will continue to do business under the trade name "St. Vrain Trucking" if transfer is granted; that Transferees are experienced in the transportation business; that both he and Mr. Graham are financially able to effectively operate under this authority which has been in continuous operation up to the present time; also, that if transfer is granted, he and his co-partner will operate in accordance with all present and future rules and regulations of the Commission and the laws of the State of Colorado, pertaining to private carrier permits.

All motions granted, or denied, by the Examiner herein, if any, are hereby approved.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that Transferees will have sufficient equipment and experience to properly carry on the operation; that Transferees' financial standing is established to the satisfaction of the Commission; 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 William R. DeQuazie and Chester Bennett, doing business as "St. Vrain Trucking", Longmont, Colorado, be, and they hereby are,

authorized to transfer all right, title, and interest in and to Permit No. B-6571 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Chester Bennett and Dale E. Graham, doing business as "St. Vrain Trucking", Longmont, Colorado, subject to encumbrances, if any, against said permit, approved by this Commission.

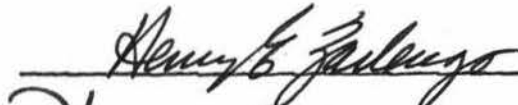
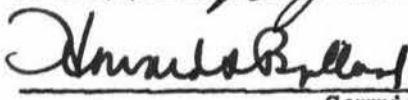
That said transfer shall become effective only if and when, but not before, said transferors and transferees, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of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

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 9th day of July, 1965.

ls

Original

(Decision No. 65351)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RICHARD LEE BROWN, P. O. BOX 195, )  
WIGGINS, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE CARRIER )  
BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 21213-PP

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July 9, 1965  
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Appearances: Richard Lee Brown, Wiggins,  
Colorado, pro se

STATEMENT AND FINDINGS OF FACT

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 home 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 restricted against the use of tank vehicles.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceedings.



together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that Applicant herein appeared and testified in support of his application, stating if application is granted he will enter into special carriage contracts to provide needed and specialized service with certain shippers who have requested his proposed service; that he has ample and suitable equipment, sufficient net worth, and operating experience with which to conduct said proposed operation; and that he will operate in accordance with all the present and future rules and regulations of this Commission and all laws of the State of Colorado pertaining to private carrier permits.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation service; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that Applicant's proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that granting the authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Richard Lee Brown, Wiggins, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from



pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home 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; the transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be a PERMIT therefor.

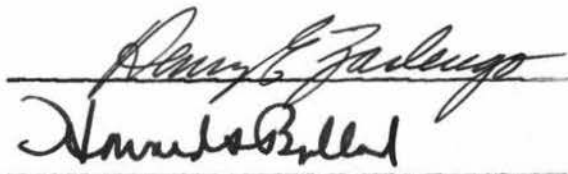
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 9th day of July, 1965.

ls

Original

(Decision No.65352)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DENVER-CLIMAX TRUCK LINE, INC., )  
1380 UMATILLA STREET, DENVER, COLO- )  
RADO, FOR A CERTIFICATE OF PUBLIC ) APPLICATION NO.21318-Extension  
CONVENIENCE AND NECESSITY AUTHOR- )  
IZING EXTENSION OF OPERATIONS UNDER )  
PUC NO. 1195. )  
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July 9, 1965  
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STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, Denver-Climax Truck Line, Inc ,  
Denver, Colorado, sought authority to extend operations under PUC No.1195.

The Commission is now in receipt of a communication from John P.  
Thompson, Attorney for Applicant, requesting dismissal of said applica-  
tion.

The Commission states and finds that said request should be  
granted and that Application No. 21318-Extension should be dismissed.


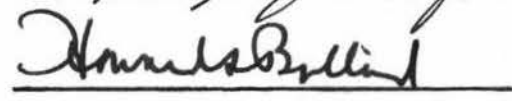
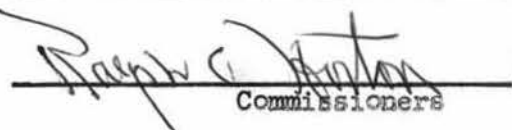
O R D E R

THE COMMISSION ORDERS:

That Application No. 21318-Extension be, and the same hereby is,  
dismissed.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

Original

(Decision No. 65353)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOE N. CLARK AND J. AMON MURLEY, JR. )  
DOING BUSINESS AS "RGM VAIL TAXI," )  
MINTURN, COLORADO, FOR AUTHORITY TO )  
TRANSFER PUC NO. 5668 TO J. (JAMES) )  
AMON MURLEY, JR., DOING BUSINESS AS )  
"RGM VAIL TAXI," BOX 172, MAIN )  
STREET, GILMAN, COLORADO. )  
-----

APPLICATION NO. 21197-Transfer

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July 9, 1965  
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STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application Joe N. Clark and J. Amon Murley, Jr., doing business as "RGM Vail Taxi," Minturn, Colorado, seek authority to transfer PUC No. 5668 to J. (James) Amon Murley, Jr., doing business as "RGM Vail Taxi," Gilman, Colorado.

Said application was regularly set for hearing before the Commission, and an Examiner was duly designated to conduct hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of the Examiner states that at the time and place designated for hearing, Applicants failed to appear, either in person or by representative, and that said Application should be dismissed.

The Commission having considered the record and files and the written statement of the Examiner herein, states and finds that the instant application should be dismissed, as set forth in the Order following.


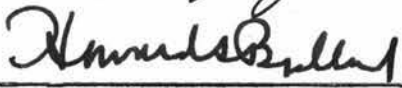
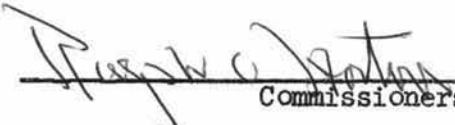
O R D E R

THE COMMISSION ORDERS:

That Application No. 21197-Transfer 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

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

Original

(Decision No. 65354)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
A. J. STEINBACH, 5100 EAST EUCLID, }  
BOULDER, COLORADO, FOR AUTHORITY TO }  
TRANSFER PERMIT NO. B-6113 TO A. J. }  
STEINBACH, CONTRACTOR, INC., 6990 }  
YORK STREET, DENVER, COLORADO. }

APPLICATION NO. 21250-PP-Transfer

-----  
July 9, 1965  
-----

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, A. J. Steinbach, Boulder, Colorado, seeks authority to transfer Permit No. B-6113 to A. J. Steinbach, Contractor, Inc., Denver, Colorado.

Said application was regularly set for hearing before the Commission, and an Examiner was duly designated to conduct hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of the Examiner states that at the time and place designated for hearing, Applicants failed to appear, either in person or by representative, and that said Application should be dismissed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that the instant application should be dismissed, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Application No. 21250-PP-Transfer, 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

*Alvin E. Zuckerman*  
*Donald B. ...*

*Harold C. ...*  
Commissioners

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

original

(Decision No. 65355)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LLOYD G. HARRISON, DOING BUSINESS AS )  
"ADENS COAL & WOOD COMPANY, 1006 )  
SOUTH 25TH STREET, COLORADO SPRINGS, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 21034-PP  
SUPPLEMENTAL ORDER

-----  
July 9, 1965  
-----

Appearances: Lloyd G. Harrison, Colorado  
Springs, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

On April 9, 1965, the Commission entered its Decision No. 64843 in the above-styled application, granting to Applicant herein the right to operate as a Class "B" private carrier by motor vehicle for hire.

Said Applicant has failed to comply with requirements set forth in said Decision No. 64843, viz., has failed to file tariff. Therefore,

The Commission states and finds that inasmuch as Applicant has not fulfilled requirements set forth in Decision No. 64843, operating rights granted thereby should be revoked, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:


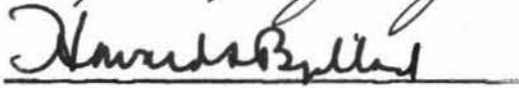
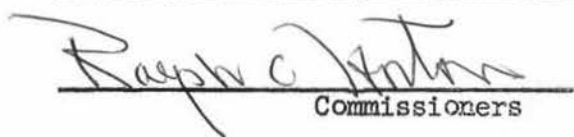
That operating rights granted to Lloyd G. Harrison, doing business as "Adens Coal & Wood Company, Colorado Springs, Colorado,



by Decision No. 64843, of date April 9, 1965, be, and the same hereby are, revoked, for failure of Applicant to comply with requirements set forth in said Decision No. 64843.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

Original

(Decision No.65356)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
AL MARTIN, 1590 WEST MAPLE, DENVER, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 20981-PP  
SUPPLEMENTAL ORDER

-----  
July 9, 1965  
-----

Appearances: Al Martin, Denver, Colorado,  
pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

On March 22, 1965, the Commission entered its Decision No. 64714 in the above-styled application, granting to Applicant herein the right to operate as a Class "B" private carrier by motor vehicle for hire.

Said Applicant has failed to comply with requirements set forth in said Decision No. 64714, viz., has failed to file tariff. Therefore,

The Commission states and finds that inasmuch as Applicant has not fulfilled requirements set forth in Decision No. 64714, operating rights granted thereby should be revoked, as set forth in the Order following.

O R D E R

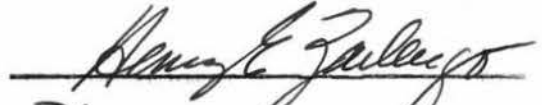
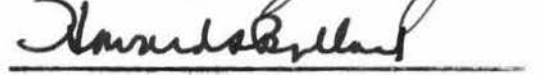
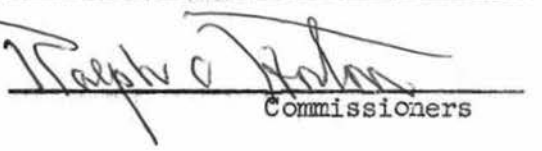
THE COMMISSION ORDERS:

That operating rights granted to Al Martin, Denver, Colorado, by Decision No. 64714, of date March 22, 1965, be, and the same

hereby are, revoked, for failure of Applicant to comply with requirements set forth in said Decision No. 64714.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

Dated  
this 7th

et

Original

(Decision No. 65357)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HARLAN B. PEDERSEN, STAR ROUTE, )  
GRANBY, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 20989-PP  
SUPPLEMENTAL ORDER

-----  
July 9, 1965  
-----

Appearances: Harlan B. Pedersen, Granby,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

On March 15, 1965, the Commission entered its Decision No. 64689 in the above-styled application, granting to Applicant herein the right to operate as a Class "B" private carrier by motor vehicle for hire.

Said Applicant has failed to comply with requirements set forth in said Decision No. 64689, viz., has failed to file tariff. Therefore,

The Commission states and finds that inasmuch as Applicant has not fulfilled requirements set forth in Decision No. 64689, operating rights granted thereby should be revoked, as set forth in the Order following.

O R D E R


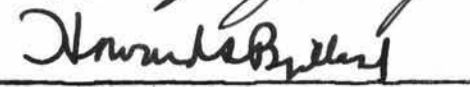
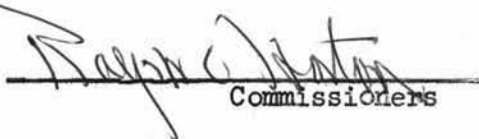
THE COMMISSION ORDERS:

That operating rights granted to Harlan B. Pedersen, Granby, Colorado, by Decision No. 64689, of date March 15, 1965, be, and the

same hereby are, revoked, for failure of Applicant to comply with requirements set forth in said Decision No. 64689.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

Original

(Decision No.65358)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CARL E. BRUS, 1215 EATON STREET, )  
BRUSH, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 20977-PP  
SUPPLEMENTAL ORDER

-----  
July 9, 1965  
-----

Appearances: Edgar H. Brandenburg, Esq.,  
Brush, Colorado, for  
Applicant;  
Robert P. Grueter, Esq., Denver,  
Colorado, for Ward Transport,  
Inc., Ruan Transport Corp.,  
Petroleum Transport Company.

STATEMENT AND FINDINGS OF FACT

By the Commission:

On March 11, 1965, the Commission entered its Decision No. 64674 in the above-styled application, granting to applicant herein the right to operate as a Class "B" private carrier by motor vehicle for hire.

Said Applicant has failed to comply with requirements set forth in said Decision No. 64674, viz., has failed to file tariff. Therefore,

The Commission states and finds that inasmuch as Applicant has not fulfilled requirements set forth in Decision No. 64674, operating rights granted thereby should be revoked, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Carl E. Brus, Brush, Colorado, by Decision No. 64674, of date March 11, 1965, be, and the same

hereby are, revoked, for failure of Applicant to comply with requirements set forth in said Decision No. 64674.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Alvin C. Ziegler*  
*Harold B. Miller*  
*Ralph C. Watson*  
Commissioners

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

this 9th day of July, 1965



Original

(Decision No. 65359)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RAYMOND E. SAMORA, DAN A. SAMORA, )  
AND LOUIS N. SAMORA, JR., DOING )  
BUSINESS AS "SAMORA BROS. SERVICE," )  
8TH AND DENVER, P. O. BOX 522, )  
SAGUACHE, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 21023-PP  
SUPPLEMENTAL ORDER

-----  
July 9, 1965  
-----

STATEMENT AND FINDINGS OF FACT

By the Commission:

On April 9, 1965, the Commission entered its Decision No. 64851 in the above-styled application, granting to Applicants herein the right to operate as a Class "B" private carrier by motor vehicle for hire.

Said Applicants have failed to comply with requirements set forth in said Decision No. 64851, viz., have failed to file tariff and Customer List. Therefore,

The Commission states and finds that inasmuch as Applicants have not fulfilled requirements set forth in Decision No. 64851, of date April 9, 1965, operating rights granted thereby should be revoked, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Raymond E. Samora, Dan A. Samora, and Louis N. Samora, Jr., doing business as "Samora Bros. Service," Saguache, Colorado, by Decision No. 64851, of date April 9, 1965, be, and the same hereby are, revoked, for failure of Applicants

to comply with requirements set forth in said Decision No.

63454.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Alvin E. Zuleygo*  
*Howard B. Bellard*  
*Harold C. Hinton*  
Commissioners

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
E. L. SHOTWELL, 1920 SOUTH SHERIDAN, )  
COLORADO SPRINGS, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )

APPLICATION NO. 21105-PP

-----  
July 9, 1965  
-----

Appearances: Leroy Shotwell, Colorado Springs,  
Colorado, for Applicant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, Applicant herein sought a Class "B" permit to operate as a private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and an Examiner was duly designated to conduct the hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of the Examiner states that at the time and place designated for hearing, Applicant failed to appear. However, Leroy Shotwell, appeared and stated that E. L. Shotwell is his father and that his father has now left the State of Colorado and requested that instant application be dismissed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that the instant application should be dismissed, as set forth in the Order following.

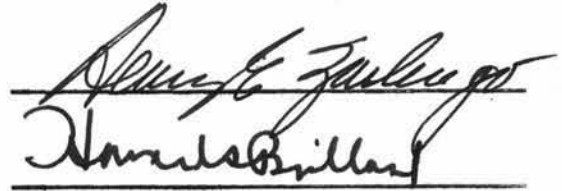
O R D E R

THE COMMISSION ORDERS:

That Application No. 21105-PP, 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

  
\_\_\_\_\_  
Donald E. Zuckerman

  
\_\_\_\_\_  
Ralph C. Hinton  
Commissioners

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

ing copy

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
STANLEY LINGREEN )  
P.O. Box 188 )  
Lamar, Colorado 81052 )  
----- )

AUTHORITY NO. M 11638  
CASE NO. 1515 Ins.

-----  
July 15, 1965  
-----

S T A T E M E N T

By the Commission:

On July 8, 1965, in the above Case, the Commission entered its Order revoking the above Authority for failure to maintain effective insurance on file with the Commission. Proper insurance filing has now been made with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said Authority should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That said Authority be, and the same hereby is, reinstated, as of the date of revocation, and the said revocation Order be, and the same hereby is, vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry C. Zaehner  
Howard S. Bjelland  
Ralph C. Hanson  
Commissioners

Dated at Denver, Colorado,  
this 15th day of July, 1965

Original

(Decision No. 65362)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
BERNARD F. DEVLIN, 403 EMERSON )  
STREET, WRAY, COLORADO, FOR REIN- )  
STATEMENT OF PUC NO. 4195, AND FOR )  
AUTHORITY TO TRANSFER SAID PUC NO. )  
4195 TO MARLIN A. RITCHEY, 921 GRANT )  
STREET, WRAY, COLORADO. )  
-----

APPLICATION NO. 21254-Transfer

-----  
July 9, 1965  
-----

Appearances: Marlin A. Ritchey, Wray,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, Bernard F. Devlin, Wray, Colorado, seeks authority to reinstate PUC No. 4195 for the purpose of transfer to Marlin A. Ritchey, Wray, Colorado, said PUC No. 4195 being the right to operate as a common carrier by motor vehicle for hire, for the transportation of:

trash, junk, and garbage, between points within the corporate limits of the City of Wray, Colorado, and from such points to disposal grounds outside the City Limits.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Transferee appeared and testified in support of the application,

stating that the consideration for the transfer of said certificate, together with certain equipment, is the sum of \$1,200.00; that there is no outstanding indebtedness against said certificate; that he will have ample and suitable equipment, sufficient net worth and operating experience with which to continue said operation; that if the herein transfer is approved, he will abide by the rules, regulations and laws of the State of Colorado pertaining to common carriers.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that Transferee will have sufficient equipment and experience to properly carry on the operation; that Transferee's financial standing is established to the satisfaction of the Commission; 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 PUC No. 4195 be reinstated for purpose of transfer only.

That Bernard F. Devlin, Wray, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 4195 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Marlin A. Ritchey, Wray, Colorado, subject to encumbrances, if any, against said certificate approved by the Commission.

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.




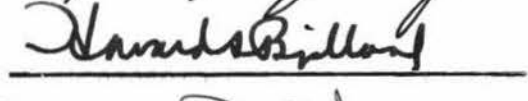

or either of them, kept and performed. Failure to file such written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority granted herein to make the transfer, without further order on the part of the Commission, unless 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 the Transferee until changed according to law and the rules and regulations of this Commission.

The right of Transferee to operate under this Order shall depend upon the prior filing by Transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

Original

(Decision No. 65363)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
DARREL HARDMAN, DOING BUSINESS AS )	
"HARDMAN'S TRANSFER," WRAY, COLORADO )	
FOR AUTHORITY TO TRANSFER PUC NO. )	<u>APPLICATION NO. 21255-Transfer</u>
4650 TO LESLEY BEECHLEY, DOING BUSI-	
NESS AS "LES BEECHLEY TRANSFER," )	
428 HALE STREET, WRAY, COLORADO. )	
-----	

-----  
July 9, 1965  
-----

Appearances: Darrel Hardman, Wray, Colo-  
rado, pro se;  
Lesley Beechley, Wray, Colo-  
rado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, Darrel Hardman, doing busi-  
ness as "Hardman's Transfer," Wray, Colorado, owner and operator of  
PUC No. 4650, seeks authority to transfer said operating rights to  
Lesley Beechley, doing business as "Les Beechley Transfer," Wray,  
Colorado, said PUC No. 4650 being the right to operate as a common car-  
rier by motor vehicle for hire, for the transportation of:

freight, express, mail, trash, and general dray service,  
including pick-up and delivery of all kinds of personal  
property, except garbage, between points within the  
Corporate Limits of Wray, Colorado.

Said application was regularly set for hearing before the  
Commission, and was heard by an Examiner duly designated and to whom  
the hearing was assigned by the Commission. At the conclusion of the  
hearing, the matter was taken under advisement, and said Examiner  
transmitted to the Commission the record and exhibits of said pro-  
ceeding, together with a written statement of his findings of fact  
and conclusions.

Report of the Examiner states that at the hearing, Darrel Hardman, the Transferor herein appeared and testified in support of the application, stating the consideration for the transfer is the sum of \$700.00; that there is no outstanding indebtedness against said operation.

Lesley Beechley, the Transferee herein, also appeared and testified that he will have ample and suitable equipment, sufficient net worth and operating experience with which to continue said operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that Transferee will have sufficient equipment and experience to properly carry on the operation; that Transferee's financial standing is established to the satisfaction of the Commission; 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 Darrel Hardman, doing business as "Hardman's Transfer," Wray, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 4650 -- with authority as set forth in the Statement preceding which is made a part hereof by reference -- to Lesley Beechley, doing business as "Les Beechley Transfer," Wray, Colorado, subject to encumbrances, if any, against said certificate approved by this Commission.

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


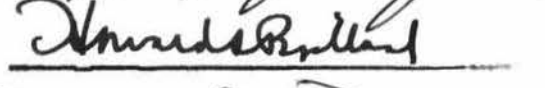
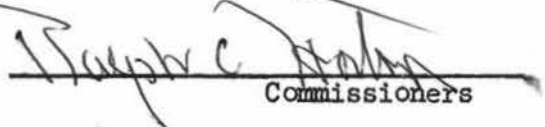
with, the conditions and requirements of this Order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority granted herein to make the 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 the Transferor shall, upon proper adoption notice, become and remain those of Transferee, until changed according to law and the rules and regulations of this Commission.

The right of Transferee to operate under this Order shall depend upon the prior filing by Transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

Original

(Decision No. 65364)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN L. CLAPPER, DOING BUSINESS AS )  
YELLOW CAB, 205 EAST 5TH STREET, )  
LEADVILLE, COLORADO, FOR AUTHORITY )  
TO TRANSFER PUC NO. 1185 TO ROBERT )  
J. WALKER, 433 EAST 7TH, LEADVILLE, )  
COLORADO. )

APPLICATION NO. 21198-Transfer

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-----  
July 9, 1965  
-----

Appearances: Peter Cosgriff, Esq., Leadville,  
Colorado, for Transferor and  
Transferee.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, John L. Clapper, doing business as "Yellow Cab," Leadville, Colorado, owner and operator of PUC No. 1185, seeks authority to transfer said operating rights to Robert J. Walker, Leadville, Colorado, said PUC No. 1185 being the right to operate as a common carrier by motor vehicle for hire, for the transportation of:

passengers and hand baggage, for hire, in Leadville, Colorado and between Leadville and other points outside thereof.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, John L. Clapper, the Transferor herein appeared and testified in support of the application, stating that the consideration for the transfer

of said certificate is the sum of \$3,000; that there is not outstanding indebtedness against said operation.

Robert J. Walker, the Transferee herein, also appeared and testified that he will have ample and suitable equipment, sufficient net worth and operating experience with which to continue the operations of PUC No. 1185; that he intends to operate under the certificate twenty-four hours a day and will diligently operate this business; that he is fully cognizant of the authority under PUC No. 1185; and that he also has an adequate knowledge of the rules, regulations and laws.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that Transferee will have sufficient equipment and experience to properly carry on the operation; that Transferee's financial standing is established to the satisfaction of the Commission; 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 John L. Clapper, doing business as "Yellow Cab," Leadville, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 1185 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Robert J. Walker, Leadville, Colorado, subject to encumbrances, if any, against said certificate approved by this Commission.

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

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

The right of Transferee to operate under this Order shall depend upon the prior filing by Transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 9th day of July, 1965

et



Original

(Decision No. 65365)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JAMES G. CHRISLEY, BOX 474, CORTEZ, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 21286-PP

-----  
July 9, 1965  
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STATEMENT AND FINDINGS OF FACT

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, poles and timber products, from forests to sawmills, places of storage, and loading points within a radius of 75 miles of said forests; rough lumber, from sawmills in said 75-mile radius to markets in the State of Colorado, with no town-to-town service.

Said application was regularly set for hearing before the Commission, and an Examiner was duly designated to conduct hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of the Examiner states that at the time and place designated for hearing, Applicant failed to appear, either in person or by representative. Thereupon, there being no protestants present, the files were made a part of the record and the matter taken under advisement.

Report of the Examiner further states that from the files and other inquiry, it appears that Applicant has ample and suitable equipment, sufficient net worth and operating experience with which to conduct his proposed operation.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation services; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That James G. Chrisley, Cortez, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles, and timber products, from forests to sawmills, places of storage, and loading points within a radius of 75 miles of said forests; rough lumber, from sawmills in said 75-mile radius to markets in the State of Colorado, with no town-to-town service; and this ORDER shall be deemed to be, and be, a PERMIT therefor.


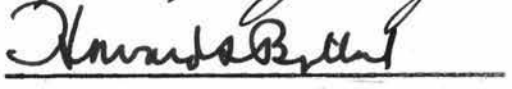

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 9th day of July, 1965

et

Witness my  
hand and seal

at

Original

(Decision No.65366)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ALBINO GRDAZ, 514 WEST 7TH STREET, )  
PUEBLO, COLORADO, FOR A CERTIFICATE )  
OF PUBLIC CONVENIENCE AND NECESSITY )  
AUTHORIZING OPERATIONS AS A COMMON )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 21169

-----  
July 9, 1965  
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Appearances: William L Lloyd, Esq., Pueblo,  
Colorado, for Applicant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a common carrier by motor vehicle for hire, for the transportation of ashes, trash, and other waste materials, between points within the City of Pueblo, Colorado, and a ten mile radius thereof, to regularly designated and approved dumps and disposal places. Applicant requests, in the event said authority is granted, that said operating rights be known as "PUC No. 3954," being the number of a certificate formerly held by him.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, applicant herein appeared and testified in support of his application, stating he has had many requests for his proposed service; that a definite need exists in said area for the service; that he has ample and

suitable equipment, sufficient net worth and operating experience with which to render his proposed service; and that he will operate in accordance with all present and future rules and regulations of the Public Utilities Commission and all laws of the State of Colorado pertaining to common carriers.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that public convenience and necessity require applicant's proposed service; and that a 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 Albino Ordaz, Pueblo, Colorado, be, and he hereby is, authorized to operate as a common carrier by motor vehicle for hire, for the transportation of ashes, trash, and other waste materials between points within the City of Pueblo, Colorado, and a ten-mile radius thereof, to regularly designated and approved dumps and disposal places; and this ORDER shall be deemed to be, and be, a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.

That operating rights herein granted shall be known as "PUC No. 3954."

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

*Alvin E. Fuleps*  
*Donald B. ...*  
*Ralph A. ...*  
Commissioners

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

*[Faint signature]*  
[Faint text]

Dated  
this 9th day of July, 1965  
et

(Decision No. 65367)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
KANSAS-COLORADO UTILITIES, INC., 20 )  
BOULDER CRESCENT, COLORADO SPRINGS, )  
COLORADO, FOR AN ORDER AUTHORIZING )  
THE ISSUANCE OF \$650,000 PRINCIPAL )  
AMOUNT OF ITS FIRST MORTGAGE BONDS. )  
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APPLICATION NO. 21328  
SECURITIES

-----  
July 19, 1965  
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S T A T E M E N T

By the Commission:

Kansas-Colorado Utilities, Inc., a corporation, filed its application in the above styled matter on July 14, 1965. Kansas-Colorado Utilities, Inc. has supplemented its application by a letter stating that the purpose of its application is to obtain authority to issue its First Mortgage Bonds to Plateau Natural Gas Company, its parent company, as a part of an over-all financing program of Plateau Natural Gas Company. The application of Plateau Natural Gas Company is No. 21285-Securities, and has been heretofore set for hearing by the Commission at 2:00 P.M., July 22, 1965. Kansas-Colorado Utilities, Inc. requests that its application be set for hearing at the same time.

F I N D I N G S

THE COMMISSION FINDS:

That the foregoing Statement be made a part of these Findings by reference;

That the public interest and necessity require the hearing of this application on July 22, 1965, at 2:00 o'clock P.M.


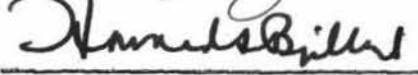



O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on July 22, 1965,  
at 2:00 o'clock P.M., 502-D, State Services Building, Denver, Colorado,  
respecting matters involved and issues presented in the proceeding.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado  
this 19th day of July, 1965.

ls

Original

(Decision No. 65388)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

IN THE MATTER OF THE APPLICATION OF )  
BRIAN B. GRUBBS, 1929 WEST LAKE )  
STREET, FORT COLLINS, COLORADO, FOR )  
A CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION NO. 21180-PP

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July 9, 1965  
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STATEMENT AND FINDINGS OF FACT

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, poles and timber products from forests to sawmills and places of storage and loading points within a radius of seventy-five miles of said forests; rough lumber from sawmills in said seventy-five mile radius to markets in the State of Colorado, with no town-to-town service.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and the Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner stated 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 taken under advisement.

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

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation services; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; and, that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Brian B. Grubbs, Fort Collins, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles and timber products from forests to sawmills and places of storage and loading points within a radius of seventy-five miles of said forests; rough lumber from sawmills in said seventy-five mile radius to markets in the State of Colorado, with no town-to-town service; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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

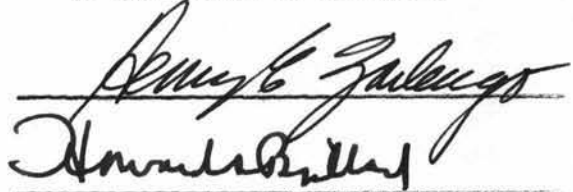
That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 9th day of July, 1965.  
ls

original

(Decision No. 65369)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

IN THE MATTER OF THE APPLICATION OF WAYNE McFADDIN, 10922 LARSON DRIVE, DENVER, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-6083.	}	<u>APPLICATION NO. 21158-PP-Extension</u>
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July 9, 1965  
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Appearances: Wayne McFaddin, Denver,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein is presently the owner and operator of Permit  
No. B-6083, which authorizes the transportation of:

Cast iron soil pipe and fittings, between the  
plants of Clay and Bailey Manufacturing Company,  
Clay and Bailey Denver Company, and Arapahoe  
Foundry Company, all situate in Adams County,  
Colorado, to points and places in the Counties  
of Adams, Arapahoe, Jefferson, Boulder, and  
the City and County of Denver, restricted to  
the following-named customers: Clay and Bailey  
Manufacturing Company, Clay and Bailey Denver  
Company, and Arapahoe Foundry Company.

By the instant application, Applicant seeks authority to extend  
operations under said Permit B-6083, to include the right to transport  
sand, gravel, and other road-surfacing materials used in the construction  
of road jobs and highways, from pits and supply points in the State of  
Colorado, to road jobs, mixer and processing plants within a radius of  
150 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 home and small construction jobs within a radius of 150 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 150 miles of said jobs; insulrock, from pits and supply points

in the State of Colorado, to roofing jobs within a radius of 150 miles of said pits and supply points; transportation of road-surfacing materials to be restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appropriate to all parties in interest, was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Applicant testified that he is the owner of Permit No. B-6083; that he owns a 1953 International tractor, 1951 2-ton Chevrolet, trailer and one 1957 Ford dump truck; that he has a net worth of \$7,000, and will obey the laws of the State of Colorado and the Rules and Regulations of this Commission relative to transportation by motor vehicle.

No one appeared in opposition to the granting of the proposed extension sought.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that Applicant will have sufficient net worth, equipment and experience to properly carry on the proposed extended operation; that granting of the authority herein sought will not impair the efficient public service of any authorized common carrier motor vehicle operating in the same general territory, over the same general highway route, or routes; and authority herein sought should be granted.

#### O R D E R


#### THE COMMISSION ORDERS:

That Wayne McFaddin, Denver, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-6083, to include the

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 150 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 home and small construction jobs within a radius of 150 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 150 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 150 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado  
this 9th day of July, 1965.

ls



Original

(Decision No. 65370)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CHARLES E. WALTON, 219 EAST RAILROAD )  
AVENUE, P. O. BOX 395, FORT MORGAN, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 21214-PP

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July 9, 1965  
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Appearances: Charles E. Walton, Fort  
Morgan, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of laundry, from Fort Morgan, Colorado, to Wray, Colorado, for the firm of Bings Laundry, only.

Said application was regularly set for hearing by an Examiner duly designated and to whom the hearing was assigned by the Commission, and was heard on June 24, 1965, at 10:00 o'clock A.M., Fort Morgan, Colorado.

Report of the Examiner herein, states that Charles E. Walton testified he wished to amend his application to include the name of his wife, Velma A. Walton, as both would participate in handling the business if application is granted by the Commission.

Applicant stated that he has a contract with the Bings Laundry, and that company would be his only customer; that he has sufficient experience and adequate equipment to handle this type of transportation; that he was financially able to carry on the operation, and that there is a need for this specialized service so far as this individual customer is concerned; that if authority is granted, he agrees

to operate in accordance with all the present and future rules and regulations of the Commission and all laws of the State of Colorado pertaining to private carrier permits. No one appeared in protest to this application.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that Applicant will have sufficient equipment and experience with which to properly carry on said proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Charles E. Walton and Velma A. Walton, Fort Morgan, Colorado, be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of laundry, from Fort Morgan, Colorado, to Wray, Colorado, for the firm of Bings Laundry only; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 9th day of July, 1965

et

Arguing

(Decision No. 65371)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FRANCES GRIEGO, 508 9TH STREET, )  
ALAMOSA, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 21227-PP

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July 9, 1965  
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Appearances: Frances Griego, Alamosa,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

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 100 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 home and small construction jobs within a radius of 100 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 100 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 100 miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding,

together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that Applicant, Frances Griego, appeared and testified in support of the application; she testified that her husband, Leo E. Griego, will operate this authority as her employee if the application is granted; that she will enter into special carriage contracts to provide needed and specialized service for certain shippers who have requested his proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to render said service. Applicant also stated, if authority sought is granted, she agrees to operate in accordance with all the present and future rules and regulations of the Commission and all laws of the State of Colorado pertaining to private carrier permits.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation service; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that Applicant's proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that granting the authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Frances Griego, Alamosa, Colorado, be, and she 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 100 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 home and small construction jobs within a radius of 100 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 100 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 100 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles.

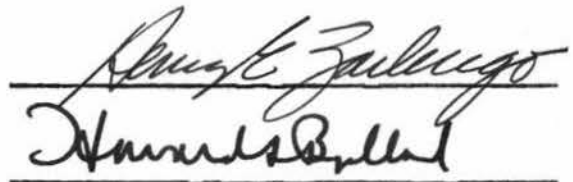
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 hereunder shall depend upon his compliance with all present and future laws and rules and regulations of this Commission.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Two handwritten signatures in cursive script, one above the other, both written over horizontal lines.

Commissioners

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 9th day of July, 1965

et



Original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WARD E. MATHIAS, DOING BUSINESS AS )  
"MATHIAS CONSTRUCTION CO.," NORTH )  
WASHINGTON, MONTE VISTA, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE AS )  
A PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION NO. 21230-PP

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July 9, 1965  
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Appearances: Ward E. Mathias, Monte Vista,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

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 and gravel, in dump trucks, from pits and supply points, and transportation of ready mix concrete, in ready mix trucks, from batch plants and supply points, in a point to point pick up from supply points and delivery to all points in the San Luis Valley of Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner stated that Applicant appeared, and testified in support of the application, stating if authority herein sought is granted, he will enter into special carriage contracts to provide needed and specialized service for certain shippers who have requested his proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to render said



service; that if authority sought is granted he agrees to operate in accordance with all the present and future rules and regulations of the Commission and the laws of the State of Colorado.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation service; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that Applicant's proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that granting the authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Ward E. Mathias, doing business as "Mathias Construction Co., Monte Vista, 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 and gravel, in dump trucks, from pits and supply points, and transportation of ready mix concrete, in ready mix trucks, from batch plants and supply points, in a point to point pick up from supply points and delivery to all points in the San Luis Valley of Colorado; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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 9th day of July, 1965

et

Original

(Decision No. 65373)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FLOYD J. LINVILLE, 2807 SOUTH SANTA )  
FE, ENGLEWOOD, COLORADO, FOR A CLASS )  
"B" PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 21221-PP

-----  
July 9, 1965  
-----

STATEMENT AND FINDINGS OF FACT

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 50 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 home and small construction jobs within a radius of 50 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 50 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 50 miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said pro-

ceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that Applicant, Floyd J. Linville, failed to appear either in person or by representative at the time and place designated for said hearing. No protestants appeared, and the files accordingly were made a part of the record and the instant matter was taken under advisement.

All motions granted, or denied, by the Examiner herein, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation service; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that Applicant's proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that granting the authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Floyd J. Linville, Englewood, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of 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 50 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 home and small construction

jobs within a radius of 50 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 50 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 50 miles of said pits and supply points; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

That said authority bear and be assigned the number "B-4918" -- a number formerly held by the Applicant.

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

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

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT  
PARTICIPATING

Dated at Denver, Colorado,  
this 9th day of July, 1965

at

Original

(Decision No. 65374)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GEORGE C. ELLIOTT, BOX 21, FREDERICK )  
COLORADO, FOR AUTHORITY TO EXTEND ) APPLICATION NO. 21222-PP-Extension  
OPERATIONS UNDER PERMIT NO. B-6309. )  
-----

-----  
July 9, 1965  
-----

Appearances: George C. Elliott, Frederick,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein is presently the owner and operator of Permit  
No. B-6309, authorizing:

transportation of hay, from point to point,  
within a radius of 75 miles of Dacono,  
Colorado.

By the instant application, Applicant seeks authority to extend operations  
under said Permit No. B-6309, 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 75 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 home and small con-  
struction jobs within a radius of 75 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 75 miles of said jobs; in-  
sulrock, from pits and supply points in the State of Colorado, to roofing  
jobs within a radius of 75 miles of said pits and supply points, trans-  
portation of road-surfacing materials to be restricted against the use  
of tank vehicles.



Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Applicant appeared at the hearing and testified in support of his application, stating if authority herein sought is granted, he will enter into special carriage contracts to provide needed and specialized service for certain shippers who have requested his proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to render said service.

Applicant further testified that if authority is granted, he agrees to operate in accordance with all the present and future rules and regulations of the Commission and all laws of the State of Colorado pertaining to private carrier permits.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed extended transportation services; that Applicant will have sufficient equipment and experience to properly carry on said proposed extended operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that Applicant's proposed extended operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that granting the authority, as provided in the following Order, will be in the public interest, and such authority should be granted.



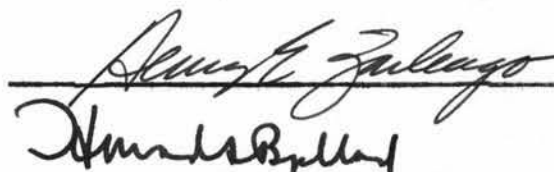
O R D E R

THE COMMISSION ORDERS:

That George C. Elliott, Frederick, Colorado be, and he hereby is, authorized to extend operations under Permit No. B-6309 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 75 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 home and small construction jobs within a radius of 75 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 75 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 75 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

COMMISSIONER RALPH C. HORTON  
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 9th day of July, 1965.

et

ing copy

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
EARL AND ELEANOR TOMPKINS DBA )  
TOMPKINS IMPLEMENT COMPANY )  
Box 67 )  
Fruita, Colorado )  
----- )

AUTHORITY NO. M 9156  
CASE NO. 1514 Ins.

-----  
July 19, 1965  
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S T A T E M E N T

By the Commission:

On July 8, 1965, in the above Case, the Commission entered its Order revoking the above Authority for failure to maintain effective insurance on file with the Commission. Proper insurance filing has now been made with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said Authority should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That said Authority be, and the same hereby is, reinstated, as of the date of revocation, and the said revocation Order be, and the same hereby is, vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
Henry C. Zisch  
Howard S. Bjelland  
Ralph C. Norton  
Commissioners

Dated at Denver, Colorado,  
this 19th day of July, 1965

orig copy

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
A. D. LAUMANN )  
Stratton, Nebraska )  
 )  
 )  
 )  
 )  
----- )

AUTHORITY NO. PUC 4346-I  
CASE NO. 1404 Ins.

-----  
July 20, 1965  
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S T A T E M E N T

By the Commission:

On June 16, 1965, in the above Case, the Commission entered its Order revoking the above Authority for failure to maintain effective insurance on file with the Commission. Proper insurance filing has now been made with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said Authority should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That said Authority be, and the same hereby is, reinstated, as of the date of revocation, and the said revocation Order be, and the same hereby is, vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry C. Ziegler  
Harold S. Bjelland  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,  
this 20th day of July, 1965

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CAPITOL HILL TRANSFER & STORAGE )  
COMPANY, A CORPORATION, 1666 LAFAY- )  
ETTE STREET, DENVER, COLORADO, FOR )  
A CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY AUTHORIZING EXTENSION )  
OF OPERATIONS UNDER PUC NO. 539. )  
-----

APPLICATION NO. 21276-Extension

-----  
July 20, 1965  
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Appearances: John P. Thompson, Esq., Denver,  
Colorado, for Applicant;  
John R. Barry, Esq., Denver,  
Colorado, for Mullis Transfer;  
Robert D. Means, Esq., Denver,  
Colorado, for K. P. Moving &  
Storage, Inc.

S T A T E M E N T

By the Commission:

The above-entitled matter, after Notice to all known parties in interest, was regularly set for hearing on Friday, July 16, at 10:00 o'clock A.M., at 532 State Services Building, 1525 Sherman Street, Denver, Colorado. The matter was called for hearing and, after appearances were entered, the Attorney for Applicant requested that the matter be continued until August 13, 1965, at 10:00 o'clock A.M., for the reason that some of the protestants could not be present at that time. All attorneys appearing for protestants agreed to the Continuance and, as no one urged that the hearing go forward, it appears that the matter should be continued.

F I N D I N G S

THE COMMISSION FINDS:


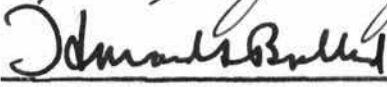
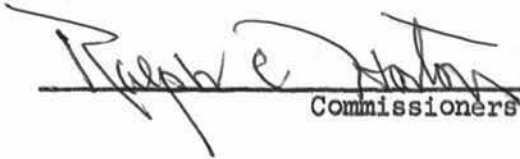
That the instant matter be continued until August 13, 1965, at 10:00 o'clock A.M. at the Hearing Room of the Commission located in Room 532, State Services Building, 1525 Sherman Street, Denver, Colorado.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application shall be, and the same hereby is, continued for hearing to be held on August 13, 1965 at 10:00 o'clock A.M. at 532 State Services Building, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 20th day of July, 1965

et

Original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE TRANSPORTATION ACTIVITIES OF )  
BANKERS WAREHOUSE COMPANY, A )  
CORPORATION, MURRAY PAUL HAYUTIN )  
AND PHILIP MILSTEIN, 4304 BRIGHTON )  
BOULEVARD, DENVER, COLORADO. )  
-----

CASE NO. 5297  
ORDER ALLOWING  
INTERVENTION

-----  
July 20, 1965  
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Appearances: Robert Moch, Esq., Denver,  
Colorado, for Respondent;  
Royce D. Sickler, Esq., Denver,  
Colorado, for Rio Grande Motor  
Way, Inc.;  
Alvin J. Meiklejohn, Jr., Esq.,  
Denver, Colorado, for Red Ball  
Motor Freight, Inc.;  
John H. Lewis, Esq., Denver,  
Colorado, for Thacker Bros.  
Transportation, Inc. dba  
Clements-B.C. Truck Line;  
William Schenkein, Esq., Denver,  
Colorado, for Ephraim Freight-  
ways, Inc.;  
Robert Fullerton, Esq., for  
Staff of the Commission.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Rio Grande Motor Way, Inc., Red Ball Motor Freight, Inc., Thacker Bros. Transportation, Inc. dba Clemente-B.C. Truck Line, and Ephraim Freightways, Inc. have all moved the Commission for permission to intervene in these proceedings as parties complainant on the side of the Staff of the Commission. On June 22, 1965, when these proceedings were initially called for hearing, these petitioners orally moved the Commission to consider their Motions for Leave to Intervene. The Commission inquired of Respondents as to whether or not there were objections to such intervention. Respondents not then being in a position to commit themselves with reference to such intervention, it was agreed that objections to the intervention, if any, would be filed with the

Commission on or before June 29, 1965. No such objections have been filed and the Commission is of the opinion that the intervention should be authorized.

### F I N D I N G S

#### THE COMMISSION FINDS:

That Applicants for intervention, Rio Grande Motor Way, Inc., Red Ball Motor Freight, Inc., Thacker Bros. Transportation, Inc. dba Clemente-B.C. Truck Line, and Ephraim Freightways, Inc. are persons who are interested in or will be affected by any order which may be entered in this proceeding and that the intervention should be authorized.

### O R D E R


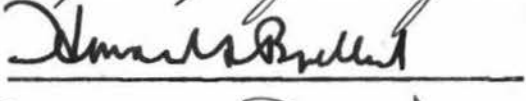
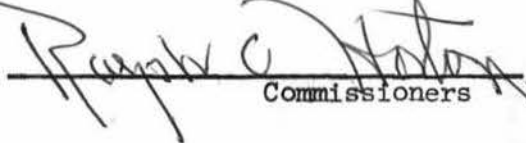
#### THE COMMISSION ORDERS:

That the Motions for Leave to Intervene of Rio Grande Motor Way, Inc., Red Ball Motor Freight, Inc., Thacker Bros. Transportation, Inc. dba Clemente-B.C. Truck Line, and Ephraim Freightways, Inc. be and they hereby are granted.

That Rio Grande Motor Way, Inc., Red Ball Motor Freight, Inc., Thacker Bros. Transportation, Inc. dba Clemente-B.C. Truck Line, and Ephraim Freightways, Inc. be, and they hereby are, made intervening Complainants on the side of the Commission's Staff, with the right to participate fully as parties to the proceeding.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 20th day of July, 1965  
et



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
EASTERN SLOPE RURAL TELEPHONE ASSO- }  
CIATION, INC., FOR PERMISSION TO }  
TRANSFER CERTAIN CERTIFICATED AREA }  
HEREIN DESCRIBED TO THE MOUNTAIN }  
STATES TELEPHONE AND TELEGRAPH }  
COMPANY AND FOR PERMISSION TO CEASE }  
OPERATIONS IN SAID AREA. }

APPLICATION NO. 21145

-----  
July 23, 1965  
-----

Appearances: Robert T. James, Esq., Colorado  
Springs, Colorado, for Applicant;  
E. L. Phillips, Denver, Colorado,  
for Mountain States Telephone &  
Telegraph.  
J. M. McNulty, and  
Everett R. Thompson, Denver, Colo-  
rado, of the Staff of the  
Commission.

S T A T E M E N T

By the Commission:

The above-entitled application was filed with this Commission on May 6, 1965. By this application Eastern Slope Rural Telephone Association (Eastern Slope) proposes to transfer certain customers and facilities in its presently certificated area to the Mountain States Telephone & Telegraph Company.

After due notice to all interested parties this matter was set for hearing by the Commission on Wednesday, June 30, 1965, at 9:00 o'clock A.M., in the Commission's Hearing Room, 532 State Services Building, Denver, Colorado.

No one appeared at the hearing in opposition to the granting of the Application.

Eastern Slope was granted a certificate of public convenience and necessity by this Commission in Application No. 12511, Decision No. 41282, of August 18, 1953, and Decision No. 42900, of July 6, 1954.

Subsequent to the above application, Applicant was granted additional certificates of public convenience and necessity. In Application No. 12511, Eastern Slope was granted a territory defined by an outer boundary and within this outer boundary certain areas of service were reserved to other telephone public utilities. One of the areas reserved for service was to Mountain States Telephone & Telegraph Company which included the Limon Exchange of Mountain States.

By the instant application, Eastern Slope seeks to transfer to Mountain States a certain area generally north of the Limon Exchange of Mountain States wherein it has certain telephone facilities and customers. Approximately 40 customers are involved and while they are presently customers of Eastern Slope because of the physical location of these customers, the lines of Eastern Slope terminated in the Limon Exchange of Mountain States at Limon and these customers when placing calls are switched through the Limon Exchange of Mountain States. In order to facilitate service by both utilities, it has been agreed that these customers and certain facilities will be transferred to and purchased by Mountain States. The purchase price in effect is net original cost. As a result of this transfer, 20% of the customers transferred from Eastern Slope to Mountain States will receive an increase in rates, 20% of the customers will receive a decrease in rates and the remaining 60% of the customers will have no change in rates. All of these customers who would receive an increase in rates had been contacted and they have voiced no objection to either the increase in rates or to being served by Mountain States. In fact, all of the customers to be transferred have approved the transfer.

Applicant is presently financed by means of loans from the Telephone Division of the Rural Electrification Administration in Washington. Approval of the transfer of property and the release of the mortgage on the property to be transferred has been approved by the Rural Electrification Administration.

It is evident from the testimony at the hearing that the proposed transfer of customers and property herein will benefit both utilities in the rendering of service to the prospective customers now and in the future inasmuch as it will facilitate the operations of both systems. Mountain States is now actually operating the facilities. The application to transfer was delayed because both parties have been working on additional proposed transfers, again in the interest of improving operation of both utilities. Since the other proposed transfers require additional time to be negotiated, this application was filed in order to proceed with this phase so as not to delay it any further pending further negotiations.

In granting the present transfer, we will redefine the territory originally granted to Mountain States, which, in turn, is also a modification of the territory granted to Eastern Slope in Application No. 12511. In our Order to follow herein, we will redefine the area to be excluded under the certificate granted to Eastern Slope, and, therefore, a copy of this Order shall be placed in the file in Application No. 12511.

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

##### THE COMMISSION FINDS:

That it has jurisdiction of the subject matter of the instant application.

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

That the application should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Eastern Slope Rural Telephone Association, Inc., be, and it hereby is, authorized to sell to Mountain States Telephone & Telegraph Company the facilities now owned by it as set forth under the terms and conditions of the "Bill of Sale" Exhibit B herein, and made a part hereof by reference, and to transfer to Mountain States the customers

presently being served by said facilities.

That the area set forth herein shall be deleted from the certificate granted to Eastern Slope by this Commission in Application No. 12511 and a copy of this Order shall be placed in the file of said application.

That the territory deleted is as follows:

Beginning at a point located in Elbert County, Colorado said point being the Northwest Corner of Section 1, Township 6 South, Range 58 West; thence running South approximately 6 miles to the Southwest Corner of Section 36, Township 6 South, Range 58 West; thence running West 1 mile to the Northwest Corner of Section 2, Township 7 South, Range 58 West; thence running South 9.5 miles to the Southeast Corner of the Northeast one-Quarter of Section 22, Township 8 South, Range 58 West; thence running West 3 miles to the Southwest Corner of the Northwest One-Quarter of Section 20, Township 8 South, Range 58 West; thence running South 3.5 miles to the Southwest Corner of Section 5, Township 9 South, Range 58 West; thence running East 1 mile to the Southeast Corner of Section 5, Township 9 South, Range 58 West; thence running Southeasterly approximately 2.5 miles to the Southeast Corner of the Northeast One-Quarter of Section 15, Township 9 South, Range 58 West; thence running South 7.5 miles to the Southwest Corner of Section 23, Township 10 South, Range 58 West; thence running East 1.5 miles to the Southeast Corner of the Southwest One-Quarter of Section 24, Township 10 South, Range 58 West; thence running South 2 miles to the Southwest Corner of the Southeast One-Quarter of Section 36, Township 10 South, Range 58 West; thence running East approximately 1 mile to the Northwest Corner of the Northeast One-Quarter of Section 6, Township 11 South, Range 57 West; thence running South 10 miles to the Southwest Corner of the Southeast One-Quarter of Section 19, Township 12 South, Range 57 West; thence running East 0.5 miles to the Southwest Corner of Section 20, Township 12 South, Range 57 West; thence running South 2.5 miles to the Southwest Corner of the Northwest One-Quarter of Section 5, Township 13 South, Range 57 West; thence running East 9.5 miles to the Southeast Corner of the Northwest One-Quarter of Section 2, Township 13 South, Range 56 West; thence running North 12.5 miles to the Northeast Corner of the Northwest One-Quarter of Section 2, Township 11 South, Range 56 West; thence running East 0.3 mile to the Southeast Corner of the Southwest One-Quarter of Section 35, Township 10 South, Range 56 West; thence running North 6 miles to the Northeast Corner of the Northwest One-Quarter of Section 2, Township 10 South, Range 56 West; thence running East 1.5 miles to the Southeast Corner of Section 36, Township 9 South, Range 56 West; thence running North 14 miles to the Northeast Corner of Section 25, Township 7 South, Range 56 West; thence running East 2.5 miles to the Southeast Corner of the Southwest One-Quarter of Section 21, Township 7 South, Range 55 West; thence running North 3 miles to the Northeast Corner of the Northwest One-Quarter of Section 9, Township 7 South, Range 55 West; thence running West 1 mile to the Southeast Corner of the Southwest One-Quarter of Section 5, Township 7 South, Range 55 West; thence running North 7 miles to the Northeast Corner of the Northwest One-Quarter of Section 5, Township 6 South, Range 55 West; thence running East approximately 0.4 mile to the Southeast Corner of the Southwest One-Quarter of Section 32, Township 5 South, Range 55 West; thence running North 12 miles to the Northeast Corner of the Northwest

One-Quarter of Section 5, Township 4 South, Range 55 West; thence running West 7.5 miles to the Northwest Corner of the Northwest One-Quarter of Section 6, Township 4 South, Range 56 West; thence running South 12 miles to the Southwest Corner of Section 31, Township 5 South, Range 56 West; thence running West 7.3 miles to the Northwest Corner of Section 1, Township 6 South, Range 58 West, being the point of beginning; all points being situated in Elbert, Washington and Lincoln Counties, State of Colorado.

That the territory defined above, deleted from the certificated area of Eastern Slope, shall be served now and in the future by Mountain States Telephone and Telegraph Company.

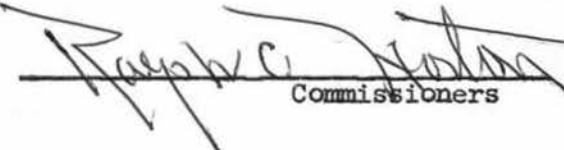
That the closing entries of the transaction approved herein shall be set forth on the books of Eastern Slope Telephone Association, Inc., in accordance with Exhibit D, which, by reference, is made a part hereof.

That Applicant shall continue to maintain its system of accounts in accordance with the requirements of this Commission.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO


  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of July, 1965

et



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GAS FACILITIES, INC., 1130 FIRST )  
NATIONAL BANK BUILDING, DENVER, )  
COLORADO, FOR AUTHORITY TO ENLARGE )  
ITS SERVICE AREA. )  
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APPLICATION NO. 21141

-----  
July 20, 1965  
-----

Appearances: Keith L. Brown, Esq., Denver,  
Colorado, for Gas Facilities,  
Inc., for Applicant.  
E. A. Stansfield, Esq., and  
D. D. Cawelti, Esq., Denver,  
Colorado, for Public Service  
Company of Colorado, and  
Western Slope Gas Company.  
J. M. McNulty and  
E. R. Thompson, Denver, Colorado,  
of 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 4, 1965, seeking to enlarge its service area and for a certificate of public convenience and necessity to render gas service in an area immediately to the west and adjacent to its present service area, in a portion of Eagle County, Colorado, known as West Vail.

A map of the area proposed to be served was attached to the application as Exhibit A.

The matter was set for hearing by the Commission, after due notice to all interested parties, on Friday, July 2, 1965, at 10:00 o'clock A.M. in the Commission's Hearing Room, 532 State Services Building, Denver, Colorado.

At the outset of the hearing, Mr. E. A. Stansfield, Esq., in behalf of his clients, Public Service Company of Colorado and Western Slope Gas Company, entered into a stipulation with Keith L. Brown, Esq., in behalf

of Applicant, whereby the protest to this application filed by Public Service Company of Colorado was withdrawn. The Commission was further advised that Western Slope Gas Company proposed to extend its natural gas transmission facilities through the area sought to be served by this application and the area presently included in the certificated area of Gas Facilities, Inc., and that Gas Facilities would not protest said extension.

At the conclusion of the hearing, the matter was taken under advisement.

Applicant is a corporation organized and existing under and by virtue of the laws of the State of Colorado and is a public utility operating company, subject to the jurisdiction of this Commission, engaged primarily in the purchase, distribution, and sale of gas in the State of Colorado. A copy of its Articles of Incorporation, as amended to date, has heretofore been filed with this Commission. The address of the principal office is 1130 First National Bank Building, Denver, Colorado.

Mr. A. F. Holland, President of Gas Facilities, Inc., testified for Applicant that it proposed to construct a distribution system in the West Vail area to supply natural gas, and, at the same time, to convert its facilities in Vail Village from LP gas service to natural gas service.

The map of the present service area and the proposed addition to the service area was introduced as Exhibit A, an enlarged map of all the Vail area was introduced as Exhibit B, and a detailed map of the proposed gas distribution system for West Vail was introduced as Exhibit C.

Exhibit D was introduced, which contained testimony of witnesses at the hearing on Western Slope Gas Company's Application No. 21154-Extension, which revealed the public need for natural gas service in this area and that it would be a boon to the area.

A feasibility study of the proposed project was introduced as Exhibit E and testified to by Mr. Holland, witness for Applicant. The proposed natural gas rates were introduced as Exhibit F, and a copy of



Applicant's financial statement as of December 31, 1964, was introduced as Exhibit G.

The agreement between Western Slope Gas Company and Gas Facilities, Inc. for the purchase of natural gas to serve this area was introduced as Exhibit H. Mr. Holland testified that investment in the facilities to be constructed under this application will be made from additional equity investment and short term borrowing which will be presented to the Commission by subsequent application.

All gas will be odorized prior to sale to customers.

It is apparent from the testimony at the hearing that this service is needed and that a certificate of public convenience and necessity should be granted.

### F I N D I N G S

#### THE COMMISSION FINDS:

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

That the Commission has jurisdiction of Applicant and of the subject matter of the instant application.

That a certificate of public convenience and necessity for the rendering of gas service in the area to be set forth in the Order herein should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That public convenience and necessity require, and will require, the granting to Gas Facilities, Inc., of a certificate of public convenience and necessity to render gas service, utilizing liquefied petroleum, natural, artificial or mixed gas, in the area set forth in the Order herein, and this Order shall be taken, deemed and held to be a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.

That the area granted to Applicant within which to render gas service is as follows:

Sections 1, 11, 12, 13, and the North one-half  
of Section 14, Township 5 South, Range 81 West,  
Eagle County, Colorado.

That Applicant shall install and maintain the proposed gas system  
in accordance with good engineering practices.

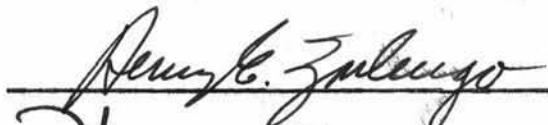
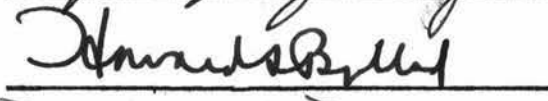
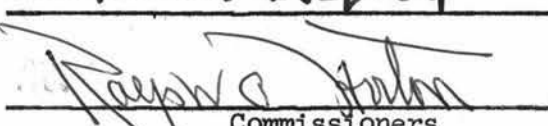
That Applicant shall at all times comply with the Rules Regulating  
the Service of Gas and Electric Utilities promulgated by this Commission.

That Applicant shall set up and maintain its books and accounts  
in accordance with the Uniform System of Accounts as prescribed by this  
Commission.

That Applicant shall file with this Commission the rates, (Exhibit  
F), rules and regulations under which it proposes to render gas service  
at least five (5) days prior to the rendering of gas service under the  
certificate granted herein.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 20th day of July, 1965

et

That this

(Decision No. 65381)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GLEN McKIE, IDALIA, COLORADO, FOR )  
AUTHORITY TO TRANSFER PERMIT NO. )  
B-6213 TO "D" CLARK WILLS AND GORDON )  
STUTHEIT, DOING BUSINESS AS "STUTHEIT )  
TRUCKING," BOX 26, IDALIA, COLORADO. )  
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APPLICATION NO. 21257-PP-Transfer

-----  
July 20, 1965  
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STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, Glen McKie, Idalia, Colorado, seeks authority to transfer Permit No. B-6213 to "D" Clark Wills and Gordon Stutheit, doing business as "Stutheit Trucking," Idalia, Colorado.

Said application was regularly set for hearing before the Commission, and an Examiner was duly designated to conduct said hearing, he thereafter to submit a report of said proceedings to the Commission.

Report of the Examiner states that at the time and place designated for hearing, applicants failed to appear, either in person or by representative. However, D. Clark Wills later appeared at the Commission's office and advised that because of the recent flood conditions he was unable to appear at the hearing and requested that the matter be re-set for hearing in Denver, Colorado.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that the request should be granted and that the herein instant matter should be continued to be re-set for hearing as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Application No. 21257-PP-Transfer be, and the same hereby is, continued, to be re-set for hearing before the Commission at a later date

at Denver, Colorado, with notice only to the transferor and transferees herein.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry C. Zuluaga  
Howard B. Miller  
Joseph C. Hutton  
Commissioners

Dated at Denver, Colorado,  
this 20th day of July, 1965

et

(Decision No. 65382)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FLOYD LEE HARGROVE, P.O. BOX 114, )  
PALMER LAKE, COLORADO, FOR A CERTI- )  
FICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY TO OPERATE AS A COMMON )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 21297

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July 20, 1965  
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STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, applicant herein seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and an Examiner was duly designated to conduct the hearing on said application, he thereafter to submit a report of said proceeding to the Commission.

Report of the Examiner states that at the time and place designated for hearing, applicant failed to appear, either in person or by representative. However, applicant communicated with the Commission by telephone stating that he had not received the Notice of Hearing and was unaware of the hearing date and requested that the application be continued and re-set for hearing at Colorado Springs, Colorado.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that the request should be granted and that the herein instant matter should be continued to be re-set for hearing as set forth in the Order following.


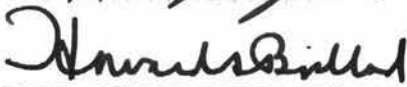
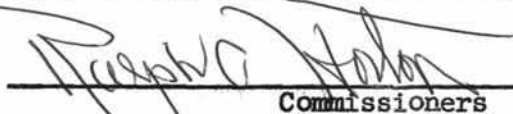
O R D E R

THE COMMISSION ORDERS:

That Application No. 21297 be, and the same hereby is, continued, to be re-set for hearing before the Commission at a later date, with notice only to the applicant herein inasmuch as there were no appearances or protests at the hearing of July 8, 1965.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 20th day of July, 1965

et

Original

(Decision No. 65383)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LITTLE JOE RENTALS, INC., A COLORADO )  
CORPORATION, FOR A CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY TO )  
OPERATE AS A COMMON CARRIER BY MOTOR )  
VEHICLE FOR HIRE. )

APPLICATION NO. 21102-Amended

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July 20, 1965  
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Appearances: John H. Lewis, Esq., Denver,  
Colorado, for Applicant;  
Robert D. Means, Esq., Denver,  
Colorado, for Keller Light;  
Ernest Porter, Esq., Denver,  
Colorado, for Rio Grande Motor  
Way, Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, applicant herein seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and an Examiner was duly designated to conduct the hearing on said application, he thereafter to submit a report of said proceeding to the Commission.

Report of the Examiner states that at the time and place designated for hearing, parties of record hereto -- pursuant to stipulation -- moved that the hearing on the herein application be continued and re-set for hearing on August 10, 1965, in the Conference Room of the Commission, Denver, Colorado, at ten o'clock A.M.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that said motion should be granted and that the herein instant matter should be continued and reset for hearing as set forth in the Order following.




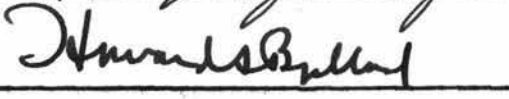
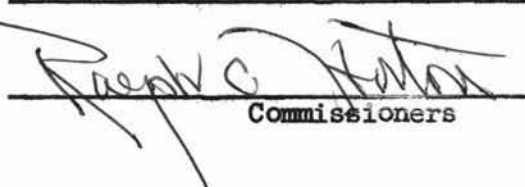
O R D E R

THE COMMISSION ORDERS:

That Application No. 21102-Amended be, and the same hereby is, continued and re-set for hearing before the Commission at 10:00 o'clock A.M., on August 10, 1965, in the Conference Room of the Commission, 1525 Sherman Street, Denver, Colorado, with notice to the parties who entered their appearance on July 8, 1965.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 20th day of July, 1965

et

(Decision No. 65384)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JESS V. McKINSTER, DOING BUSINESS AS )  
"McKINSTER TRUCK LINE," PARKER, )  
COLORADO, FOR A CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY )  
AUTHORIZING EXTENSION OF OPERATIONS )  
UNDER PUC NO. 491 AND PUC NO. 491-I.)  
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APPLICATION NO. 20246-Extension

-----  
July 20, 1965  
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STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, Jess V. McKinster, doing business as "McKinster Truck Line," Parker, Colorado, sought authority to extend operations under PUC No. 491 and PUC No. 491-I.

The Commission is now in receipt of a communication from Robert D. Means, Attorney for Applicant, requesting dismissal of said application.

The Commission states and finds that said request should be granted and that Application No. 20246-Extension should be dismissed.

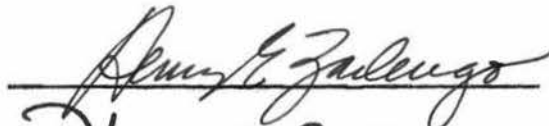
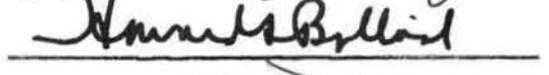
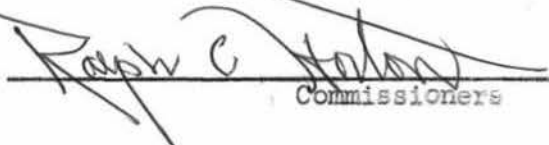
O R D E R

THE COMMISSION ORDERS:

By the Commission That Application No. 20246-Extension be, and the same hereby is, dismissed.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 20th day of July, 1965

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF M D TRUCKING CORPORATION, 6795 SOUTH GILPIN CIRCLE EAST, LITTLETON, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-6307 TO INCLUDE THE TRANSPORTATION OF SAND, GRAVEL, AND OTHER ROAD-SURFACING MATERIALS USED IN THE CONSTRUCTION OF ROADS AND HIGHWAYS, FROM PITS AND SUPPLY POINTS IN THE STATE OF COLORADO, TO ROAD JOBS, MIXER AND PROCESSING PLANTS WITHIN A RADIUS OF 200 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 HOME AND SMALL CONSTRUCTION JOBS WITHIN A RADIUS OF 200 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 200 MILES OF SAID JOBS; INSULROCK, FROM PITS AND SUPPLY POINTS IN THE STATE OF COLORADO, TO ROOFING JOBS WITHIN A RADIUS OF 200 MILES OF SAID PITS AND SUPPLY POINTS; TRANSPORTATION OF ROAD-SURFACING MATERIALS RESTRICTED AGAINST THE USE OF TANK VEHICLES.

APPLICATION  
NO. 21281-PP-EXTENSION

July 20, 1965

Appearances: Ruth C. Marsh, 6795 So. Gilpin Circle East, Littleton, Colorado, for Applicant.

S T A T E M E N T

By the Commission:

The applicant herein is presently the owner and operator of Permit B-6307, which authorizes 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 75 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 home and small construction jobs within a radius of 75 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 75 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 75 miles of said pits and supply points; the transportation of road-surfacing materials being restricted against the use of tank vehicles.

By the instant application, applicant seeks authority to extend operations under said Permit No. B-6307 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 200 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 home and small construction jobs within a radius of 200 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 200 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 200 miles of said pits and supply points; transportation of road-surfacing materials restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at 532 State Services Building, July 9, 1965, and at the conclusion of the evidence, the matter was taken under advisement.

Ruth C. Marsh testified that she is the Vice President of M D Trucking Corporation. This corporation is presently the owner of Permit No. B-6307 issued by this Commission. Such permit is a normal sand and gravel authority limited to a 75-mile radius. By the present application, the corporation seeks to extend such radius to 200 miles, as the corporation has had requests for such service. The corporation has a net financial worth in excess of \$100,000 and is currently operating four major units. The officials of the corporation are familiar with the rules and regulations of the Commission and the statutes of the State of Colorado and will comply therewith if the extended authority sought herein be 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

was established to the satisfaction of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That the extension herein sought should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That M D Trucking Corporation, 6795 South Gilpin Circle East, Littleton, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-6307, to include the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 200 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 home and small construction jobs within a radius of 200 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 200 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 200 miles of said pits and supply points; transportation of road-surfacing materials restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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

*Henry E. Zauligo*  
*James B. Miller*

*Ralph C. Hutton*  
Commissioners

Dated at Denver, Colorado  
this 20th day of July, 1965.

ls

Original

(Decision No. 65386)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FRANK SMITH, 6544 HIGHWAY 2, BOX 5, )  
COMMERCE CITY, COLORADO, FOR A CLASS )  
"B" PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE )  
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APPLICATION NO. 21280--PP

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July 20, 1965  
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Appearances: Frank Smith, 6544 Highway 2,  
Box 5, Commerce City, 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 home 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 restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at 532 State Services Building, Denver, Colorado, July 9, 1965, and at the conclusion of the evidence, the matter was taken under advisement.



Frank Smith testified that he is the owner of a 1956 dump truck which he plans to utilize to render service if the authority sought herein is granted. He has a net financial worth in excess of \$7,000; has had almost ten years' experience in the trucking business; is familiar with the rules and regulations of the Commission and the statutes of the State of Colorado and will comply therewith if this authority is granted. He has been operating under temporary authority since June 17, 1965. If the authority sought herein is granted, he intends to enter into contracts with contractors and others for the rendition of service.

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:

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

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

### O R D E R

#### THE COMMISSION ORDERS:

That Frank Smith, Commerce City, Colorado, should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply



points in the State of Colorado, to railroad loading points, and to home 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; the transportation or road-surfacing materials to be restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.


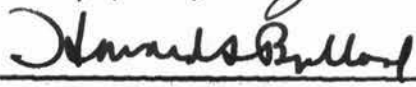
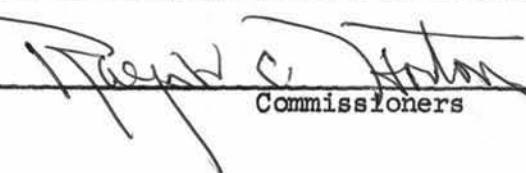
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 20th day of July, 1965.

ls

Original

(Decision No. 65387)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ORVILLE L. WITTMUSS, 7701 BRIGHTON )  
BOULEVARD, HENDERSON, COLORADO, FOR )  
A CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE )  
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APPLICATION NO. 21279--PP

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July 20, 1965  
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Appearances: Orville L. Wittmuss, 7701 Brighton  
Boulevard, Henderson, Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, 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 home 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 restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at 532 State Services Building, Denver, Colorado, July 9, 1965, and at the conclusion of the evidence, the matter was taken under advisement.

Orville L. Wittmuss testified that he is the owner of a 1957 Ford dump truck which he plans to utilize to render service if the authority sought herein is granted. He has had fifteen years' experience in the truck driving business; has a net financial worth in excess of \$30,000; is familiar with the rules and regulations of the Commission and the statutes of the State of Colorado and will comply therewith if the authority sought is granted. He has been operating under temporary authority since June 23, 1965. If the authority sought herein is granted, he intends to enter into contracts with contractors and others for the rendition of service under this authority.

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:

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

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

### O R D E R

#### THE COMMISSION ORDERS:

That Orville L. Wittmuss, Henderson, Colorado, should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado,

to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points; the transportation of road-surfacing materials to be restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.


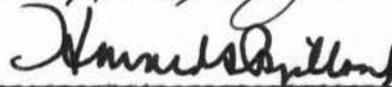
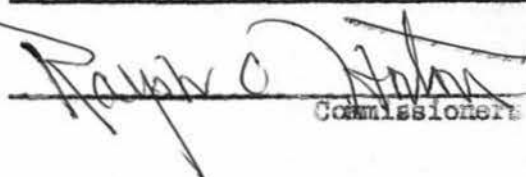
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 20th day of July, 1965.

ls

Original

(Decision No. 65388)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RICHARD A. ZIEBARTH AND DOROTHY L. )  
ZIEBARTH, 7221 EAST 67TH AVENUE, )  
COMMERCE CITY, COLORADO, FOR A CLASS )  
"B" PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE )  
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APPLICATION NO. 21278--PP

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July 20, 1965  
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Appearances: Richard A. Ziebarth, 7221 East  
67th Avenue, Commerce City,  
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 75 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 home and small construction jobs within a radius of 75 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 75 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 75 miles of said pits and supply points; transportation of road-surfacing materials to be restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at 532 State Services Building, Denver, Colorado, July 9, 1965, and at the

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

Richard A. Ziebarth testified that he is the owner of a 1959 Ford dump truck which he plans to utilize to render service under the authority sought herein. He has a net financial worth in excess of \$7,000. If the authority is granted, he intends to enter into contracts with contractors for the rendition of services under the authority. He has been operating under temporary authority since June 15, 1965.

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:

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

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

#### O R D E R

##### THE COMMISSION ORDERS:

That Richard A. Ziebarth and Dorothy L. Ziebarth, Commerce City, Colorado, should be, and 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 75 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 home and small construction jobs within a radius



of 75 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 75 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 75 miles of said pits and supply points; the transportation of road-surfacing materials to be restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

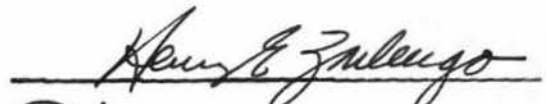
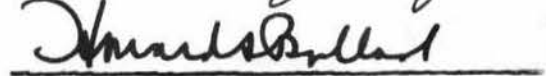

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado  
this 20th day of July, 1965.

ls



Original

(Decision No. 65389)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
EDWIN E. PEARMAN, 155 LOWELL, DENVER, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 21282--PP

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July 20, 1965  
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Appearances: Edwin E. Pearman, Denver,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 50 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 home and small construction jobs within a radius of 50 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 50 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 50 miles of said pits and supply points; transportation of road-surfacing materials restricted against the use of tank vehicles; also, transportation of natural fertilizer and ensilage between points within a radius of 50 miles of Denver; coal, from northern Colorado coal fields to Valmont plant of Public Service Company near Boulder, and to Denver and points within a five-mile radius thereof; transportation of refuse and debris from flood damaged areas to points

within a radius of 50 miles thereof. Applicant requests in event authority herein sought is granted said operating rights be known as "Permit No. B-6076", being the number of a permit formerly held by applicant.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at 532 State Services Building, Denver, Colorado, July 9, 1965, and at the conclusion of the evidence, the matter was taken under advisement.

Edwin E. Pearman testified that he is the owner of a 1959 Ford dump truck which he plans to utilize to render services under the authority sought herein. His net financial worth is in excess of \$7,000 and has had fifteen years of experience in the trucking industry. He is familiar with the rules and regulations of the Commission and the statutes of the State of Colorado and will comply therewith if the authority sought herein is granted. If this authority is granted he plans to enter into contracts with contractors and others for the rendition of service.

In addition to the normal sand and gravel authority, Applicant herein also seeks authority for, "the transportation of natural fertilizer and ensilage between points within a radius of fifty miles of Denver; coal from northern Colorado coal fields to the Valmont Plant of Public Service Company near Boulder and to Denver and points within a five-mile radius thereof; transportation of refuse and debris from flood damaged areas to points within a radius of fifty miles thereof". The Applicant submitted little or no evidence relative to the transportation of natural fertilizer and ensilage and this portion of the application should be denied. The Applicant, however, should be authorized to transport coal from northern Colorado coal fields to the Valmont Plant of Public Service Company near Boulder and to Denver and points within a five-mile radius thereof and should further be authorized for a period of one year from the date hereof to transport refuse and debris from flood damaged areas to points within a radius of fifty miles thereof.

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:

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

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

### O R D E R

#### THE COMMISSION ORDERS:

That Edwin E. Pearman, 155 Lowell, Denver, Colorado, should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home 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 restricted against the use of tank vehicles; also, transportation of coal from northern Colorado coal fields to Valmont plant

of Public Service Company near Boulder, and to Denver and points within a five-mile radius thereof; transportation of refuse and debris from flood damaged areas to points within a radius of fifty miles thereof for a period of one year from the effective date of this Order.

That, except as herein above authorized, the Application should be, and the same hereby is, denied.

That authority herein granted should be known as Permit No. B-6076 formerly owned by applicant.

This ORDER shall be deemed to be, and be, a PERMIT therefor.

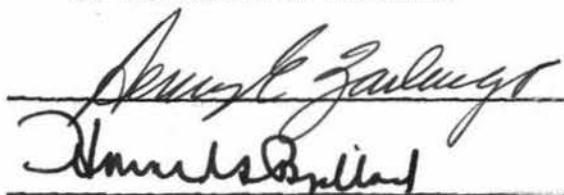
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

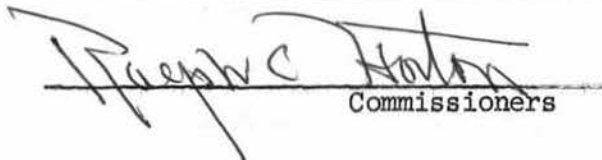
That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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 20th day of July, 1965.

ls

Original

(Decision No. 65390)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
MRS. A. A. RUSS, MRS. MABEL YINGLING )	
AND MR. WALTER M. WILSON ON BEHALF OF )	
THEMSELVES AND OTHERS SIMILARLY SITU- )	
ATED FOR AN ORDER AUTHORIZING PUBLIC )	APPLICATION NO. 21200
SERVICE COMPANY OF COLORADO TO RENDER )	
STREET LIGHTING SERVICE IN AN UNIN- )	
CORPORATED AREA IN JEFFERSON COUNTY. )	
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July 23, 1965  
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Appearances: D. D. Cawelti, Esq., Denver, Colorado,  
for Public Service Company of Colorado;  
J. M. McNulty, Denver, Colorado, of  
the Staff of the Commission.

S T A T E M E N T

By the Commission:

This is an application by Mrs. A. A. Russ and others, representing themselves and all other customers similarly situated, for an order authorizing Public Service Company of Colorado (Public Service) to install, operate and maintain street lighting service in an unincorporated area in Jefferson County, as shown on the map identified as Exhibit A attached to the application, and as hereinafter more fully described.

The matter was set for hearing, after due notice to interested parties, on July 1, 1965, at 10:00 o'clock A.M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and at said time and place heard by the Commission. At the conclusion of the hearing the matter was taken under advisement.

No petitions of intervention were filed prior to the hearing and no one appeared at the hearing in opposition to the application.

A petition for street lighting service addressed to Public Service was circulated among the residents of an area in which 48 customers now receive electric service. Of the 48 customers, signatures

were obtained of 47, or a percentage of 97.9% of the total number of customers. Said petitions were submitted as Exhibit Nos. B-1 through B-2 respectively. The tariff of Public Service, providing for street lighting in unincorporated areas, states, among other things, that street lighting in an established area otherwise qualifying will be provided upon receipt by Public Service of a petition from all electric customers within the area or upon an order or decision of this Commission directing street lighting service to be established in the area. Since one customer did not sign, Public Service could not install street lights without an order of the Commission.

Principal spokesman for Applicants was Mr. Walter M. Wilson. Mr. Wilson testified no street lighting now exists in the area contemplated in this application. He stated that police protection was inadequate and that there had been incidents of thefts and vandalism which might have been prevented by adequate lighting. He also testified that adequate street lighting was essential from the standpoint of traffic safety, and for the safety of children living in the area.

Also present in support of the application, though not testifying were Mrs. A. A. Russ and Mrs. Mabel Yingling who are residents of the area.

Mr. J. H. Ranniger, an engineer in the Rate Department of Public Service, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, Public Service is ready, willing and able to install street lighting in the area. No construction contributions are required of electric customers and, as provided in the tariff, a charge of \$0.45 per month per customer will be made. The engineering of the street lighting for the area has already been undertaken. It will require approximately 30 days to make the initial system operational. 7,000 lumen mercury vapor vertically operated, non-ornamental lights will be provided. Service will be furnished in accordance with tariff



sheets, Colorado P.U.C. No. 4 - Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B.

The proposed street lighting system was estimated to cost \$957 which will be provided from internal funds of Public Service.

### F I N D I N G S

#### THE COMMISSION FINDS:

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

That it has jurisdiction of the subject matter of this application, and of the Public Service Company of Colorado.

That the preservation of the public peace, health and safety requires the installation of a street lighting system in the area described in the Order to follow.

### O R D E R

#### THE COMMISSION ORDERS:

That Public Service Company of Colorado is hereby authorized and directed to install, operate and maintain a non-ornamental, mercury vapor street light system in accordance with the provisions of its Tariff, Colorado PUC No. 4 - Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B now existing or as it may be changed under the rules of this Commission, or according to law.

That street lights, approximately six in number, shall be installed as required in the area described as follows:

Beginning at the intersection of the rear lot lines extended of the lots south of West 16th Place with the center line of Balsam Street; thence north along the center line of said Balsam Street to the intersection with the rear lot lines extended of the lots north of West 16th Place; thence east along said rear lot lines, across Allison Street and continuing east along the south lot lines of the lots south of West 17th Avenue to the southeast corner of the lot numbered as 7966 West 17th Avenue; thence north along the east lot line of said lot, across West 17th Avenue and continuing north along the



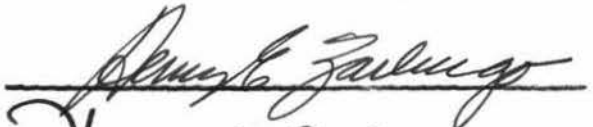
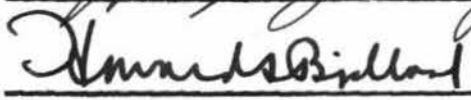
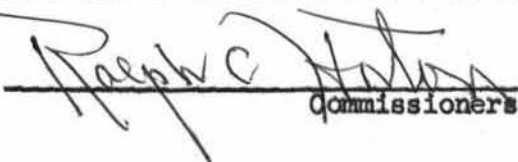
west lot line of the lot numbered as 7943 West 17th Avenue to the northwest corner thereof; thence east along the north lot lines of the lots north of West 17th Avenue to the southwest corner of the lot numbered as 1803 Yarrow Street; thence north along the west line of said lot and the lot numbered as 1805 Yarrow Street to the northwest corner thereof; thence east along the north line of said last-named lot extended to the center line of Yarrow Street; thence south along said center line to the intersection with the north lot line extended of the lot numbered as 1800 Yarrow Street; thence east along said lot line to the northeast corner thereof; thence south along the east line of said lot to the southeast corner thereof; thence west along the south line of said lot to the intersection with the extension of the rear lot lines of the lots east of Yarrow Street; thence south along said east lot lines to the southeast corner of the lot numbered as 1640 Yarrow Street; thence west along the south line of said lot, across Yarrow Street and continuing west along the rear lot lines of the lots south of West 17th Avenue to the southeast corner of the lot numbered as 7966 West 17th Avenue; thence south along the east lot lines of the lots east of Allison Street to the southeast corner of the lot numbered as 1696 Allison Street; thence west along the south line of said lot extended to the center line of Allison Street; thence south along said center line to the intersection with the south lot line extended of the lot numbered as 1679 Allison Street; thence west along said south lot line to the southwest corner thereof; thence north along the west line of said lot to the northwest corner thereof; thence west along the rear lot lines of the lots south of West 16th Place to the point of beginning.

Date

Shs

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado  
this 23rd day of July, 1965.

ls

Original

(Decision No. 65391)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION  
OF MRS. W. J. BAKER, JR., MR. MAX  
J. SAUDER AND MRS. PAUL REED ON  
BEHALF OF THEMSELVES AND OTHERS  
SIMILARLY SITUATED FOR AN ORDER  
AUTHORIZING PUBLIC SERVICE COMPANY  
OF COLORADO TO RENDER STREET LIGHT-  
ING SERVICE IN AN UNINCORPORATED  
AREA IN JEFFERSON COUNTY.

APPLICATION NO. 21199

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July 23, 1965  
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Appearances: D. D. Cawelti, Esq., Denver, Colorado,  
for Public Service Company of Colorado;  
J. M. McNulty, Denver, Colorado, of the  
Staff of the Commission.

S T A T E M E N T

By the Commission:

This is an application by Mrs. W. J. Baker, Jr. and others, representing themselves and all other customers similarly situated, for an order authorizing Public Service Company of Colorado (Public Service) to install, operate and maintain street lighting service in an unincorporated area in Jefferson County, as shown on the map identified as Exhibit A attached to the application, and as hereinafter more fully described.

The matter was set for hearing, after due notice to interested parties, on July 1, 1965, at 10:00 o'clock A.M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. At said time and place this matter was duly heard and at the conclusion of the hearing taken under advisement by the Commission.

A petition for street lighting service addressed to Public Service was circulated among the residents of an area in which 279 customers now receive electric service. Of the 279 customers, signatures were obtained of 224, or a percentage of 80.3% of the total number of

customers. Said petitions were submitted as Exhibit Nos. B-1 through B-7 respectively. The tariff of Public Service, providing for street lighting in unincorporated areas, states, among other things, that street lighting in an established area otherwise qualifying will be provided upon receipt by Public Service of a petition from all electric customers within the area or upon an order or decision of this Commission directing street lighting service to be established in the area. Since 55 customers did not sign, Public Service could not install street lights without an order of the Commission.

The principal witnesses for the applicants were Mrs. W. J. Baker and Mrs. Paul Reed who testified that no street lighting now exists in the area contemplated in this application. In general their testimony was to the effect that there had been incidents of theft and vandalism which might have been prevented or alleviated by adequate street lighting. The witnesses also believe that adequate street lighting was essential for the protection of children and also from the standpoint of traffic safety.

Certain of the residents in the area also testified in opposition to the street lights. One of the principal objections was that they did not want the pole located on their property. There was also some objection to the lights because of shining in bedroom windows. There did not appear to be any particular objection to the monthly charge for the lights. One written objection was filed which contained similar objections to those stated at the hearing.

Mr. J. H. Ranniger, an engineer in the Rate Department of Public Service, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, Public Service is ready, willing and able to install street lighting in the area. No construction contributions are required of electric customers and, as provided in the tariff, a charge of \$0.45 per month per customer will be made. The engineering of the

street lighting for the area has already been undertaken. It will require approximately 30 days to make the initial system operational. 7,000 lumen mercury vapor vertically operated, non-ornamental lights will be provided. Service will be furnished in accordance with tariff sheets, Colorado P.U.C. No. 4 - Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B.

The proposed street lighting system was estimated to cost \$4,817 which will be provided from internal funds of Public Service.

Mr. Ranniger also testified that the company endeavored to place the poles in accordance with the wishes of the property owners to the extent that this was possible from an engineering standpoint. There is, however, a limitation in regard to the pole location in order to provide adequate lighting. He also stated that a deflector could be placed on the lamp to shield, to a certain extent, the backward reflection if the customer so desired.

We have carefully reviewed the testimony of all of the witnesses at the hearing, having in mind that it would be very difficult to please all of the residents in a particular area in a matter such as this. We do note that a large percentage of customers in the area want and desire street lights since they believe it will be to their best advantage in the neighborhood where they live. We believe that the public peace, health and safety requires installation of the street lighting and therefore the application should be approved.

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

##### THE COMMISSION FINDS:

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

That it has jurisdiction of the subject matter of this application, and of the Public Service Company of Colorado.

That the preservation of the public peace, health and safety requires the installation of a street lighting system in the area

described in the Order to follow.

O R D E R

THE COMMISSION ORDERS:

That Public Service Company of Colorado is hereby authorized and directed to install, operate and maintain a non-ornamental, mercury vapor street light system in accordance with the provisions of its Tariff, Colorado PUC No. 4 - Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B now existing or as it may be changed under the rules of this Commission, or according to law.

That street lights, approximately 43 in number, shall be installed as required in the area described as follows:

Beginning at the southwest corner of the lot numbered as 1991 Glen Ayr Drive (which lot is the lot southwesterly of the intersection of Glen Ayr Drive, Garrison Street and West 20th Avenue); thence north along the west line of said lot extended to the intersection with the center line of West 20th Avenue; thence west along said center line to the west lot line extended of the lot numbered as 9201 West 20th Avenue; thence north along the west line of said lot to the northwest corner thereof; thence west along a portion of the south lot line of the lot numbered as 2005 Garrison Street to the southwest corner thereof; thence north along the west line of said lot and the other lots west of Garrison Street to the northwest corner of the fourth lot south of West 26th Avenue; thence east along the north line of said lot to the southwest corner of the lot numbered as 2551 Garrison Street; thence north along the west lot lines of the lots west of Garrison Street extended to the intersection with the center line of West 26th Avenue; thence east along said center line to the intersection with the east lot lines extended of the lots east of Bell Court; thence south along said east lot lines to the northwest corner of the lot numbered as 8651 West 20th Avenue; thence east along the north line of said lot to the northeast corner thereof; thence south along the east line of said lot, across West 20th Avenue and continuing south along the east line of the lots numbered as 1990 and 1988 Dudley Street; thence west along the south line of the said lot numbered as 1988 Dudley Street, across Dudley Street and continuing west along the rear lot lines of the lots south of West 20th Avenue to the southwest corner of the lot numbered as 8650 West 20th Avenue; thence north along the west line of said lot to the southeast corner of the lot numbered as 1990 Glen Dale Drive; thence west along the south and southerly lot lines of the lots south of West 20th Avenue to the intersection with the center line of Glen Ayr Drive; thence southerly along said center line to the intersection with the rear lot line extended of the lot numbered as 1991 Glen Ayr Drive; thence west along said south lot line to the point of beginning.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Donald E. Zuley*  
*Donald E. Zuley*  
*Ralph E. Hinton*  
Commissioners

Dated at Denver, Colorado  
this 23rd day of July, 1965.

ls



Original

(Decision No. 65392)

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 115, SESSION )  
LAWS OF COLORADO, 1963, FOR EMERGENCY )  
MOVEMENT OF ONIONS, VINE CROPS, CORN, )  
AND SORGHUM SILAGE. )

APPLICATION NO. 21343

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July 20, 1965  
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STATEMENT AND FINDINGS OF FACT

By the Commission:

Report has been received by the Commission from Frank Pagliano, Supervisor, Complaint and Investigation Division of this Commission, indicating that an emergency exists because of shortage of trucks for transportation of onions, vine crops, corn, and sorghum silage, from fields for processing and storage, in Baca, Prowers, Bent, Otero, Crowley, Pueblo, Counties, Colorado.

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

The Commission states and finds that an emergency exists because of the shortage in certificated trucks for transportation of onions, vine crops, corn, and sorghum silage in the Counties of Baca, Prowers, Bent, Otero, Crowley, and Pueblo, Colorado, and that public convenience and necessity require that temporary certificates should issue for the operation of motor vehicles for transportation of said crops from fields for processing and storage, as provided by Chapter 115, Article 9, Section 4, Session Laws of 1963, said certificates to be effective for a period of ninety (90) days, commencing August 1, 1965.


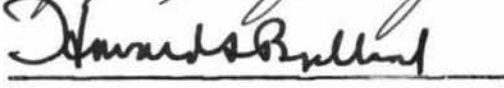



O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity be, and are hereby, authorized to be issued for the operation of motor vehicles, for transportation of onions, vine crops, corn, and sorghum silage, from fields for processing and storage, in the Counties of Baca, Prowers, Bent, Otero, Crowley and Pueblo, Colorado, said certificates to be effective August 1, 1965, and to continue in force for a period of ninety (90) days thereafter.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 20th day of July, 1965

et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MRS. RALPH POTTER, MRS. VICTOR )  
GINTHER AND MRS. CALVIN HULSEY, JR. )  
ON BEHALF OF THEMSELVES AND OTHERS )  
SIMILARLY SITUATED FOR AN ORDER )  
AUTHORIZING PUBLIC SERVICE COMPANY )  
OF COLORADO TO RENDER STREET LIGHT- )  
ING SERVICE IN AN UNINCORPORATED )  
AREA IN JEFFERSON COUNTY. )  
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APPLICATION NO. 21202

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July 23, 1965  
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Appearances: D. D. Cawelti, Esq., Denver,  
Colorado, for Public Service  
Company of Colorado;  
J. M. McNulty, Denver, Colo-  
rado, of the Staff of the  
Commission.

S T A T E M E N T

By the Commission:

This is an application by Mrs. Ralph Potter and others, representing themselves and all other customers similarly situated, for an order authorizing Public Service Company of Colorado (Public Service) to install, operate and maintain street lighting service in an unincorporated area in Jefferson County, as shown on the map identified as Exhibit A attached to the application, and as hereinafter more fully described.

The matter was set for hearing, after due notice to interested parties, on July 1, 1965, at 10:00 o'clock A.M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and was heard on a consolidated record with Application No. 21203.

No petitions of intervention were filed prior to the hearing and no one appeared at the hearing in opposition to the application.

A petition for street lighting service addressed to Public Service was circulated among the residents of an area in which 130 customers now receive electric service. Of the 130 customers, signatures were obtained of 111, or a percentage of 85.4% of the total number of customers. Said petitions were submitted as Exhibit Nos. B-1 through

B-4 respectively. The tariff of Public Service, providing for street lighting in unincorporated areas, states, among other things, that street lighting in an established area otherwise qualifying will be provided upon receipt by Public Service of a petition from all electric customers within the area or upon an order or decision of this Commission directing street lighting service to be established in the area. Since 19 customers did not sign, Public Service could not install street lights without an order of the Commission.

Principal spokesman for Applicants was Mrs. J. N. Clary. Mrs. Clary testified no street lighting now exists in the area contemplated in this application. She stated that police protection was inadequate and that there had been incidents of molestations and vandalism which might have been prevented by adequate lighting. She also testified that adequate street lighting was essential from the standpoint of traffic safety.

Also present in support of the application, though not testifying were Mrs. Victor Ginther, Mrs. Calvin Hylsey and Mrs. Earl Maiden, who are residents of the area.

Mr. J. H. Ranniger, an engineer in the Rate Department of Public Service, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, Public Service is ready, willing and able to install street lighting in the area. No construction contributions are required of electric customers and, as provided in the tariff, a charge of \$0.45 per month per customer will be made. The engineering of the street lighting for the area has already been undertaken. It will require approximately 30 days to make the initial system operational. 7,000 lumen mercury vapor vertically operated, non-ornamental lights will be provided. Service will be furnished in accordance with tariff sheets, Colorado P.U.C. No. 4-Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B.

The proposed street lighting system was estimated to cost \$2764 which will be provided from internal funds of Public Service.

### F I N D I N G S

#### THE COMMISSION FINDS:

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

That it has jurisdiction of the subject matter of this application, and of the Public Service Company of Colorado.

That the preservation of the public peace, health and safety requires the installation of a street lighting system in the area described in the Order to follow.

### O R D E R

#### THE COMMISSION ORDERS:

That Public Service Company of Colorado is hereby authorized and directed to install, operate and maintain a non-ornamental, mercury vapor street light system in accordance with the provisions of its Tariff, Colorado PUC No. 4-Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B now existing or as it may be changed under the rules of this Commission, or according to law.

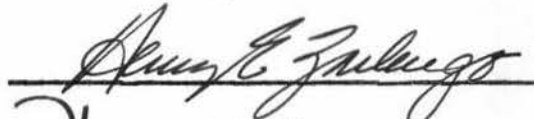
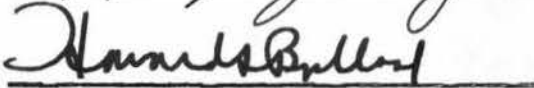
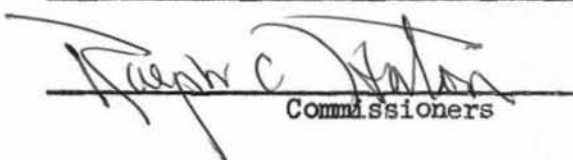
That street lights, approximately 17 in number, shall be installed as required in the area described as follows:

Beginning at the southeast corner of the lot numbered as 3830 Newland Street, thence west along the south line of said lot to the center line of Newland Street; thence south along said center line to the intersection with the south lot line extended of the lot numbered as 3835 Newland Street; thence west along said south line of said lot and north along a portion of the west line thereof to the southeast corner of the lot numbered as 3840-3850 Otis Street; thence west along the irregular south line of said lot, across Otis Street and continuing west along the south line of the lot numbered as 3851 Otis Street to the southwest corner thereof; thence north along the irregular west line of said lot and continuing north along the west lot lines of the lots west of Otis Street, extended to the center line of West 44th Avenue; thence east along the center line of West 44th Avenue to the intersection with the east lot line extended of the lot numbered as 6556 West 44th Avenue; thence south along said east lot line and continuing south along the rear lot lines of the lots east of Newland Street to the southeast corner of the lot numbered as 4240 Newland Street; thence west along the south line of said lot and a portion of the

south line of the lot numbered as 4210 Newland Street to the northeast corner of the lot numbered as 4136 Newland Street; thence south along the rear lot lines of the lots east of Newland Street to the point of beginning.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 21st day of July, 1965

et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
PETER P. SALGADO, W. B. McBIRNEY AND )  
FRED LIPPOLD ON BEHALF OF THEMSELVES )  
AND OTHERS SIMILARLY SITUATED FOR AN )  
ORDER AUTHORIZING PUBLIC SERVICE )  
COMPANY OF COLORADO TO RENDER STREET )  
LIGHTING SERVICE IN AN UNINCORPORATED )  
AREA IN JEFFERSON COUNTY. )

APPLICATION NO. 21201

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July 23, 1965  
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Appearances: D. D. Cawelti, Esq., Denver,  
Colorado, for Public Service  
Company of Colorado;  
J. M. McNulty, Denver, Colorado,  
of the Staff of the Commission.

S T A T E M E N T

By the Commission:

This is an application by Mr. Peter P. Salgado and others, representing themselves and all other customers similarly situated, for an order authorizing Public Service Company of Colorado (Public Service) to install, operate and maintain street lighting service in an unincorporated area in Jefferson County, as shown on the map identified as Exhibit A attached to the application, and as hereinafter more fully described.

The matter was set for hearing, after due notice to interested parties, on July 1, 1965, at 10:00 o'clock A.M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and at said time and place was duly heard by the Commission. At the conclusion of the hearing the matter was taken under advisement.

A petition for street lighting service addressed to Public Service was circulated among the residents of an area in which 148 customers now receive electric service. Of the 148 customers, signatures were obtained of 114, or a percentage of 77% of the total number



of customers. Said petitions were submitted as Exhibit Nos. B-1 through B-4 respectively. The tariff of Public Service, providing for street lighting in unincorporated areas, states, among other things, that street lighting in an established area otherwise qualifying will be provided upon receipt by Public Service of a petition from all electric customers within the area or upon an order or decision of this Commission directing street lighting service to be established in the area. Since 34 customers did not sign, Public Service could not install street lights without an Order of the Commission.

Principal spokesman for the Applicants were Mr. Peter Salgado and Mr. W. B. McBirney who testified no street lighting now exists in the area contemplated in this application. If police protection is needed, calls must be made to the sheriff's office in Golden. The gist of the testimony was to the effect that they believed street lights would help relieve vandalism and petty thievery. There had also been some incidents of Peeping Toms and it was felt that street lighting would tend to discourage this.

Witnesses also testified in opposition to the granting of the application and some written protests were filed objecting to the street lights. The objections had to do with the location of the poles because they are unsightly and because the street lights would shine in the bedrooms near the houses where the lights were located. Also they believed that street lights were an attraction to children and dogs resulting in noise and disturbance.

Mr. J. H. Ranniger, an engineer in the Rate Department of Public Service, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, Public Service is ready, willing and able to install street lighting in the area. No construction contributions are required of electric customers and, as provided in the tariff, a charge of \$0.45 per month per customer will be made. The engineering of the street lighting for the area has already been undertaken. It will require approximately



30 days to make the initial system operational. 7,000 lumen mercury vapor vertically operated, non-ornamental lights will be provided. Service will be furnished in accordance with tariff sheets, Colorado P.U.C. No. 4 - Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B.

The proposed street lighting system was estimated to cost \$5,793 which will be provided from internal funds of Public Service.

Mr. Ranniger also testified that at the request of the customer a deflector could be placed on the lamp to shield, to a certain extent, the backward reflection from the lamp. He also stated that in placing the poles the company endeavored to comply with the customers' wishes, if possible, but there were limitations in locating the poles in order to conform to good engineering practices and to provide adequate street lighting.

After carefully reviewing the testimony adduced at the hearing, we believe that the application to install street lights should be granted. We realize that in authorizing these lights certain individuals have objections to the lights. It is doubtful in the installation of any street lights if it would be possible to please all of the customers. The overall advantages, however, to the neighborhood in general must be considered and weighed as against the opposition. The record in this matter discloses that 77% of the total customers in the area have requested this service. We therefore believe that the peace, health and safety can best be served by granting the instant application.

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

##### THE COMMISSION FINDS:

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

That it has jurisdiction of the subject matter of this application, and of the Public Service Company of Colorado.

That the preservation of the public peace, health and safety requires the installation of a street lighting system in the area described in the Order to follow.

O R D E R

THE COMMISSION ORDERS:

That Public Service Company of Colorado is hereby authorized and directed to install, operate and maintain a non-ornamental, mercury vapor street light system in accordance with the provisions of its Tariff, Colorado PUC No.4 - Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B now existing or as it may be changed under the rules of this Commission, or according to law.

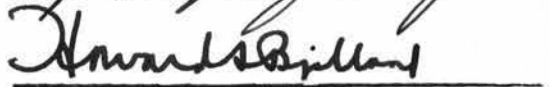
That street lights, approximately 24 in number, shall be installed as required in the area described as follows:

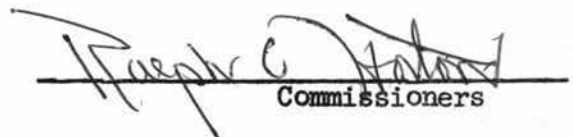
Beginning at the southwest corner of the lot numbered as 185 South Ammons Street; thence north along the rear lot lines of the lots west of South Ammons Street and Ammons Street extended to the center line of West 1st Avenue; thence east along said center line to the intersection with the west lot line extended of the lot numbered as 7891 West First Avenue; thence north along said west line of said lot to the northwest corner thereof; thence northeasterly and easterly along the northwesterly line of said lot and the rear lot lines of the lots north of West First Avenue to the northeast corner of the second lot northwesterly of the intersection of Wadsworth Boulevard and West First Avenue; thence south along the east line of said lot, across West First Avenue, and continuing south along the east lot lines of the lots east of Yukon Street and South Yukon Street to the southeast corner of the lot numbered as 190 South Yukon Street; thence west along the south line of said lot, across South Yukon Street and continuing west along the south lot line of and to the southwest corner of the lot directly opposite said last-named lot; thence north along the rear lot lines of the lots west of South Yukon Street to the southeast corner of the lot numbered as 130 South Yarrow Street; thence west along the south line of said lot, across South Yarrow Street and continuing along the south line of and to the southwest corner of the lot directly opposite said last-named lot; thence north along the rear lot lines of the lots west of South Yarrow Street to the southeast corner of the lot numbered as 110 South Allison Street; thence west along the south line of said lot and the south lot lines of the other lots south of West Bayaud Avenue to the southeast corner of the lot numbered as 110 South Ammons Street; thence south along the east lot lines of the lots east of South Ammons Street to the southeast corner of the lot numbered as 190 South Ammons Street; thence west to the Point of Beginning.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
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\_\_\_\_\_

  
\_\_\_\_\_ Commissioners

Dated at Denver, Colorado,  
this 22nd day of July, 1965

original

(Decision No. 65395)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF MR. )  
KARL A. MAYER, MRS. ELMER TANNER, AND )  
MRS. C. E. HOCKENBERRY ON BEHALF OF THEM- )  
SELVES AND OTHER SIMILARLY SITUATED FOR )  
AN ORDER AUTHORIZING PUBLIC SERVICE COM- )  
PANY OF COLORADO TO RENDER STREET LIGHT- )  
ING SERVICE IN AN UNINCORPORATED AREA IN )  
JEFFERSON COUNTY. )

APPLICATION NO. 21203

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July 23, 1965  
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Appearances: D. D. Cawelti, Esq., Denver, Colorado  
for Public Service Company of Colorado;  
J. M. McNulty, Denver, Colorado, of  
the Staff of the Commission.

S T A T E M E N T

By the Commission:

This is an application by Mr. Karl A. Mayer and others,  
representing themselves and all other customers similarly situated, for  
an order authorizing Public Service Company of Colorado (Public Service)  
to install, operate and maintain street lighting service in an unincor-  
porated area in Jefferson County, as shown on the map identified as  
Exhibit A attached to the application, and as hereinafter more fully  
described.

The matter was set for hearing, after due notice to interested  
parties, on July 1, 1965, at 10:00 o'clock A.M., in the Hearing Room  
of the Commission, 532 State Services Building, Denver, Colorado, and  
was heard on a consolidated record with Application No. 21202.

No petitions of intervention were filed prior to the hearing  
and no one appeared at the hearing in opposition to the application.

A petition for street lighting service addressed to Public  
Service was circulated among the residents of an area in which 247  
customers now receive electric service. Of the 247 customers,

signatures were obtained of 161, or a percentage of 65.2% of the total number of customers. Said petitions were submitted as Exhibit Nos. B-1 through B-6 respectively. The tariff of Public Service, providing for street lighting in unincorporated areas, states, among other things, that street lighting in an established area otherwise qualifying will be provided upon receipt by Public Service of a petition from all electric customers within the area or upon an order or decision of this Commission directing street lighting service to be established in the area. Since 86 customers did not sign, Public Service could not install street lights without an order of the Commission.

Principal spokesman for Applicants was Mr. Karl Mayer. Mr. Mayer testified no street lighting now exists in the area contemplated in this application. He stated that police protection was inadequate and that there had been incidents of petty thefts which might have been prevented by adequate lighting. He also testified that adequate street lighting was essential from the standpoint of traffic safety.

Also present in support of the application, though not testifying were Mrs. Elmer Tanner and Mrs. C. E. Hockenberry who are residents of the area, and who together with Mr. Mayer sponsored the Application. In addition nine other customers residing in the area appeared at the hearing in support of the Application.

Mr. J. H. Ranniger, an engineer in the Rate Department of Public Service, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, Public Service is ready, willing and able to install street lighting in the area. No construction contributions are required of electric customers and, as provided in the tariff, a charge of \$0.45 per month per customer will be made. The engineering of the street lighting for the area has already been undertaken. It will require approximately 30 days to make the initial system operational. 7,000 lumen mercury vapor vertically operated, non-ornamental lights will be provided. Service will be furnished in accordance with tariff

sheets, Colorado P.U.C. No. 4-Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B.

The proposed street lighting system was estimated to cost \$3,444 which will be provided from internal funds of Public Service.

### F I N D I N G S

#### THE COMMISSION FINDS:

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

That it has jurisdiction of the subject matter of this application, and of the Public Service Company of Colorado.

That the preservation of the public peace, health and safety requires the installation of a street lighting system in the area described in the Order to follow.

### O R D E R

#### THE COMMISSION ORDERS:

That Public Service Company of Colorado is hereby authorized and directed to install, operate and maintain a non-ornamental, mercury vapor street light system in accordance with the provisions of its Tariff, Colorado PUC No. 4-Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B now existing or as it may be changed under the rules of this Commission, or according to law.

That street lights, approximately 27 in number, shall be installed as required in the area described as follows:

Beginning at the southwest corner of the lot numbered as 6760 West 32nd Avenue, thence north along the west line of said lot extended to the intersection with the north lot line of West 32nd Avenue; thence west to the northeast corner of the intersection of West 32nd Avenue and Pierce Street; thence north along the east line of Pierce Street to the southwest corner of the lot numbered as 3240 Pierce Street; thence east along the south line of said lot to the southeast corner thereof; thence north along the east line of said lot and the other lots west of Otis Street, across West 33rd Avenue, and continuing north along the west lot line of the lot numbered as 6765-55 West 33rd Avenue to the northwest corner thereof; thence east along the north line of said lot and the lot numbered as 6709 West 33rd Avenue to the northeast corner thereof;


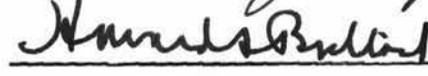
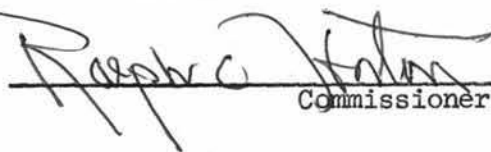


thence north along the west lot lines of the lots west of Otis Street extended to the center line of West 35th Avenue; thence east along said center line to the intersection with the west lot line extended of the lot numbered as 6715 West 35th Avenue; thence north along the west line of and to the northwest corner of said last-named lot; thence east along the north lot line of said lot and the lot numbered as 6701 West 35th Avenue to the northeast corner of said last-named lot; thence north along the west lot lines of the lots west of Newland Street to the southeast corner of the lot occupied by units numbered as 6650-52-54-56 and 6658-60-62 West 38th Avenue; thence west along the south line of said lot to the southwest corner thereof; thence south along the east line of the lot numbered as 6688-90 West 38th Avenue to the north line of West 37th Avenue; thence west along said line to the southeast corner of the lot numbered as 6761 West 37th Avenue; thence north along the east line of said lot to the northeast corner thereof; thence west along the south lot lines of the lots south of West 38th Avenue to the intersection with the center line of Pierce Street; thence north along said center line to the intersection with the north lot line extended of the lot numbered as 6795 West 38th Avenue; thence east along the north lot line of said lot and the lot numbered as 6785 West 38th Avenue extended to the center line of Otis Street; thence north along said center line to the intersection with the rear lot lines extended of the lots north of West 38th Avenue; thence east irregularly along the north lot lines of the lots north of West 38th Avenue to the northeast corner of the lot numbered as 6455 West 38th Avenue; thence south along the east line of said last-named lot, across West 38th Avenue, and continuing south along the east lot lines of the lots east of Marshall Street to the northwest corner of the lot numbered as 6363 West 35th Avenue (occupied by a church); thence east and south along the respective north and east lines of said lot, across West 35th Avenue, and continuing south along the east line of the lot numbered as 6400 West 35th Avenue to the southeast corner thereof; thence west along the south line of said lot and the lot numbered as 6450 West 35th Avenue to the southwest corner thereof; thence south along the east line of the tract occupied by a greenhouse to the north line of West 33rd Avenue; thence west along said north line to the intersection with the east lot lines extended of the lots east of Newland Street; thence south along said east lot lines, across West 32nd Avenue and continuing south along the east lot line of the lot numbered as 6580 West 32nd Avenue to the southeast corner thereof; thence west along the south lines of the lots south of West 32nd Avenue, across Newland Street and continuing west along the south line of the lot numbered as 6600 West 32nd Avenue to the southwest corner thereof; thence south to the southeast corner of the lot numbered as 6620 West 32nd Avenue to the southeast corner thereof; thence west along the south lot lines of the lots south of West 32nd Avenue to the southwest corner of the lot numbered as 6760 West 32nd Avenue, which is the Point of Beginning.



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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado  
this 23rd day of July, 1965.

ls

original

(Decision No. 65396)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MR. FRANK U. GEISLINGER, MRS. E. W. )  
STUCKA AND MRS. MONTE OTTO ON BEHALF )  
OF THEMSELVES AND OTHERS SIMILARLY )  
SITUATED FOR AN ORDER AUTHORIZING )  
PUBLIC SERVICE COMPANY OF COLORADO )  
TO RENDER STREET LIGHTING SERVICE IN )  
AN UNINCORPORATED AREA IN JEFFERSON )  
COUNTY. )  
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APPLICATION NO. 21204

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July 23, 1965  
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Appearances: D. D. Cawelti, Esq., Denver, Colorado,  
for Public Service Company of Colorado;  
J. M. McNulty, Denver, Colorado, of  
the Staff of the Commission

S T A T E M E N T

By the Commission:

This is an application by Mr. Frank U. Geislinger and others, representing themselves and all other customers similarly situated, for an order authorizing Public Service Company of Colorado (Public Service) to install, operate and maintain street lighting service in an unincorporated area in Jefferson County, as shown on the map identified as Exhibit A attached to the application, and as hereinafter more fully described.

The matter was set for hearing, after due notice to interested parties, on July 1, 1965, at 10:00 o'clock A.M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and was duly heard at said time and place. At the conclusion of the hearing the Commission took the matter under advisement.

A petition for street lighting service addressed to Public Service was circulated among the residents of an area in which 186 customers now receive electric service. Of the 186 customers, signatures were obtained of 132, or a percentage of 71% of the total

number of customers. Said petitions were submitted as Exhibit Nos. B-1 through B-5 respectively. The tariff of Public Service, providing for street lighting in unincorporated areas, states, among other things, that street lighting in an established area otherwise qualifying will be provided upon receipt by Public Service of a petition from all electric customers within the area or upon an order or decision of this Commission directing street lighting service to be established in the area. Since 54 customers did not sign, Public Service could not install street lights without an order of the Commission.

Principal witnesses for applicants were Mr. Frank Geislinger and Mr. A. E. Weidenhamer who testified in general that no street lighting now exists in the area contemplated in this application. They stated further that police protection was inadequate and that there had been incidents of Peeping Toms, break-ins, thefts and vandalism which might have been prevented or alleviated by adequate lighting. They also testified that adequate street lighting was essential from the standpoint of traffic safety.

There were also three witnesses, Mrs. Mae Knudsen, Mrs. William Cook, Jr. and Mrs. Ruth Sault who appeared and testified against the application. The gist of their testimony was to the effect that street lighting did not necessarily stop vandalism, that the lights are too bright. Mrs. Knudsen also testified that she and seventeen of her neighbors live in an apartment and as far as they were concerned they would receive no benefit from street lights. One of the witnesses also opposed the location of the poles if they were to be placed on her property.

Mr. J. H. Ranniger, an engineer in the Rate Department of Public Service, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, Public Service is ready, willing and able to install street lighting in the area. No construction contributions are required of

electric customers and, as provided in the tariff, a charge of \$0.45 per month per customer will be made. The engineering of the street lighting for the area has already been undertaken. It will require approximately 30 days to make the initial system operational. 7,000 lumen mercury vapor vertically operated, non-ornamental lights will be provided. Service will be furnished in accordance with tariff sheets, Colorado P.U.C. No. 4-Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B.

The proposed street lighting system was estimated to cost \$3,702 which will be provided from internal funds of Public Service.

Mr. Ranniger also testified that the company endeavored to place the poles in accordance with the wishes of the property owners, however there was a limit to which the company could go and still maintain good engineering standards. Further if a particular street light was throwing too much light toward the house, the company at the request of the customer could place a deflector to cut down on the amount of light toward the house.

We have carefully reviewed the testimony of all of the witnesses herein and we realize that it would be difficult in any situation to please everyone. We nevertheless believe that since a majority of the people in the area want and desire street lights they should therefore be installed. We believe that by the installation of street lights the public peace, health and safety will best be served in the area, and therefore the application should be granted.

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

##### THE COMMISSION FINDS:

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

That it has jurisdiction of the subject matter of this application, and of the Public Service Company of Colorado.

That the preservation of the public peace, health and safety

requires the installation of a street lighting system in the area described in the Order to follow.

#### O R D E R

##### THE COMMISSION ORDERS:

That Public Service Company of Colorado is hereby authorized and directed to install, operate and maintain a non-ornamental, mercury vapor street light system in accordance with the provisions of its Tariff, Colorado PUC No. 4-Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B now existing or as it may be changed under the rules of this Commission, or according to law.

That street lights, approximately 23 in number, shall be installed as required in the area described as follows:

Beginning at the northwest corner of the lot at the northwest corner of the intersection of West 41st Avenue and Marshall Street (which lot is numbered as 6505 West 41st Avenue), thence north along the west lines of the lots west of Marshall Street to the northwest corner of the lot numbered as 4165 Marshall Street; thence east along a portion of the north lot line of said lot to the southwest corner of the lot numbered as 4185 Marshall Street; thence north along the west lot lines of the lots west of Marshall Street extended to the center line of West 44th Avenue; thence east along said center line to the intersection with the extended east line of the lot numbered as 6090 West 44th Avenue; thence south along a portion of the east line of said lot to the southwest corner of the lot numbered as 6060 West 44th Avenue (also 4385 Harlan Street); thence east along a portion of the south line of said lot to the northwest corner of the lot numbered as 4375 Harlan Street; thence south along the east lot line of said lot numbered as 6090 West 44th Avenue and continuing south along the east lot lines of the lots east of Ingalls Street, across West 41st Avenue, and continuing south along the east lot line of the lot numbered as 6090 West 41st Avenue; thence west along the south lot lines of the lots south of West 41st Avenue to the southwest corner of the lot numbered as 6138 West 41st Avenue; thence north along the west line of said lot, across West 41st Avenue and continuing north along a portion of the west lot line of the lot numbered as 6025 West 41st Avenue to the southeast corner of the lot numbered as 4110 Jay Street; thence west along the south lot line of said lot, across Jay Street and continuing west along the south lot line of the lot numbered as 4105 Jay Street to the southwest corner thereof; thence north along the west lines of said lot and the lot numbered as 4115 Jay Street to the northwest corner thereof; thence west along the south line

of the lot numbered as 4265 Jay Street (but not adjacent to Jay Street) to the east lot line of the lot numbered as 4120 Lamar Street; thence south along said line and the east lines of the lots numbered as 4114-16 and 4110-12 Lamar Street to the southeast corner of said last-named lot; thence west along the south line of said last-named lot to the southwest corner thereof, across Lamar Street to the intersection with the east line of the tract numbered as 4101 Lamar Street (occupied by a church); thence north along the east line of said tract to the northeast corner thereof; thence west along the north line of said tract to the northwest corner thereof; thence south along a portion of the west line of said tract to the southeast corner of the lot numbered as 4120 Marshall Street; thence west along the south line of said lot, across Marshall Street and continuing along the south line of the lot numbered as 4125 Marshall Street to the point of beginning.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

George E. Ziegler  
Donald Brillman  
Ralph C. Hutton  
Commissioners

Dated at Denver, Colorado  
this 23rd day of July, 1965.

ls



(Decision No. 65397)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
DEAN RESLER, HAXTUN, COLORADO, UNDER )  
PERMIT NO. A-587 & I, AND PERMIT NO. )  
A-941 & I; AND CURNOW TRANSPORTATION )  
CO., INC., IDAHO SPRINGS, COLORADO, )  
UNDER PUC NO. 49 & I, PUC NO. 3639 )  
AND PERMIT NO. A-717. )  
-----

CASE NO. 5294  
ORDER TO SHOW CAUSE  
AND  
NOTICE OF HEARING

-----  
July 21, 1965  
-----

Appearances: Jacob H. Chisen, Esq., and  
Edward C. Hastings, Esq., Denver,  
Colorado, for Respondents;  
Alvin J. Meiklejohn, Jr., Esq.,  
Denver, Colorado, for Intervenor,  
Red Ball Motor Freight, Inc. and  
North Eastern Motor Freight, Inc.;  
John Lewis, Esq., Denver, Colorado,  
for Intervenor, Colorado Cartage  
Co., Inc., Denver-Laramie-Walden  
Truck Line, Inc., Boulder-Denver  
Truck Line, Denver-Loveland Trans-  
portation Co., and Edson Express;  
Robert P. Fullerton, Esq., Denver,  
Colorado, for the Staff of the  
Commission.

STATEMENT AND FINDINGS OF FACT

By the Commission:

The above entitled matter was set for hearing before the Commission on May 10, 1965, at ten o'clock A.M. in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, at which time and place appearances were entered by counsel above-named.

A continuance was requested on behalf of the Respondents for good cause shown, and no objection was made by any parties present.

Petitions to Intervene have been filed by Red Ball Motor Freight, Inc., North Eastern Motor Freight, Inc., Colorado Cartage Co., Inc.; Denver-Laramie-Walden Truck Line, Inc., Boulder-Denver Truck Line, Denver-Loveland Transportation Co., and Edson Express. There were no objections to the Petitions to Intervene.



The Staff of the Commission, by and through its attorney, moved to amend the Order to Show Cause and Notice of Hearing (Decision No. 64835) by adding the words "and P.U.C. Certificate No. 49 & I" immediately following the words "under Permit No. A-717" on line 7 of page 4, paragraph numbered (6). There was no objection to the amendment.

O R D E R

THE COMMISSION ORDERS:

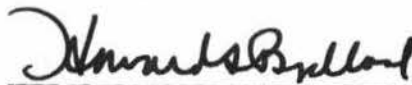
(1) That this matter is hereby reset for hearing before the Commission, at the hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado, August 3, 1965, at ten o'clock A.M.

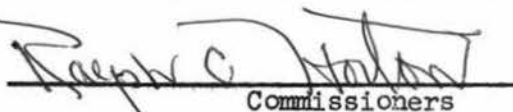
(a) That the Petitions to Intervene heretofore enumerated ~~NECESSARILY~~ shall be granted.

(3) That the amendment requested by the Staff Attorney, and heretofore described, is hereby granted.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



  
Commissioners

CHAIRMAN HENRY E. ZARLENGO  
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 21st day of July, 1965

et

Original

(Decision No. 65398)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JULIA K. SEIWALD, SPECIAL ADMINIS- )  
TRATRIX OF THE ESTATE OF WILLIAM A. )  
SEIWALD, DECEASED, 4315 UTICA STREET, )  
DENVER, COLORADO, FOR REINSTATEMENT )  
OF PERMIT NO. A-853, AND FOR AUTHOR- )  
ITY TO TRANSFER SAID OPERATING RIGHTS )  
TO DEAN RESLER, DOING BUSINESS AS )  
"RESLER TRUCK SERVICE," STERLING, )  
COLORADO. )

APPLICATION NO. 21048-PP-Transfer

-----  
July 21, 1965  
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Appearances: Jacob H. Chisen, Esq., and  
Edward C. Hastings, Esq.,  
Denver, Colorado, for  
Applicants;  
Alvin J. Meiklejohn, Jr., Esq.,  
Denver, Colorado, for Red  
Ball Motor Freight, Inc.,  
North Eastern Motor Freight,  
Inc.;  
John H. Lewis, Esq., Denver,  
Colorado, for Denver-Laramie-  
Walden Truck Line, Inc., Colo-  
rado Cartage Company, Inc.;  
John P. Thompson, Esq., Denver,  
Colorado, for Boulder-Denver  
Truck Line and denver-Loveland  
Transportation, Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

The above-styled application was set for hearing on May 12, 1965 at the Hearing Room of the Commission by Decision No. 64892. On May 10, 1965 another case (No. 5294 Order to Show Cause) involving the same parties as this matter was continued to August 3, 1965 at ten o'clock A.M. to be heard at the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado. It was agreed by the participants herein that this matter should be continued until the same date.

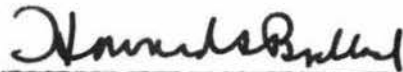
O R D E R

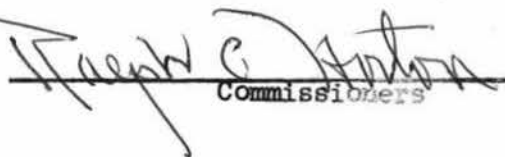
THE COMMISSION ORDERS:

That Application No. 21048-PP-Transfer be, and the same hereby is, continued, and is hereby reset for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado, August 3, 1965 at ten o'clock A.M.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_

  
\_\_\_\_\_ Commissioners

CHAIRMAN HENRY E. ZARLENGO

NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,  
this 21st day of July, 1965

et

Original

(Decision No. 65399)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF M. K. }  
BURDICK, DOING BUSINESS AS "SUNRISE }  
DISPOSAL COMPANY", P. O. BOX 186, }  
COMMERCE CITY, COLORADO }

PUC NO. 3581

-----  
July 23, 1965  
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STATEMENT AND FINDINGS OF FACT

By the Commission:

M. K. Burdick, doing business as "Sunrise Disposal Company",  
Commerce City, Colorado, owner of PUC No. 3581, herein seeks authority  
to mortgage said operating rights to Melbourne D. Bigelow, Denver,  
Colorado, to secure payment of the sum of Ten Thousand Dollars (\$10,000.00),  
in accordance with the terms and conditions set forth in Chattel Mortgage,  
of date June 15, 1965, executed by said M. K. Burdick, payable to said  
Melbourne D. Bigelow, said Mortgage, by reference, being made a part  
hereof.

The Commission states and finds that authority sought should  
be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That M. K. Burdick, doing business as "Sunrise Disposal Company",  
Commerce City, Colorado, be, and hereby is, authorized to mortgage all his  
right, title, and interest in and to PUC No. 3581 to Melbourne D. Bigelow,  
to secure payment of the sum of \$10,000.00, as set forth in the Statement  
preceding, which is made a part of this Order, by reference.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Alvin E. Zalkows*

*Howard B. Bell*

*Ralph C. Foster*

Dated at Denver, Colorado  
this 23rd day of July, 1965.

Original

(Decision No. 65400)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOE LEE TAFOYA, 803 NORTH EL PASO, )  
COLORADO SPRINGS, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUC NO. 2629 ) APPLICATION NO. 21298-Transfer  
TO JOE A. QUINTANA, 808 PROSPECT )  
LAKE DRIVE, COLORADO SPRINGS, COLO- )  
RADO. )  
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July 23, 1965  
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Appearances: Kent J. Fennie, Esq., Colorado Springs,  
for Transferor and Transferee.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Joe Lee Tafoya, Colorado Springs, Colorado, was granted a certificate of public convenience and necessity (PUC No. 2629), authorizing operation as a common carrier by motor vehicle for hire, for transportation of ashes, trash, dirt, rock, fertilizer, rubbish, brush, and other waste materials, between points within a radius of 10 miles of the corner of Pikes Peak and Nevada Avenues in Colorado Springs, Colorado, and the city dump located approximately .8 of a mile from the city limits of Colorado Springs, Colorado, and any dump which is now or which may hereafter be located within the area above described. EXTENDED TO: Transportation of ashes, trash, dirt, rock, fertilizer, rubbish, brush and other waste materials between points within the Corporate Limits of Colorado Springs, Colorado and the City Dump.

By the above-styled application, said certificate-holder seeks authority to transfer PUC No. 2629 to Joe A. Quintana, Colorado Springs, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Mary Tafoy, wife of the transferor herein, appeared and testified in support of the application, stating that her husband is ill and unable to appear at the hearing; that the consideration for the herein involved transfer is \$5,057.91; that there is no outstanding indebtedness against said operation.

Joe A. Quintana, the transferee herein, also appeared and testified that he will have ample and suitable equipment, sufficient net worth and operating experience with which to render and to continue said operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that transferee will have sufficient equipment and experience to properly carry on the operation; that transferee's financial standing is established to the satisfaction of the Commission; 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 Joe Lee Tafoya, Colorado Springs, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 2629 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Joe A. Quintana, Colorado Springs, Colorado, subject to encumbrances, if any, against said certificate approved by this Commission.

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,


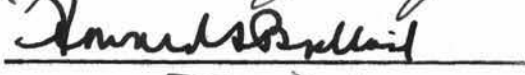
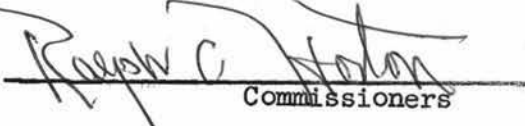
the conditions and requirements of this Order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order, shall automatically revoke the authority herein granted to make the transfer, 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 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 certificate up to the time of transfer of said certificate.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of July, 1965

et



Original

(Decision No. 65401)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
PIONEER TRUCK LINES, INC., BOX 827, )  
BOULDER, COLORADO, FOR AUTHORITY TO )  
TRANSFER PUC NO. 616 TO ALBERT )  
PENNINGTON, ROUTE 1, BOX 47, ERIE, )  
COLORADO. )  
-----

APPLICATION NO. 21283-Transfer

-----  
July 23, 1965  
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STATEMENT AND FINDINGS OF FACT

By the Commission:

The above-styled matter was regularly set for hearing at Denver, Colorado, on July 9, 1965, at 9:00 o'clock A.M., due notice of the time and place of hearing being forwarded to parties in interest.

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

The Commission states and finds that the herein instant matter should be dismissed for lack of prosecution.


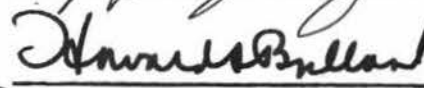
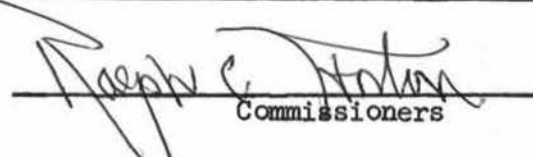
O R D E R

THE COMMISSION ORDERS:

That Application No. 21283-Transfer be, and the same hereby is, dismissed for lack of prosecution

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of July, 1965

et

Original

(Decision No. 65402)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
B. R. BRADFORD, DOING BUSINESS AS )  
"BRADFORD TRANSFER CO.," P. O. BOX )  
2288, FORT WORTH, TEXAS, FOR AUTHOR- )  
ITY TO TRANSFER INTERSTATE OPERATING )  
RIGHTS TO BRADFORD TRANSFER & )  
STORAGE COMPANY, A CORPORATION, 224 )  
EAST VICKERY BOULEVARD, FORT WORTH, )  
TEXAS. )

PUC NO. 1039-I-Transfer

-----  
July 23, 1965  
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STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore B. R. Bradford, doing business as "Bradford Transfer Co.," Fort Worth, Texas, was granted a certificate of public convenience and necessity (PUC No. 1039-I) authorizing transportation:

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.

Said certificate-holder now seeks authority to transfer said PUC No. 1039-I to Bradford Transfer & Storage Company, a corporation, Fort Worth, Texas.

Inasmuch as the records and files of the Commission fail to disclose any reason why said transfer should not be authorized, the Commission states and 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

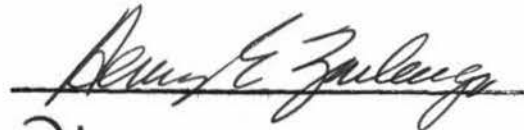
THE COMMISSION ORDERS:

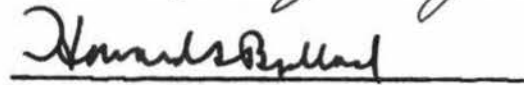
That B. R. Bradford, doing business as "Bradford Transfer Co.," Fort Worth, Texas, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 1039-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference --

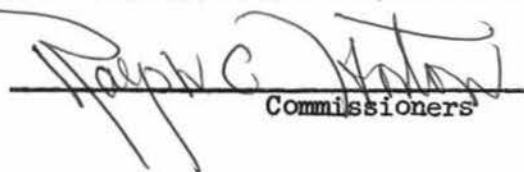
to Bradford Transfer & Storage Company, a corporation, Fort Worth, Texas, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, and subject to encumbrances, if any, against said certificate approved by this Commission.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
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\_\_\_\_\_

  
\_\_\_\_\_ Commissioners

Dated at Denver, Colorado,  
this 23rd day of July, 1965

et

Dated at Denver,  
this 23rd day of July, 1965

et

Original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
F. E. McHENRY AND W. H. JOHNSTON, )  
DOING BUSINESS AS "SUMMIT DISPOSAL," )  
MONTEZUMA ROUTE, DILLON, COLORADO, )  
FOR AUTHORITY TO TRANSFER PUC NO. ) APPLICATION NO. 21268-Transfer  
5318 TO LOUIS H. GAWART, DOING )  
BUSINESS AS "SUMMIT DISPOSAL," BLUE )  
RIVER ROUTE, DILLON, COLORADO. )  
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-----  
July 23, 1965  
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Appearances: F. E. McHenry, Dillon,  
Colorado, pro se;  
W. H. Johnston, Dillon,  
Colorado, pro se;  
Louis H. Gawart, Dillon,  
Colorado, pro se;  
James Wade, Esq., Leadville,  
Colorado, for Leslie Farmer,  
creditor of Transferors.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, F. E. McHenry and W. H. Johnston, doing business as "Summit Disposal," Dillon, Colorado, were granted a certificate of public convenience and necessity (PUC No. 5318), authorizing operation as a common carrier by motor vehicle for hire, for:

Transportation of ashes, trash, and other waste materials, between points in all of Summit County, Colorado.

By the above-styled application, said certificate-holders seek authority to transfer PUC No. 5318 to Louis H. Gawart, doing business as "Summit Disposal," Dillon, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

report of the Examiner states that at the hearing, F. E. McHenry and W. H. Johnston, the transferors herein, appeared and testified in support of the application, stating that the consideration for the transfer of said certificate and certain equipment is the sum of \$7,500.00; that they are the payees on a promissory note payable to Leslie Farmer and have a balance due of \$6,500.00; that this debt incurred in connection with the business being transferred and that they have agreed with the attorney for Leslie Farmer to remain liable for the note, however, they in turn, have an agreement with Louis H. Gawart, that he will assume the payments on this note; that the promissory note is not secured by a chattel mortgage either on the business equipment or the PUC authority.

Louis G. Gawart, the transferee, also appeared and testified that he will have ample and suitable equipment, sufficient net worth and operating experience with which to render and continue operations under PUC No. 5318; that he is well acquainted with the rules, regulations and laws of the State of Colorado pertaining to common carriers and will carefully abide by these rules, regulations and laws; and that he has agreed with the transferors to assume and pay the obligation due and owing to Leslie Farmer.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that transferee will have sufficient equipment and experience to properly carry on the operation; that transferee's financial standing is established to the satisfaction of the Commission; that there is no outstanding indebtedness against said Certificate, save and except promissory note in the amount of \$6,500.00 to Leslie Farmer which the transferee has assumed and agreed to pay; 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 F. E. McHenry and W. H. Johnston, doing business as "Summit Disposal," Dillon, Colorado, be, and hereby are, authorized to transfer all right, title, and interest in and to PUC No. 5318 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Louis H. Gwart, doing business as "Summit Disposal," Dillon, Colorado, subject to encumbrances, if any, against said certificate approved by this Commission.


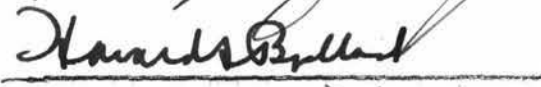

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements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

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

The right of transferee to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Dated at Denver, Colorado  
this 23rd day of July, 1965.



original

(Decision No. 65404)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
JOHN D. WEST, DOING BUSINESS AS "WEST  
TRANSIT MIX," P. O. BOX 663, MONTE  
VISTA, COLORADO, FOR AUTHORITY TO  
TRANSFER PERMIT NO. B-6570 TO WEST  
TRANSIT MIX CONCRETE, INC., P. O. BOX  
663, MONTE VISTA, COLORADO

APPLICATION NO. 21231-PP-Transfer

July 23, 1965

Appearances: John D. West, Monte Vista,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, John D. West, doing business as "West Transit Mix," Monte Vista, Colorado, was granted authority to operate as a Class "B" private carrier by motor vehicle for hire, being Permit No. B-6570, for the transportation of:

Ready-mixed concrete (consisting of sand, gravel, cement, and water mixed together in a mixer-truck as ready-mixed concrete), from batch plant in Alamosa, Colorado, and from batch plant in Monte Vista, Colorado, to all points in the San Luis Valley.

By the above-styled application, said permit-holder seeks authority to transfer Permit No. B-6570 to West Transit Mix Concrete, Inc., Monte Vista, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

At the hearing, John D. West appeared and testified in support



of the application, stating that he is the owner of Permit No. B-6570; that he and others caused to be established a corporation known as "West Transit Mix Concrete, Inc.," for the purpose of owning the authority and continuing business thereunder; that he is President and owner of 51% of the stock of this corporation and will be General Manager of the business; that the company will own sufficient equipment, that there are no outstanding obligations against said permit.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that transferee will have sufficient equipment and experience to properly carry on the operation; that transferee's financial standing is established to the satisfaction of the Commission; 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 John D. West, doing business as "West Transit Mix," Monte Vista, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to Permit No. B-6570 -- with authority as set forth in the Statement preceding which is made a part hereof by reference -- to West Transit Mix Concrete, Inc., Monte Vista, Colorado, subject to encumbrances, if any, against said permit approved by this Commission.

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


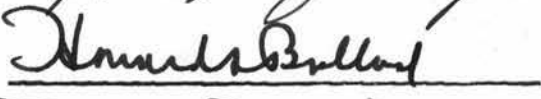
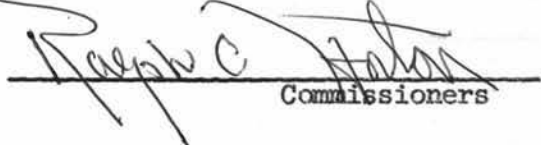
either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of the Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, unless 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 23rd day of July, 1965.

ls

Original

(Decision No. 65405)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF ) ROBERT D. FANCHER, ROUTE 2, BOX 148, ) LOVELAND, COLORADO, FOR A CLASS "B" ) PERMIT TO OPERATE AS A PRIVATE CAR- ) RIER BY MOTOR VEHICLE FOR HIRE. )	<u>APPLICATION NO. 21240-PP</u>
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-----  
July 23, 1965  
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Appearances: Robert D. Fancher, Loveland,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there

is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority ~~should~~ be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Robert D. Fancher, Loveland, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 150 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 home and small construction jobs within a radius of 150 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 150 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 150 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.


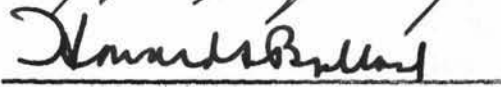
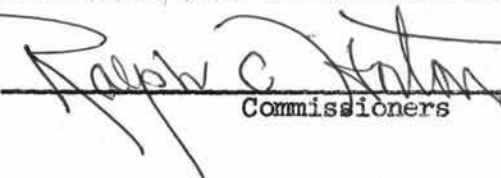
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 23rd day of July, 1965.

ls

Original

(Decision No. 65406)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HOWARD WHITE, P. O. BOX 197, LAPORTE, )  
COLORADO, FOR A CLASS "B" PERMIT TO ) APPLICATION NO. 21242-PP  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
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-----  
July 23, 1965  
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Appearances: Howard White, Laporte,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no



one protests the granting of the instant application; that there is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Howard White, Laporte, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 75 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 home and small construction jobs within a radius of 75 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 75 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 75 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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




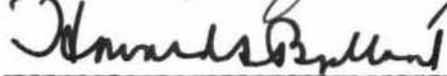
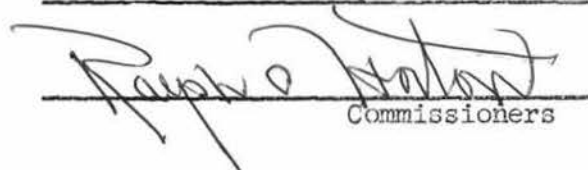
amendments to this permit deemed advisable.

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 23rd day of July, 1965.

ls

Original

(Decision No. 65407)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
DAVID A. HEYER, 3114 VIRGINIA, COLO- )	
RADO SPRINGS, COLORADO, FOR A CLASS )	APPLICATION NO. 21291-PP
"B" PERMIT TO OPERATE AS A PRIVATE )	
CARRIER BY MOTOR VEHICLE FOR HIRE. )	
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July 23, 1965  
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Appearances: David A. Heyer, Colorado  
Springs, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no

one protests the granting of the instant application; that there is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That David A. Heyer, Colorado Springs, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 50 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 home and small construction jobs within a radius of 50 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 50 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 50 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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


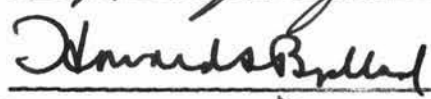
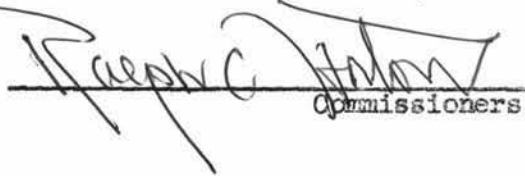
That this Order is the permit herein provided for, but it

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 23rd day of July, 1965.

ls

Original

(Decision No. 65408)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FLOYD CORDOVA, 3138 WEST COLORADO )  
AVENUE, COLORADO SPRINGS, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE AS )  
A PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION No. 21290-PP

-----  
July 23, 1965  
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Appearances: Floyd Cordova, Colorado  
Springs, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no

one protests the granting of the instant application; that there is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Floyd Cordova, Colorado Springs, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 50 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 home and small construction jobs within a radius of 50 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 50 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 50 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

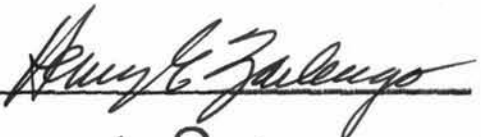
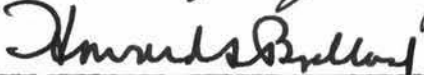
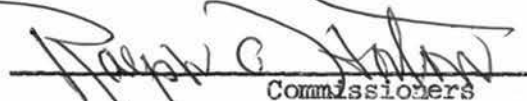
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 23rd day of July, 1965.

ls



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
LEWIS E & HELEN M CAMPBELL )  
HOTCHKISS, COLORADO. )  
 )  
 )  
 )  
----- )

PERMIT NO. M-15474

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July 23, 1965  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Lewis E &

Helen M. Campbell, Hotchkiss, Colorado.

requesting that Permit No. M-15474 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15474, heretofore issued to Lewis E & Helen M

Campbell, Hotchkiss, Colorado.

be,

and the same is hereby, declared cancelled effective May 28, 1965

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry C. Zuckerman  
Howard S. Bjelland  
Ralph C. [Signature]  
Commissioners

Dated at Denver, Colorado,

this 23rd day of July, 19 65

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
Mr. Alex Feit, 620 W. Oak, Fort Collins,  
Colorado 80521

PERMIT NO. M-15126

July 23, 1965

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Alex Feit,  
620 W. Oak, Fort Collins, Colorado, 80521  
requesting that Permit No. M-15126 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15126, heretofore issued to Alex Feit,  
620 W Oak, Fort Collins, Colorado, 80521 be,  
and the same is hereby, declared cancelled effective

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry C. Jennings  
Howard S. Bjelland  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 23rd day of July, 19 65

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
IVAN L. PARKER, BOX 276, HAIGLER, )  
NEBRASKA )  
 )  
 )  
----- )

PERMIT NO. M-10135

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July 23, 1965  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ivan L. Parker,  
Box 276, Haigler, Nebraska

requesting that Permit No. M-10135 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10135, heretofore issued to Ivan L. Parker,  
Box 276, Haigler, Nebraska be,

and the same is hereby, declared cancelled effective May 27, 1965

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry E. Zaslavsky  
David S. Bjelland  
Ray C. Norton  
Commissioners

Dated at Denver, Colorado,

this 23rd day of July, 19 65

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
GEROGE K. LEIBST, P.O. BOX 62, )  
DUPONT, COLORADO )  
 )  
 )  
 )  
 )  
----- )

PERMIT NO. M-9468

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July 23, 1965  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from George K. Leibst,  
P.O. Box 62, Dupont, Colorado.

requesting that Permit No. M-9468 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9468, heretofore issued to George K. Leibst,  
P.O. Box 62, Dupont, Colorado. be,  
and the same is hereby, declared cancelled effective May 19, 1965

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry E. Ziehlings  
Harold S. Bjelland  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 23rd day of July, 1965

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
RICHARD A. SIGISMOND DOING BUSINESS AS )  
OCTOBER COMPANY, P.O. BOX 579, )  
BOULDER, COLORADO. 80301 )  
----- )

PERMIT NO. M-8044

-----  
July 23, 1965  
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STATEMENT

By the Commission:

The Commission is in receipt of a communication from Richard A. Sigismond  
doing business as October Company, P.O. Box 579, Boulder, Colorado, 80301  
requesting that Permit No. M-8044 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8044, heretofore issued to Richard A. Sigismond  
doing business as October Company, P.O. Box 579, Boulder, Colorado, 80301 be,  
and the same is hereby, declared cancelled effective May 31, 1965

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry C. Jellings  
Howard S. Bjelland  
Ralph C. Norton  
Commissioners

Dated at Denver, Colorado,

this 23rd day of July, 19 65

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF)  
WILLIAM E. COUNTS, GENERAL DELIVERY )  
SAGUACHE, COLO. 81149 )  
 )  
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 )  
 )  
----- )

PERMIT NO. B-6560

-----  
July 23, 1965

STATEMENT

By the Commission:

The Commission is in receipt of a communication from William E. Counts,  
General Delivery, Saguache, Colo.

requesting that Permit No. B-6560 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-6560, heretofore issued to William E. Counts,  
General Delivery, Saguache Colo. be,  
and the same is hereby, declared cancelled effective May 4, 1965

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
Henry E. Jenkins  
Howard S. Bjelland  
Ralph C. Norton  
Commissioners

Dated at Denver, Colorado,

this 23rd day of July, 19 65

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CAROLINA-SOUTHERN MINING CO., INC., )  
BOX 429, SPRUCE PINE, NORTH )  
CAROLINA )  
----- )

PUC NO. 5771-I

-----  
July 23, 1965  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Carolina-Southern  
Mining Co., Inc., Box 429, Spruce Pine, North Carolina.

requesting that Certificate of Public Convenience and Necessity No. 5771-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. 5771-I heretofore issued to Carolina-  
Southern Mining Co., Inc., Box 429, Spruce Pine, North Carolina.

be, and the same is hereby, declared cancelled effective June 1, 1965

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry C. Ziegler  
Edward S. Bjelland  
Ralph C. Norton  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of July, 19 65



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GEORGE K. LIEBST, P.O. BOX 62, )  
DUPONT, COLO. )  
)  
)  
)  
)  
-----

PUC NO. 5980-I

-----  
July 23, 1965  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from George K. Liebst,  
P.O. Box 62, Dupont, Colo.

requesting that Certificate of Public Convenience and Necessity No. 5980-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. 5980-I heretofore issued to George K.  
Liebst, P.O. Box 62, Dupont, Colo.

be, and the same is hereby, declared cancelled effective May 19, 1965

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry C. Ziegler  
Harold S. Bjelland  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of July, 1965

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JULIA K. SEIWALD, SPEC. ADM. OF )  
ESTATE OF WM. A. SEIWALD (DECEASED) )  
4315 UTICA ST., DENVER, COLORADO. )  
-----

PERMIT NO. A-853

-----  
July 23, 1965  
-----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 her Permit No. A-853 be further suspended for six months from April 14, 1965.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Julia K. Seiwald, Spec. Adm. of Estate of Wm. A. Seiwald,  
4315 Utica St., Denver, Colorado, 80212.

be, and is hereby, authorized to further suspend her operations under Permit No. A-853 until October 14, 1965

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

*Henry C. Johnson*  
*Edward S. Bjelland*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of July, 1965

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
IVAN L. PARKER, BOX 276, HAIGLER, )  
NEBRASKA. )  
----- )

PUC NO. 6002-I

-----  
July 23, 1965  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a request from the above-named  
certificate-holder requesting that his PUC No. 6002-I  
be suspended for six months from May 27, 1965

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Ivan L. Parker, Box 276, Haigler Nebraska  
-----  
be, and is hereby, authorized to suspend oper-  
ations under PUC No. 6002-I until November 27, 1965

That unless said certificate-holder shall, prior to the expira-  
tion of said suspension period, make a request in writing for the reinstate-  
ment of said certificate, file insurance and otherwise comply with all  
rules and regulations of the Commission applicable to common carrier cer-  
tificates, 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  
Henry C. Ziegler  
Harold S. Bjelland  
Ralph C. Horton

Dated at Denver, Colorado,  
this 23rd day of July, 1965

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RAY TIPTON D/B/A TIPTON'S RUBBISH )  
REMOVAL, 1035 COLO. BOULEVARD, )  
DENVER, COLORADO. )

PUC NO. 3483

-----  
July 23, 1965  
-----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. 3483 be further suspended for six  
months from June 5, 1965

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Ray Tipton d/b/a Tipton's Rubbish Removal, 1035 Colorado  
Boulevard, Denver, Colo. 80206

                     be, and is hereby, authorized to further suspend operations  
under PUC No. 3483 until December 5, 1965

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

*Henry E. Zeilinger*  
*Howard S. Bjelland*  
*Raymond S. Johnson*  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of July, 19 65



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WAYNE STUTZMAN DOING BUSINESS AS )  
STUTZMAN'S CITY DRAY, 118 E 18th, )  
JULESBURG, COLORADO. )  
-----

PUC NO. 2333

-----  
July 23, 1965  
-----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. 2333 be suspended for six months from May 25, 1965.

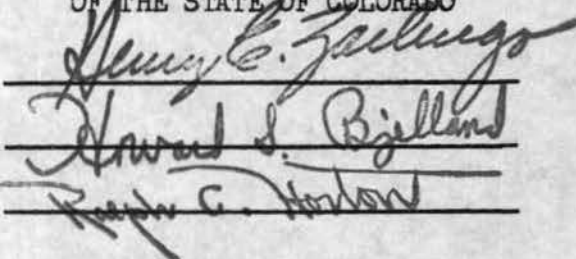
F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Wayne Stutzman doing business as Stutzman's  
City dray, 118 E 18th, Julesburg, Colorado.  
                     be, and is hereby, authorized to suspend operations under PUC No. 2333 until November 25, 1965.

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  
\_\_\_\_\_  
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\_\_\_\_\_

Dated at Denver, Colorado,  
this 23rd day of July, 1965

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RICHARD COHN DOING BUSINESS AS )  
COHN'S TRUCKING SYSTEM, BOX 205, )  
ALAMOSA, COLORADO. )

PERMIT NO. B-3317

July 23, 1965

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-3317 be suspended  
for six months from April 6, 1965.

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 Richard Cohn doing business as Cohn's Trucking System,  
Box 205, Alamosa, Colorado.

be, and is hereby, authorized to suspend his operations under Permit  
No. B-3317 until October 6, 1965

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

Henry C. Zuckerman  
Harold S. Bjelland  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of July, 1965

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GEORGE K. LEIBST, P.O. BOX 62, )  
DUPONT, COLORADO. )  
)  
)  
)  
)  
-----

PERMIT NO. B-5824

-----  
July 23, 1965  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named  
permittee requesting that his Permit No. B-5824 be suspended  
for six months from May 19, 1965

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 George K. Leibst, P.O. Box 62, Dupont, Colorado.

be, and is hereby, authorized to suspend his operations under Permit  
No. B-5824 until November 19, 1965

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

Henry C. Zeilinger  
Arnold S. Bjelland  
Reggie C. Horton  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of July, 1965



Original

(Decision No. 65423)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
VICTOR G. BAKKE, BOX 401, KREMMLING, }  
COLORADO, FOR A CLASS "B" PERMIT TO }  
OPERATE AS A PRIVATE CARRIER BY }  
MOTOR VEHICLE FOR HIRE. }

APPLICATION NO. 21233-PF

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-----  
July 23, 1965  
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Appearances: Victor G. Bakke, Kremmling,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation services; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Victor G. Bakke, Kremmling, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles and timber products, from forests to sawmills, places of storage and loading points within a radius of 50 miles of said forests; rough lumber, from sawmills in said 50-mile radius to markets in the State of Colorado with no town-to-town service; and this ORDER shall be deemed to be, and be, a PERMIT therefor.


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

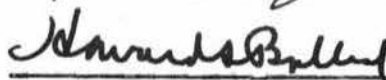
That this Order is the permit herein provided for but it shall not become effective until Applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

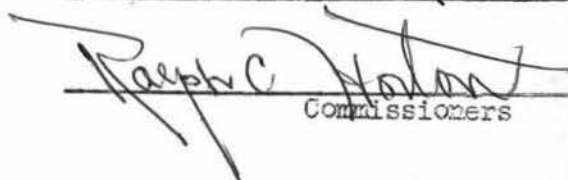
That the right of Applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
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\_\_\_\_\_

  
\_\_\_\_\_ Commissioners

Dated at Denver, Colorado,  
this 23rd day of July, 1965

et

Original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RICHARD W. BEDELL, KREMMLING, COLO- )  
RADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 21234-PF

-----  
July 23, 1965  
-----

Appearances: Richard W. Bedell, Kremmling,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Richard W. Bedell, Kremmling, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles and timber products, from forests to sawmills, places of storage and loading points within a radius of 50 miles of said forests; rough lumber, from sawmills in said 50-mile radius to markets in the State of Colorado, with no town-to-town service; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

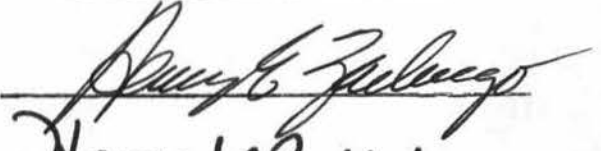
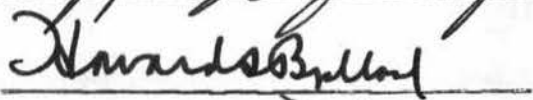

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 23rd day of July, 1965

et

Original

(Decision No. 65425)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
ARNOLD LASSEN, KREMMLING, COLORADO, }  
FOR A CLASS "B" PERMIT TO OPERATE AS }  
A PRIVATE CARRIER BY MOTOR VEHICLE }  
FOR HIRE. }

APPLICATION NO. 21235-PP

-----  
July 23, 1965  
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Appearances: Arnold Lassen, Kremmling,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one



protests the granting of the instant application; that there is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Arnold Lassen, Kremmling, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles and timber products, from forests to sawmills, places of storage and loading points within a radius of 50 miles of said forests; rough lumber, from sawmills in said 50-mile radius to markets in the State of Colorado, with no town-to-town service, and this ORDER shall be deemed to be, and be, a PERMIT therefor.

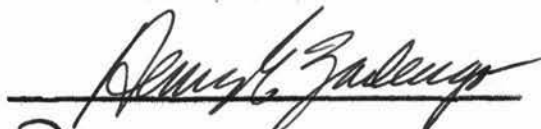
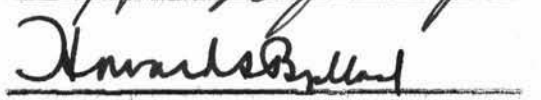
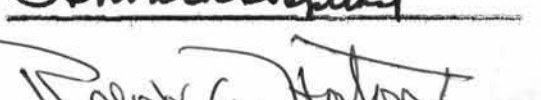
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 23rd day of July, 1965

et

et

Original  
(Decision No. 65426)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
EARNEST C. ROLLMAN, PHIPPSBURG, COLO- )  
RADO, FOR A CLASS "B" PERMIT TO OPER- )  
ATE AS A PRIVATE CARRIER BY MOTOR )  
VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 21236-PP

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July 23, 1965  
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Appearances: Earnest C. Rollman, Phippsburg,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for Applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that Applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### ORDER

##### THE COMMISSION ORDERS:

That Earnest C. Rollman, Phippsburg, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles and timber products, from forests to sawmills, places of storage, and loading points within a radius of 75 miles of said forests; rough lumber, from sawmills in said 75-mile radius to markets in the State of Colorado; with no town-to-town service, and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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

*Henry E. Zubeck*  
*Norman B. ...*

*Ralph C. ...*  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of July, 1965

et

(Decision No. 65427)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
ODIS KNOX, KREMMLING, COLORADO, FOR }  
A CLASS "B" PERMIT TO OPERATE AS A }  
PRIVATE CARRIER BY MOTOR VEHICLE FOR }  
HIRE. }

APPLICATION NO. 21277-PP

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July 23, 1965  
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Appearances: Odis Knox, Kremmling,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed transportation services; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Odis Knox, Kremmling, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles and timber products, from forests to sawmills, places of storage and loading points within a radius of 50 miles of said forests; rough lumber, from sawmills in said 50-mile radius, to markets in the State of Colorado, with no town-to-town service; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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

Alvin E. Zerk  
Donald B. Miller  
Ralph C. Hinton  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of July, 1965

et

*Original*

(Decision No. 65428)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LEAH J. MOSER, DOING BUSINESS AS "L. )  
MOSER AND D. CRAIG," 249 ELMWOOD, )  
COLORADO SPRINGS, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A PRI- )  
VATE CARRIER BY MOTOR VEHICLE FOR )  
HIRE. )  
-----

APPLICATION NO. 21292-PP

-----  
July 23, 1965  
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Appearances: Leah J. Moser, Colorado  
Springs, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and

the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Leah J. Moser, doing business as "L Moser and D. Craig," Colorado Springs, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home 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 against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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

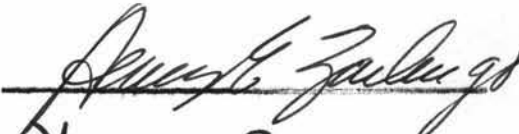
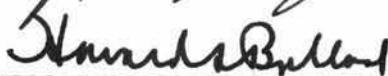
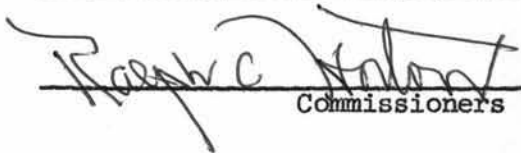
amendments to this permit deemed advisable.

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 23rd day of July, 1965.

ls

Original

(Decision No. 65429)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FRED TROY ULLOM, 3173 WEST KIOWA, )  
COLORADO SPRINGS, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION NO. 21293-PP

-----  
July 23, 1965  
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Appearances: Fred Troy Ullom, Colorado  
Springs, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no

one protests the granting of the instant application; that there is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Fred Troy Ullom, Colorado Springs, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier, by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 100 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 home and small construction jobs within a radius of 100 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 100 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 100 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefore.

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 23rd day of July, 1965.

ls



*Original*

(Decision No. 65430)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF WILLIAM G. WILSON, 325 SHERRI DRIVE, SECURITY, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	}	<u>APPLICATION NO. 21294-PP</u>
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July 23, 1965  
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Appearances: William G. Wilson, Security,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no

one protests the granting of the instant application; that there is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That William G. Wilson, Security, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home 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 against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.


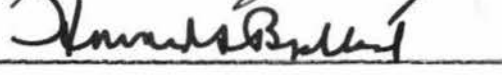
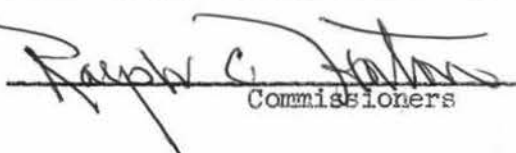
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 23rd day of July, 1965.

ls

Original

(Decision No. 65431)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RALPH L. BISHOP, 3027 WEST KIOWA, )  
COLORADO SPRINGS, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION NO. 21289-PP

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July 23, 1965  
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Appearances: Ralph L. Bishop, Colorado  
Springs, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and

the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Ralph L. Bishop, Colorado Springs, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home 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 against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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


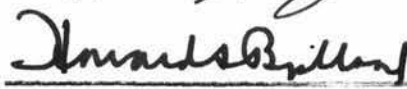
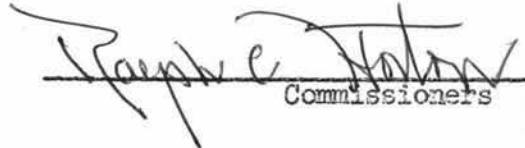
amendments to this permit deemed advisable.

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 23rd day of July, 1965.

ls

Original

(Decision No. 65432)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
PAUL SMITH, DOING BUSINESS AS "CREEDE )  
EXCAVATING," CREEDE, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE FOR )  
HIRE. )  
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APPLICATION NO. 21228-PP

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July 23, 1965  
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Appearances: Paul Smith, Creede,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.



The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Paul Smith, doing business as "Creede Excavating," Creede, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado to road jobs, mixer, and processing plants within a radius of 80 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 home and small construction jobs within a radius of 80 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 80 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 80 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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

  
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\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of July, 1965

et

Original

(Decision No. 65433)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HOWARD W. CROUSE, JR., ROUTE 3, BOX )  
334A, AURORA, COLORADO, FOR A CLASS )  
"B" PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 21265-PP

-----  
July 23, 1965  
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Appearances: Howard W. Crouse, Jr., Aurora,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

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 hay, bulk or baled, from point to point within a radius of fifty miles of Brighton, Colorado, and including the town of Brighton, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority as provided in the following Order, will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Howard W. Crouse, Jr., Aurora, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of farm products, including hay, bulk or baled, from point to point within a radius of fifty miles of Brighton, Colorado, and including the Town of Brighton, Colorado; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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

*Samuel J. Zalesky*  
*Donald B. Brown*  
*Ralph C. Holton*  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of July, 1965

et

Original

(Decision No. 65434)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
L. D. SMITH, BOX 127, KREMMLING, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY MOTOR )  
VEHICLE FOR HIRE. )  
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APPLICATION NO. 21287-PP

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July 23, 1965  
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Appearances: L. D. Smith, Kremmling,  
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That L. D. Smith, Kremmling, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles and timber products, from forests to sawmills, places of storage, and loading points within a radius of 50 miles of said forests; rough lumber, from sawmills in said 50-mile radius to markets in the State of Colorado, with no town-to-town service; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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

*Ray E. Zuleygo*  
*Howard B. Bell*  
*Ralph C. Holbert*  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of July, 1965

et

et

et

Original

(Decision No. 65435)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
OTIS MC LAIN, DEL NORTE, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE AS )  
PRIVATE CARRIER BY MOTOR VEHICLE FOR )  
HIRE. )  
-----

APPLICATION NO. 21229-PP

-----  
July 23, 1965  
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Appearances: Elizabeth A. Conour, Esq.,  
Del Norte, Colorado, for  
Applicant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Applicant herein appeared and testified in support of the application, stating that if authority herein sought is granted, special carriage contracts will be entered into to provide needed and specialized service with certain shippers who have requested the herein proposed service; that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation.

All motions granted, or denied, by the Examiner, if any, are hereby confirmed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed transportation services; that Applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Otis McLain, Del Norte, Colorado, be, and 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 to sawmills, places of storage and loading points within a radius of 50 miles of said forests, within the State of Colorado; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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

*Ray E. Zullinger*  
*Harold B. Bell*  
*Joseph C. Hutton*  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of July, 1965

et

*Original*

(Decision No. 65436)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE OF VARIOUS )  
CORPORATIONS, PARTNERSHIPS, AND/OR PER- )  
SONS TO COMPLETE APPLICATIONS FOR PER- )  
MITS TO OPERATE AS COMMERCIAL (PRIVATE) )  
CARRIERS BY MOTOR VEHICLE IN THE STATE )  
OF COLORADO )  
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-----  
July 23, 1965  
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S T A T E M E N T

By the Commission:

The records of the Commission show that the corporations, partnerships, and/or persons listed in the Order part of this Decision have paid to the Commission a filing fee for a Commercial (private) Carrier Permit to operate over the highways of the State of Colorado.

The records of the Commission further show that said applicants have failed to complete their applications in one or more of the following particulars as required by the Rules and Regulations Governing Commercial Carriers by Motor Vehicle in Colorado.

- (a) Failure to file completed application.
- (b) Failure to file request for cab cards.
- (c) Failure to file, or have filed, certificate of insurance.

The records of the Commission further show that all of the applicants listed in this Order part of this Decision have been duly notified by the Commission of their failure to comply with one or more of the above particulars.

F I N D I N G S

THE COMMISSION FINDS:

That the Statement should be made a part of these Findings.

That all of said proceedings heretofore instituted by the corporations, partnerships, and/or persons listed in the Order part

of this Decision should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That each of the application proceedings heretofore commenced by the following corporations, partnerships, and/or persons before this Commission to obtain authority to operate as a Commercial (private) Carrier by motor vehicle over the highways of the State of Colorado, be, and the same hereby are, dismissed:

Acme Iron Works	P. O. Box 2020	San Antonio, Texas
Luciano Ianiz	Rt. 1, Box 165	Platteville, Colo.
Amarillo Trailer Sales	5008 Amarillo Blvd.	Amarillo, Texas
Apache Truck Line	2700 South Fifty	Pocatello, Idaho
Arvada Auto Parts	5322 Wadsworth	Arvada, Colo.
Automotive Parts Co., Inc.	3010 - 10th St.	Great Bend, Kansas
B & B Salvage	Box 509	Liberal, Kansas
Bar-A Mineral Co.	101½ N. 3rd Street	Garden City, Kansas
Bellvue Wood Products	Rist Canyon Road	Bellvue, Colo.
Valley Bentonite	R. R. No. 1	Mosca, Colorado
Don Berry	3644 Montrose Ave.	La Crescenta, Calif.
George A. Bienau	Craig Route	Meeker, Colo. 81641
L.C. Black & Sons Wholesale Supply	6309 Lawrence Blvd.	Amarillo, Tex. 79106
Bob's Chevron	562 N. 8th St.	Laramie, Wyo.
Robert F. Bowen	General Delivery	Springdale, Arkansas
Gilbert Bowen		Dacona, Colorado
Melvin Branson	500 Block So. 10th	King Fisher, Oklahoma
Brown Chemical Co., Inc.		Grant, Nebraska
Brown Chemical Co., Inc.		Imperial, Nebraska
Donald M. Browning	Route 1	McCook, Nebraska
Osualdo S. Bustamante	Box 372	Asherton, Texas
J. M. Byrd	1617 Irwin Lane	Sulphur Springs, Tex.
C & L Supply Co.	150 Broadway	Monte Vista, Colo. 81144
Charles Cain	Box 14	Idabel, Oklahoma
Senon G. Cardona	1111 Bryant St.	Carrizo Springs, Tex.
Cesario Dist. Co.	2435 River Road	Grand Junction, Colo. 81501
Benny Chavez	Box 187	Dacona, Colorado
Childs Bros. Granite Co.	Rt. 2, Box 133, Hartwill Road	Elberton, Georgia
City Produce Co.	202 So. Mill St.	Ardmore, Oklahoma
Cline Industries, Inc.	So. Hwy. 81	Rush Springs, Okla.
Co-Op Elevator		Walters, Oklahoma
Dewey Coleman		Littleton, Colo.
Colorado Hay & Grain		Manassa, Colorado
Colorado Pine Cones	P. O. Box 325	Dove Creek, Colo. 81324
Colorado Tool Center, Inc.	3264 S. Broadway	Englewood, Colo.
Commercial Metals	Box 5021	Tampa, Florida
James T. Conley	Route 1	La Junta, Colo. 80150
Phillip Cotter	1734 S. College	Ft. Collins, Colo. 80521
Kenneth I. Craig	2800 Harlan	Wheatridge, Colo.
Russell G. Cronk		Roggen, Colo. 80652
Thurman A. Crouse	421 Covey	Monte Vista, Colo.

D & M Lumber Co., Inc.	1930 Charlott	Missoula, Montana
Tommy Davidson	305 So. Sheridan Rd.	Russellville, Arkansas
Jim Demile	7410 S. 74th	Seattle, Washington
Robert C. Dewey	27 Lincoln St.	Manitou Springs, Colo.
Edward D. & Ben O. Draves	P. O. Box 1	Moffat, Colo.
Eaton Metals Products	1301 Willis Ave.	Omaha, Nebraska
Stanley Eilenberger	Box 912	Idaho Springs, Colo. 80452
Lowell Elwess	General Delivery	Chama, New Mexico
Embassy Homes Corporation	U. S. Highway #20	Middlebury, Indiana
Jay Eubank	Route 1	Steamboat Springs, Colo.
Fairmont Foods Dist. Co.	621 No. "I"	Greeley, Colo. 80630
Joe Fewell	P.O. Box 222	Duncan, Oklahoma
William Fisher	2603 10th St.	Kersey, Colo. 80644
Charles E. Foster	285 Coral Way	Greeley, Colo.
Four Wheel Drive Rental, Inc.	Box 1	Broomfield, Colo.
Friendly Sales Corp.	3755 S. Racine Ave.	Pascagoula, Miss.
Frigidmeats, Inc.	3206 Ave. "A", Box 267	Chicago, Ill. 60609
Frontier Mill Works, Inc.	670 Main St.	Lubbock, Texas
O. O. Funderburg	Box 5593	Winters, Texas
Gainesville Machine Co.	Box 36	Gainesville, Ga.
F. E. Getman	100 N. 6th Ave.	Amarillo, Tex.
Sam Gianneta	716 E. 10th	Aguilar, Colo. 81020
Goodson Steel Corp.	Stone City Rt., Box 45	Dallas, Texas
Ladis Gomez	Rt. 1, Box 133	Greeley, Colorado
Manuel Gonzales & Sons	2810 Kiowa	La Junta, Colo. 80150
Jack Goodwin	6000 S. Lamar	Pueblo, Colorado
Roy T. Gordon	413 E. 8th	Berthoud, Colo.
Jim Gore	1700 Pacific Ave.	Colorado Spgs., Colo.
W. E. Grace Mfg. Co.	8314 Connecticut NE	Dallas, Texas
Roger Gray	816 S. Harrison	Akron, Colo. 80720
Great Plains Steel Corp.	Box 488	Cheyenne, Wyo.
H. D. Griffin	2410 Highway 183	Albuquerque, N. Mex.
J. R. Gruber	1426 - 7th St.	Amarillo, Tex.
Hartwell Machinery Co.	230 W. 3rd St.	Iuka, Kansas
C.K. Hatley & A.L. Wylig	3512 E. Oak St.	Floydada, Texas
Harold Henley	Box 5636	Irving, Texas
Adam Hilzer	2940 Ward Ct.	Greeley, Colo.
Hogum Valley Mining Co.	So. Side US Hwy 85	Moab, Utah
Mary B. Hoover	Route 3, Box 203	Phoenix, Arizona
Horn Mobile Homes	P.O. Box 388	Lubbock, Texas
J.C. Construction Co.	Box 423	Denver, Colo. 80215
Jackson Farms	1506 Lubbock Road	Gentry, Oklahoma
Jerry's Auto Parts	Route 2*	Las Vegas, N. Mexico
Jack J. Jewett	P.O. Box 103	Longmont, Colo.
Michal J. Johnson	P.O. Box 619	Alamosa, Colo. 81101
Richard P. Kane	1429 - 13th Ave.	Fountain, Colo.
Robert E. Kinder	South Hwy. 81	Onida, South Dakota
Kleweno Construction	P.O. Box 715	Burlington, Colo.
J. B. Knight	1209 W. 10th Ave.	Brownfield, Texas
Lowell W. Knudson	Box 774	Sterling, Colo. 80751
Jose J. Lara		Carrizo Springs, Texas
Chas. E. Leggett		Cascade, Colo.
Vincent Lousi Leitner		Woodland Park, Colo. 80863
Samuel W. Lewis, Jr.		Greeley, Colo. 80630
Limon Feed Lot		Limon, Colorado
Little Terry Industrial Corp.		Bush Springs, Okla.
Long Mfg. Co., Inc.		Tarboro, N. Carolina
Lorenzo Grain Co-Op		Lorenzo, Texas
Gonzalo Lucero		Denver, Colorado
Cecil H. Luckey		Aztec, New Mexico



Robert L. Luedke	2568 Clermont St.	Denver, Colo. 80207
M & G Mfg. Co.		Amarillo, Texas
M & H Hay & Straw Co.	316 N. 3rd Ave.	Sterling, Colo.
L.H. Maddux Produce	208 E. Humble	Hobbs, New Mexico
Nero Martinez	1209 Fearnow	Pueblo, Colo. 81001
Octaviano Martinez	147 Washington St.	Raton, New Mexico
Teofilo Martinez	Box 164	Salida, Colo. 81201
Mason Feed & Trucking, Inc.		Mason, Texas
Jerdie W. Massey, Sr.	108 S. Cameron	Brush, Colo. 80701
Perry Mayes	724 Unaweep	Grand Junction, Colo.
McAnary Ford, Inc.	1351 - 11th Ave.	Gary, Indiana
James D. McPeck	177 So. Xavier	Denver, Colo.
R. L. McPeck	Route 1, Box 254	Ft. Lupton, Colo.
Lloyd McWater		Ft. Smith, Arkansas
Celedonia Mevia		Crystal City, Texas
Meyer Auto Yard		Leoti, Kansas
Mid-State Terrazzo & Tile	318 Lindon Dr.	Kearney, Nebraska
Chuck Miller	956 Emerson	Denver, Colorado
Mobridge Iron Works	General Delivery	Mobridge, So. Dakota
Vernon M. Monroe	3611 Hughes St.	Amarillo, Texas
The Morgan Co.	P. O. Box 35	Pearland, Texas
Mountain Aggregates, Inc.	Box "H"	Empire, Colo. 80438
Charles A. Nixon	Box 265	Fowler, Colorado
Frank Nixon		Miami, Florida
Willard F. Nixon	Box 624	Immokalee, Florida
O'Malley Mines	1310 W. 10th Ave.	Denver, Colo. 80204
Clarence & Betty Oller	P. O. Box 505	Lakin, Kansas
Ernest & Judith G. Olness	Box 1133 (1212-9th St.)	Greeley, Colo. 80630
Arthur W. or Shirley Osterman	1500 E. 23rd	Cheyenne, Wyoming
Pacific Natural Gas & Exploration Co.	720 W. 8th St.	Los Angeles, Calif.
Parkerland Chemical Corp.	1014 Cedar	Green Bay, Wisconsin
Ieland Palmer	Box 213	Mineral Wells, Texas
O. T. Parker		Wenatchee, Washington
Patterson Boochino Mining	Box 249	Naturita, Colo. 81422
Don & Monty Peterson	1812 Sherwood	Missoula, Montana
Peyton Packing Co.	Cotton Add. So. End	El Paso, Texas
Plains Brokerage Co., Inc.	106 Broadway	Lubbock, Texas
Alvin Plumley	200 N. Walnut St.	Brady, Texas
Leo L. Poff		Dove Creek, Colo.
Pullen & Price Co.	Box 268	Royse City, Texas
Quality Used Tires		Atlanta, Georgia
Isidro Orlando Quitana	Box 75	Minturn, Colo. 81645
Feliciano Rael	Box 26	Questa, New Mexico
Claudio R. Ramirez	Route 2, Box 112	Monte Vista, Colo.
Raymond Rhodes		Searcy, Arkansas
Keith L. Riddle		Saguache, Colorado
Lee Riggs		San Saba, Texas
Vincent L. Rike	912 Ouray Ave.	Grand Junction, Colorado 81501
Ralph G. Riocciough		Leoti, Kansas
Fred Roach		Wichita Falls, Texas
T. M. Robinson	7133 W. 80th, Suite 203	Overland Park, Kansas
Rocky Mountain Motorways		Evans, Colorado
Rolite, Inc.		Grantsburg, Wisconsin
Rollers Nursery	Route 2	Seligman, Missouri
Wayne Rossen	509 West Avenue	Fort Morgan, Colo.
Rudy's Rolling Store	Box 1432	Farmington, N. Mexico
George F. Rutkey, Inc.	Front & Maple Sts.	Leadville, Colo. 80461
Ryan Enterprises, Inc.	1031 E. Michigan Ave.	Kalamazoo, Michigan
S & B Brick	1920 4th St.	Boulder, Colo. 80301
St. John's Mobile Home	6263 Roosevelt Blvd.	Jacksonville, Florida

Marka L. Salas Scottsbluff Tool Warehouse	283 Coulson Dr. 213 E. Overland	Grand Junction, Colo. Scottsbluff, Nebraska 69361
Alejandro Sepulveda Sharp Bros. Seed Co. Luther C. Shields Joseph Siegal Pipe & Steel L. E. Skains Arlene Smith John E. Smith Smith Pallet Co. Thomas H. Smith, Jr. Tim L. Smith Southwestern Rubber Mfg. Co., Inc.	1305 N. 1st Ave.  RR - Box 54 1901 3rd Box 363 Box 162 7600 S. Valley Hwy.  Box 225 3400 Collins Dr.	Crystal City, Texas Healy, Kansas Cortez, Colo. Amarillo, Texas Sundra, Texas Garden City, Kansas Littleton, Colo. Hatfield, Arkansas Fountain, Colo. West Palm Beach, Fla.
Gilbert D. Stasser State Stove Mfg. Co. Harland Steinke & Alfred E. Bailey Johnny Stevens Verna Storey Stout & Stout Motor Sales Suburban Mobile Homes Donald L. Taylor Taylor-Evans Farm Stores of Amarillo, Inc. Edward J. Tezakr, Jr. John E. Toler Tolivers, Inc. Tri-W Triple-A Trailer Co. Clarence Triska Ronald A. Troxel Tyler Corporation Donald Van Donge Albert Vigil	706 Center   Box 483 P. O. Box 92  311 Lemay Ferry Road  4623 Lipscomb  P. O. Box 1746  231 Hill 200 West Mountain Ave. Box 217 Box 195 542 Illinois Box 515  315 W. 13th 6396 E. 64th Ave.	Athens, Georgia Goodland, Kansas Ashland City, Tenn.  Hugo, Colorado Gill, Colorado Syracuse, Kansas Lemay, 25, Missouri Arlington, Texas Amarillo, Texas  Amarillo, Tex. 79106 Texas Creek, Colo. Colorado Springs, Colo. Pt. Collins, Colo. 80521 Carbondale, Colo. Englewood, Colo. Sidney, Nebr. Minturn, Colo. Benson, Minn. Goodland, Kansas Commerce City, Colo. 80022
Charlie B. Vigil Wagner Sprinkler System, Inc. Ed Wareham, Jr. Dorcy Watweman Wayside Liquors Wessel Salvage Verle Whysong A. D. Wilson Wilson Oak Flooring	419 W. 4th St., Box 22 Route 1 104 Lynda 218 S. Booth Route 2, Box 610 1405 Lakin  901 S. 17th Ave.	Walsenburg, Colorado Brownfield, Texas Texarkana, Texas Pueblo, Colo. 81001 Golden, Colo. Great Bend, Kansas Stevensville, Mont. Phoenix, Arizona Warren, Arkansas

This Order shall become effective ten days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*[Signature]*  
*[Signature]*  
*[Signature]*  
Commissioners

Dated at Denver, Colorado  
this 23rd day of July, 1965.

original

(Decision No. 65437)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE OF VARIOUS )  
CORPORATIONS, PARTNERSHIPS, AND/OR PERSONS )  
TO COMPLETE APPLICATIONS FOR AUTHORITY TO )  
OPERATE AS COMMON OR PRIVATE (CONTRACT) )  
CARRIERS FOR HIRE IN INTERSTATE COMMERCE )  
BY MOTOR VEHICLE OVER THE HIGHWAYS OF THE )  
STATE OF COLORADO. )  
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-----  
July 23, 1965  
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S T A T E M E N T

By the Commission:

The records of the Commission show that the corporations, partnerships, and/or persons listed in the Order part of this Decision have paid to the Commission a filing fee for a Common Carrier Certificate or for a Private (Contract) Carrier Permit to operate in interstate commerce over the highways of the State of Colorado.

The records of the Commission further show that said applicants have failed to complete their applications in one or more of the following particulars as required by the Rules and Regulations Governing Common and Private Carriers by motor vehicle in Colorado.

- (a) Failure to file completed application.
- (b) Failure to file request for cab cards.
- (c) Failure to file, or have filed, certificate of insurance.

The records of the Commission further show that all of the Applicants listed in the Order part of this Decision have been duly notified by the Commission of their failure to comply with one or more of the above provisions.

F I N D I N G S

THE COMMISSION FINDS:

That the Statement should be made a part of these Findings.

That all of said proceedings heretofore instituted by the corporations, partnerships, and/or persons listed in the Order part of this Decision should be dismissed.

# O R D E R

## THE COMMISSION ORDERS:


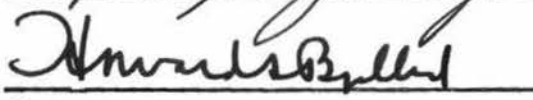
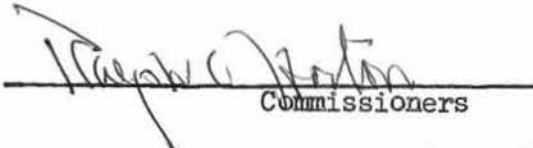
That each of the application proceedings heretofore commenced by the following corporations, partnerships, and/or persons before the Commission to obtain authority to operate as a Common or Private (Contract) Carrier for hire in interstate commerce be, and the same hereby are, dismissed.

Paul Bishop		El Dorado Springs, Mo.
Cecil C. Boulware Livestock	Rte 2	Montgomery, Texas
John Caldwell	7165 Poplar St	Commerce City 80022
T.P. & Dorothy Charter	Box 147	Luther, Okla.
Chatworth Co-Op Market Assn	2200 University	St. Paul, Minn.
Harold W. Crossland	1512 Jan	Garden City, Kansas
S. E. Decker	Box 143	Mills, Wyo.
James D. Dixon	712 S. 7th	Marlow, Okla.
Farmers Co-op. Mercantile		Scribner, Nebr.
Don Fitzpatrick	9942 W.St.Charles Rd.,	Summer, Mich
Furman Canning Co	Rte 1	Northumberland, Pa
Roy Graham	6511 Poplar	Commerce City 80022
John W. Gray	1527 Lockney	Amarillo, Tex
H. A. Green	500 Southeast	Oklahoma City, Okla
Hawkins & Sons Produce		Springdale, Ark.
The Heller Co	3700 Beale St	Altoona, Pa
Hub City Produce	2980 Arkins Ct	Denver 80216
Wes Hudgins	Rte 1	Sapulpa, Okla
E. M. Hutchinson Truck Line	Box 16	Dilley, Tex 78017
Jackson Bros.	Box 188	Iliiff 80736
Gerald Jacobson		Hettinger, So Dak
Jackson Mobile Homes Inc	3230 Elizabeth	Pueblo 81001
R J Johnson	3240 Elizabeth	Pueblo 81001
Jesse T Kirk	Box 206	Lufkin, Tex
Krein Bros Trucking	311 S.10th St	Bismarck, No.Dak,
L & H Packing Co	Box 28313	San Antonio, Tex
Paul Loncorich	Rte 2	Hutchinson, Minn
McDade Trucking	10905 Mather Av	Sunland, Calif.
Dean Miller	Box 251	San Saba, Tex
Mon-Dak Truck Line Inc	Box 1132	Bismarck, N.Dak
John Munsell	Box 548	Stockton, Tex
Ernest P Neumann	6850 Ruthway	Denver 80221
New Mexico-Colo.Cattle Co	2160 Don Andres	SW Albuquerque, N.M.
Riley Overton		Springdale, Ark.
Jack Pieatt	1625 Cimarron	Wichita Falls, Tex
Fred L. Pierdolla Truck Lines	PO Box 800	San Antonio, Tex.
Pirkle Refrigerated Frt Lines	3657 Barnard Ave	Cudahy, Wisc.
Jerry Randall	314 So 3rd St.	Wahpeton, No. Dak.
Basil John Roberts Jr	1109½ No. 5th St	Estherville, Ia.
Jim Robertson	1000 Southwest 4th	Marietta, Okla.

Rocky Mtn Motorways		Evans 80620
Wayne Rossen	508 W 7th Ave	Ft Morgan 80701
Sandberg Trucking Co	PO Box 441	Devils Lake, No. Dak
Howard W Upham-Scenic Jeep Tours	San Juan Ranch	Lake City 81235
Schaak Bros Inc	Box 838	Billings, Mont.
Doyle W. Senkirk	Box 233	San Saba, Tex.
Sewell & Philpot	Box 142	Jacksonville, Tex.
Jean Stanley		Winter Haven, Fla.
Jim Swapp	Box 157	Kirtland, N. M.
Taylor 7 Taylor	Route 1	Clyde, Tex
Triangle Drug Co	1408 Portland St	Plainview, Tex.
John F. Wallace	Husgen Apt.	Devils Lake, No. Dak
George R. Watts	PO Box 763	Athens, Tex
Louise Wood	11000 W 41st Pl	Wheatridge 80030
Your Trailers, Inc.	c/o Robt Means, Esq	Majestic Bg, Denver 80202

This Order shall become effective ten days from the date  
hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of July, 1965

et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WILLIAM J. FOSTER, 1200 SOUTH )  
PENNSYLVANIA STREET, DENVER, )  
COLORADO. )  
----- )

PERMIT NO. B-6140

July 23, 1965

S T A T E M E N T

By the Commission:

On May 6, 1965, the Commission authorized William J. Foster to suspend operations under his Permit No. B-6140, until September 22, 1965.

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-6140, should be, and the same hereby is, reinstated as of May 24, 1965.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry C. Fairbanks*  
*Howard S. Bjelland*  
*Ralph C. Norton*  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of July 1965.



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 AUTHOR- )  
ITY TO ISSUE SECURITIES IN PRINCIPAL )  
AMOUNT OF \$1,666,000 AND THE APPLI- )  
CATION OF THE PROCEEDS THEREFROM FOR )  
CERTAIN SPECIFIED PURPOSES. )  
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APPLICATION NO. 21316-Securities

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July 23, 1965  
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Appearances: Miller & Ruyle, Esq., Greeley,  
Colorado, by  
Robert A. Ruyle, Esq., for  
Applicant;  
E. R. Thompson, Denver, Colorado,  
and  
Burton D. Maggard, Denver, Colo-  
rado, of the Staff of the  
Commission.

S T A T E M E N T

By the Commission:

On July 6, 1965 Union Rural Electric Association, Inc. (Union) filed with the Commission the above entitled application for authority (1) to issue a mortgage note to the United States of America for \$1,666,000 payable to the United States of America bearing interest at the rate of two per cent (2%) per annum and payable within thirty-five (35) years after the date thereof, (2) to execute a supplemental mortgage to secure such note and (3) to approve an amendment dated as of September 24, 1964 to amending loan contract dated as of September 24, 1962 between Union Rural Electric Association, Inc. and the United States of America, setting a maximum which may be borrowed by the applicant at \$6,716,000.

The matter was set for hearing after due notice to all interested parties on July 20, 1965 at 9:00 o'clock A.M. in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and was there heard by the Commission and at the conclusion thereof taken under advisement.



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

Applicant is engaged in the business of purchasing, acquiring, transmitting, distributing, furnishing and selling electricity to its members and non-member consumers on its lines in the Counties of Adams, Jefferson, Gilpin, Boulder and Weld in the State of Colorado and owns and operates certain electric distribution and related facilities in said Counties. The number of consumers December 31, 1964 totalled 5807, Exhibit E. By Application No. 20428, Union applied for and received a full area certificate of public convenience and necessity of its service territory, Decision No. 63322, July 20, 1964.

Applicant's witness Richard Arnold, General Manager of Union, testified summarily as follows: Union needs additional funds for improvements in its electrical system and for the construction, completion, extension and improvement of its properties and for the improvement and maintenance of its service and for other lawful purposes. To obtain these additional funds, Union has entered into an amending loan contract with the United States of America, Exhibit I, entered into evidence in this proceeding. In compliance with this amending loan contract the United States Government proposes to loan Union \$1,666,000 to be evidenced by a mortgage note, Exhibit G, in such principal amount secured by a supplemental mortgage, Exhibit H herein.

Union proposes to use the \$1,666,000 for the construction and installation of the following electric facilities:

95.25 miles single phase pole line	\$ 189,006
3.45 miles three phase pole line (To connect 410 consumers)	11,293
9.60 miles of new tie lines	23,276
14.00 miles of line changes	27,289
5 new distribution substations	174,890
Change substation capacity-Rocky Flats	18,000
706 transformers and 510 meters and sectionalizing equipment	248,550
7% engineering fees	32,738
Work Order construction	163,432
31.0 miles 34.5 Kv transmission line	170,946
1 new transmission substation near Rocky Flats	278,500
Engineering fees	21,418
Acquisition of properties	306,288
Headquarters facilities	<u>374</u>
Total	\$ 1,666,000

Mr. Arnold testified that Union had engineering studies made of its future construction requirements in order to serve properly its present consumers and customers to be added to its electrical distribution system. The long-range study was made by C. H. Guernsey & Company in 1963 and consisted of three transitional stages to serve 10,000 consumers ultimately. The first phase is here presented as set forth in the loan feasibility, Exhibit A, entered into evidence herein.

Of the total amount of \$1,666,000, approximately \$900,000 has been expended from Union's funds and loans from the Colorado National Bank. Thus the proceeds from the loan from REA will be used to reimburse Union's Treasury, to repay committed short-term loans to the Colorado National Bank of \$450,000 and to complete the proposed construction requirements of this first phase. Mr. Arnold stated further that construction and arrangements for the borrowing of the \$1,666,000 had been somewhat delayed by the litigation and ultimate settlement of the area to be served by Union. At this date approximately 55% of the first transitional phase has been constructed.

To show the financial position of Union there were introduced into evidence, Union's statement of operation for twelve months ended June 30, 1965, Exhibit C and Union's balance sheet as of June 30, 1965, Exhibit D, as well as a report and audit of financial statements of

Union Rural Electric Association, Inc., for the year ended December 31, 1964, Exhibit F. Mr. R. R. Lessing, Office Manager, testified briefly to these exhibits except Exhibit F prepared under his supervision. The balance sheet shows that Union had a total long-term debt of \$3,861,744 as of June 30. Total equities and margins amounted to \$876,333, or approximately 18% of total capitalization of Union. Total operating revenue for the year ended June 30, 1965 totaled \$913,818. After all expenses and \$76,533 of interest, operating margins were \$6,669. After prior year's adjustments and net non-operating margins, total patronage capital and margins amounted to \$6,277.

Mr. Lessing stated that the present levels of operating revenue of Union would be insufficient to meet total debt requirements, interest and repayment of debt. It was his opinion that the operating management of Union will recommend to its Board of Directors certain increases in electric rates to consumers which will eliminate inequities between classes of consumers and, increase revenues generally.

Mr. Lessing stated that these matters had not been taken up earlier because of uncertain territorial status of Union's service area which has been resolved.

Mr. James R. Hardcastle, Chief Engineer of Union, testified summarily that the construction now underway and to be completed with the funds from this \$1,666,000 borrowing was necessary in order to maintain satisfactory electric service to present consumers and to new consumers and electric loads resulting from natural growth in Union's service area; such expenditures for capital requirements is in the public interest. In his estimation approximately 80% of these funds are being spent for improvements and continuation of service to present customers and approximately 20% for new consumers. He also estimated that the first transitional phase of long-range program was 55% completed as of this date.

## F I N D I N G S

### THE COMMISSION FINDS:

That applicant, Union Rural Electric Association, Inc., is a public utility as defined by Section 115-1-3, Colorado Revised Statutes, 1953.

That this Commission has jurisdiction over said applicant and the subject matter of this application.

That this Commission is fully advised in the premises.

That the issuance by Union Rural Electric Association, Inc. of a mortgage note in the amount of \$1,666,000, Exhibit G in this proceeding, should be authorized and approved.

That the amendment dated as of September 24, 1964 to amending loan contract dated September 24, 1962, Exhibit I herein, should be authorized and approved.

That the supplemental mortgage made by Union Rural Electric Association, Inc., Exhibit H herein, should be authorized and approved.

That within one hundred twenty (120) days of the execution of the mortgage note for \$1,666,000 authorized herein, applicant should file with the Commission one conformed copy of such executed note and of each other document made in connection therewith.

That the issuance of the mortgage note in the amount of \$1,666,000 is not inconsistent with the public interest and that the purpose or purposes thereof are permitted by and are consistent with the provisions of Chapter 115, Colorado Revised Statutes, 1953.

## O R D E R

### THE COMMISSION ORDERS:

That the issuance of a mortgage note for \$1,666,000 by Union Rural Electric Association, Inc. to the United States of America, Exhibit G herein, be, and the same is hereby, authorized and approved.

That the amendment dated as of September 24, 1964 to amending loan contract dated September 24, 1962 between Union Rural Electric

Association, Inc. and the United States of America, Exhibit I herein, be, and the same is hereby, authorized and approved.

That the supplemental mortgage made by Union Rural Electric Association, Inc., Exhibit H herein, be, and the same is hereby, authorized and approved.


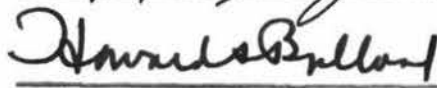

That within one hundred twenty (120) days of the execution of the mortgage note for \$1,666,000 authorized herein, Union Rural Electric Association, Inc. shall file with the Commission one conformed copy of such executed note and of each other document made in connection therewith.

That nothing herein shall be construed to imply any recommendation or guarantee of or any obligation with respect to said issue of the aforementioned securities on the part of the State of Colorado.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of July, 1965  
et

Original

(Decision No. 65440)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
SAN LUIS VALLEY RURAL ELECTRIC )  
COOPERATIVE, INC., A COLORADO CORP- )  
ORATION, MONTE VISTA, COLORADO, FOR )  
AN ORDER AUTHORIZING THE ISSUANCE OF )  
SECURITIES AND THE APPLICATION OF THE )  
PROCEEDS THEREFROM TO CERTAIN LAWFUL )  
PURPOSES. )  
-----

APPLICATION NO. 21271  
SECURITIES

-----  
July 20, 1965  
-----

Appearances: DeSouchet & Baker, Esqs., Alamosa,  
Colorado, by William O. DeSouchet, Jr.,  
for Applicant;  
E. R. Thompson, Denver, Colorado, of  
the Staff of the Commission.

S T A T E M E N T

By the Commission:

By this application San Luis Valley Rural Electric Cooperative, Inc. (San Luis) seeks authority from this Commission to issue a mortgage note in the principal amount of \$865,000 payable to the United States of America bearing interest at the rate of two per cent (2%) per annum and payable within thirty-five (35) years after date thereof, a supplemental mortgage to secure such note, and approval of an amendment dated as of March 2, 1965 to amending loan contract dated as of February 14, 1964 between San Luis Valley Rural Electric Cooperative, Inc. and United States of America, setting a maximum which may be borrowed by the applicant at \$6,048,000.

The matter was set for hearing after due notice to all interested parties on July 14, 1965 at 9:30 o'clock in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and was there heard by the Commission and at the conclusion thereof taken under advisement.

No protests were filed with the Commission with regard to this



application and no one appeared at the hearing in opposition to the granting of the authority sought.

Applicant is engaged in the business of purchasing, acquiring, transmitting, distributing, furnishing and selling electricity to its members and non-member consumers on its lines in the Counties of Alamosa, Conejos, Rio Grande, Mineral, Costilla and Saguache in the State of Colorado, and owns and operates certain electric distribution and transmission lines and related facilities in said Counties. The number of consumers December 31, 1964 totalled 3,994.

Applicant's witness, Ray W. Villyard, General Manager, testified summarily as follows: San Luis needs additional funds for improvements in its system and for the construction, completion, extension and improvement of its properties and for the improvement and maintenance of its service and for other lawful purposes. To obtain these additional funds San Luis has entered into an amending loan contract with the United States of America, Exhibit H, entered into evidence in this proceeding. In compliance with this amending loan contract the United States Government proposes to loan San Luis \$865,000, to be evidenced by a mortgage note, Exhibit A, in such principal amount, secured by a supplemental mortgage, Exhibit B herein.

San Luis proposed to use the \$865,000 for the construction and installation of the following electric facilities:

59 Miles of Single Phase distribution line	\$107,259
18.8 Miles of Three Phase, 4-wire distribution line	73,310
1 Mile of Tie-line	2,988
16.9 Miles of Conversion and Line Changes	26,490
Increase in Substation capacity at Ansel	
3,000 to 5,000 KVA	31,474
Increase in Substation capacity at LaGarita	
3,750 to 5,000 KVA	31,644
211 Distribution Transformers and 254 Meters	124,680
Cost of increasing the capacity of existing consumer services	44,000
Sectionalizing Equipment and 10 Regulators	31,275
20 Yard Lights	2,700
Engineering Fees at 7%	19,110
Reimbursement of general funds and completed construction	349,188
Approved contract transmission construction	20,882
Total	<u>\$865,000</u>



This estimate of required facilities, Exhibit G, was prepared October 1964. As of July 15, 1965 approximately \$430,000 of San Luis' general funds have been expended for electric facilities and will be replaced from the proceeds of this proposed loan.

Mr. Villyard, referring to Exhibit C, Statement of Long Term Debt, pointed out that San Luis had a total debt of \$3,559,917 as of April 30, 1965 and that advance payments unapplied amounted to \$344,417. These advanced payments are referred to as a cushion of credit. He also stated with reference to the Consumer Sales and Revenue Data, Exhibit D, introduced into evidence herein, that San Luis is greatly dependent upon sales of electricity for irrigation pumping. That of total revenues of \$1,045,391, \$603,294 resulted from sales of power for irrigation in the year 1964. Irrigation sales are affected by the weather and in wet years the amount of electricity used for irrigation pumping might be greatly curtailed.

The financial statements introduced into evidence, Exhibits C, D and E, consisted respectively of the Statement of Long Term Debt, the Balance Sheet as of December 31, 1964 and the Statement of Operations for the year 1964, and set forth San Luis' financial position. Mr. Wade Wood, Office Manager of San Luis, testified these exhibits were prepared by him or under his supervision. He stated that the relationship of total equities and margins of San Luis to its total capitalization amounted to approximately 17%. He stated further that San Luis is current in its payment of interest and repayment of debt to the Rural Electrification Administration and that the proposed issuance of \$865,000 mortgage note could be serviced from the income of San Luis and that such additional debt would not be a burden upon the cooperative.

## F I N D I N G S

### THE COMMISSION FINDS:

That applicant, San Luis Valley Rural Electric Cooperative, Inc., is a public utility as defined by Section 115-1-3, Colorado Revised

Statutes, 1953.

That this Commission has jurisdiction over said applicant and the subject matter of this application.

That this Commission is fully advised in the premises.

That the issuance by San Luis Valley Rural Electric Cooperative, Inc. of a mortgage note in the amount of \$865,000, Exhibit A herein in this proceeding, should be authorized and approved.

That the amendment dated as of March 2, 1965 to amending loan contract dated February 14, 1964, Exhibit H herein, should be authorized and approved.

That the supplemental mortgage made by San Luis Valley Rural Electric Cooperative, Inc., Exhibit B herein, should be authorized and approved.

That within one hundred twenty (120) days of the execution of the mortgage note for \$865,000 authorized herein, applicant should file with the Commission one conformed copy of such executed note and of each other document made in connection therewith.

That the issuance of the mortgage note in the amount of \$865,000 is not inconsistent with the public interest and the purpose or purposes thereof are permitted by and are consistent with the provisions of Chapter 115, Colorado Revised Statutes, 1953.

#### O R D E R

##### THE COMMISSION ORDERS:

That the issuance of a mortgage note for \$865,000 by San Luis Valley Rural Electric Cooperative, Inc. to the United States of America, Exhibit A herein, be, and the same is hereby, authorized and approved.

That the amendment dated as of March 2, 1965 to amending loan contract dated February 14, 1964 between San Luis Valley Electric Cooperative, Inc. and the United States of America, Exhibit H herein, be, and the same is hereby, authorized and approved.

That the supplemental mortgage made by San Luis Valley Rural

Electric Cooperative, Inc., Exhibit B herein, be, and the same is hereby, authorized and approved.

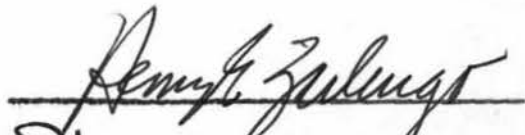
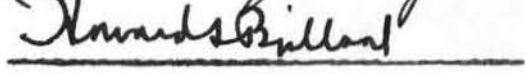
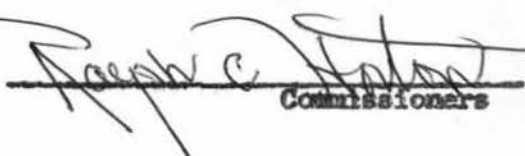
That within one hundred twenty (120) days of the execution of the mortgage note for \$865,000 authorized herein, San Luis Valley Rural Electric Cooperative, Inc. shall file with the Commission one conformed copy of such executed note and of each other document made in connection therewith.

That nothing herein shall be construed to imply any recommendation or guarantee of or any obligation with respect to said issue of the aforementioned securities on the part of the State of Colorado.

That the Commission maintains jurisdiction of these proceedings to the end that it may make such further Order or Orders in the premises as to it may seem proper and desirable.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado  
this 20th day of July, 1965.

ls

Original

(Decision No. 65441)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THE COLUMBINE PIPELINE COMPANY, DEN- )  
VER CLUB BUILDING, DENVER, COLORADO, )  
FOR A CERTIFICATE OF PUBLIC CONVEN- )  
IENCE AND NECESSITY TO CONSTRUCT )  
AND OPERATE A PIPELINE FOR THE )  
TRANSPORTATION OF PETROLEUM PRODUCTS )  
FROM DENVER TO COLORADO SPRINGS, AND )  
PUEBLO, COLORADO. )  
-----

APPLICATION NO. 20909

IN THE MATTER OF THE APPLICATION OF )  
THE WYCO PIPE LINE COMPANY FOR A )  
CERTIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY TO PERMIT THE INTRASTATE )  
TRANSPORTATION OF PETROLEUM PRODUCTS )  
FROM DUPONT-DENVER, COLORADO, TO )  
FOUNTAIN, COLORADO, BY PIPELINE, TO )  
SERVE THE COLORADO SPRINGS AND PUEBLO )  
COLORADO AREA. )  
-----

APPLICATION NO. 20978

IN THE MATTER OF THE APPLICATION OF )  
CONTINENTAL PIPE LINE COMPANY FOR A )  
CERTIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY AUTHORIZING AND PERMITTING )  
THE CONSTRUCTION AND OPERATION OF A )  
PIPELINE FOR THE INTRASTATE TRANS- )  
PORTATION OF PETROLEUM PRODUCTS FROM )  
DENVER, COLORADO, TO COLORADO SPRINGS )  
EL PASO COUNTY, COLORADO, TO SEPEVE )  
THE COLORADO SPRINGS AND PUEBLO, )  
COLORADO AREA. )  
-----

APPLICATION NO. 20992

SUPPLEMENTAL ORDER

-----  
July 23, 1965  
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Appearances: John Fleming Kelly, Esq., Denver,  
Colorado,  
Edward G. Knowles, Esq., Denver,  
Colorado,  
Clayton D. Knowles, Esq., Denver,  
Colorado, for Columbine Pipeline  
Company;  
Joseph G. Hodges, Esq., Denver,  
Colorado, for Wyco Pipe Line  
Company;  
Robert A. Dick, Esq., Denver,  
Colorado,  
Luis D. Rovira, Esq., Denver,  
Colorado,

Joseph McClellan, Esq., Ponca City,  
Oklahoma, for Continental Pipe  
Line Company;  
John R. Barry, Esq., Denver, Colo-  
rado, for Groendike Transport,  
Inc., for a copy of Order;  
Royce D. Sickler, Esq., Denver,  
Colorado, for The Denver & Rio  
Grande Western Railroad Company;  
J. Albert Sebald, Esq., Denver,  
Colorado, for Atchison, Topeka &  
Santa Fe Railroad;  
Edward T. Lyons, Jr., Esq., Denver,  
Colorado, for Ward Transport, Inc.,  
for copy of Order;  
Charles Thomson, Pueblo, Colorado,  
for the Pueblo Chamber of Commerce;  
Carl Feather, Salida, Colorado, for  
the Brotherhood of Railroad Train-  
men;  
Robert P. Fullerton, Esq., Denver,  
Colorado, for the Staff of the  
Commission.

#### STATEMENT AND FINDINGS OF FACT

##### By the Commission:

On June 28, 1965, the Commission entered its Decision No. 65276 in the above-styled matters, Chairman Henry E. Zarlengo dissenting.

On July 16, 1965, "Petition for Rehearing of Protestant" was filed with the Commission by The Denver and Rio Grande Western Railroad Company.

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

#### O R D E R

##### THE COMMISSION ORDERS:

That "Petition for Rehearing of Protestant," filed with the Commission by The Denver and Rio Grande Western Railroad, 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

Harold Brinkley

Ralph C. Johnson  
Commissioners

CHAIRMAN HENRY E. ZARLENGO DISSENTING:

I respectfully dissent.

Henry E. Zarlengo  
Chairman

Dated at Denver, Colorado,  
this 23rd day of July, 1965

et

Date  
this

et

Original

(Decision No. 65442)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
MORGAN COUNTY RURAL ELECTRIC ASSOCIA- }  
TION, A COLORADO CORPORATION, P. O. }  
BOX 738, FORT MORGAN, COLORADO, FOR }  
A CERTIFICATE OF PUBLIC CONVENIENCE }  
AND NECESSITY TO SERVE CERTAIN AREAS }  
AND COUNTIES OF WELD, ADAMS, MORGAN, }  
WASHINGTON AND LOGAN, WITH ELECTRICAL }  
ENERGY. }

APPLICATION NO. 20555

-----  
July 23, 1965  
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Appearances: Raphael J. Moses, Esq., Boulder,  
Colorado, and  
Geo. A. Epperson, Fort Morgan,  
Colorado, and  
Donald F. McClary, Fort Morgan,  
Colorado, for Applicant;  
Lee, Bryans, Kelly & Stansfield,  
Esqs., Denver, Colorado, by  
Bryant O'Donnell, Esq., Denver,  
Colorado,  
C. H. Anderson, Esq., Brush,  
Colorado, and  
David Bryans, Esq., Brush,  
Colorado, for Public Service  
Company of Colorado;  
Cecil R. Ditsch, Esq., Littleton,  
Colorado, and  
Leonard M. Campbell, Esq., Denver,  
Colorado, for Intermountain Rural  
Electric Association, as its  
interests may appear;  
Raymond Danks, Esq., Denver, Colo-  
rado, for Home Light and  
Power Company;  
J. M. McNulty, Denver, Colorado,  
of the Staff of the Commission.

STATEMENT AND FINDINGS OF FACT

By the Commission:

On June 28, 1965, the Commission entered its Decision No. 65162  
in the above-styled matter, Chairman Henry E. Zarlengo dissenting.

On July 16, 1965, "Petition for Rehearing," was filed with the  
Commission by Public Service Company of Colorado.



On July 19, 1965, "Petition for Rehearing," was filed with the Commission by Morgan County Rural Electric Association.

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

O R D E R

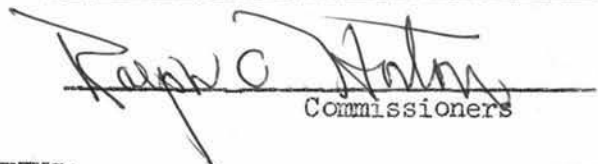
THE COMMISSION ORDERS:

That "Petition for Rehearing" filed with the Commission by Public Service Company of Colorado, and "Petition for Rehearing" filed with the Commission by Morgan County Rural Electric Association, be, and the same hereby are, denied.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



  
Commissioners

CHAIRMAN HENRY E. ZARLENGO DISSENTING:

I respectfully dissent.

  
Chairman

Dated at Denver, Colorado,  
this 23rd day of July, 1965

et

Original

(Decision No. 65443)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

GRAND VALLEY RURAL POWER LINES, INC., )  
2727 GRAND AVENUE, GRAND JUNCTION, )  
COLORADO, )

Complainant, )

vs. )

PUBLIC SERVICE COMPANY OF COLORADO, )  
550 FIFTEENTH STREET, DENVER, COLO- )  
RADO, )

Respondent. )  
-----

CASE NO. 5277  
SUPPLEMENTAL ORDER

-----  
July 23, 1965  
-----

Appearances: Eugene H. Mast, Esq., Grand  
Junction, Colorado, and  
Grant, Shafroth, Toll and  
McHendrie, Esqs., Denver,  
Colorado, by  
Erl H. Ellis, Esq., for  
Complainant;  
Lee, Bryans, Kelly and Stansfield,  
Esqs., Denver, Colorado, by  
Bryant O'Donnell, Esq., for  
Respondent;  
Paul Brown, Denver, Colorado, for  
the Staff of the Commission.

STATEMENT AND FINDINGS OF FACT

By the Commission:

On June 28, 1965, the Commission entered its Decision No.  
65283 in the above-styled matter.

On July 16, 1965, "Petition for Rehearing," was filed with  
the Commission by Grand Valley Rural Power Lines, Inc.

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

O R D E R

THE COMMISSION ORDERS:

That "Petition for Rehearing," filed with the Commission  
by Grand Valley Rural Power Lines, 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

*Harold Butler*

*Harold C. Butler*  
Commissioners

CHAIRMAN HENRY E. ZARLENGO DISSENTING:

I respectfully dissent.

*Henry E. Zarlengo*  
*Harold Butler*  
Chairman

Dated at Denver, Colorado,  
this 23rd day of July, 1965

et.

CHAI

Original

(Decision No. 65444)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GRAND VALLEY RURAL POWER LINES, INC., )  
GRAND JUNCTION, COLORADO, FOR AN ORDER )  
AUTHORIZING THE ISSUANCE OF SECURITIES )  
AND THE APPLICATION OF THE PROCEEDS )  
THEREFROM TO CERTAIN LAWFUL PURPOSES. )  
-----

APPLICATION NO. 21319  
SECURITIES

-----  
July 22, 1965  
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Appearances: Eugene H. Mast, Esq., Grand  
Junction, Colorado, for  
Applicant;  
J. M. McNulty, Denver,  
Colorado, and  
E. R. Thompson, Denver,  
Colorado, of the Staff  
of the Commission.

S T A T E M E N T

By the Commission:

By this application filed with the Commission July 9, 1965, Grand Valley Rural Power Lines, Inc. (Grand Valley) seeks authority from this Commission to issue a mortgage note in the principal amount of \$359,000 payable to the United States of America bearing interest at the rate of two per cent (2%) per annum and payable within thirty-five (35) years after date thereof, a supplemental mortgage to secure such note, and approval of an amendment dated as of April 1, 1965 to amending loan contract dated as of June 22, 1951 between Grand Valley Rural Power Lines, Inc. and United States of America, setting a maximum which may be borrowed by the applicant at \$2,735,000.

The matter was set for hearing after due notice to all interested parties on July 20, 1965 at 2:00 o'clock P.M. in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and was there heard by the Commission and at the conclusion thereof taken under advisement.

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

Applicant is a Colorado corporation and is engaged in the business of acquiring electric energy and in distributing and selling of same to its members and non-members in portions of the Counties of Garfield, Mesa and Delta, State of Colorado, and owns and operates certain electric distribution lines and related facilities in said Counties. The average number of consumers on June 30, 1965 totalled 3,643.

Applicant's witness, Lyle E. Shriver, Office Manager of Grand Valley, testified summarily as follows: Grand Valley needs additional funds for improvements in its system and for the construction, extension and improvement of its properties, for the improvement and maintenance of its service and for other lawful purposes. To obtain these additional funds, Grand Valley has entered into an amending loan contract with the United States of America, Exhibit No. 2, entered into evidence in this proceeding. In compliance with this amending loan contract the United States Government proposes to loan \$359,000 to be evidenced by a mortgage note, Exhibit No. 3, in such principal amount secured by a supplemental mortgage, Exhibit No. 4 herein.

Grand Valley proposes to use the \$359,000 for the construction of twenty-one miles of distribution line to serve 235 new and additional customers; to construct one mile of tie-line; seven and one-half miles of conversion; to provide 235 new services with transformers and meters; to install new sectionalizers, regulators and security lights and to reimburse general funds for amounts previously expended for completed construction.

As evidence of Grand Valley's financial position, there were introduced into evidence Exhibits A, B, C and D which consisted

respectively of the Statement of Long Term Debt, the Balance Sheet as of December 31, 1964, Statement of Revenues and Expense for the Year 1964, and the Capital Structure of Grand Valley at December 31, 1964, actual and pro forma. Mr. Shriver testified that these exhibits were prepared by him or under his supervision. The long term debt of Grand Valley at December 31, 1964 amounted to \$1,690,275; there were no prepayments not applied on this debt. Total member and patron equities amounted to \$650,569 or 27.8% of the total capitalization of Grand Valley. Referring to Exhibit C, Statement of Revenue and Expense for the Year 1964, he stated that total operating revenues amounted to \$591,446 and that after all expenses, including \$33,357 interest, operating margins amounted to \$11,929. Non-operating margins, consisting for the most part of interest, income in rents from the old headquarters facility less taxes, depreciation and other expense thereon, amounted to \$16,707 thus resulting in net margins for the year 1964 of \$28,636. Grand Valley is current in its payment of interest and repayment of debt to the Rural Electrification Administration. Mr. Shriver stated that in his opinion the proposed issuance of the \$359,000 mortgage note could be serviced from the income of Grand Valley and that such additional debt would not put an undue burden upon it.

## F I N D I N G S

### THE COMMISSION FINDS:

That applicant, Grand Valley Rural Power Lines, Inc., is a public utility as defined by Section 115-1-3, Colorado Revised Statutes, 1953.

That this Commission has jurisdiction over said applicant and the subject matter of this application.

That this Commission is fully advised in the premises.

That the issuance by Grand Valley Rural Power Lines, Inc. of a mortgage note in the amount of \$359,000, Exhibit No. 3 herein

in this proceeding, should be authorized and approved.

That the amendment dated as of April 1, 1965 to amending loan contract dated June 22, 1951, Exhibit No. 2 herein, should be authorized and approved.

That the supplemental mortgage made by Grand Valley Rural Power Lines, Inc., Exhibit No. 4 herein, should be authorized and approved.

That within one hundred twenty (120) days of the execution of the mortgage note for \$359,000 authorized herein, applicant should file with the Commission one conformed copy of such executed note and of each other document made in connection therewith.

That the issuance of the mortgage note in the amount of \$359,000 is not inconsistent with the public interest and that the purpose or purposes thereof are permitted by and are consistent with the provisions of Chapter 115, Colorado Revised Statutes, 1953.

#### O R D E R

##### THE COMMISSION ORDERS:

That the issuance of a mortgage note for \$359,000 by Grand Valley Rural Power Lines, Inc. to the United States of America, Exhibit No. 3 herein, be, and the same is hereby, authorized and approved.

That the amendment dated as of April 1, 1965 to amending loan contract dated June 22, 1951 between Grand Valley Rural Power Lines, Inc. and the United States of America, Exhibit No. 2 herein, be, and the same is hereby, authorized and approved.

That the supplemental mortgage made by Grand Valley Rural Power Lines, Inc., Exhibit No. 4 herein, be, and the same is hereby, authorized and approved.

That within one hundred twenty (120) days of the execution of the mortgage note for \$359,000 authorized herein, Grand Valley Rural Power Lines, Inc. shall file with the Commission one conformed copy of such executed note and of each other document made in connection therewith.

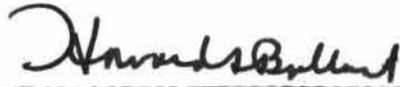


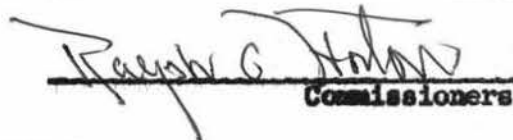
That nothing herein shall be construed to imply any recommendation or guarantee of or any obligation with respect to said issue of the aforementioned securities on the part of the State of Colorado.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_

  
\_\_\_\_\_  
Commissioners

CHAIRMAN HENRY E. ZARLENGO NECESSARILY  
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado  
this 22nd day of July, 1965.

ls

Original

(Decision No. 65445)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
PLATEAU NATURAL GAS COMPANY, 20  
BOULDER CRESCENT, COLORADO SPRINGS,  
COLORADO, FOR AN ORDER AUTHORIZING  
THE ISSUANCE OF \$3,500,000 PRIN-  
CIPAL AMOUNT OF ITS FIRST MORTGAGE  
BONDS AND FOR AN ORDER AUTHORIZING  
THE ISSUANCE OF 4,000 SHARES OF  
5 1/2% CONVERTIBLE CUMULATIVE  
PREFERRED STOCK OF 1965, SERIES A.

APPLICATION NO. 21285-Securities

-----  
July 23, 1965  
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Appearances: John A. Phillips, Esq., of  
Cool & Phillips, Colorado  
Springs, Colorado, for  
Applicant;  
Joseph M. McNulty, Denver,  
Colorado, and  
E. R. Thompson, Denver,  
Colorado, of the Staff of  
the Commission.

S T A T E M E N T

By the Commission:

Pursuant to Section 115-1-4, Colorado Revised Statutes, 1953, Plateau Natural Gas Company, a Colorado corporation, herein called "Applicant," filed with the Commission on June 25, 1965, its application for an order of this Commission authorizing it to issue and sell \$3,500,000 principal amount of first mortgage bonds to be designated and known as Applicant's First Mortgage and Collateral Trust Bonds, Series F, due March 1, 1985, to be dated March 1, 1965, and to bear interest at the rate of 5% per annum, payable semi-annually, and to be issued as a new series under and to be secured by Applicant's Indenture of Mortgage and Deed of Trust to Continental Illinois National Bank and Trust Company of Chicago and Edward J. Friedrich, Trustees, dated as of March 1, 1956, and the indentures supplemental thereto, including a proposed Sixth Supplemental Indenture to be dated as of March 1, 1965, hereinafter

referred to as "Series F Bonds:", and for an order authorizing it to issue and sell 4,000 shares of its  $5\frac{1}{2}\%$  Convertible Cumulative Preferred Stock of 1965, Series A.

By notice dated June 28, 1965, this Commission ordered that a public hearing be held on said application at 2:00 o'clock P.M., July 22, 1965, at 502-D, State Services Building, Denver, Colorado. Interested parties, municipalities, representatives of interested consumers or security holders of Applicant, and other persons whose participation in said proceedings may be in the public interest, were invited to intervene in the proceedings. Petitions of intervention were to be filed with the Commission on or before July 16, 1965.

The hearing on the aforesaid application was held at the designated time and at the Hearing Room of the Commission, 532 State Services Building, after due notice to all interested parties, and the matter was heard and taken under advisement. No petitions of intervention were filed with the Commission prior to the hearing and no one appeared at the hearing in opposition to the application.

Applicant is a Colorado corporation with power to purchase, transport, sell and distribute natural gas, and is a public utility operating company, subject to the jurisdiction of this Commission, engaged in the purchase, transmission, distribution and sale of natural gas to domestic, commercial, irrigation and industrial customers in Colorado, Kansas, New Mexico, Texas and Oklahoma.

Applicant's principal executive offices are located in Colorado Springs, Colorado. Applicant is the owner of all the capital stock of Kansas-Colorado Utilities, Inc., a Kansas corporation, which company is engaged principally in the interstate transmission of natural gas and is subject to the jurisdiction of the Federal Power Commission. Kansas-Colorado Utilities, Inc., which is qualified to do business in the State of Colorado, has heretofore received authority from this Commission to construct facilities and make sales of gas within the State of Colorado, subject to the jurisdiction of this Commission.

A copy of Applicant's Restated Articles of Incorporation, is on file with the Commission. A copy of an amendment to such Restated Articles was introduced at the hearing as Exhibit G. Such Restated Articles of Incorporation, as amended, provides for an authorized capital stock of \$6,175,000 divided into 11,000 shares of 5 3/4% First Cumulative Preferred Stock of the par value of \$100 per share; 8,000 shares of 6% Convertible Cumulative Preferred Stock of the par value of \$100 per share; 10,000 shares of 5 1/2% Convertible Cumulative Preferred stock of 1965 of the par value of \$100 per share; 2,750 shares of 3% Convertible Cumulative Preferred Stock of the par value of \$100 per share, and 3,000,000 shares of Common Stock of the par value of \$1 per share. Of such authorized capital stock, Applicant has issued and there were outstanding at March 31, 1965, 11,000 shares of its 5 3/4% First Cumulative Preferred Stock, 8,000 shares of 6% Convertible Cumulative Preferred Stock of 1965, 2,750 shares of 3% Convertible Cumulative Preferred Stock and 1,595,249 shares of Common Stock. Of the remaining authorized but unissued Common Stock, 50,001 shares are subject to certain common stock warrants outstanding in the hands of the persons who formerly held the 5 1/2% Cumulative Preferred Stock, and 275,000 shares of Common Stock are reserved for conversion of the 2,750 shares of 3% Convertible Cumulative Preferred Stock, 263,000 shares are reserved for conversion of the 8,000 shares of 6% Convertible Cumulative Preferred Stock of 1964, and 50,000 shares are subject to a Stock Option Plan heretofore adopted by the Applicant.

Applicant has heretofore issued and as of March 31, 1965, there were outstanding under, and secured by, the Indenture of Mortgage and Deed of Trust, dated March 1, 1956, as supplemented, between Applicant and Continental Illinois National Bank and Trust Company of Chicago and Edward J. Friedrich, as Trustees, \$984,000 principal amount of its 6 1/4% Series B First Mortgage and Collateral Trust Bonds, due March 1, 1979, \$397,000 principal amount of its 6% Series C First Mortgage and

Collateral Trust Bonds, due March 1, 1981, \$3,400,000 principal amount of its 5% Series D First Mortgage and Collateral Trust Bonds, due March 1, 1983, and \$1,500,000 principal amount of its 5% Series E First Mortgage and Collateral Trust Bonds, due March 1, 1984. Applicant has issued and there were outstanding on March 31, 1965, \$1,400,000 principal amount of its 5 1/2 per cent promissory notes, due 1968 through 1981 and \$1,400,000 principal amount of its 5 1/4 per cent promissory notes, due 1969 through 1982. As of March 31, 1965, Applicant had outstanding \$865,000 of short term indebtedness and W. Bruce Fullerton, President of Applicant, estimated that approximately \$3,000,000 of short term indebtedness will be outstanding at the time of sale of the Series F Bonds.

Applicant proposes to issue and sell \$3,500,000 principal amount of Series F Bonds under and secured by the Indenture dated March 1, 1956, as supplemented, and as further supplemented by a proposed Sixth Supplemental Indenture to be dated as of March 1, 1965, in substantially the form of the proof thereof introduced at the hearing as Exhibit H. The Series F Bonds will be dated March 1, 1965, will mature March 1, 1985, and will bear interest at the rate of 5% per annum, payable semi-annually.

W. Bruce Fullerton, President of Applicant, testified that arrangements have been made to sell the Series F Bonds at par to institutional investors at private sale. Mr. Fullerton also testified that the 5 1/2% Convertible Cumulative Preferred Stock of 1965, Series A, will be sold at par to existing stockholders for cash.

The entire proceeds of the Series D Bonds will be used as follows:

- (a) For the retirement, at par, of all issued and outstanding Series B First Mortgage and Collateral Trust Bonds, in the total amount of \$984,000.
- (b) The remaining balance for the retirement, at par, of short-term bank loans, due December 31, 1965.

There are to be no underwriting fees incurred by Applicant in respect of the proposed issuance and sale of the Series D Bonds, but there will be a placement fee to Goldman, Sachs & Co. of approximately \$25,000. The expenses directly allocable to such issuance and sale of both the Bonds and Stock are estimated by Applicant not to exceed the sum of \$35,000.

In addition to the pro forma Balance Sheet of Applicant at March 31, 1965, and a pro forma Income Statement of Applicant for the twelve months ending the same date which were introduced at the hearing as Exhibits C and D, respectively, Applicant's other supporting exhibits included a pro forma Consolidated Balance Sheet and Income Statement of Applicant and its subsidiary, Kansas-Colorado Utilities, Inc. at the same dates which were introduced as Exhibits C-1 and D-1, respectively. A Statement of Earned Surplus of Applicant and a Consolidated Statement of Earned Surplus for the three months ending March 31, 1965, also was introduced at the hearing as Exhibit E. Exhibit F was a Statement of Consolidated Capital Structure at March 31, 1965, on both an actual and pro forma basis, as follows:

	<u>Actual</u> \$	<u>Pro Forma</u> \$
CAPITALIZATION: (3/31/65)		
Long-Term Debt:		
First Mortgage and Collateral		
Trust Bonds:		
Series B, 6 1/4%, due 1979	984,000	-
Series C, 6%, due 1981	397,000	397,000
Series D, 5%, due 1983	3,400,000	3,400,000
Series E, 5%, due 1984	1,500,000	1,500,000
Series F, 5%, due 1985	-	<u>3,500,000</u>
Total	<u>6,281,000</u>	<u>8,797,000</u>
Primissory Notes	<u>2,800,000</u>	<u>2,800,000</u>



	<u>Actual</u> \$	<u>Pro Forma</u> \$
Preferred Stock - \$100 par value:		
5-3/4% Cum. First Pref. -		
11,000 shares	1,100,000	1,100,000
6% Cum. Conv. Pref.-8000 shares	800,000	800,000
3% Convertible Series -		
2,750 shares	275,000	275,000
5 1/2% Cum. Conv. Preferred -		
4,000 shares	-	400,000
Total Preferred	2,175,000	2,575,000
Common Stock and Surplus:		
Common Stock	1,595,249	1,595,249
Premium on Common Stock	384,000	384,000
Capital Stock Expense	(21,079)	(21,079)
Earned Surplus	1,148,196	1,148,196
Total Common Stock and Surplus	3,106,366	3,106,366
Total Capitalization	14,362,366	17,278,366
CAPITALIZATION RATIOS:		
Mortgage Bonds	43.7%	50.9%
Notes	19.5	16.2
Preferred Stock	15.1	14.9
Common Stock and Surplus	21.7	18.0
Total	100.0%	100.0%

Applicant's witness testified that the entire proceeds of the sale of the proposed Series F Bonds and Preferred Stock will be used to retire short-term indebtedness and outstanding Series B Bonds. Therefore, the fee for the certificate authorizing the issuance of the Series F Bonds is the minimum fee, \$50.00.

### F I N D I N G S

#### THE COMMISSION FINDS:

That Applicant, Plateau Natural Gas Company, a Colorado corporation, is a public utility as defined by 115-1-3, Colorado Revised Statutes, 1953;

That this Commission has jurisdiction of said Applicant and the subject matter of the application herein;

That the Commission is fully advised in the premises;

That the foregoing Statement be made a part of these Findings by reference;



That the proposed issuance and sale by Applicant of \$3,500,000 principal amount of Applicant's First Mortgage and Collateral Trust Bonds, Series F, due March 1, 1985, as hereinaboveset forth, is reasonably required and necessary for the Applicant's proper corporate financing;

That the proposed issuance and sale by Applicant of 4,000 shares of 5 1/2% Convertible Cumulative Preferred Stock of 1965, Series A, as hereinabove set forth, is reasonably required and necessary for the Applicant's proper corporate financing;

That the proposed securities transaction is not inconsistent with the public interest; and that the purpose or purposes thereof are permitted by law and are consistent with the provisions of Chapter 115, Colorado Revised Statutes, 1953, as amended; and

That the Order sought should be issued, and should be made effective forthwith.

#### ORDER

##### THE COMMISSION ORDERS:

That Applicant, Plateau Natural Gas Company be, and it hereby is, authorized and empowered to issue and sell a new series of its First Mortgage and Collateral Trust Bonds, Series F, due March 1, 1985, in the principal amount of \$3,500,000, at 100% of the principal amount thereof, such Series F Bonds to be dated March 1, 1965, to bear interest at a rate of 5% per annum, and to be issued under and to be secured by the Indenture of Mortgage and Deed of Trust of Applicant to Continental Illinois National Bank and Trust Company of Chicago and Edward J. Friedrich, Trustees, dated March 1, 1956, and the indentures supplemental thereto, including the Sixth Supplemental Indenture to be dated as of March 1, 1965, substantially in the form of Exhibit H, introduced at the hearing.

That Applicant be, and it hereby is, authorized and empowered to issue and sell 4,000 shares of its 5 1/2% Convertible Cumulative Preferred Stock of 1965, Series A, \$100 par, for cash at the face value thereof.

That Applicant be, and it hereby is, authorized to use and apply the proceeds derived from the issuance and sale of the Series F Bonds and 5 1/2% Convertible Cumulative Preferred Stock of 1965, Series A, for the retirement of short-term bank loans and all outstanding Series B Bonds;

That the securities authorized to be issued and sold hereunder shall bear on the face thereof a serial number for proper and easy identification; and that within ninety (90) days after the issuance and sale of said securities, Applicant shall make verified report to this Commission of such serial numbers placed on such securities as are initially issued;

That Applicant be, and it hereby is, authorized, in reflecting in its accounts the consummation of the financing outlined above, to make and record the various accounting entries in accordance with the Uniform System of Accounts for Gas Utilities prescribed by this Commission;

That nothing herein shall be construed to imply any recommendation or guaranty of, or any obligation with respect to the Series F Bonds or 5 1/2% Convertible Cumulative Preferred Stock of 1965, Series A, authorized hereunder, or the interest or dividends thereon, on the part of the State of Colorado;


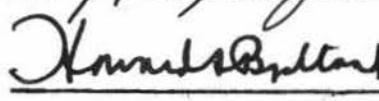
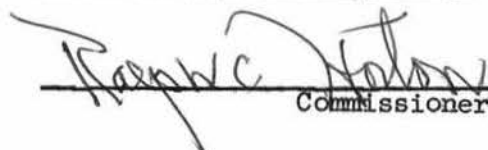
That within ninety (90) days after the issuance and sale of said Series F Bonds, Applicant shall file with this Commission a conformed copy of the Sixth Supplemental Indenture to be dated March 1, 1965, covering the issuance of the Bonds authorized to be issued and sold hereunder;

That within Ninety (90) days after the issuance and sale of the Series F Bonds and 5 1/2% Convertible Cumulative Preferred Stock of 1965, Series A, Applicant shall make a verified report to this Commission of the issue and disposition of said Bonds and Stock, the fees, commission, and expenses incident to such sale, accompanying such report with a new balance sheet reflecting the issuance and sale of said Bonds and Stock;

That the Commission retain jurisdiction of these proceedings to the end that it may make such further order, or orders, in the premises as to it may seem to be proper and desirable; and

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of July, 1965

et

Dated at  
this 23rd -

et

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
KANSAS-COLORADO UTILITIES, INC., 20 )  
BOULDER CRESCENT, COLORADO SPRINGS, )  
COLORADO, FOR AN ORDER AUTHORIZING )  
THE ISSUANCE OF \$650,000 PRINCIPAL )  
AMOUNT OF ITS FIRST MORTGAGE BONDS. )

APPLICATION NO. 21328-Securities

-----  
July 23, 1965  
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Appearances: John A. Phillips, Esq., of  
Cool & Phillips, Colorado  
Springs, Colorado, for  
Applicant;  
Joseph M. McNulty, Denver,  
Colorado, and  
E. R. Thompson, Denver,  
Colorado, of the Staff of  
the Commission.

S T A T E M E N T

By the Commission:

Pursuant to Section 115-1-4, Colorado Revised Statutes, 1953, Kansas-Colorado Utilities, Inc., a Kansas corporation, herein called "Applicant," filed with the Commission on July 14, 1965, its application for an order of this Commission authorizing it to issue and sell \$650,000 principal amount of first mortgage bonds to be designated and known as Applicant's First Mortgage Bonds, Series E, due March 1, 1985, to be dated March 1, 1965, and to bear interest at the rate of 5% per annum, payable semi-annually, and to be issued as a new series under and to be secured by Applicant's Indenture of Mortgage to National Bank of Topeka, Trustee, dated as of May 1, 1945, and the indentures supplemental thereto, including a proposed Seventh Supplemental Indenture to be dated as of March 1, 1965, hereinafter referred to as "Series E Bonds."

By notice dated July 19, 1965, this Commission ordered Decision No. 65367 that the public interest and necessity required that a public hearing be held on said application at 2:00 o'clock P.M., on

July 22, 1965, at 502-D, State Services Building, Denver, Colorado, the same time and place as the hearing on Application No. 21285-Securities of Plateau Natural Gas Company, parent corporation of Applicant.

The hearing on the aforesaid application was held at the designated time at the Hearing Room of the Commission, 532 State Services Building, after due notice to all interested parties, and the matter was heard and taken under advisement. No petitions of intervention were filed with the Commission prior to the hearing and no one appeared at the hearing in opposition to the application.

Immediately prior to the hearing on the above application, the Commission heard testimony in Application No. 21285-Securities, presented by Plateau Natural Gas Company, the parent company of Applicant herein. At the request of counsel for Applicant, with no objection by the Staff the Commission ordered that the complete testimony of W. Bruce Fullerton, President of Plateau Natural Gas Company and Applicant, given in Application No. 21285-Securities, be made a part of the record in this proceeding.

Applicant is a Kansas corporation with power to purchase, transport, sell and distribute natural gas, and is a natural gas pipeline company engaged in the purchase, production, transmission and sale of natural gas at the town borders of various cities, towns and communities in the States of Colorado and Kansas. The interstate portion of Applicant's operations are subject to the jurisdiction of the Federal Power Commission. Applicant, which has qualified to do business within the State of Colorado, heretofore received authority from this Commission to construct facilities and make sales of natural gas within the State of Colorado, subject to the jurisdiction of this Commission.

Applicant's principal executive offices are located in Colorado Springs, Colorado. Applicant is a wholly-owned subsidiary of Plateau Natural Gas Company, a Colorado corporation.

A copy of Applicant's Certificate of Incorporation, as amended, and Applicant's authority to do business within the State of

Colorado, is on file with the Commission. Such Certificate of Incorporation, as amended, provides for an authorized capital stock of \$775,000 divided into 4,000 shares of 5% Cumulative Preferred Stock of the par value of \$100 per share and 75,000 shares of Common Stock of the par value of \$5 per share. Of such authorized capital stock, Applicant has issued and there were outstanding at March 31, 1965, no shares of its 5% Cumulative Preferred Stock and 60,000 shares of Common Stock.

Pursuant to the terms of that certain Indenture of Mortgage dated May 1, 1945, between Applicant and National Bank of Topeka, as Original Trustee, as supplemented and modified by that certain First Supplemental Indenture dated as of May 1, 1948, by that certain Second Supplemental Indenture dated as of May 1, 1949, by that certain Third Supplemental Indenture dated as of February 1, 1950, by that certain Fourth Supplemental Indenture dated as of May 1, 1954, all between Applicant and said Original Trustee, by that certain Fifth Supplemental Indenture dated as of March 1, 1956, and by that certain Sixth Supplemental Indenture dated as of March 1, 1963, between Applicant and Continental Illinois National Bank and Trust Company of Chicago and Edward J. Friedrich, as Successor Trustees, (hereinafter collectively called "Indenture") Applicant has heretofore issued and there were outstanding as of March 31, 1965, \$322,000 principal amount First Mortgage Bonds, Series A, dated as of May 1, 1948, to mature May 1, 1965, bearing an interest rate of four per cent (4%) per annum, payable semi-annually. An Extension date on the Bonds is now being negotiated. A conformed copy of the aforesaid Indenture, and all Supplements thereto, have heretofore been introduced before this Commission. Applicant also has issued pursuant to the terms of the Indenture and there were outstanding as of March 31, 1965, \$132,500 principal amount of First Mortgage Bonds, Series B, dated as of February 1, 1950, to mature May 1, 1969, and bearing interest at the rate of four per cent (4%) per annum, payable semi-annually. Applicant also has issued pursuant to the terms of the



Indenture and there were outstanding as of March 31, 1965, \$90,000 principal amount of First Mortgage Bonds, Series C, dated May 1, 1954, to mature May 1, 1969, and bearing interest at the rate of four and one-half per cent (4 1/2%) per annum, payable semi-annually. Applicant also has issued pursuant to the terms of the Indenture and there were outstanding as of March 31, 1965, \$880,000 principal amount of First Mortgage Bonds, Series D, dated March 1, 1963, to mature March 1, 1983, and bearing interest at the rate of five per cent (5%) per annum, payable semi-annually. All of such bonds are held by Plateau Natural Gas Company. As of March 31, 1965, Applicant had no outstanding short-term indebtedness.

Applicant proposes to issue and sell \$650,000 principal amount of Series E Bonds under and secured by the Indenture dated May 1, 1945, as supplemented, and as further supplemented by a proposed Seventh Supplemental Indenture to be dated as of March 1, 1965, in substantially the form of the proof thereof introduced at the hearing as Exhibit G. The Series E Bonds will be dated March 1, 1965, will mature March 1, 1985, and will bear interest at the rate of 5% per annum, payable semi-annually.

W. Bruce Fullerton, President of Applicant, testified that arrangements have been made to sell all of the Series E Bonds at par to Plateau Natural Gas Company.

The entire proceeds of the Series E Bonds will be used for the purpose of retiring an inter-company obligation to Plateau Natural Gas Company, in the amount of \$650,000. There are to be no underwriting or other fees incurred by Applicant in respect of the proposed issuance and sale of the Series E Bonds, and the expenses directly allocable to such issuance and sale are estimated by Applicant not to exceed the sum of \$2,500.

In addition to the pro forma Balance Sheet of Applicant at March 31, 1965, and a pro forma Income Statement of Applicant for the twelve months ending the same date which were introduced at the hearing



as Exhibits C and D, respectively, Applicant's other supporting exhibits included a Statement of Earned Surplus of Applicant for the three months ending March 31, 1965, introduced at the hearing as Exhibit E. Exhibit F was a Statement of Capital Structure at March 31, 1965, on both an actual and pro forma basis, as shown below:

	<u>Actual</u> \$	<u>Pro Forma</u> \$
<b>CAPITALIZATION: (3/31/65)</b>		
First Mortgage and Collateral Trust Bonds:		
Series A, due 1965	\$ 322,000	\$ 322,000
Series B, due 1969	132,500	132,500
Series C, due 1969	90,000	90,000
Series D, due 1983	880,000	880,000
Series E, due 1985	<u>        </u>	<u>650,000</u>
Total First Mortgage Bonds	<u>1,424,500</u>	<u>2,074,500</u>
Common Stock and Surplus:		
Common stock	300,000	300,000
Premium on Capital stock	20,000	20,000
Capital stock expense	(523)	(523)
Earned Surplus	<u>1,227,580</u>	<u>1,227,580</u>
Total Common Stock and Surplus	<u>1,547,057</u>	<u>1,547,057</u>
Total Capitalization	<u>\$ 2,971,557</u>	<u>\$ 3,621,557</u>
<b>CAPITALIZATION RATIOS:</b>		
Mortgage Bonds	47.9%	57.3%
Common stock and surplus	<u>52.1</u>	<u>42.7</u>
Total	<u>100.0%</u>	<u>100.0%</u>

Since the entire proceeds of the issue of the Series E Bonds will be used for the refunding of existing debt, the fee for the certificate authorizing the issuance of the \$650,000 principal amount First Mortgage Bonds will be the minimum fee, \$50.00.

### F I N D I N G S

#### THE COMMISSION FINDS:

That Applicant, Kansas-Colorado Utilities, Inc., a Kansas corporation, is a public utility as defined by 115-1-3, Colorado Revised Statutes, 1953;

That this Commission has jurisdiction of said Applicant and the subject matter of the application herein;

That the Commission is fully advised in the premises;

That the foregoing Statement be made a part of these Findings by reference;

That the proposed issuance and sale by Applicant of \$650,000 principal amount of Applicant's First Mortgage Bonds, Series E, due March 1, 1985, as hereinabove set forth, is reasonably required and necessary for the Applicant's proper corporate financing;

That the proposed securities transaction is not inconsistent with the public interest; and that the purpose or purposes thereof are permitted by law and are consistent with the provisions of Chapter 115, Colorado Revised Statutes, 1953, as amended; and

That the Order sought should be issued, and should be made effective forthwith.

#### O R D E R

##### THE COMMISSION ORDERS:

That Applicant, Kansas-Colorado Utilities, Inc., be, and it hereby is, authorized and empowered to issue and sell a new series of its First Mortgage Bonds, Series E, due March 1, 1985, in the principal amount of \$650,000, at 100% of the principal amount thereof plus accrued interest to the date of sale, such Series E Bonds to be dated March 1, 1965, to bear interest at a rate of 5% per annum, and to be issued under and to be secured by the Indenture of Mortgage of Applicant to National Bank of Topeka, Trustee, dated May 1, 1945, and the indentures supplemental thereto, including the Seventh Supplemental Indenture to be dated as of March 1, 1965, substantially in the form of Exhibit G, introduced at the hearing.

That Applicant be, and it hereby is, authorized to use and apply the proceeds derived from the issuance and sale of the Series E Bonds for the retirement of an inter-company obligation to Plateau

Natural Gas Company, in the amount of \$650,000.

That the Series E Bonds authorized to be issued and sold hereunder shall bear on the face thereof a serial number for proper and easy identification; and that within ninety (90) days after the issuance and sale of said Bonds, Applicant shall make verified report to this Commission of such serial numbers placed on such Bonds as are initially issued;

That Applicant be, and it hereby is, authorized, in reflecting in its accounts the consummation of the financing outlined above, to make and record the various accounting entries in accordance with the Uniform System of Accounts for Gas Utilities prescribed by this Commission;

That nothing herein shall be construed to imply any recommendation or guaranty of, or any obligation with respect to the Series E Bonds authorized hereunder, or the interest thereon, on the part of the State of Colorado;




That within ninety (90) days after the issuance and sale of said Series E Bonds, Applicant shall file with this Commission a conformed copy of the Seventh Supplemental Indenture to be dated March 1, 1965, covering the issuance of the Bonds authorized to be issued and sold hereunder;

That within ninety (90) days after the issuance and sale of the Series E Bonds, Applicant shall make a verified report to this Commission of the issue and disposition of said Bonds, the fees, commission, and expenses incident to such sale, accompanying such report with a new balance sheet reflecting the issuance and sale of said Bonds;

That the Commission retain jurisdiction of these proceedings to the end that it may make such further order, or orders, in the premises as to it may seem to be proper and desirable; and

That the Authority herein granted shall be exercised from  
and after this date, this Order being made effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of July, 1965

et

(Decision No. 65447)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF PUBLIC )  
SERVICE COMPANY OF COLORADO FOR A CERTIFI- )  
CATE OF PUBLIC CONVENIENCE AND NECESSITY )  
TO RENDER ELECTRIC SERVICE IN CERTAIN )  
AREAS IN THE COUNTIES OF ALAMOSA, CONEJOS, )  
COSTILLA, RIO GRANDE, AND SAGUACHE, COLO- )  
RADO, AND FOR AN ORDER AUTHORIZING THE )  
EXCHANGE OF CERTAIN ELECTRIC FACILITIES )  
WITH SAN LUIS VALLEY RURAL ELECTRIC CO- )  
OPERATIVE, INC., ALL PURSUANT TO AN AGREE- )  
MENT MADE AND ENTERED INTO BY AND BETWEEN )  
PUBLIC SERVICE COMPANY OF COLORADO AND )  
SAN LUIS VALLEY RURAL ELECTRIC COOPERATIVE )  
INC. )  
-----

APPLICATION NO. 21146

IN THE MATTER OF THE APPLICATION OF SAN )  
LUIS VALLEY RURAL ELECTRIC COOPERATIVE, )  
INC. FOR A CERTIFICATE OF PUBLIC CONVEN- )  
IENCE AND NECESSITY TO RENDER ELECTRIC )  
SERVICE IN CERTAIN AREAS IN THE COUNTIES )  
OF ALAMOSA, CONEJOS, COSTILLA, MINERAL, )  
RIO GRANDE AND SAGUACHE, COLORADO, AND FOR )  
AN ORDER AUTHORIZING THE EXCHANGE OF )  
CERTAIN ELECTRIC FACILITIES WITH PUBLIC )  
SERVICE COMPANY OF COLORADO, ALL PURSUANT )  
TO AN AGREEMENT MADE AND ENTERED INTO BY )  
AND BETWEEN PUBLIC SERVICE COMPANY OF )  
COLORADO AND SAN LUIS VALLEY RURAL ELEC- )  
TRIC COOPERATIVE, INC. )  
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APPLICATION NO. 21147

-----  
July 27, 1965  
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Appearances: Lee, Bryans, Kelly and Stansfield,  
Esqs., by  
Bryant O'Donnell, Esq., Denver,  
Colorado, for Public Service  
Company of Colorado;  
William O. DeSouchet, Jr., Esq.,  
Alamosa, Colorado, for San Luis  
Valley Rural Electric Cooperative;  
Paul M. Brown, Denver, Colorado, of  
the Staff of the Commission.

S T A T E M E N T

By the Commission:

On May 5, 1965, Public Service Company of Colorado (herein-  
after referred to as "Public Service") and San Luis Valley Rural Electric

Cooperative, Inc. (hereinafter referred to as "San Luis Valley") filed a joint application requesting that this Commission enter orders granting to Public Service and San Luis Valley certificates of public convenience and necessity to own, operate, maintain and extend electric facilities to serve the public in certain areas referred to in the application and in an agreement between them attached thereto and incorporated therein by reference as Exhibit A, a conformed copy of which is attached hereto and incorporated herein by reference; to enter an order authorizing said parties to exchange certain electric facilities described in said agreement; for an order authorizing and approving the agreement between the parties attached to the petition as Exhibit A; and for such other orders as the Commission might deem necessary.

The application was duly set for hearing on June 8, 1965, at 10:00 o'clock A.M. at the Commission's Hearing Room, State Services Building, Denver, Colorado, and notice thereof was given to interested parties. No one appeared at the hearing in protest to said application.

Public Service is an operating public utility engaged, among other things, in the generation, transmission, distribution and sale of electric energy in an extensive area in the State of Colorado, including various areas in Alamosa, Conejos, Costilla, Rio Grande and Saguache Counties, in the San Luis Valley. San Luis Valley is a rural electric cooperative association engaged in the transmission, distribution and sale of electric energy, serving in certain areas in the San Luis Valley in the Counties of Alamosa, Conejos, Costilla, Rio Grande and Saguache, and in neighboring Mineral County.

The testimony of the various witnesses and the exhibits introduced disclosed that Public Service and San Luis Valley have entered into an agreement, subject to the approval of this Commission, which determines and defines the service area of each company in a large area in said counties, in which both utilities presently have electric facilities and are rendering electric service to the public. Said agreement marked



Exhibit A was attached to the joint application filed in this matter and is one and the same agreement which was introduced at the hearing as Public Service Exhibit No. 1 and is one and the same as Exhibit A attached to this statement, findings and order and herein referred to as Exhibit A. Appended to Exhibit A are two maps identified as Exhibit 1 herein, a metes and bounds description of the territories to be supplied with electric service by San Luis Valley identified as Exhibit 2 herein, and a metes and bounds description of the territories to be supplied with electric service by Public Service identified as Exhibit 3, herein.

The agreement Exhibit A is the result of many months of negotiation between the parties directed to the elimination of duplicate facilities and over-lapping of service areas, which have complicated the rendition of service in the area for many years. Since such duplication of service is antithetic to economy of utility operation, this Commission looks with favor upon the voluntary settlement of such territorial disputes so long as the terms of settlement are in the public interest, and will not withhold its approval of such an agreement, if the same is in the public interest.

A map of the areas in question (Exhibit 1 of Exhibit A attached hereto) showing the boundary lines of the various areas in which each of the respective utilities would serve was introduced in evidence as Public Service Exhibit 2. Generally, the compromise and settlement voluntarily arrived at by the two utilities provides that (1) San Luis Valley will render electric service in an area designated as "San Luis Valley area (Main Tract)," except for Tracts A, B, C and D, which are enclaves within said area, and in an area designated as "San Luis Valley Area (Costilla County Tract)" and (2) that Public Service will render all service in said Tracts A, B, C and D and in separate Tracts E and F, all subject to certain exceptions and reservations contained in Exhibit A. Not determined by said agreement is the claimed right of Public Service to serve customers along its transmission lines wherever located, when such

service involves taps to transmission lines of a voltage of 69,000 volts or higher, which matter was agreed to be submitted to the Commission for determination at such time as request for such service shall be made.

The two utilities have agreed that exchange value will be based on 3 1/2 times the difference in the 1961 annual revenue of the customers in the area to be exchanged. The agreement contains adequate plans and provisions for the orderly transfer of customers and electric facilities so that the public will be inconvenienced as little as possible and that electric service can be continued during the transition period with a minimum interruption.

Both utilities presented evidence to this Commission for its consideration on all of the pertinent facts relating to present service to the consuming public as well as the manner in which future service will be undertaken by each utility.

After the sale and exchange of facilities and transfer of customers from each utility to the other, each utility will render service to its new customers under its rates on file with this Commission.

Evidence was presented disclosing the number of customers to be transferred by each utility to the other in order to integrate service in the areas agreed to. The evidence shows that neither utility will suffer a financial hardship from the sale and exchange of facilities and the transfer of existing customers, and that such sale, exchange and transfer will not in any manner jeopardize the financial integrity of either company.

The Commission and its staff were furnished with copies of Public Service Exhibit 1 a substantial time prior to the hearing date in order that the staff of the Commission could undertake such investigation and review of the proposed territorial settlement as it deemed necessary to insure that the public interest would be protected. This Commission is fully informed of the matters set forth in the joint

application and the agreement Exhibit 1 attached thereto, and is of the opinion that the joint application and the agreement submitted for the approval of the Commission is in the public interest and that the consummation of the contract and the granting of certificates will result in a substantial elimination of present and future duplication of electric facilities; will, to a large extent, do away with confusion in the mind of the consuming public as to which utility is entitled to serve in any given area, and will result in more efficient public utility service to the public involved; wherefore the agreement Exhibit 1, being the agreement between Public Service and San Luis Valley, should be, and it is hereby, approved in its entirety.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the above statement be, and it is hereby, made a part hereof by reference.

That the Commission has jurisdiction of the subject matter and of the joint applicants.

That Public Service and San Luis Valley are both public utilities, and are subject to the jurisdiction and regulation of this Commission.

That Exhibit 1, being the agreement between Public Service and San Luis Valley referred to above, is consistent with the public interest and public convenience and necessity require that the same should be approved in its entirety and that certificates of public convenience and necessity should issue as in the joint application prayed.

### O R D E R

#### THE COMMISSION ORDERS:

1. That Exhibit A, being the agreement between Public Service and San Luis Valley, dated November 24, 1964, is consistent with the public interest and public convenience and necessity require the approval of the same and it is, therefore, hereby approved by this Commission in its entirety and said agreement, Marked Exhibit A, and its appended Exhibits 1, 2 and 3, is attached hereto, and is hereby incorporated in this order

and decision by reference and made a part hereof the same as if said agreement Exhibit A, and its appended exhibits, were fully set out in this order and decision.

2. That Public Service Company of Colorado be, and it is hereby, granted a certificate of public convenience and necessity to render electric service within the areas as set forth in Exhibit 3 of Exhibit A attached hereto.

3. That San Luis Valley Electric Cooperative, Inc., be, and it hereby is, granted a certificate of public convenience and necessity to render electric service within the areas as set forth in Exhibit 2 of Exhibit A attached hereto.

4. That this order, decision and certificate of public convenience and necessity is without prejudice to the right of Public Service to make application to this Commission for a certificate of public convenience and necessity at a later date to serve customers along the route of its transmission lines, service to whom shall necessitate, require or justify the tapping of an electric transmission line having a voltage of 69,000 volts or higher, in said areas designated as areas to be served by San Luis Valley in Paragraph 3 preceding.

5. That the Commission retain jurisdiction of these matters to make such further Order or Orders as may be necessary in the premises.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Alvin E. Zaslavsky*  
*Donald B. Burt*

*Ralph S. Gordon*  
Commissioners

Dated at denver, Colorado,  
this 27th day of July, 1965.

et

A G R E E M E N T

THIS AGREEMENT, made and executed this 24th day of November, 1964, by and between PUBLIC SERVICE COMPANY OF COLORADO, a corporation organized and existing under the laws of the State of Colorado (hereinafter called "Public Service") and SAN LUIS VALLEY RURAL ELECTRIC COOPERATIVE, INC., a corporation organized and existing under the laws of the State of Colorado (hereinafter called "San Luis Valley")

W I T N E S S E T H:

WHEREAS, Public Service is a public utility operating company engaged, among other things, in generation, transmission, distribution and sale of electric energy in various cities, towns, communities and rural areas in the State of Colorado and owns and operates certain electric transmission and distribution lines and related facilities, rights of way and easements, and other property related thereto and used in connection therewith, located in, among other places, the Counties of Alamosa, Conejos, Costilla, Rio Grande, and Saguache, Colorado, as shown on a map marked Exhibit 1 attached hereto and made a part hereof; and

WHEREAS, San Luis Valley is an electric cooperative association and a public utility engaged in the purchase, transmission, distribution and sale of electric energy for consumption in certain Counties of the State of Colorado and owns and operates certain electric distribution and transmission lines and related facilities, rights of way and easements, and other property related thereto and used in connection therewith, located in the Counties of Alamosa, Conejos, Costilla, Mineral, Rio Grande and Saguache, Colorado, all as shown on a map marked Exhibit 1 attached hereto and made a part hereof; and

WHEREAS, in certain of the areas served by the parties hereto, there has resulted duplication of electric facilities because of the extensive development of the area and the increased need for electric energy therein, and the parties hereto in recognition of the fact that such duplication of facilities is inconsistent with the most efficient economical



service to the public, have mutually agreed, after extensive study, analysis and investigation of the many operative and administrative problems affecting the respective parties' operations, upon an exchange of various electric distribution facilities and related property and equipment, and the definition of the respective service areas of the parties hereto (recognizing, however, that Public Service is serving in areas which are outside the scope of this Agreement), which will enable each of the parties to more efficiently render electric service to the public.

NOW, THEREFORE, for and in consideration of the mutual agreements herein contained, the parties hereto covenant and agree as follows:

#### ARTICLE I.

##### SERVICE AREAS

1. Exhibit 1 attached hereto and made a part hereof is a map showing the areas in which San Luis Valley and Public Service own and operate electric lines and facilities in the area applicable to and intended to be covered by this agreement. The future service areas of the parties hereto shall be as follows:

(a) San Luis Valley shall render electric service within the area delineated as its service area on the map attached hereto as Exhibit 1, Pages 1 and 2, which area is more particularly described in Exhibit 2 attached hereto and made a part hereof.

(b) Public Service shall render electric service within the area delineated as its service area on Exhibit 1, Page 1, which area is more particularly described in Exhibit 3 attached hereto and made a part hereof. In recognition of the fact that Public Service serves extensive areas in various portions of the State of Colorado as well as those shown on Exhibit 1 and not intended to be covered by the terms of this agreement, it is understood and agreed that none of the terms and provisions of this agreement shall cover or be applicable to the operations, service, or lines and facilities of Public Service located in any areas or portions of the State of Colorado outside of said delineated area shown on Exhibit 1 and described in Exhibit 3. In recognition of the further



fact that Public Service operates and maintains transmission lines located in areas described in Paragraph 1 (a) of this Article designated as "San Luis Valley Service Area" it is specifically understood and agreed that the limitations contained in this Paragraph 1 (b) shall not be applicable to service from transmission lines and that any future extensions of said transmission lines or service from such lines or extensions shall be governed by the terms and provisions of Article V of this agreement.

2. Neither party shall extend its electric lines and facilities or render electric service within the areas assigned to and designated as the service area of the other party unless authorized or ordered by The Public Utilities Commission of the State of Colorado. Provided that nothing herein contained shall be construed to restrict the right of either party to continue to operate existing transmission lines and associated primary substations and primary distribution feeder lines or to construct new transmission lines or primary substations or primary distribution feeder lines through areas served by the other party if necessary to meet the electric requirements of the public served by the parties, in their respective service areas.

## ARTICLE II

### CUSTOMERS AND FACILITIES

1. Public Service, as of the transfer date hereinafter set forth, shall sell, convey, transfer and assign to San Luis Valley all of its electric distribution facilities located within San Luis Valley Areas and after completion of said transfer, shall thereafter serve no customers in said San Luis Valley Area except as otherwise provided herein.

2. San Luis Valley, as of the transfer date hereinafter set forth, shall sell, convey, transfer and assign to Public Service all of its electric distribution facilities located within Public Service Areas, and shall thereafter serve no customers in Public Service Areas except as otherwise provided herein.

3. Exclusions. Excluded from said facilities sold by the parties are the following:

- a. All transmission lines, which are hereby defined to be electric lines of 33 KV or higher voltage together with transmission line substations.
  - b. All distribution feeders which cross the other party's Service Areas which are necessary to supply service to the respective party's Service Areas.
  - c. Meters, distribution transformers and related equipment excepting meter bases that can be used by the other party.
4. The method of transfer by the parties hereto of their distribution facilities and customers located within the other party's Service Area shall be as follows:

- a. The parties hereto shall transfer all of their distribution facilities located in the other party's Service Areas as above set forth and shall forthwith transfer all of their customers in said Areas to the other party in the manner and under the plan hereinafter set forth under Article IV, Transition Period - Cut-Over.

5. Miscellaneous to be Transferred

- a. In addition to the electric facilities of the respective parties to be transferred hereunder, the parties hereto also covenant and agree to convey and assign all easements, rights of way or other occupancy rights with respect to public or private lands on which said lines and facilities are situated.
- b. Each party shall convey by Bill of Sale or such other reasonable and necessary documents of conveyance as may be needed in form satisfactory to the other party its respective facilities as herein agreed.
- c. In addition to the transfer of physical facilities as above provided, the parties hereto, subject to required

approvals, shall assign and transfer in whole or in part as appropriate all franchises, certificates of convenience and necessity or other governmental or regulatory authorizations or consents with respect to the property herein agreed to be transferred.

- d. Wherever abstracts of title to property being exchanged under the terms hereof shall be in the possession of either of the parties, such abstracts shall be delivered with the conveyances to the property abstracted, provided however, that neither party shall be under the duty or obligation to obtain new abstracts to any of the property being exchanged hereunder or to obtain extensions of abstracts already in the possession of said party.

### ARTICLE III

#### PURCHASE PRICE AND CONSUMMATION OF CLOSING

I. Consideration. The 1961 revenue derived from the 102 customers of Public Service proposed to be served by San Luis Valley was \$32,085.06, and the 1961 revenue derived from the 136 customers of San Luis Valley proposed to be served by Public Service was \$27,286.17, or a difference of \$4,798.89; and it is agreed that the difference in the value of the properties proposed to be exchanged by the parties is  $3\frac{1}{2}$  times such difference of \$4,798.89, or the total sum of \$16,796.11. Said sum of \$16,796.11 shall be paid by San Luis Valley to Public Service after approval by the Public Utilities Commission of this agreement upon closing and the delivery of the instruments of transfer and exchange herein contemplated.

2. Each of the parties shall take all necessary and reasonable action to obtain public acceptance of this proposal, to obtain the approval of The Public Utilities Commission of the State of Colorado and to obtain such other approvals as may be required to effect the exchange of facilities

and customers with the least possible inconvenience to the public and the customers involved, and the minimum cost to the parties.

3. The date of closing shall be a date mutually agreed by and between the parties hereto, but shall in no event be later than sixty (60) days after the approval of the transfer and exchange contemplated hereunder by The Public Utilities Commission of the State of Colorado and shall take place in the office of Public Service in Denver, Colorado.

a. At least five (5) days prior to the closing, each party shall deliver to the other party as many duly conformed copies of the required closing instruments as may be reasonably requested and agree that it will execute and deliver any additional instruments of further assurance as may be requested by the other party to fully effectuate the intent and terms hereof. Neither party hereto shall be obligated to convey any property or to make any payment or tender pursuant to the terms hereof on the date of closing unless both parties hereto shall be prepared simultaneously to perform all of the acts required by this agreement to be performed on the closing date.

b. Each of the parties shall take possession of the facilities to be acquired by it under the terms of this agreement as set forth in Article IV, Paragraph 5.

4. Each of the parties hereto shall obtain any and all releases, consents or approvals from any party holding any lien, mortgage, deed of trust, or other encumbrance upon any of the property contemplated to be transferred and exchanged hereunder so that all of such property may be transferred and exchanged free and clear of any and all liens and encumbrances whatsoever with the exception of current taxes. In addition, the parties hereto shall obtain any and all other authorizations, orders, consents or approvals required by law from any Federal, State or Local authorities having jurisdiction in the premises. Conformed copies of the above

consents, releases, permits or approvals required to be obtained by any party hereto prior to the closing of this transaction shall be furnished to the other party for their examination at least five (5) days prior to the closing date.

5. Any amounts payable to either party under this agreement shall be made by certified check or by such other method as the parties may agree.

#### ARTICLE IV

##### CUT-OVER AND TRANSITION PERIOD

1. Not later than thirty (30) days after the closing date, each of the parties hereto shall cause the meters of its customers served through facilities to be transferred and exchanged hereunder to be read. If the party receiving said customers to be transferred so desires, it may simultaneously read said meters. All meters shall be read within five (5) working days commencing with the first meter reading. Immediately after all of said meters have been read, each party shall furnish to the other party a record of such meter readings so that each party will have a sufficient basis for future billing. The customers shall be transferred between the parties as of the date of final meter reading as herein described.

- a. Immediately after final meter readings have been made, final bills shall be rendered to all customers being transferred. Each party hereto shall make every effort to effect collection of their respective accounts receivable, including said final bill, from such customers during the 60-day period immediately following transfer of customer.
- b. At a date to be agreed upon, but not more than ninety (90) days after the date of final meter readings, each party shall prepare and deliver to the other party a customer list showing the names, addresses, meter numbers and net amount unpaid of all accounts receivable remaining on its books for electric service



rendered to its customers to be served by the other party prior to the transfer date and shall, by assignment delivered to the other party, unconditionally sell and assign all such accounts and the other party shall purchase and pay therefor an amount equal to the aggregate sum of such accounts.

- c. On or prior to the date of transfer of customers between the parties, each party hereto shall refund or cause to be refunded to its respective customers served by its facilities to be sold and exchanged hereunder any and all customers' refundable deposits of every nature made by such customers excluding Capital Credits of Members of San Luis Valley who are transferred to Public Service which shall be treated as provided by San Luis Valley's articles of incorporation, by-laws and rules and regulations, and shall terminate or cause to be terminated any and all existing guaranteed monthly revenue service agreements or contracts with any customer served by its facilities to be sold and exchanged hereunder.

2. Subsequent to the transfer of customers as set forth in Article IV, Paragraph 1, arrangements for orderly exchange of facilities shall be made by a committee composed of operating personnel representing both parties. Said committee shall determine the most expeditious manner, creating the least inconvenience to customers, of phasing in and cutting over of facilities to be exchanged and of changing of distribution transformers and meters.

- a. Except as otherwise specifically provided, each party shall bear all costs of whatsoever nature incurred in revising, rearranging, rebuilding or reconnecting the facilities received from the other party and necessary to operation of such facilities as a part of the distribution system of said receiving party.



b. At the time of cut-over of a particular line, the party receiving the line shall remove the distribution transformers of the party transferring said line and shall install thereon its distribution transformers necessary to render service at the operating voltage of the party receiving said line. All such transformers removed shall be tagged with a tag indicating the date, address of nearest customer served therefrom, and shall be delivered to the designated service center of the party owning same, at least once each week. All such returned transformers shall be properly receipted for.

3. As soon as possible following the cut-over of a particular line, the party receiving the line shall remove the meters served from said line of the party transferring said line and shall install thereon its meters. All such meters removed shall be tagged with a tag indicating that date, name and address of customer and shall be delivered to the designated service center of the party owning same at least once each week. All such returned meters shall be properly receipted for. All meters shall be changed within 120 days of closing.

4. Each of the parties shall operate and maintain its respective facilities to be transferred until said facilities are cut-over and physically connected to the receiving party's system.

5. The time of possession by the party receiving facilities to be transferred from the transferring party shall be the date of cut-over of each section.

6. In the event that any customer should be required to be connected to a line which has not yet been cut-over the party acquiring the line shall connect said customer, provided that the other party shall be notified in advance of the date and time that such connection is to be made so that such party may be present, if it so desires.

7. Where required and/or requested, both parties shall be present at times when cut-overs are made and when transformers and meters are changed.

8. Following the completion of meter changes for all customers transferred, the parties hereto shall calculate the total number of meters, meter housings, transformers and other special equipment removed by each of the parties hereto, and shall determine the difference in the number of such facilities so removed. The party removing the lesser number of such facilities shall pay to the other party the following amounts for the difference in facilities removed:

Meter	\$1.00
Meter Base or Housing	\$1.00
Transformer	\$5.00

9. The respective parties hereto shall pay all taxes of every kind and nature on or relating to the operation of their respective facilities to be sold and exchanged pursuant to this agreement, to and including the date of closing, and shall also pay any and all transfer and other taxes which may come by reason of said sale and exchange, including without limitations any State sales taxes accrued and owing as of the date of closing. All ad valorem taxes in respect of the respective facilities for the year 1963, payable in 1964, shall be paid by the party owning such facilities as of the date hereof, and there shall be no attempt to pro-rate such taxes. Each party shall indemnify the other and save such other party harmless against any liability with respect to its own share, as herein defined, of all taxes referred to in this Paragraph 9.

#### ARTICLE V

##### TRANSMISSION LINE SERVICE

1. The parties hereto have been unable to agree upon the claimed right of Public Service to render electric service from its existing transmission lines located in areas assigned to and designated as the service areas of San Luis Valley. It is the contention of Public Service that it has the right and duty to render service to any customer within any area in

which its transmission lines are located when the nature of the service requested by any such customer necessitates, requires or justifies the tapping of an electric transmission line having a voltage of 69,000 volts or higher. San Luis Valley denies that Public Service should have such right or duty and this agreement, therefore, does not cover the claimed right of Public Service to render service from its existing transmission lines in areas assigned to and designed as the service area of San Luis Valley. The parties do agree that the claimed right of Public Service to render electric service from such transmission lines shall be submitted to The Public Utilities Commission of the State of Colorado for determination at such time as request for such service may be made in the future. It is understood and agreed however, that Public Service shall not construct or extend transmission lines in the areas assigned to and designated as the service areas of San Luis Valley for the purpose of rendering electric service to the public within such areas without prior authorization or direction by order of The Public Utilities Commission of the State of Colorado.

#### ARTICLE VI

#### MISCELLANEOUS

1. There shall be no general assumption by either party hereto of the other party's liabilities of any nature other than from and after the date of closing: (a) Public Service shall render electric service to the former customers of San Luis Valley which were served through the San Luis Valley facilities to be transferred to Public Service hereunder, and San Luis Valley shall render electric service to the former customers of Public Service which were served through Public Service facilities to be transferred to San Luis Valley hereunder; (b) All obligations to be performed subsequent to the date of closing under all easements, crossing agreements, rights of way, leases, licenses and franchises to be transferred and exchanged hereunder shall be assumed and performed by the party to which any such instruments are assigned and transferred under the terms hereof; (c) Obligations to be performed under joint use attachment

agreements, provided that each party shall pay and receive rentals with respect to the facilities transferred by it hereunder for the period ending with the date of transfer of facilities.

2. Each party shall indemnify and hold the other party harmless from any loss or damage from any contractual obligations of the other party other than as set forth in (a), (b) and (c) above.

3. Between the date of execution of this agreement and the date of closing, neither party hereto shall enter into any contracts relating to its facilities which are to be sold and exchanged hereunder or the operation of such facilities, nor shall either party, during such period, sell or otherwise dispose of any part of its facilities which are to be sold and exchanged hereunder except such part or parts thereof as may be retired from service in the usual course of business. Upon the retirement from service of any such part or parts the party owning the same shall, insofar as possible, forthwith make replacements thereof which will maintain the value of said facilities and their capacity to render service.

4. The respective parties hereto shall promptly take all necessary action to obtain all consents, releases, or approvals necessary to consummate this transfer and exchange, and in connection therewith agree to render to each other all assistance and cooperation as the respective parties may reasonably request in order to expeditiously carry out the terms and provisions hereof.

5. All notices hereunder to Public Service shall be sufficient if sent by registered mail or telegram, addressed to L. R. Patterson, Vice President, Public Service Company of Colorado, Box 840, Denver, Colorado. All notices hereunder to San Luis Valley shall be sufficient if sent by registered mail or telegram, addressed to Ray Villyard, Manager, San Luis Valley Rural Electric Cooperative, Inc., Monte Vista, Colorado. Either party hereto by written notice to the other party may specify a different address for purposes of notification, and in each such case, all notices thereafter sent shall be sufficient if sent to such address by the method prescribed above. All notices shall be deemed to have been given on the

date of posting, if sent by mail, or on the date of delivery to the sending office of the telegraph company, if sent by telegram.

6. This agreement constitutes the entire agreement and understanding of the parties hereto with respect to the transfer and exchange of facilities herein described and service by the respective parties to the affected area. It is understood and agreed, however, that the parties hereto in their operations as public utilities are charged with the duty and responsibility of rendering electric service to the public in their respective service areas and that while the parties have earnestly and sincerely endeavored to resolve by this agreement all of their respective operating problems, it is recognized that future problems may arise affecting the operations of the parties which have not and could not have been anticipated at this time because of the very nature of the public utility business and the ever changing requirements and needs of the public involved. In recognition thereof, the parties hereto covenant and agree that in the event future conflicts arise with respect to their respective electric systems operations they will meet and negotiate in a bona fide manner toward the end of mutually resolving and agreeing upon a solution to any such conflicts toward the end of adopting a course of operations which will best serve the public interest.

7. This agreement and any ancillary agreements entered into pursuant hereto shall be binding upon and inure to the benefit of the respective successors and assigns of the parties hereto, or of the successors and assigns of the parties to such ancillary agreements, as the case may be.

8. This agreement may be simultaneously executed in any number of counterparts, and all such counterparts executed and delivered, each as an original, shall constitute but one and the same instrument.

9. It is understood and agreed that San Luis Valley and Public Service are public utilities, subject to the jurisdiction and regulation of The Public Utilities Commission of the State of Colorado and that this agreement and the rendering of electric service by said parties as herein contemplated is subject to the approval of said Public Utilities Commission.







U. S. DEPARTMENT OF AGRICULTURE  
RURAL ELECTRIFICATION ADMINISTRATION

REA BORROWER DESIGNATION Colorado 14 Alamosa

THE WITHIN Agreement - Exchange of Property with the Public  
Service Company of Colorado

SUBMITTED BY THE ABOVE DESIGNATED BORROWER PURSUANT TO THE  
TERMS OF THE LOAN CONTRACT, IS HEREBY APPROVED SOLELY FOR THE  
PURPOSES OF SUCH CONTRACT.

DATED

1-25-65

  
FOR THE ADMINISTRATOR

SAN LUIS VALLEY SERVICE AREAS

Beginning at the NE corner of Section 1, T38N, R6E, N.M.P.M; thence westerly along the north line of T38N to the NW corner of Section 4 in T38N, R5E; thence southerly along the west line of said Section 4 to the SW corner of said Section 4; thence westerly along the south line of Section 5, T38N, R5E, to the SW corner of Section 5; thence southerly along the east line of Section 7, T38N, R5E, to the SE corner of said Section 7; thence westerly along the south line of said Section 7, T38N, R5E, along the south line of Section 12, T38N, R4 $\frac{1}{2}$ E, to the SW corner of said Section 12; thence northerly along the west line of Sections 12 and 1, T38N, R4 $\frac{1}{2}$ E and along the west line of Sections 36, 25, 24 and 13, T39N, R4E to the SW corner of Section 12, T39N, R4E; thence westerly along the south line of Sections 11, 10, 9, 8 and 7, T39N, R4E and along the south line of Section 12, T39N, R3 $\frac{1}{2}$ E, and along the south line of Section 12, T39N, R3E to the SW corner of said Section 12; thence southerly along the east line of Sections 14, 23, 26 and 35, T39N, R3E, to the SE corner of said Section 35; thence westerly along the north line of T38N, to the SW corner of Section 35, T39N, R2E; thence northerly along the west line of Sections 35, 26, 23, 14, 11 and 2, T39N, R2E to the NW corner of Section 2; thence easterly along the north line of said Section 2 to the SW corner of Section 35, T40N, R2E; thence northerly along the west line of Sections 35, 26 and 23, T40N, R2E, to the NW corner of said Section 23; thence westerly along the south line of Sections 15, 16, 17 and 18, T40N, R2E, and along the south line of Sections 13, 14 and 15, T40N, R1E to the SW corner of said Section 15; thence northerly along the west line of Sections 15, 10 and 3, T40N, R1E, to the NW corner of said Section 3; thence westerly along the south line of Sections 33, 32 and 31, T41N, R1E to the SW corner of said Section 31; thence southerly along the line between Ranges 1E and 1W to the SE corner of Section 36, T40N, R1W; thence westerly along the south line of T40N, R1W and R2W, to the SW corner of Section 35, T40N, R2W; thence northerly along the west line of Sections 35, 26 and 23, T40N, R2W, to the NW corner of said Section 23; thence westerly along the south line of Sections 15 and 16, T40N, R2W, to the SW corner of said Section 16; thence northerly along the west line of said Section 16 to the NW corner thereof; thence westerly along the south line of Section 8, T40N, R2W, to the SW corner of said Section 8; thence northerly along

the west line of Sections 8 and 5, T<sup>4</sup>0N, R2W, to the NW corner of said Section 5; thence westerly along the south line of Section 31, T<sup>4</sup>1N, R2W, to the SW corner of said Section 31; thence northerly along the west line of Sections 31, 30, 19, 18 and 7, T<sup>4</sup>1N, R2W to the NW corner of said Section 7; thence easterly along the north line of Sections 7 and 8, T<sup>4</sup>1N, R2W, to the NE corner of said Section 8; thence southerly along the east line of said Section 8 to the SE corner thereof; thence easterly along the north line of Sections 16 and 15, T<sup>4</sup>1N, R2W, to the NE corner of said Section 15; thence southerly along the east line of Sections 15, 22, 27 and 34, T<sup>4</sup>1N, R2W, to the SE corner of said Section 34; thence easterly along the north line of Sections 2 and 1, T<sup>4</sup>0N, R2W, to the NE corner of said Section 1; thence northerly along the west line of Sections 31, 30, 19, 18 and 7, T<sup>4</sup>1N, R1W to the NW corner of said Section 7; thence easterly along the north line of Sections 7, 8 and 9, T<sup>4</sup>1N, R1W, to the NE corner of said Section 9; thence northerly along the west line of Section 3, T<sup>4</sup>1N, R1W, and along the west line of Sections 34, 27, 22 and 15, T<sup>4</sup>2N, R1W, to the NW corner of said Section 15; thence easterly along the north line of Sections 15, 14 and 13, T<sup>4</sup>2N, R1W, and along the north line of Section 18, T<sup>4</sup>2N, R1E to the NE corner thereof; thence southerly along the east line of Sections 18, 19, 30 and 31, T<sup>4</sup>2N, R1E to the SE corner of said Section 31; thence easterly along the north line of Section 5, T<sup>4</sup>1N, R1E to the NE corner of said Section 5; thence southerly along the east line of said Section 5 to the SE corner thereof; thence easterly along the north line of Sections 9 and 10, T<sup>4</sup>1N, R1E, to the NE corner of said Section 10; thence southerly along the east line of said Section 10 to the SE corner thereof; thence easterly along the north line of Section 14, T<sup>4</sup>1N, R1E, to the NE corner of said Section 14; thence southerly along the east line of said Section 14 to the SE corner thereof; thence easterly along the north line of Section 24, T<sup>4</sup>1N, R1E, and along the north line of Sections 19, 20 and 21, T<sup>4</sup>1N, R2E to the NE corner of said Section 21; thence southerly along the east line of Sections 21 and 28, T<sup>4</sup>1N, R2E, to the SE corner of said Section 28; thence easterly along the north line of Sections 34 and 35, T<sup>4</sup>1N, R2E to the NE corner of said Section 35; thence southerly along the east line of Section 35, T<sup>4</sup>1N, R2E, and along the east line of Section 2, T<sup>4</sup>0N, R2E to the SE corner of said Section 2; thence

easterly along the north line of Section 12, T<sup>4</sup>ON, R2E and along the north line of Section 7, T<sup>4</sup>ON, R3E, to the NE corner of said Section 7; thence southerly along the east line of Sections 7 and 18, T<sup>4</sup>ON, R3E, to the SE corner of said Section 18; thence easterly along the north line of Sections 20, 21, 22 and 23, T<sup>4</sup>ON, R3E to the NE corner of said Section 23; thence northerly along the west line of Sections 13 and 12, T<sup>4</sup>ON, R3E, to the NW corner of said Section 12; thence easterly along the north line of Section 12, T<sup>4</sup>ON, R3E, and along the north line of Sections 7, 8, 9, 10, 11 and 12, T<sup>4</sup>ON, R4E, and along the north line of Sections 7, 8, 9, 10, 11 and 12, T<sup>4</sup>ON, R5E, and along the north line of Sections 7, 8 and 9, T<sup>4</sup>ON, R6E to the NE corner of said Section 9; thence northerly along the west line of Section 3, T<sup>4</sup>ON, R6E, and along the west line of Sections 34, 27 and 22, T<sup>4</sup>1N, R6E, to the NW corner of said Section 22; thence westerly along the south line of Section 16, T<sup>4</sup>1N, R6E, to the SW corner of said Section; thence northerly along the west line of Sections 16, 9 and 4, T<sup>4</sup>1N, R6E, to the NW corner of said Section 4; thence easterly along the north line of said Section 4, to the NE corner of said Section; thence northerly along the west line of Sections 34, 27 and 22, T<sup>4</sup>2N, R6E, to the NW corner of said Section 22; thence easterly along the north line of Sections 22, 23 and 24, T<sup>4</sup>2N, R6E to the NE corner of said Section 24; thence northerly along the line between R6E and R7E to the NW corner of Section 30, T<sup>4</sup>3N, R7E; thence easterly along the north line of Sections 30, 29 and 28, T<sup>4</sup>3N, R7E, to the NE corner of said Section 28; thence northerly along the west line of Sections 22, 15, 10 and 3, T<sup>4</sup>3N, R7E, and along the west line of Section 34, T<sup>4</sup>4N, R7E to the W<sup>1</sup>/<sub>4</sub> corner of said Section 34; thence easterly along the east-west center lines of Sections 34, 35 and 36, T<sup>4</sup>4N, R7E, and along the east-west center lines of Sections 31, 32 and 33, T<sup>4</sup>4N, R8E to the SW corner of the E<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub> of said Section 33; thence northerly along the west line of said E<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub> of said Section 33 to the north line of said Section 33; thence easterly along the north line of said Section 33 to the N<sup>1</sup>/<sub>4</sub> corner of said Section; thence northerly along the north-south center lines of Sections 28, 21, 16 and 9, T<sup>4</sup>4N, R8E to the center of said Section 9; thence easterly along the east-west center lines of Section 9 and 10, T<sup>4</sup>4N, R8E, to the SW corner of the E<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub> of said Section 10; thence northerly along the west line of said E<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub> of said Section 10 and along the



west line of the  $SE\frac{1}{4}$   $SW\frac{1}{4}$  of Section 3, T44N, R8E, to the NW corner of said  $SE\frac{1}{4}$   $SW\frac{1}{4}$  of said Section 3; thence easterly along the north lines of the  $S\frac{1}{2}$   $S\frac{1}{2}$  of Sections 3, 2, and 1, T44N, R8E, and along the north line of the  $S\frac{1}{2}$   $S\frac{1}{2}$  of Sections 6, 5, 4, 3 and 2, T44N, R9E, to the NW corner of  $SW\frac{1}{4}$   $SW\frac{1}{4}$  of Section 1, T44N, R9E; thence northerly along the west line of said Section 1 to the NW corner of said Section; thence easterly along the north line of said Section 1 to the SW corner of Section 36, T45N, R9E; thence northerly along the west line of Sections 36, 25, 24, 13, 12 and 1, T45N, R9E, and along the west line of Sections 36, 25 and 24, T46N, R9E, to the NW corner of said Section 24; thence westerly along the south line of Sections 14 and 15, T46N, R9E, to the SW corner of said Section 15; thence northerly along the west line of said Section 15 and Section 10, T46N, R9E, to the  $W\frac{1}{4}$  corner of said Section 10; thence westerly along the east-west center lines of Sections 9, 8 and 7, T46N, R9E, to  $W\frac{1}{4}$  corner of said Section 7; thence northerly along the line between R8E and R9E to the NW corner of Section 30, T47N, R9E; thence westerly along the south line of Section 24, T47N, R8E, to the  $S\frac{1}{4}$  corner of said Section 24; thence northerly to the  $N\frac{1}{4}$  corner of Section 24; thence westerly along the south lines of Sections 13 and 14, T47N, R8E, to the SW corner of the  $E\frac{1}{2}$   $E\frac{1}{2}$  of said Section 14; thence northerly along the west line of the  $E\frac{1}{2}$   $E\frac{1}{2}$  of Sections 14, 11 and 2, T47N, R8E, to the east-west center line of said Section 2; thence westerly along the east-west center line of said Section 2 to the  $W\frac{1}{4}$  corner of said Section; thence northerly along the west line of said Section 2 and along the west line of Section 35, T48N, R8E to the NW corner of said Section 35; thence westerly along the south line of Section 27, T48N, R8E, to the SW corner of said Section; thence northerly along the west line of said Section 27 to the NW corner of said Section; thence easterly along the north line of Sections 27, 26, 25, T48N, R8E, and along the north line of Sections 30 and 29, T48N, R9E, to the  $N\frac{1}{4}$  corner of said Section 29; thence southerly to the  $S\frac{1}{4}$  corner of said Section 29; thence easterly along the north line of Section 32, T48N, R9E, to the NE corner of said Section; thence southerly along the east line of said Section 32 to the  $E\frac{1}{4}$  corner of said Section; thence easterly to the center of Section 33, T48N, R9E; thence southerly to

the  $S\frac{1}{4}$  corner of said Section 33; thence easterly along the north line of Section 4, T<sup>4</sup>7N, R9E, to the NE corner of said Section; thence southerly along the east line of said Section 4 to the SE corner of said Section; thence easterly along the north line of Section 10, T<sup>4</sup>7N, R9E, to the NE corner of said Section; thence southerly on the east line of said Section to the  $E\frac{1}{4}$  corner of said Section; thence easterly along the east-west center line of Section 11, T<sup>4</sup>7N, R9E to the  $E\frac{1}{4}$  corner of said Section 11; thence southerly along the east line of said Section 11 to the SE corner of said Section 11; thence easterly along the north line of Section 13, T<sup>4</sup>7N, R9E, to the NE corner of said Section 13; thence southerly along the east line of said Section 13 to the SE corner of said Section; thence easterly along the north line of Section 19, T<sup>4</sup>7N, R10E to the  $N\frac{1}{4}$  corner of said Section; thence southerly along the north-south center line of said Section 19 to the  $S\frac{1}{4}$  corner of said Section; thence easterly along the north lines of Sections 30 and 29, T<sup>4</sup>7N, R10E, to the  $N\frac{1}{4}$  corner of said Section 29; thence southerly along the north-south center line of said Section 29 to the  $S\frac{1}{4}$  corner of said Section; thence easterly along the north lines of Sections 32 and 33, T<sup>4</sup>7N, R10E, to the  $N\frac{1}{4}$  corner of said Section 33; thence southerly along the north-south center line of said Section 33 to the  $S\frac{1}{4}$  corner of said Section; thence easterly along the north line of Section 4, T<sup>4</sup>6N, R10E, to the NE corner of said Section; thence southerly along the east line of said Section 4 to the  $E\frac{1}{4}$  corner of said Section 4; thence easterly along the east-west center lines of Sections 3, 2 and 1, T<sup>4</sup>6N, R10E to the center of said Section 1; thence southerly along the north-south center lines of Sections 1 and 12, T<sup>4</sup>6N, R10E, to the center of said Section 12; thence easterly along the east-west center lines of said Section 12 to the  $E\frac{1}{4}$  corner of said Section 12; thence southerly along the east line of said Section 12 to the SE corner of said Section; thence easterly along the north line of Section 18, T<sup>4</sup>6N, R11E, to the  $N\frac{1}{4}$  corner of said Section 18; thence southerly along the north-south center lines of Sections 18, 19, 30 and 31, T<sup>4</sup>6N, R11E, and along the north-south center lines of Sections 6 and 7, T<sup>4</sup>5N, R11E, to the  $S\frac{1}{4}$  corner of said Section 7; thence easterly along the north line of Section 18, T<sup>4</sup>5N, R11E, to the NE corner of said Section 18; thence southerly along the east line of Sections 18 and 19, T<sup>4</sup>5N, R11E, to the SE corner of said Section 19; thence easterly along the north line of Section 29, T<sup>4</sup>5N, R11E, to the  $N\frac{1}{4}$  corner



of said Section 29; thence southerly along the north-south center line of said Section 29 to the  $S\frac{1}{4}$  corner of said Section; thence easterly along the north line of Section 32, T<sup>4</sup>5N, R11E, to the NE corner of said Section; thence southerly along the east line of said Section 32 to the SE corner of said Section 32; thence east along the south line of Section 33, T<sup>4</sup>5N, R11E, to the  $S\frac{1}{4}$  corner of said Section 33; thence southerly in a straight line to the  $N\frac{1}{4}$  corner of Section 9, T<sup>4</sup>4N, R11E; thence easterly along the north line of said Section 9, to the NE corner of said Section 9; thence southerly along the east line of Sections 9 and 16, T<sup>4</sup>4N, R11E, to the SE corner of said Section 16; thence easterly along the north line of Section 22, T<sup>4</sup>4N, R11E, to the  $N\frac{1}{4}$  corner of said Section 22; thence southerly along the north-south center line of said Section 22 to the  $S\frac{1}{4}$  corner of said Section; thence easterly along the north line of Section 27, T<sup>4</sup>4N, R11E, to the NE corner of said Section 27; thence southerly along the east line of said Section 27 to the  $E\frac{1}{4}$  corner of said Section 27; thence easterly along the east-west center line of Section 26, T<sup>4</sup>4N, R11E, to the  $E\frac{1}{4}$  corner of said Section 26; thence southerly along the east line of said Section 26 to the SE corner of said Section 26; thence easterly along the north line of Section 36, T<sup>4</sup>4N, R11E, to the  $N\frac{1}{4}$  corner of said Section 36; thence southerly along the north-south center line of said Section 36 to the  $S\frac{1}{4}$  corner of said Section 36; thence easterly along the north line of Section 1, T<sup>4</sup>3N, R11E, and along the north line of Section 6, T<sup>4</sup>3N, R12E, to the NE corner of said Section 6; thence southerly along the east line of Sections 6 and 7, T<sup>4</sup>3N, R12E to the SE corner of said Section 7; thence easterly along the north boundary line of Luis Maria Baca Grant No. 4 to the NE corner of said Grant; thence southerly along the east boundary line of said Grant to the SW corner of Section 18, T25S, R73W of the 6th PM; thence easterly along the south line of said Section 18 to the SE corner of said Section 18; thence southerly along the west line of Section 20, T25S, R73W, to the SW corner of said Section 20; thence easterly along the south line of said Section 20 to the SE corner of said Section 20; thence southerly along the west line of Sections 28 and 33, T25S, R73W, to the SW corner of said Section 33; thence easterly along the south line of Sections 33 and 34, T25S, R73W, to the SE corner of said Section 34; thence southerly along the

west line of Section 2, T26S, R73W, to the SW corner of said Section 2; thence easterly along the south line of said Section 2 to the SE corner of said Section 2; thence southerly along the west line of Sections 12, 13, 24, 25 and 36, T26S, R73W, and along the west line of Section 1, T27S, R73W to the SW corner of said Section 1; thence westerly along the south line of Section 2, T27S, R73W to the SW corner of said Section 2; thence southerly along the west line of Sections 11, 14 and 23, T27S, R73W to the SW corner of said Section 23; thence westerly along the north line of Section 27, T27S, R73W, to the NW corner of said Section 27; thence southerly along the west line of Sections 27 and 34, T27S, R73W, to the SW corner of said Section 34; thence continuing southerly along the San Isabel National Forest Boundary for 4 miles, more or less, to a point where said boundary turns west; thence westerly along said boundary for 1 mile, more or less, to the NE corner of Section 29, T28S, R73W; thence southerly along the east line of said Section 29 to a point due east of the center of Section 36, T39N, R12E, N.M.P.M.; thence westerly to the center of said Section 36; thence westerly along the east-west center lines of Sections 36, 35, 34, 33, 32, 31, T39N, R12E, and westerly along the east-west center lines of Sections 36, 35, 34, 33, 32 and 31, T39N, R11E, and westerly along the east-west center line of Sections 36 and 35, T39N, R10E, to the center of said Section 35; thence northerly along the north-south center line of Sections 35, 26, 23, 14, 11 and 2, T39N, R10E, and along the north-south center line of Section 35, T40N, R10E, to the center of said Section 35; thence westerly along the east-west center line of Sections 35, 34, and 33, T40N, R10E, to the NE corner of the  $W\frac{1}{2}$   $SW\frac{1}{4}$  of said Section 33; thence southerly to the SE corner of the  $NW\frac{1}{4}$   $NW\frac{1}{4}$  of Section 9, T38N, R10E; thence westerly to the SE corner of the  $NW\frac{1}{4}$   $NW\frac{1}{4}$  of Section 12, T38N, R9E; thence southerly to the center of the Rio Grande; thence in a NWly direction along the center of the Rio Grande to a point lying due north of the SE corner of the  $SW\frac{1}{4}$   $SW\frac{1}{4}$  of Section 6, T38N, R9E; thence southerly to the NE corner of the  $SW\frac{1}{4}$   $SW\frac{1}{4}$  of Section 30, T38N, R9E; thence easterly to the NE corner of the  $SW\frac{1}{4}$   $SW\frac{1}{4}$  of Section 28, T38N, R9E; thence southerly to the NE corner of the  $SW\frac{1}{4}$   $SW\frac{1}{4}$  of Section 33, T38N, R9E; thence easterly to the NW corner of the  $SE\frac{1}{4}$   $SE\frac{1}{4}$  of Section 33, T38N, R9E; thence southerly to the east-west center line of Section 4, T37N, R9E; thence easterly along the east-

west center line of Sections 4, 3 and 2, T37N, R9E, to the center of said Section 2; thence southerly to the SW corner of the  $N\frac{1}{2}$   $NE\frac{1}{4}$  of Section 11, T37N, R9E; thence easterly to the SE corner of the  $N\frac{1}{2}$   $NW\frac{1}{4}$  of Section 7, T37N, R10E; thence southerly to the NE corner  $S\frac{1}{2}$   $SW\frac{1}{4}$  of Section 19, T37N, R10E; thence easterly to the NE corner of the  $SW\frac{1}{4}$   $SE\frac{1}{4}$  of said Section 19; thence southerly to the SW corner of the  $NE\frac{1}{4}$   $NE\frac{1}{4}$  of Section 30, T37N, R10E; thence westerly to the SW corner of the  $N\frac{1}{2}$   $NE\frac{1}{4}$  of Section 25, T37N, R9E; thence southerly to the center of Section 36, T37N, R9E; thence westerly to the NE corner of the  $W\frac{1}{2}$   $SW\frac{1}{4}$  of said Section 36; thence southerly to the SE corner of the  $SW\frac{1}{4}$  of the  $SW\frac{1}{4}$  of said Section 36; thence westerly to the NE corner of the  $NW\frac{1}{4}$  of the  $NW\frac{1}{4}$  of Section 1, T36N, R9E; thence southerly to the SE corner of the  $SW\frac{1}{4}$  of the  $SW\frac{1}{4}$  of said Section 1; thence westerly to the NE corner of the  $W\frac{1}{2}$   $NW\frac{1}{4}$  of Section 11, T36N, R9E; thence southerly to the NE corner of the  $SW\frac{1}{4}$  of the  $SW\frac{1}{4}$  of Section 14, T36N, R9E; thence westerly to the NW corner of the  $SW\frac{1}{4}$  of the  $SW\frac{1}{4}$  of said Section 14; thence southerly to the SW corner of the  $NW\frac{1}{4}$  of the  $NW\frac{1}{4}$  of Section 23, T36N, R9E; thence easterly to the SE corner of the  $NW\frac{1}{4}$  of the  $NW\frac{1}{4}$  of said Section 23; thence southerly to the NE corner of  $W\frac{1}{2}$   $SW\frac{1}{4}$  of Section 23, T36N, R9E; thence easterly to the NE corner of the  $W\frac{1}{2}$   $SW\frac{1}{4}$  of Section 24, T36N, R9E; thence southerly to the SE corner of the  $NW\frac{1}{4}$   $NW\frac{1}{4}$  of Section 25, T36N, R9E; thence westerly to the east line of Section 26, T36N, R9E; thence southerly to the east quarter corner of said Section 26; thence westerly to the center of Section 27, T36N, R9E; thence southerly to the center of Section 10, T35N, R9E; thence westerly to the NE corner of the  $W\frac{1}{2}$   $SW\frac{1}{4}$  of said Section 10; thence southerly to the NE corner of the  $SW\frac{1}{4}$   $SW\frac{1}{4}$  of said Section 10; thence easterly to the north-south center line of said Section 10; thence southerly to the south quarter corner of said Section 10; thence easterly to the SW corner of  $SE\frac{1}{4}$   $SE\frac{1}{4}$  of said Section 10; thence southerly to the SW corner of the  $NE\frac{1}{4}$   $NE\frac{1}{4}$  of Section 22, T35N, R9E; thence west to the north-south center line of said Section 22; thence southerly to the SW corner of the  $N\frac{1}{2}$   $NE\frac{1}{4}$  Section 27, T35N, R9E; thence westerly to the SE corner of the  $NW\frac{1}{4}$   $NW\frac{1}{4}$  Section 28, T35N, R9E; thence southerly to the SE corner of the  $NW\frac{1}{4}$   $NW\frac{1}{4}$  of Section 33, T35N, R9E; thence westerly to the SW corner of the  $NE\frac{1}{4}$   $NE\frac{1}{4}$  Section 31, T35N, R9E; thence southerly to the NW corner of the  $SE\frac{1}{4}$   $SE\frac{1}{4}$  Section 31, T35N, R9E;

thence westerly to the NW corner of  $SW\frac{1}{4}$   $SW\frac{1}{4}$  of Section 36, T35N, R8E; thence northerly to the NW corner of said Section 36; thence westerly along the north line of Sections 35, 34, 33, 32, 31 T35N, R8E and westerly along the north line of Sections 36, 35 and 34, T35N, R7E to the NW corner of said Section 34; thence northerly along the east lines of Sections 28, 21, 16, 9 and 4, T35N, R7E, to the NE corner of said Section 4; thence westerly along the south lines of Sections 33, 32, 31, T36N, R7E, and westerly along the south lines of Sections 36, 35 and 34, T36N, R6E, to the SW corner of said Section 34; thence northerly along the west line of Sections 34, 27 and 22, T36N, R6E, to the NW corner of said Section 22; thence easterly along the north line of Sections 22, 23 and 24, T36N, R6E, to the NE corner of said Section 24; thence northerly along the west line of Sections 18, 7 and 6, T36N, R7E, and northerly along the west line of Sections 31, 30, 19, 18, 7 and 6, T37N, R7E, and northerly along the west line of Sections 31, 30, 19, 18, 7 and 6, T38N, R7E to the NE corner of Section 1, T38N, R6E, the place of beginning.

(COSTILLA COUNTY TRACT)

Beginning at the SW corner of the  $E\frac{1}{2}$   $SE\frac{1}{4}$  of Section 17, T36N, R10E, of the N.M.P.M.; thence northerly to the east-west center line of said Section 17; thence easterly to the center of Section 16, T36N, R10E; thence northerly to the SW corner of the  $N\frac{1}{2}$   $NE\frac{1}{4}$  of said Section 16; thence easterly to the SW corner of the  $NE\frac{1}{4}$   $NE\frac{1}{4}$  of Section 14, T36N, R10E; thence northerly to the SW corner of the  $NE\frac{1}{4}$   $NE\frac{1}{4}$  of Section 2, T36N, R10E; thence easterly to the SW corner of the  $N\frac{1}{2}$   $NE\frac{1}{4}$  of Section 1, T36N, R10E; thence northerly to the ~~XXX~~ North Quarter Corner ~~North Quarter Corner~~ of said Section 1; thence easterly to the  $S\frac{1}{4}$  corner of Section 36, T37N, R10E; thence northerly to the center of Section 25, T37N, R10E; thence easterly to the center of the Rio Grande in Section 28, T37N, R11E; thence in a southerly direction along the center of the west branch of the Rio Grande to the south line of Section 9, T36N, R11E; thence easterly to the NE corner of Section 15, T36N, R11E; thence southerly to the SE corner of said section 15; thence easterly along the south line of Section 14, T36N, R11E to the Alamosa County - Costilla County boundary line; thence in a northeasterly direction along said Alamosa County - Costilla County boundary



line 4 miles, more, or less to a point west of the  $N\frac{1}{4}$  corner of Section 32, T30S, R73W of the 6th P.M.; thence easterly to said  $N\frac{1}{4}$  corner of said Section 32; thence southerly 2.8 miles; thence easterly 2.4 miles; thence southerly 7.4 miles; thence easterly 5 miles, more or less, to a point  $\frac{1}{2}$  mile west of the west R.O.W. line of Colorado State Highway 159; thence southerly 18.2 miles, more or less, to the Colorado-New Mexico State line; thence westerly along the Colorado-New Mexico State line to the middle of the Rio Grande; thence in a northwesterly direction along the center of the Rio Grande to the north line of Section 10, T33N, R11E of the N.M.P.M.; thence westerly along the north lines of Sections 10, 9, 8 and 7, T33N, R11E, to the SW corner of Section 6, T33N, R11E; thence northerly along the west line of said Section 6, Sections 31, 30, 19, 18, 7 and 6, T34N, R11E, Sections 31, 30, 19, 18, T35N, R11E to the NW corner of said Section 18; thence westerly to the  $S\frac{1}{4}$  corner of Section 12, T35N, R10E; thence northerly to the center of said Section 12; thence westerly along the east-west center line of Sections 12, 11 and 10, T35N, R10E to the SE corner of the  $W\frac{1}{2}$   $NW\frac{1}{4}$  of said Section 10; thence northerly to the SE corner of the  $NW\frac{1}{4}$   $NW\frac{1}{4}$  of Section 3, T35N, R10E; thence westerly to the north-south center line of Section 4, T35N, R10E; thence northerly along the north-south center lines of Sections 4, T35N, R10E and Section 33, T36N, R10E to the SE corner of the  $N\frac{1}{2}$   $NW\frac{1}{4}$  of said Section 33; thence westerly to the SW corner of the  $NE\frac{1}{4}$   $NE\frac{1}{4}$  of Section 32, T36N, R10E; thence northerly to the SW corner of the  $E\frac{1}{2}$   $SE\frac{1}{4}$  of Section 17, T36N, R10E, the place of beginning.

(EXCEPTIONS FROM MAIN TRACT)

Excepting from one above described tract all of the following, tracts (a through d) To-wit:

(a) Beginning at the SW corner of Section 36, T40N, R5E of the N.M.P.M.; thence northerly along the west line of said Section 36 to the SW corner of the  $N\frac{1}{2}$   $N\frac{1}{2}$   $NW\frac{1}{4}$  of said Section 36; thence easterly to the north-south center line of said Section 36; thence northerly to the north line of said Section 36; thence easterly along the north line of said Section 36 to the NE corner thereof; thence northerly to the  $W\frac{1}{4}$  corner of Section 19, T40N, R6E; thence easterly to the SE corner of the  $W\frac{1}{2}$   $NW\frac{1}{4}$  of Section 20, T40N, R6E; thence

southerly to the NE corner of the  $SW\frac{1}{4} SW\frac{1}{4}$  of said Section 20; thence easterly to the center of Colorado State Highway 112; thence in a northeasterly direction along the center of said State Highway 112 to the E-W center line of Section 15, T<sup>4</sup>ON, R<sup>6</sup>E; thence easterly to the SW corner of the  $E\frac{1}{2} NE\frac{1}{4}$  of Section 17, T<sup>4</sup>ON, R<sup>7</sup>E; thence southerly to the SW corner of  $NE\frac{1}{4} NE\frac{1}{4}$  of Section 29, T<sup>4</sup>ON, R<sup>7</sup>E; thence westerly to the SW corner of the  $NE\frac{1}{4} NE\frac{1}{4}$  of Section 30, T<sup>4</sup>ON, R<sup>7</sup>E; thence southerly to the east-west center line of said Section 30; thence westerly to the SE corner of the  $W\frac{1}{2} NW\frac{1}{4}$  of said Section 30; thence northerly to the SE corner of the  $NW\frac{1}{4} NW\frac{1}{4}$  of said Section 30; thence westerly to the SW corner of the  $NE\frac{1}{4} NE\frac{1}{4}$  of Section 26, T<sup>4</sup>ON, R<sup>6</sup>E; thence southerly to the center of the north branch of the Rio Grande; thence in a northwesterly direction to the E line of Section 29, T<sup>4</sup>ON, R<sup>6</sup>E; thence southerly to the center of the south branch of the Rio Grande; thence westerly along the center of said south branch of the Rio Grande to a point which is 1076.30 feet east and 1558.42 feet north of the  $N\frac{1}{4}$  corner of Section 32, T<sup>4</sup>ON, R<sup>6</sup>E; thence southerly to the east-west center line of said Section 32; thence westerly to the  $W\frac{1}{4}$  corner of said Section 32; thence southerly to the SE corner of Section 31, T<sup>4</sup>ON, R<sup>6</sup>E; thence westerly to the SW corner of Section 36, T<sup>4</sup>ON, R<sup>5</sup>E, the place of beginning.

(b) Beginning at the center of Section 32, T<sup>4</sup>ON, R<sup>7</sup>E of the N.M.P.M.; thence easterly to the center of Section 33, T<sup>4</sup>ON, R<sup>7</sup>E; thence northerly to the SE corner of the  $NE\frac{1}{4} SW\frac{1}{4}$  of Section 28, T<sup>4</sup>ON, R<sup>7</sup>E; thence westerly to the SW corner of said  $NE\frac{1}{4} SW\frac{1}{4}$  of Section 28; thence northerly to the east-west center line of Section 16, T<sup>4</sup>ON, R<sup>7</sup>E; thence easterly to the east line of said Section 16; thence northerly to the SW corner of the  $N\frac{1}{2} NW\frac{1}{4}$  of Section 15, T<sup>4</sup>ON, R<sup>7</sup>E; thence easterly to the east line of said Section 15; thence southerly to the east-west center line of said Section 15, thence easterly to the SW corner of the  $SE\frac{1}{4} NE\frac{1}{4}$  of Section 14, T<sup>4</sup>ON, R<sup>7</sup>E; thence northerly to the NW corner of said  $SE\frac{1}{4} NE\frac{1}{4}$  of Section 14; thence easterly to the SE corner of the  $NW\frac{1}{4} NW\frac{1}{4}$  of Section 13, T<sup>4</sup>ON, R<sup>7</sup>E; thence southerly to the east-west center line of said Section 13; thence easterly to the SW corner of the  $E\frac{1}{2} E\frac{1}{2} NE\frac{1}{4}$  of Section 13; thence northerly to the SW corner of the



NE $\frac{1}{4}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 13; thence easterly to the west line of Section 18, T $4$ ON, R8E; thence southerly to the SW corner of the N $\frac{1}{2}$  NW $\frac{1}{4}$  of said Section 18; thence easterly to the SW corner of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 18; thence southerly to the east-west center line of said Section 18; thence easterly to the SE corner of the W $\frac{1}{2}$  NW $\frac{1}{4}$  of Section 17, T $4$ ON, R8E; thence northerly to the SW corner of the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 17; thence easterly to the SW corner of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 17; thence northerly to the east-west center line of Section 8, T $4$ ON, R8E; thence westerly to the SW corner of the E $\frac{1}{2}$  NE $\frac{1}{4}$  of Section 7, T $4$ ON, R8E; thence northerly to the SW corner of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 7; thence westerly to the north-south center line of said Section 7; thence northerly to the SW corner of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 6, T $4$ ON, R8E; thence easterly to the SW corner of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 6; thence northerly to the east-west center line of said Section 6; thence easterly to the center of Section 5, T $4$ ON, R8E; thence northerly to the center of Colorado State Highway 112; thence westerly 747.75 feet; thence northerly 660 feet; thence easterly 675.38 feet to the north-south center line of Section 32, T $4$ 1N, R8E; thence northerly 3,317.28 feet along said north-south center line; thence easterly to the SE corner of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 33, T $4$ 1N, R8E; thence northerly to the SE corner of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 28, T $4$ 1N, R8E; thence easterly to the north-south center line of Section 27, T $4$ 1N, R8E; thence southerly to the SW corner of the N $\frac{1}{2}$  SE $\frac{1}{4}$  of Section 3, T $4$ ON, R8E; thence easterly to the NW corner of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 3; thence southerly to the SW corner of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 10, T $4$ ON, R8E; thence westerly to the north-south center line of said Section 10; thence southerly to the SE corner of the N $\frac{1}{2}$  SW $\frac{1}{4}$  of said Section 10; thence westerly to the NE corner of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 9, T $4$ ON, R8E; thence southerly to the SE corner of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 16, T $4$ ON, R8E; thence easterly to the SW corner of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 15, T $4$ ON, R8E; thence southerly to the SW corner of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 27, T $4$ ON, R8E; thence westerly to the north-south center line of said Section 27; thence southerly to the center of Section 34, T $4$ ON, R8E; thence easterly

to the center of Section 35, T40N, R8E; thence southerly to the center of Section 11, T39N, R8E; thence westerly to the SE corner of the  $W\frac{1}{2} NW\frac{1}{4}$  of Section 10, T39N, R8E; thence southerly to the SE corner of  $N\frac{1}{2} SW\frac{1}{4} SW\frac{1}{4}$  of said Section 10; thence westerly to the SW corner of  $N\frac{1}{2} SE\frac{1}{4} SE\frac{1}{4}$  of Section 9, T39N, R8E; thence north to the SW corner of the  $NE\frac{1}{4} NE\frac{1}{4}$  of said Section 9; thence westerly to the north-south center line of said Section 9; thence northerly to the south line of Section 4, T39N, R8E; thence westerly to the SW corner of  $E\frac{1}{2} SW\frac{1}{4}$  of said Section 4; thence northerly to the NE corner of the  $SW\frac{1}{4} SW\frac{1}{4}$  of said Section 4; thence westerly to the north-south center line of Section 5, T39N, R8E; thence southerly to the SE corner of the  $N\frac{1}{2} NW\frac{1}{4}$  of Section 8, T39N, R8E; thence westerly to the SE corner of the  $NW\frac{1}{4} NW\frac{1}{4}$  of Section 7, T39N, R8E; thence southerly to the east-west center line of Section 18, T39N, R8E; thence westerly to the SW corner of the  $SE\frac{1}{4} NW\frac{1}{4}$  of Section 13, T39N, R7E; thence northerly to the NW corner of  $SE\frac{1}{4}$  of  $NW\frac{1}{4}$  of said Section 13, T39N, R7E; thence westerly to the center of the Rio Grande; thence in a northwesterly direction along the center of the Rio Grande to the north-south center line of Section 8, T39N, R7E; thence northerly to the center of Section 32, T40N, R7E, the place of beginning.

(c) Beginning on the center of Section 24, T39N, R8E of the N.M.P.M.; thence southerly to the center of the Rio Grande; thence in a westerly direction along the center of the Rio Grande to the east line of Section 34, T39N, R8E; thence southerly to the  $E\frac{1}{4}$  corner of Section 3, T38N, R8E; thence westerly to the SE corner of the  $W\frac{1}{2} NW\frac{1}{4}$  of said Section 3; thence southerly to the south line of said Section 3; thence easterly to the north-south center line of said Section 3; thence southerly to the SW corner of the  $N\frac{1}{2} N\frac{1}{2} NE\frac{1}{4}$  of Section 10, T38N, R8E; thence easterly to the east line of said Section 10; thence southerly to the SE corner of the  $NE\frac{1}{4} NE\frac{1}{4}$  of said Section 10, thence easterly to the north-south center line of Section 12, T38N, R8E; thence southerly to the center of the right of way of the D & R G W RR. Company; thence in a southeasterly direction along the center of said ROW to the west line of  $E\frac{1}{2} E\frac{1}{2} E\frac{1}{2}$  of Section 13, T38N, R8E; thence southerly along said line to the SW corner of the  $E\frac{1}{2} NE\frac{1}{4} SE\frac{1}{4}$  of said Section 13; thence

westerly to the NE corner of the  $SW\frac{1}{4} SW\frac{1}{4}$  of Section 15, T38N, R8E; thence northerly to the SE corner of the  $NW\frac{1}{4} NW\frac{1}{4}$  of Section 10, T38N, R8E; thence westerly to the north-south center line of Section 8, T38N, R8E; thence northerly to the center of Section 5, T38N, R8E; thence westerly to the NW corner of the  $NE\frac{1}{4} SE\frac{1}{4}$  of Section 6, T38N, R8E; thence southerly to the SW corner of the  $NE\frac{1}{4} SE\frac{1}{4}$  of Section 7, T38N, R8E; thence westerly to the SW corner of the  $NE\frac{1}{4} SE\frac{1}{4}$  of Section 11, T38N, R7E; thence northerly to the SW corner of the  $NE\frac{1}{4} SE\frac{1}{4}$  of Section 2, T38N, R7E; thence westerly to the SW corner of the  $NE\frac{1}{4} SW\frac{1}{4}$  of said Section 2; thence northerly to the center of the ROW of the D & R G W RR Company; thence in a northwesterly direction along the center of said ROW to the east-west center line of Section 21, T39N, R7E; thence easterly to the SW corner of the  $SE\frac{1}{4} NW\frac{1}{4}$  of Section 22, T39N, R7E; thence northerly to the center of the Rio Grande; thence in a southeasterly direction along the center of the Rio Grande and the north branch thereof to the west line of the  $E\frac{1}{2} E\frac{1}{2}$  of Section 29, T39N, R8E; thence northerly to the NW corner of the  $SE\frac{1}{4} SE\frac{1}{4}$  of Section 17, T39N, R8E; thence easterly to the NW corner of the  $SE\frac{1}{4} SE\frac{1}{4}$  of Section 16, T39N, R8E; thence northerly to the NW corner of  $S\frac{1}{2}$  of the  $NE\frac{1}{4} NE\frac{1}{4}$  of Section 16, T39N, R8E; thence easterly to the NE corner of  $S\frac{1}{2}$  of the  $NW\frac{1}{4}$  of the  $NW\frac{1}{4}$  of Section 15, T39N, R8E; thence southerly to the east-west center line of said Section 15; thence easterly to the NW corner of the  $NE\frac{1}{4} SE\frac{1}{4}$  of said Section 15; thence southerly to the SW corner of the  $NE\frac{1}{4} NE\frac{1}{4}$  of Section 22, T39N, R8E; thence easterly to the north-south center line of Section 23, T39N, R8E; thence southerly to the center of said Section 23; thence easterly to the center of Section 24, T39N, R8E, the place of beginning.

(d) Beginning at the  $S\frac{1}{4}$  corner of Section 34, T41N, R10E of the N.M.P.M.; thence northerly to the center of Section 15, T43N, R10E; thence westerly to the center of Section 16, T43N, R10E; thence northerly to the  $N\frac{1}{4}$  corner of Section 4, T43N, R10E; thence westerly to the NW corner of Section 6, T43N, R10E; thence southerly to the  $E\frac{1}{4}$  corner of Section 12, T43N, R9E; thence westerly to the center of said Section 12; thence southerly to the

center of Section 36, T<sup>4</sup>2N, R9E; thence easterly to the west line of the E<sup>1</sup>/<sub>2</sub> E<sup>1</sup>/<sub>2</sub> of Section 31, T<sup>4</sup>2N, R10E; thence southerly to the east-west center line of Section 7, T<sup>4</sup>1N, R10E; thence easterly to the SW corner of the E<sup>1</sup>/<sub>2</sub> NE<sup>1</sup>/<sub>4</sub> of Section 8, T<sup>4</sup>1N, R10E; thence southerly to the south line of Section 32, T<sup>4</sup>1N, R10E; thence easterly to the NE corner of the NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> of Section 4, T<sup>4</sup>0N, R10E; thence southerly to the SE corner of the NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> of said Section 4; thence easterly to the north-south center line of said Section 4; thence southerly to the SW corner of the N<sup>1</sup>/<sub>2</sub> SE<sup>1</sup>/<sub>4</sub> of Section 9, T<sup>4</sup>0N, R10E; thence easterly to the SE corner of the NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> of Section 10, T<sup>4</sup>0N, R10E; thence northerly to the NE corner W<sup>1</sup>/<sub>2</sub> NE<sup>1</sup>/<sub>4</sub> of Section 3, T<sup>4</sup>0N, R10E; thence westerly to the S<sup>1</sup>/<sub>4</sub> corner of Section 34, T<sup>4</sup>1N, R10E, the place of beginning.

EXHIBIT 3

PUBLIC SERVICE COMPANY SERVICE AREAS

TRACT A

Beginning at the SW corner of Section 36, T<sup>4</sup>ON, R<sup>5</sup>E of the N.M.P.M.; thence northerly along the west line of said Section 36 to the SW corner of the N<sup>1</sup>/<sub>2</sub> N<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub> of said Section 36; thence easterly to the north-south center line of said Section 36; thence northerly to the north line of said Section 36; thence easterly along the north line of said Section 36 to the NE corner thereof; thence northerly to the W<sup>1</sup>/<sub>4</sub> corner of Section 19, T<sup>4</sup>ON, R<sup>6</sup>E; thence easterly to the SE corner of the W<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub> of Section 20, T<sup>4</sup>ON, R<sup>6</sup>E; thence southerly to the NE corner of the SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> of said Section 20; thence easterly to the center of Colorado State Highway 112; thence in a northeasterly direction along the center of said State Highway 112 to the east-west center line of Section 15, T<sup>4</sup>ON, R<sup>6</sup>E; thence easterly to the SW corner of the E<sup>1</sup>/<sub>2</sub> NE<sup>1</sup>/<sub>4</sub> of Section 17, T<sup>4</sup>ON, R<sup>7</sup>E; thence southerly to the SW corner of NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> of Section 29, T<sup>4</sup>ON, R<sup>7</sup>E; thence westerly to the SW corner of the NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> of Section 30, T<sup>4</sup>ON, R<sup>7</sup>E; thence southerly to the east-west center line of said Section 30; thence westerly to the SE corner of the W<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub> of said Section 30; thence northerly to the SE corner of the NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> of said Section 30; thence westerly to the SW corner of the NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> of Section 26, T<sup>4</sup>ON, R<sup>6</sup>E; thence southerly to the center of the North branch of the Rio Grande; thence in a northwesterly direction to the east line of Section 29, T<sup>4</sup>ON, R<sup>6</sup>E; thence southerly to the center of the south branch of the Rio Grande; thence westerly along the center of said south branch of the Rio Grande to a point which is 1076.30 feet east and 1558.42 feet north of the N<sup>1</sup>/<sub>4</sub> corner of Section 32, T<sup>4</sup>ON, R<sup>6</sup>E; thence southerly to the east-west center line of said Section 32; thence westerly to the W<sup>1</sup>/<sub>4</sub> corner of said Section 32; thence southerly to the SE corner of Section 31, T<sup>4</sup>ON, R<sup>6</sup>E; thence westerly to the SW corner of Section 36, T<sup>4</sup>ON, R<sup>5</sup>E, the place of beginning.



PUBLIC SERVICE COMPANY SERVICE AREASTRACT B

Beginning at the center of Section 32, T<sup>4</sup>ON, R<sup>7</sup>E of the N.M.P.M.; thence easterly to the center of Section 33, T<sup>4</sup>ON, R<sup>7</sup>E; thence northerly to the SE corner of the NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> of Section 28, T<sup>4</sup>ON, R<sup>7</sup>E; thence westerly to the SW corner of said NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> of Section 28; thence northerly to the east-west center line of Section 16, T<sup>4</sup>ON, R<sup>7</sup>E; thence easterly to the east line of said Section 16; thence northerly to the SW corner of the N<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub> of Section 15, T<sup>4</sup>ON, R<sup>7</sup>E; thence easterly to the east line of said Section 15; thence southerly to the east-west center line of said Section 15; thence easterly to the SW corner of the SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> of Section 14, T<sup>4</sup>ON, R<sup>7</sup>E; thence northerly to the NW corner of said SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> of Section 14; thence easterly to the SE corner of the NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> of Section 13, T<sup>4</sup>ON, R<sup>7</sup>E; thence southerly to the east-west center line of said Section 13; thence easterly to the SW corner of the E<sup>1</sup>/<sub>2</sub> E<sup>1</sup>/<sub>2</sub> NE<sup>1</sup>/<sub>4</sub> of Section 13; thence northerly to the SW corner of the NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> of said Section 13; thence easterly to the west line of Section 18, T<sup>4</sup>ON, R<sup>8</sup>E; thence southerly to the SW corner of the N<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub> of said Section 18; thence easterly to the SW corner of the NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> of said Section 18; thence southerly to the east-west center line of said Section 18; thence easterly to the SE corner of the W<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub> of Section 17, T<sup>4</sup>ON, R<sup>8</sup>E; thence northerly to the SW corner of the NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> of said Section 17; thence easterly to the SW corner of the NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> of said Section 17; thence northerly to the east-west center line of Section 8, T<sup>4</sup>ON, R<sup>8</sup>E; thence westerly to the SW corner of the E<sup>1</sup>/<sub>2</sub> NE<sup>1</sup>/<sub>4</sub> of Section 7, T<sup>4</sup>ON, R<sup>8</sup>E; thence northerly to the SW corner of the NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> of said Section 7; thence westerly to the north-south center line of said Section 7; thence northerly to the SW corner of the NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> of Section 6, T<sup>4</sup>ON, R<sup>8</sup>E; thence easterly to the SW corner of the NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> of said Section 6; thence northerly to the east-west center line of said Section 6; thence easterly to the center of Section 5, T<sup>4</sup>ON, R<sup>8</sup>E; thence northerly to the center of Colorado State Highway 112; thence westerly 747.75 feet; thence northerly 660 feet; thence easterly 675.38 feet to the north-south center line of Section 32, T<sup>4</sup>1N, R<sup>8</sup>E; thence northerly



3,317.28 feet along said north-south center line; thence easterly to the SE corner of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 33, T41N, R8E; thence northerly to the SE corner of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 28, T41N, R8E; thence easterly to the north-south center line of Section 27, T41N, R8E; thence southerly to the SW corner of the N $\frac{1}{2}$  SE $\frac{1}{4}$  of Section 3, T40N, R8E; thence easterly to the NW corner of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 3; thence southerly to the SW corner of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 10, T40N, R8E; thence westerly to the north-south center line of said Section 10; thence southerly to the SE corner of the N $\frac{1}{2}$  SW $\frac{1}{4}$  of said Section 10; thence westerly to the NE corner of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 9, T40N, R8E; thence southerly to the SE corner of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 16, T40N, R8E; thence easterly to the SW corner of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 15, T40N, R8E; thence southerly to the SW corner of the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 27, T40N, R8E; thence westerly to the north-south center line of said Section 27; thence southerly to the center of Section 34, T40N, R8E; thence easterly to the center of Section 35, T40N, R8E; thence southerly to the center of Section 11, T39N, R8E; thence westerly to the SE corner of the W $\frac{1}{2}$  NW $\frac{1}{4}$  of Section 10, T39N, R8E; thence southerly to the SE corner of N $\frac{1}{2}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 10; thence westerly to the SW corner of N $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 9, T39N, R8E; thence northerly to the SW corner of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 9; thence westerly to the north-south center line of said Section 9; thence northerly to the south line of Section 4, T39N, R8E; thence westerly to the SW corner of E $\frac{1}{2}$  SW $\frac{1}{4}$  of said Section 4; thence northerly to the NE corner of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 4; thence westerly to the north-south center line of Section 5, T39N, R8E; thence southerly to the SE corner of the N $\frac{1}{2}$  NW $\frac{1}{4}$  of Section 8, T39N, R8E; thence westerly to the SE corner of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 7, T39N, R8E; thence southerly to the east-west center line of Section 18, T39N, R8E; thence westerly to the SW corner of the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 13, T39N, R7E; thence northerly to the NW corner of SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 13, T39N, R7E; thence westerly to the center of the Rio Grande; thence in a northwesterly direction along the center of the Rio Grande to the north-south center line of Section 8, T39N, R7E; thence northerly to the center of Section 32, T40N, R7E, the place of beginning.

PUBLIC SERVICE COMPANY SERVICE AREASTRACT C

Beginning on the center of Section 24, T39N, R8E of the N.M.P.M.; thence southerly to the center of the Rio Grande; thence in a westerly direction along the center of the Rio Grande to the east line of Section 34, T39N, R8E; thence southerly to the  $E\frac{1}{4}$  corner of Section 3, T38N, R8E; thence westerly to the SE corner of the  $W\frac{1}{2}$   $NW\frac{1}{4}$  of said Section 3; thence southerly to the south line of said Section 3; thence easterly to the north-south center line of said Section 3; thence southerly to the SW corner of the  $N\frac{1}{2}$   $N\frac{1}{2}$   $NE\frac{1}{4}$  of Section 10, T38N, R8E; thence easterly to the east line of said Section 10; thence southerly to the SE corner of the  $NE\frac{1}{4}$   $NE\frac{1}{4}$  of said Section 10; thence easterly to the north-south center line of Section 12, T38N, R8E; thence southerly to the center of the right of way of the D & R G W RR Company; thence in a southeasterly direction along the center of said ROW to the west line of  $E\frac{1}{2}$   $E\frac{1}{2}$   $E\frac{1}{2}$  of Section 13, T38N, R8E; thence southerly along said line to the SW corner of the  $E\frac{1}{2}$   $NE\frac{1}{4}$   $SE\frac{1}{4}$  of said Section 13; thence westerly to the NE corner of the  $SW\frac{1}{4}$   $SW\frac{1}{4}$  of Section 15, T38N, R8E; thence northerly to the SE corner of the  $NW\frac{1}{4}$   $NW\frac{1}{4}$  of Section 10, T38N, R8E; thence westerly to the north-south center line of Section 8, T38N, R8E; thence northerly to the center of Section 5, T38N, R8E; thence westerly to the NW corner of the  $NE\frac{1}{4}$   $SE\frac{1}{4}$  of Section 6, T38N, R8E; thence southerly to the SW corner of the  $NE\frac{1}{4}$   $SE\frac{1}{4}$  of Section 7, T38N, R8E; thence westerly to the SW corner of the  $NE\frac{1}{4}$   $SE\frac{1}{4}$  of Section 11, T38N, R7E; thence northerly to the SW corner of the  $NE\frac{1}{4}$   $SE\frac{1}{4}$  of Section 2, T38N, R7E; thence westerly to the SW corner of the  $NE\frac{1}{4}$   $SW\frac{1}{4}$  of said Section 2; thence northerly to the center of the ROW of the D & R G W RR Company; thence in a northwesterly direction along the center of said ROW to the east-west center line of Section 21, T39N, R7E; thence easterly to the SW corner of the  $SE\frac{1}{4}$   $NW\frac{1}{4}$  of Section 22, T39N, R7E; thence northerly to the center of the Rio Grande; thence in a southeasterly direction along the center of the Rio Grande and the north branch thereof to the west line of the  $E\frac{1}{2}$   $E\frac{1}{2}$  of Section 29, T39N, R8E; thence northerly to the NW corner of the  $SE\frac{1}{4}$   $SE\frac{1}{4}$  of Section 17, T39N, R8E; thence easterly to the NW corner of the  $SE\frac{1}{4}$   $SE\frac{1}{4}$  of Section 16, T39N, R8E; thence northerly to the NW corner of  $S\frac{1}{2}$  of the  $NE\frac{1}{4}$   $NE\frac{1}{4}$  of Section 16, T39N,

R8E; thence easterly to the NE corner of  $S\frac{1}{2}$  of the  $NW\frac{1}{4}$  of the  $NW\frac{1}{4}$  of Section 15, T39N, R8E; thence southerly to the east-west center line of said Section 15; thence easterly to the NW corner of the  $NE\frac{1}{4}$   $SE\frac{1}{4}$  of said Section 15; thence southerly to the SW corner of the  $NE\frac{1}{4}$   $NE\frac{1}{4}$  of Section 22, T39N, R8E; thence easterly to the north-south center line of Section 23, T39N, R8E; thence southerly to the center of said Section 23; thence easterly to the center of Section 24, T39N, R8E, the place of beginning.

PUBLIC SERVICE COMPANY SERVICE AREAS

TRACT D

Beginning at the  $S\frac{1}{4}$  corner of Section 34, T41N, R10E of the N.M.P.M.; thence northerly to the center of Section 15, T43N, R10E; thence westerly to the center of Section 16, T43N, R10E; thence northerly to the  $N\frac{1}{4}$  corner of Section 4, T43N, R10E; thence westerly to the NW corner of Section 6, T43N, R10E; thence southerly to the  $E\frac{1}{4}$  corner of Section 12, T43N, R9E; thence westerly to the center of said Section 12; thence southerly to the center of Section 36, T42N, R9E; thence easterly to the west line of the  $E\frac{1}{2}$   $E\frac{1}{2}$  of Section 31, T42N, R10E; thence southerly to the east-west center line of Section 7, T41N, R10E; thence easterly to the SW corner of the  $E\frac{1}{2}$   $NE\frac{1}{4}$  of Section 8, T41N, R10E; thence southerly to the south line of Section 32, T41N, R10E; thence easterly to the NE corner of the  $NW\frac{1}{4}$   $NW\frac{1}{4}$  of Section 4, T40N, R10E; thence southerly to the SE corner of the  $NW\frac{1}{4}$   $NW\frac{1}{4}$  of said Section 4; thence easterly to the north-south center line of said Section 4; thence southerly to the SW corner of the  $N\frac{1}{2}$   $SE\frac{1}{4}$  of Section 9, T40N, R10E; thence easterly to the SE corner of the  $NW\frac{1}{4}$   $SE\frac{1}{4}$  of Section 10, T40N, R10E; thence northerly to the NE corner  $W\frac{1}{2}$   $NE\frac{1}{4}$  of Section 3, T40N, R10E; thence westerly to the  $S\frac{1}{4}$  corner of Section 34, T41N, R10E, the place of beginning.

PUBLIC SERVICE COMPANY SERVICE AREASTRACT E

Beginning at the NE corner of Section 1, T38N, R6E, N.M.P.M.; thence westerly along the north line of T38N to the NW corner of Section 4 in T38N, R5E; thence southerly along the west line of said Section 4 to the SW corner of said Section 4; thence westerly along the south line of Section 5, T38N, R5E, to the SW corner of said Section 5; thence southerly along the east line of Section 7, T38N, R5E to the SE corner of said Section 7; thence westerly along the south line of said Section 7, T38N, R5E and along the south line of Section 12, T38N, R4 $\frac{1}{2}$ E to the SW corner of said Section 12; thence northerly along the west line Sections 12 and 1, T38N, R4 $\frac{1}{2}$ E and along the west line of Sections 36, 25, 24 and 13, T39N, R4E to the SW corner of Section 12, T39N, R4E; thence westerly along the south line of Sections 11, 10, 9, 8 and 7, T39N, R4E and continuing westerly along the south line of Section 12, T39N, R3 $\frac{1}{2}$ E to the SW corner of said Section 12; thence southerly four nominal miles along the west range line of R3 $\frac{1}{2}$ E to the SW corner of Section 36, T39N, R3 $\frac{1}{2}$ E; thence continuing southerly along the west range line of R4E to the SW corner of Section 31, T35N, R4E; thence continuing southerly along the west line of R4E extended to a point of intersection with the Archuleta-Conejos County line; thence in a general southeasterly direction along said county line to a point of intersection with the Colorado-New Mexico State line in Section 19, T32N, R5E; thence easterly along said State line to a point of intersection with the center line of the natural channel of the Rio Grande in Section 24, T32N, R11E; thence in a northerly direction along the center of the Rio Grande to the north line of Section 10, T33N, R11E; thence westerly along the north lines of Sections 10, 9, 8 and 7, T33N, R11E to the SW corner of Section 6, T33N, R11E; thence northerly along the west line of said Section 6 and Sections 31, 30, 19, 18, 7 and 6, T34N, R11E and Sections 31, 30, 19, 18, T35N, R11E to the NW corner of said Section 18; thence westerly to the S $\frac{1}{4}$  corner of Section 12, T35N, R10E; thence northerly to the center of said Section 12; thence westerly along the east-west center line of Sections 12,



11 and 10, T35N, R10E to the SE corner of the  $W\frac{1}{2}$  NW $\frac{1}{4}$  of said Section 10; thence northerly to the SE corner of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 3, T35N, R10E; thence westerly to the north-south center line of Section 4, T35N, R10E; thence northerly along the north-south center lines of Section 4, T35N, R10E and Section 33, T36N, R10E to the SE corner of the N $\frac{1}{2}$  NW $\frac{1}{4}$  of said Section 33; thence westerly to the SW corner of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 32, T36N, R10E; thence northerly to the SW corner of the E $\frac{1}{2}$  NE $\frac{1}{4}$  of Section 17, T36N, R10E; thence easterly to the center of Section 16, T36N, R10E; thence northerly to the SW corner of the N $\frac{1}{2}$  NE $\frac{1}{4}$  of said Section 16; thence easterly to the SW corner of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 14, T36N, R10E; thence northerly to the SW corner of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 2, T36N, R10E; thence easterly to the SW corner of the N $\frac{1}{2}$  NE $\frac{1}{4}$  of Section 1, T36N, R10E; thence northerly to the N $\frac{1}{4}$  corner of said Section 1; thence easterly to the S $\frac{1}{4}$  corner of Section 36, T37N, R10E; thence northerly to the center of Section 25, T37N, R10E; thence easterly to the center of the Rio Grande in Section 28, T37N, R11E; thence in a southerly direction along the center of the westerly branch of the Rio Grande to the south line of Section 9, T36N, R11E; thence easterly to the NE corner of Section 15, T36N, R11E; thence southerly to the SE corner of said Section 15; thence easterly along the south line of Section 14, T36N, R11E to the Alamosa County-Costilla County boundary line; thence in a northeasterly direction along said Alamosa County-Costilla County boundary line 4 miles, more or less, to a point which is west of the N $\frac{1}{4}$  corner of Section 32, T30S, R73W of the 6th P.M.; thence easterly to said N $\frac{1}{4}$  corner of said Section 32; thence southerly 2.8 miles; thence easterly 2.4 miles; thence southerly 7.4 miles; thence easterly 5 miles, more or less, to a point  $\frac{1}{2}$  mile west of the west right-of-way line of Colorado State Highway 159; thence southerly 11.6 miles, more or less, to the south township line of T2N of the Colorado-New Mexico State line base line, R72W of the 6th P.M.; thence easterly along said south line to the SE corner of Section 36, T2N, R72W; thence northerly along section lines to a point of intersection with the south section line of Section 36, T32S, R72W of the 6th P.M.; thence easterly along section lines to the SE corner of said Section 36; thence northerly along the east



range line of R72W as extended to a point of intersection with the Huerfano-Costilla County line; thence in a general southwesterly direction along said county line to a point common to the Alamosa-Costilla-Huerfano County lines; thence in a general northwesterly direction along the Alamosa-Huerfano County line to a point due east of the center of Section 36, T39N, R12E, N.M. P.M.; thence westerly to the center of said Section 36; thence westerly along the east-west center lines of Sections 36, 35, 34, 33, 32, 31, T39N, R12E, and westerly along the east-west center lines of Sections 36, 35, 34, 33, 32 and 31, T39N, R11E, and westerly along the east-west center line of Sections 36 and 35, T39N, R10E, to the center of said Section 35; thence northerly along the north-south center line of Sections 35, 26, 23, 14, 11 and 2, T39N, R10E, and northerly along the north-south center line of Section 35, T40N, R10E to the center of said Section 35; thence westerly along the east-west center lines of Sections 35, 34 and 33, T40N, R10E to the NE corner of the  $W\frac{1}{2}$   $SW\frac{1}{4}$  of said Section 33; thence southerly to the SE corner of the  $NW\frac{1}{4}$   $NW\frac{1}{4}$  of Section 9, T38N, R10E; thence westerly to the SE corner of the  $NW\frac{1}{4}$   $NW\frac{1}{4}$  of Section 12, T38N, R9E; thence southerly to the center of the Rio Grande; thence in a northwesterly direction along the center of the Rio Grande to a point lying due north of the SE corner of the  $SW\frac{1}{4}$   $SW\frac{1}{4}$  of Section 6, T38N, R9E; thence southerly to the NE corner of the  $SW\frac{1}{4}$   $SW\frac{1}{4}$  of Section 30, T38N R9E; thence easterly to the NE corner of the  $SW\frac{1}{4}$   $SW\frac{1}{4}$  of Section 28, T38N, R9E; thence southerly to the NE corner of the  $SW\frac{1}{4}$   $SW\frac{1}{4}$  of Section 33, T38N, R9E; thence easterly to the NW corner of the  $SE\frac{1}{4}$   $SE\frac{1}{4}$  of Section 33, T38N, R9E; thence southerly to the east-west center line of Section 4, T37N, R9E; thence easterly along the east-west center line of Sections 4, 3 and 2, T37N, R9E to the center of said Section 2; thence southerly to the SW corner of the  $N\frac{1}{2}$   $NE\frac{1}{4}$  of Section 11, T37N, R9E; thence easterly to the SE corner of the  $N\frac{1}{2}$   $NW\frac{1}{4}$  of Section 7, T37N, R10E; thence southerly to the NE corner  $S\frac{1}{2}$   $SW\frac{1}{4}$  of Section 19, T37N, R10E; thence easterly to the NE corner of the  $SW\frac{1}{4}$   $SE\frac{1}{4}$  of said Section 19; thence southerly to the SW corner of the  $NE\frac{1}{4}$   $NE\frac{1}{4}$  of Section 30, T37N, R10E; thence westerly to the SW corner of the  $N\frac{1}{2}$   $NE\frac{1}{4}$  of Section 25, T37N, R9E; thence southerly to the center of Section 36, T37N, R9E; thence westerly to

the NE corner of the  $W\frac{1}{2} SW\frac{1}{4}$  of said Section 36; thence southerly to the SE corner of the  $SW\frac{1}{4} SW\frac{1}{4}$  of said Section 36; thence westerly to the NE corner of the  $NW\frac{1}{4} NW\frac{1}{4}$  of Section 1, T36N, R9E; thence southerly to the SE corner of the  $SW\frac{1}{4} SW\frac{1}{4}$  of said Section 1; thence westerly to the NE corner of the  $W\frac{1}{2} NW\frac{1}{4}$  of Section 11, T36N, R9E; thence southerly to the NE corner of the  $SW\frac{1}{4}$  of the  $SW\frac{1}{4}$  of Section 14, T36N, R9E; thence westerly to the NW corner of the  $SW\frac{1}{4}$  of the  $SW\frac{1}{4}$  of said Section 14; thence southerly to the SW corner of the  $NW\frac{1}{4}$  of the  $NW\frac{1}{4}$  of Section 23, T36N, R9E; thence easterly to the SE corner of the  $NW\frac{1}{4}$  of the  $NW\frac{1}{4}$  of said Section 23; thence southerly to the NE corner of the  $W\frac{1}{2} SW\frac{1}{4}$  Section 23, T36N, R9E; thence easterly to the NE corner of the  $W\frac{1}{2} SW\frac{1}{4}$  of Section 24, T36N, R9E; thence southerly to the SE corner of the  $NW\frac{1}{4} NW\frac{1}{4}$  of Section 25, T36N, R9E; thence westerly to the east line of Section 26, T36N, R9E; thence southerly to the  $E\frac{1}{4}$  corner of said Section 26; thence westerly to the center of Section 27, T36N, R9E; thence southerly to the center of Section 10, T35N, R9E; thence westerly to the NE corner of the  $W\frac{1}{2} SW\frac{1}{4}$  of said Section 10; thence southerly to the NE corner of the  $SW\frac{1}{4} SW\frac{1}{4}$  of said Section 10; thence easterly to the north-south center line of said Section 10; thence southerly to the  $S\frac{1}{4}$  corner of said Section 10; thence easterly to the SW corner of the  $SE\frac{1}{4} SE\frac{1}{4}$  of said Section 10; thence southerly to the SW corner of the  $NE\frac{1}{4} NE\frac{1}{4}$  of Section 22, T35N, R9E; thence westerly to the north-south center line of said Section 22; thence southerly to the SW corner of the  $N\frac{1}{2} NE\frac{1}{4}$  Section 27, T35N, R9E; thence westerly to the SE corner of the  $NW\frac{1}{4} NW\frac{1}{4}$  Section 28, T35N, R9E; thence southerly to the SE corner of the  $NW\frac{1}{4} NW\frac{1}{4}$  of Section 33, T35N, R9E; thence westerly to the SW corner of the  $NE\frac{1}{4} NE\frac{1}{4}$  Section 31, T35N, R9E; thence southerly to the NW corner of the  $SE\frac{1}{4} SE\frac{1}{4}$  Section 31, T35N, R9E; thence westerly to the NW corner of  $SW\frac{1}{4} SW\frac{1}{4}$  of Section 36, T35N, R8E; thence northerly to the NW corner of said Section 36; thence westerly along the north line of Sections 35, 34, 33, 32, 31, T35N, R8E and westerly along the north line of Sections 36, 35 and 34, T35N, R7E to the NW corner of said Section 34; thence northerly along the east lines of Sections 28, 21, 16, 9 and 4, T35N, R7E to the NE corner of said Section 4; thence westerly along the south lines of Sections 33, 32, 31, T36N, R7E and westerly

along the south lines of Sections 36, 35 and 34, T36N, R6E to the SW corner of said Section 34; thence northerly along the west line of Sections 34, 27 and 22, T36N, R6E to the NW corner of said Section 22; thence easterly along the north line of Sections 22, 23 and 24, T36N, R6E to the NE corner of said Section 24; thence northerly along the west line of Sections 18, 7 and 6, T36N, R7E and northerly along the west line of Sections 31, 30, 19, 18, 7 and 6, T37N, R7E and northerly along the west line of Sections 31, 30, 19, 18, 7 and 6, T38N, R7E to the NE corner of Section 1, T38N, R6E, the place of beginning.

PUBLIC SERVICE COMPANY SERVICE AREASTRACT F

Beginning at the SW corner of Section 34, T<sup>44</sup>N, R<sup>7</sup>E of the N.M.P.M.; thence northerly along the west line of said Section 34 to the W<sup>1</sup>/<sub>4</sub> corner of said Section 34; thence easterly along the east-west center lines of Sections 34, 35 and 36, T<sup>44</sup>N, R<sup>7</sup>E and along the east-west center lines of Sections 31, 32 and 33, T<sup>44</sup>N, R<sup>8</sup>E to the SW corner of the E<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub> of said Section 33; thence northerly along the west line of said E<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub> of said Section 33 to the north line of said Section 33; thence easterly along the north line of said Section 33 to the N<sup>1</sup>/<sub>4</sub> corner of said Section 33; thence northerly along the north-south center lines of Sections 28, 21, 16 and 9, T<sup>44</sup>N, R<sup>8</sup>E to the center of said Section 9; thence easterly along the east-west center lines of Sections 9 and 10, T<sup>44</sup>N, R<sup>8</sup>E to the SW corner of the E<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub> of said Section 10; thence northerly along the west line of said E<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub> of said Section 10 and along the west line of the SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> of Section 3, T<sup>44</sup>N, R<sup>8</sup>E to the NW corner of said SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> of said Section 3; thence easterly along the north line of the S<sup>1</sup>/<sub>2</sub> S<sup>1</sup>/<sub>2</sub> of Sections 3, 2 and 1, T<sup>44</sup>N, R<sup>8</sup>E and along the north line of the S<sup>1</sup>/<sub>2</sub> S<sup>1</sup>/<sub>2</sub> of Sections 6, 5, 4, 3 and 2, T<sup>44</sup>N, R<sup>9</sup>E to the NW corner of SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> of Section 1, T<sup>44</sup>N, R<sup>9</sup>E; thence northerly along the west line of said Section 1 to the NW corner of said Section 1; thence easterly along the north line of said Section 1 to the SW corner of Section 36, T<sup>45</sup>N, R<sup>9</sup>E; thence northerly along the west line of Sections 36, 25, 24, 13, 12 and 1, T<sup>45</sup>N, R<sup>9</sup>E and along the west line of Sections 36, 25 and 24, T<sup>46</sup>N, R<sup>9</sup>E to the NW corner of said Section 24; thence westerly along the south line of Sections 14 and 15, T<sup>46</sup>N, R<sup>9</sup>E to the SW corner of said Section 15; thence northerly along the west line of said Section 15 and Section 10, T<sup>46</sup>N, R<sup>9</sup>E to the W<sup>1</sup>/<sub>4</sub> corner of said Section 10; thence westerly along the east-west center lines of Sections 9, 8 and 7, T<sup>46</sup>N, R<sup>9</sup>E to the W<sup>1</sup>/<sub>4</sub> corner of said Section 7; thence northerly along the line between Ranges 8E and 9E to the NW corner of Section 30, T<sup>47</sup>N, R<sup>9</sup>E; thence westerly along the south line of Section 24, T<sup>47</sup>N, R<sup>8</sup>E to the S<sup>1</sup>/<sub>4</sub> corner of said Section 24; thence northerly

to the  $N\frac{1}{4}$  corner of said Section 24; thence westerly along south lines of Sections 13 and 14, T47N, R8E to the SW corner of the  $E\frac{1}{2}$   $E\frac{1}{2}$  of said Section 14; thence northerly along the west line of the  $E\frac{1}{2}$   $E\frac{1}{2}$  of Sections 14, 11 and 2, T47N, R8E to the east-west center line of said Section 2; thence westerly along the east-west center line of said Section 2 to the  $W\frac{1}{4}$  corner of said Section 2; thence northerly along the west line of said Section 2 and along the west line of Section 35, T48N, R8E to the NW corner of said Section 35; thence westerly along the south line of Section 27, T48N, R8E to the SW corner of said Section 27; thence northerly along the west line of said Section 27 to the NW corner of said Section 27; thence westerly along section lines to the NW corner of Section 28, T48N, R8E, said point being on the boundary line of the San Isabel and Rio Grande National Forests; thence following said National Forest boundary line in a southwesterly direction and continuing along said boundary line in a northwesterly direction to a point of intersection of said boundary line with the Continental Divide in Section 1, T47N, R6E; thence southwestwardly along said Continental Divide to a point of intersection with the west range line of R4E; thence southerly along the said west range line of R4E to the SW corner of Section 31, T44N, R4E; thence easterly along section lines to the SW corner of Section 34, T44N, R7E, the place of beginning.



Original

(Decision No. 65448)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
PUBLIC SERVICE COMPANY OF COLORADO  
FOR AN ORDER AUTHORIZING THE CONSOLI-  
DATION OF CERTAIN AREAS IN WHICH IT  
IS AUTHORIZED TO RENDER STREET LIGHTING  
SERVICE AND THE INCLUSION OF CERTAIN  
OTHER AREAS, ALL IN ONE COMPOSITE AREA,  
AND AUTHORIZING THE SERVICE OF STREET  
LIGHTING SERVICE IN THE ENTIRE EN-  
LARGED AND COMPOSITE AREA PURSUANT TO  
PUC TARIFF NO. 4 - ELECTRIC, EIGHTH  
REVISED SHEET 262, THIRD REVISED SHEET  
262A, AND ORIGINAL SHEET 262B

APPLICATION NO. 21205

July 28, 1965

Appearances: Lee, Bryans, Kelly & Stansfield by  
D. D. Cawelti, Esq., Denver,  
Colorado, for Public Service  
Company of Colorado;  
J. M. McNulty, Denver, Colorado, of  
the Staff of the Commission.

S T A T E M E N T

By the Commission:

Applicant, Public Service Company of Colorado, filed its application requesting the consolidation of various unincorporated street lighting areas and the inclusion in one enlarged and composite area of certain enclaves and neighboring adjacent areas which do not presently have street lighting service.

Applicant is a corporation organized and existing under and by virtue of the laws of the State of Colorado and is a public utility operating company subject to the jurisdiction of this Commission engaged, among other things, in the distribution and sale of electric energy in the areas herein mentioned.

The matter was set for hearing, after due notice to interested parties, on July 1, 1965, at 10 o'clock A.M., in the Hearing



Room of the Commission, 532 State Services Building, Denver, Colorado.

No petitions of intervention were filed prior to the hearing and no one appeared at the hearing in opposition to the application.

Applicant presently provides street lighting service pursuant to applicable rate schedules of its Colorado P.U.C. Tariff No. 4 - Electric in the following unincorporated areas under the indicated Decisions and informal authorizations of this Commission:

Pearl Mack Manor, authorized by Decision No. 58390 of April 18, 1962, Application No. 19022.

Panoramic Heights, authorized by Decision No. 59990 of January 23, 1963, Application No. 19481.

Perl Mack No. 2, authorized by Decision No. 60845 of June 12, 1963, Application No. 19702.

Florado, authorized by Decision No. 61465 of September 26, 1963, Application No. 19888.

Valley Vista, authorized by Decision No. 61785 of November 21, 1963, Application No. 20009.

Sherrelwood Estates, filed with this Commission in Advice Letter No. 466 of January 1, 1960.

Western Hills, authorized by this Commission in Authority No. 14549 on April 19, 1961.

Which seven areas were combined in a composite area filed with this Commission in Advice Letter No. 527 of February 21, 1964.

Perl Mack Manor No. 3, authorized by this Commission in Authority No. 14851 of September 11, 1964, pursuant to agreement with Union Rural Electric Association, Inc. which was approved by this Commission in Decision No. 63322 of July 20, 1964.

For various reasons, including principally the fact that the various authorized areas did not adjoin one another at all points,

several neighboring areas, which are enclaves between two or more of the authorized areas or adjoin one or more thereof, have not been authorized for street lighting service. The testimony showed that such areas, together with the authorized areas, constitute an integral area, the consolidation of which into one composite area would facilitate street lighting service. The witness for Applicant, Mr. J. H. Ranniger, a Senior Engineer in the Rate Department, testified that such areas were for the most part vacant tracts, the owners of some of which Applicant was not able to contact. However, most of the owners contacted signed applications to Applicant for street lighting service. With respect to vacant tracts, charges for street lighting service will be made only when electric service is provided to premises.

Testimony indicated that Applicant had made a diligent effort to obtain applications for street lighting service in all portions of the entire area which are not covered by Decisions or Authorities of this Commission. Applicant has agreements with the various developers in the area that they will require the purchasers of homes to sign requests for street lighting service.

The Commission is fully informed of the matters set forth in the application and is of the opinion that, inasmuch as integral service areas are an essential of efficient utility service and are beneficial to the public, the consolidation of the various authorized areas and neighboring enclaves and adjacent areas into one composite area is in the public interest.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the above statement be, and it is hereby, made a part hereof by reference.

That Applicant herein, Public Service Company of Colorado, is a public utility, subject to the regulation of the Commission,

and that the Commission has jurisdiction of the subject matter of the application.

That the authority sought is consistent with the public interest and that the public health, safety, and welfare require that an order should issue authorizing the consolidation of areas requested and the furnishing of street lighting service therein.

#### O R D E R

##### THE COMMISSION ORDERS:

That the application of Public Service Company of Colorado for the consolidation of various authorized areas and neighboring areas into the hereinafter described composite area for the rendition of street lighting service, is in the public interest.

That Public Service Company of Colorado is hereby authorized and directed to install, operate and maintain a street lighting system and to render street lighting service in accordance with the provisions of its Tariff, Colorado P.U.C. No. 4 - Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B in the following-described consolidated area:

Beginning at the intersection of the center lines of Zuni Street and 84th Avenue; thence easterly along the center line of 84th Avenue to a point of intersection with the westerly right-of-way line of U. S. Highway No. 87, said point being near the 84th Avenue and Valley Highway interchange; thence in a general southerly direction along the westerly right-of-way line of said highway to the SE corner of Lot 19, Block 1, Sherrelwood Estates Filing No. 6 which point is approximately on the rear lot line extended of the lots south of Campo Street; thence westerly along the south line of said Lot 19, across Sherman Street, and along the said rear property lines of the lots south of Campo Street to a point of intersection with the east center line of Conifer Road (Broadway); thence southerly along said center line to a point of intersection with the northerly lot line extended of the lot known as 7270 Broadway; thence easterly along said line to the NE corner of said lot; thence southerly along the easterly line of said lot and along the easterly line of the lot known as 7260 Broadway to the SE corner thereof; thence westerly along the southerly lot line extended of said 7260 Broadway to a point of intersection with the center line of Broadway; thence southerly along said center line to a point of

intersection with the northerly right-of-way line of Colorado Highway 382; thence westerly along said northerly right-of-way line to a point of intersection with the rear lot lines extended of the lots easterly of Jennie Drive; thence in a general southerly direction along said lot line extension and along said lot lines to a point of intersection with the center line of 70th Avenue; thence easterly along said center line to a point of intersection with the extension of the rear lot lines of the lots easterly of Kidder Drive; thence in a southerly and westerly direction along the rear lot lines of the lots easterly and southerly of Kidder Drive and continuing along the extension thereof which lies in North Clark Court, to a point of intersection with the rear property lines of the lots east of Huron Street; thence northerly along said property lines to a point of intersection with the center line of 70th Avenue; thence westerly along the center line of 70th Avenue to a point of intersection with the center line of Pecos Street; thence southerly along the center line of Pecos Street to a point of intersection with the center line of 68th Avenue; thence westerly along the center line of 68th Avenue to a point of intersection with the rear lot lines extended of the lots westerly of Jordan Drive; thence northerly along said extension and along said lot lines and continuing northerly along the westerly line of Lot 8, Block 20, Perl Mack Manor to the southwesterly corner of the lot known as 2360 Fern Drive; thence in a general northerly direction along the westerly lot line of said lot to a point of intersection with the present city limits of the City of Westminster; thence continuing northerly along said city limits (being the rear lot lines of the lots west of Zuni Street), across 72nd Avenue and continuing northerly along the east line of Zuni Street to a point of intersection with the southwesterly right-of-way line of Colorado Highway 382; thence due north, across said highway, to a point of intersection with the northeasterly right-of-way line of said highway; thence northwesterly along said northeasterly right-of-way line to a point of intersection with the rear lot lines of the lots west of the portion of Elmwood Lane which runs in a north-south direction; thence northerly along said lot lines to a point of intersection with the rear lot lines of the lots south of Cottonwood Drive; thence westerly along said lot lines to a point of intersection with the rear lot lines extended of the lots east of Federal Boulevard; thence northerly along said lot lines to a point of intersection with the present city limits of the City of Westminster on the south side of 80th Avenue; thence easterly a distance of approximately one block and northerly along said city limits to a point of intersection with the center line of 80th Avenue; thence easterly along said center line to a point of intersection with the center line of Zuni Street; thence northerly along the center line of Zuni Street to a point of intersection with the center line of 84th Avenue, the point of beginning, and excluding from all the above-described area all federal and state highways and rights-of-way therefor.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*George Zuckerman*  
*Howard B. Bell*  
*Ralph C. Hutton*  
Commissioners

Dated at Denver, Colorado  
this 28th day of July, 1965.

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Original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
PUBLIC SERVICE COMPANY OF COLORADO  
FOR A CERTIFICATE OF PUBLIC CONVEN-  
IENCE AND NECESSITY TO EXERCISE FRAN-  
CHISE RIGHTS IN THE TOWN OF MANASSA,  
COUNTY OF CONEJOS, STATE OF COLORADO,  
FOR THE PURCHASE, MANUFACTURE, GENER-  
ATION, TRANSMISSION, DISTRIBUTION AND  
SALE OF ELECTRICAL ENERGY AND GAS,  
EITHER NATURAL, ARTIFICIAL OR MIXED,  
IN SAID TOWN OF MANASSA, AND TO DIS-  
TRIBUTE AND SELL NATURAL GAS IN THE  
AREA CONTIGUOUS TO THE TOWN.

APPLICATION NO. 21206

July 28, 1965

Appearances: Lee, Bryans, Kelly & Stansfield,  
Esqs., Denver, Colorado by  
D. D. Cawelti, Esq., Denver,  
Colorado, for Applicant;  
P. M. Brown, Denver, Colorado,  
of the Staff of the Commission

S T A T E M E N T

By the Commission:

Public Service Company of Colorado filed an application with this Commission, seeking a certificate of public convenience and necessity authorizing the exercise of franchise rights granted by the Town of Manassa, County of Conejos, Colorado, for the purchase, manufacture, generation, transmission, distribution and sale of electricity, and gas, either natural, artificial or mixed, in said Town, and authorizing the distribution and sale of gas in the area contiguous thereto.

The matter was set for hearing, after due notice to all interested parties, on July 14, 1965, at 10:00 o'clock A.M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. At said time and place, the matter was duly heard on a joint record with Applications No. 21207 and No. 21208, which applications were also filed by Public Service Company of Colorado,



and at the conclusion of the hearing the matter was taken under advisement.

No protests were filed prior to, and no one appeared at the hearing in opposition to the granting of this application.

Applicant is a corporation, organized and existing under and by virtue of the laws of the State of Colorado, and is a public utility operating company subject to the jurisdiction of this Commission, engaged primarily in the purchase, generation, transmission, distribution and sale of electric energy, and in the purchase, distribution and sale of natural gas in various areas within the State of Colorado. A certified copy of Applicant's Composite Certificate of Incorporation, containing all amendments thereto, has heretofore been filed with this Commission.

Applicant showed that on April 5, 1965, the Board of Trustees of the Town of Manassa duly passed and adopted Ordinance No. 1-65 of the Town of Manassa, which franchise ordinance was introduced in evidence as Exhibit A and is entitled as follows:

An ordinance granting a franchise by the Town of Manassa, Conejos County, Colorado, to Public Service Company of Colorado, its successors and assigns, to locate, build, construct, acquire, purchase, extend, maintain and operate into, within and through the Town of Manassa, a plant or plants, substations, and works, for the purchase, manufacture, generation, transmission and distribution of electrical energy and gas, either natural, artificial or mixed, and to furnish, sell and distribute said electrical energy and gas to the Town of Manassa and the inhabitants thereof, for light, heat and power, or other purposes, by means of pipes, mains, conduits, cables, poles and wires strung thereon, or otherwise, on, over, under, along, across and through all streets, alleys, viaducts, bridges, roads, lanes, and other public ways and places in said Town of Manassa, and fixing the terms and conditions thereof.

The term of said franchise is for a period of twenty-five years.

Attached to the franchise introduced in evidence is a certificate of introduction, passage and signature by the Mayor, and a certificate of the recording by the Town Clerk and of the acceptance of the franchise by Applicant. Exhibits B and C are maps of the gas and

electric distribution system in the Town of Manassa. These exhibits, by reference, are made a part hereof.

Witness for Applicant, Mr. H. M. Edmonds, testified that Applicant obtains its natural gas for distribution and sale in Manassa from the gas transmission line of the Western Slope Gas Company, a wholly-owned subsidiary, and obtains its electric energy from the interconnected electric central system of Applicant.

The existing facilities will be utilized in continuing said gas and electric service. There is no other public utility in the business of distributing gas and electricity in said Town of Manassa. Applicant is serving 78 residential gas customers and 230 residential electric customers. The population of Manassa was 831 at the time of the 1960 U. S. Census.

Witness estimated that \$82,000 additional capital investment in the combined gas and electric distribution systems in the Town of Manassa during the term of the franchise will be necessary.

The Commission has reviewed the instant application and the evidence presented by Applicant in support thereof. The Commission is of the opinion that the authority sought herein should be granted.

The estimates regarding investment, both gas and electric, will be used as the basis for the fee for the issuance of the certificate but will not be binding upon the Commission in any subsequent investigation where valuation may be an issue.

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

##### THE COMMISSION FINDS:

That the Commission has jurisdiction of Applicant herein, Public Service Company of Colorado, and of the subject matter involved in the instant application.

That the Commission is fully advised in the premises.

That the public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado, of the franchise rights, granted in and by Ordinance No. 1-65 of the Town of Manassa, dated April 5, 1965, for the purchase, manufacture, generation, transmission, distribution and sale of gas and electricity by Public Service Company of Colorado in said Town, and the distribution and sale of gas in the area contiguous thereto.

All gas to be sold hereunder should be odorized prior to sale to customers.

#### O R D E R

##### THE COMMISSION ORDERS:

That public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado, of the franchise rights granted in and by Ordinance No. 1-65 of the Town of Manassa dated April 5, 1965, marked Exhibit A herein, which by reference is made a part hereof for the purchase, manufacture, generation, transmission, distribution and sale of electricity and gas, either natural, manufactured or mixed, by Public Service Company of Colorado in said Town, and the distribution and sale of gas in the area contiguous thereto, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That applicant shall odorize all gas prior to sale to its customers.

That Public Service Company of Colorado shall install, operate and maintain its electric and gas systems and supply service in the area heretofore designated in accordance with its schedules of electric and gas rates, classifications, rules and regulations now on file with this Commission, or as the same may be changed according to law and the rules and regulations of this Commission.

That Public Service Company of Colorado shall continue to maintain its books and accounts in accordance with the Uniform System

of Accounts, and shall continue to keep its practices in accordance with the Rules Regulating the Service of Gas and Electric Utilities as adopted by this Commission.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Alvin E. Fadengo*  
*Harold B. Bredford*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado  
this 28th day of July, 1965.

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SAN LUIS VALLEY RURAL ELECTRIC  
COOPERATIVE INC.

**KEY MAP**

DATE 4-16-63 DWN. BY J.D.B.

SCALE OF MILES



EXHIBIT 1 to Exhibit A Sheet 1 of 2



