

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
ROBINSON FOOD PRODUCTS COMPANY, }
POSTOFFICE DRAWER 2757, } PERMIT NO. M-10532
ABILENE, TEXAS 79607 }

March 8, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

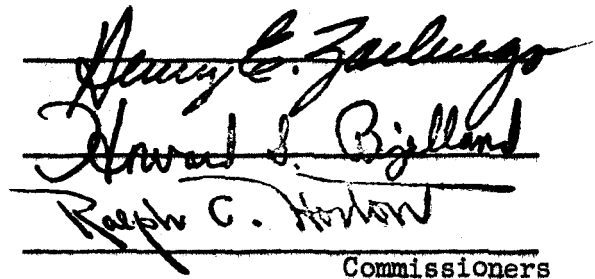
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 15, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 8th day of March 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF }
ORBILLE B. JACKSON, }
CEDAREDGE, COLORADO 81413 } PERMIT NO. M-10719

March 8, 1966 --

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

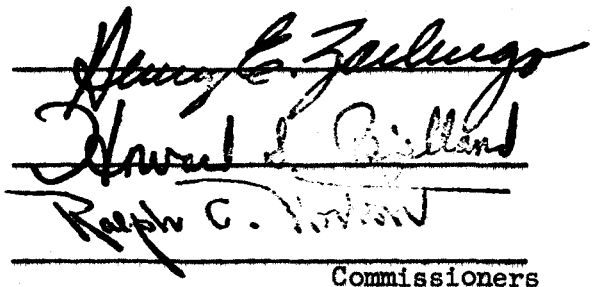
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 1, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 8th day of March 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF }
JOHN K. CROUCH }
418 4th. STREET }
ALAMOSA, COLORADO 81101 } PERMIT NO. M-10931

March 8, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 4, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zuckerman

Howard S. Bjelland

Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 8th day of March 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
HAROLD J TEDDER
POSTOFFICE BOX 522
ESTES PARK, COLORADO 80617

} PERMIT NO. M-11090
}

March 8, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

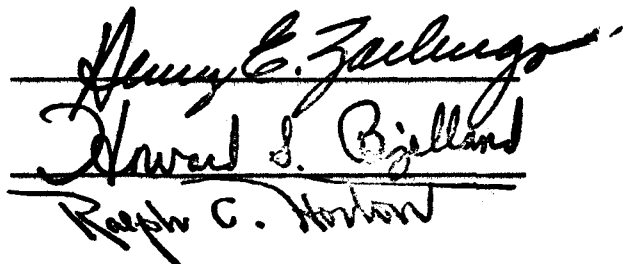
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 5, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 8th day of March 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Lyman H STEFFENS, DOING BUSINESS) PERMIT NO. M-11471
AS, SNOW WHITE GROCERY, 922)
TENTH STREET, GREELEY, COLORADO)
80630)

March 8, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

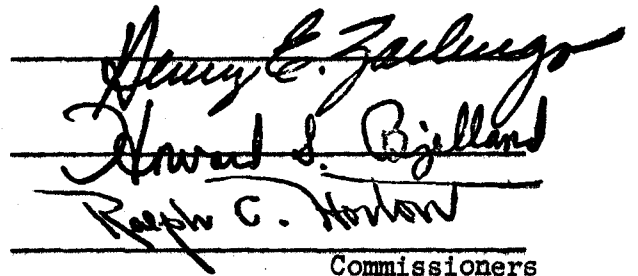
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 13, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 8th day of March 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
A. G. JENSEN, DOING BUSINESS)
AS, JENSEN'S SPORTING GOODS,) PERMIT NO. M-11541
1419 EAST VIRGINIA AVENUE)
DENVER, COLORADO 80209)

March 8, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

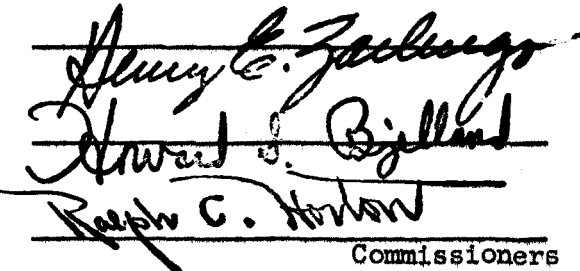
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 30, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 8th day of March 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF }
LARRY G. KANE, DOING BUSINESS }
AS, SNAP ON TOOLS, 110 THIRD }
STREET, LA SALLE, COLORADO, } PERMIT NO. M-13104
80645 }

March 8, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

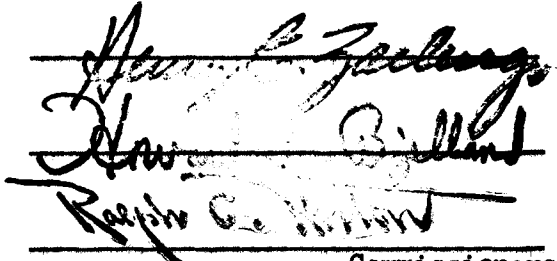
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 5, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 8th day of March 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
SAMUEL L. HERLYCK, DOING BUSINESS)
AS, FARMER'S LOCKER, 327 MAIN)
STREET, WALSENBURG, COLORADO) PERMIT NO. M-14990
81089)

March 8, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

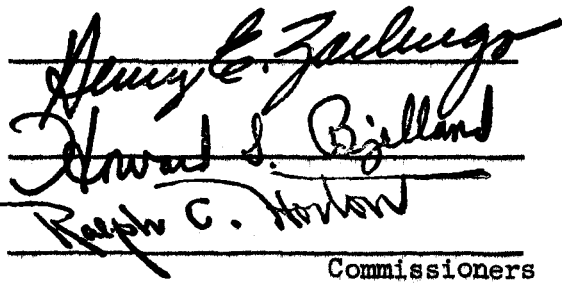
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 5, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 8th day of March 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
H J HUSTEDE, K H HUSTEDE AND
W W HUSTEDE, DOING BUSINESS AS } PERMIT NO. M-3251
ALCOTT COAL AND ICE COMPANY,
5820WEST 56TH AVENUE, ARVADA,
COLORADO 80002 - - - - - }

- - - - -
March 8, 1966
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

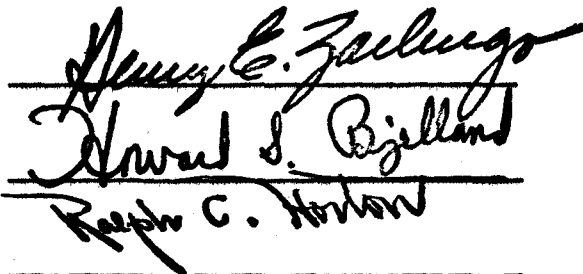
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 6, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 8th day of March 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
DECKER AND LOOS INCORPORATED
SIDNEY, BOX 611
NEBRASKA

PERMIT NO. M-4136

March 8, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

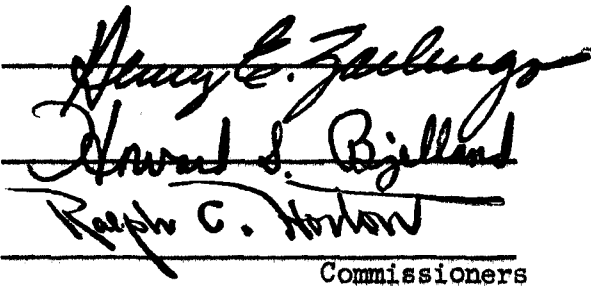
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 24, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 8th day of March 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
MURPO INDUSTRIES INCORPORATED
915 ELM STREET,
JUNCTION, TEXAS

PERMIT NO. M-7226

March 8, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 12, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaichko
Howard S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 8th day of March 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF	}	PERMIT NO. M-9948
LEWIS J, KNUDSON, BOX 1266,		
STERLING, COLORADO 80751		

March 8, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

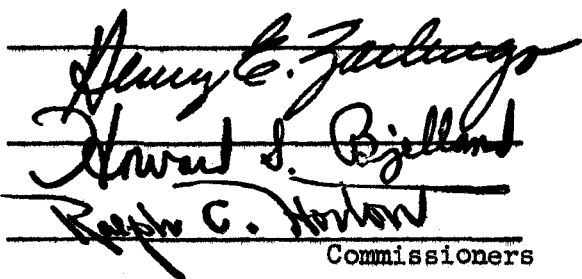
The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 4, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 8 day of March 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ANTON LINDGREN AND HENRY,)
MAZZOCCA, DOING BUSINESS AS,) PERMIT NO. M-13670
L AND M GRAIN AND FEED, CHAPPELL)
NEBRASKA)

March 8, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

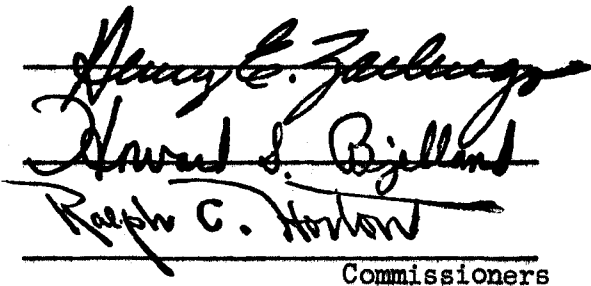
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 24, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 8th day of March 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF }
LEE A. HUNT, POSTOFFICE BOX } PERMIT NO. M-15680
414 }
WAUNETA, NEBRASKA }

March 8, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

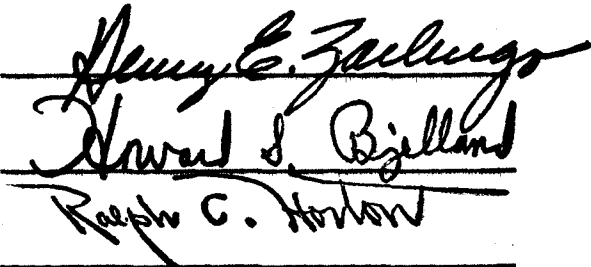
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 11, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 8th day of March 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ARTHUR M. JONAS, 3000 SOUTH LINCOLN,)
BOX 1102, ENGLEWOOD, COLORADO, FOR)
A CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 21763-PP

March 4, 1966

Appearances: Mrs. Patricia E. Jonas, Englewood,
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, Mrs. Patricia E. Jonas, wife of the 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 her husband has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation; and that her husband will abide by all the rules and regulations of the Commission with which he will familiarize himself.

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 Arthur M. Jonas, Englewood, 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

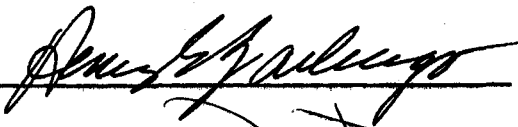
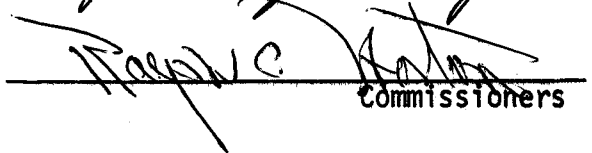
this permit deemed advisable.

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

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado
this 4th day of March, 1966.

ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
IVAN McDANIEL, P O BOX 3,) PERMIT NO. B-5676
PARLIN, COLORADO.)

March 7, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, the Commission authorized the above-named carrier to suspend operations under the above-entitled authority.

The Commission is now in receipt of a communication from the above-named carrier requesting that said authority be reinstated.

The Commission finds that the request should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, reinstated as of February 9, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 7th day of March 1966
et

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
EDDIE STOKER, 59 SOUTH 11TH)
BRIGHTON, COLORADO.)

PERMIT NO. B-6363

March 7, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

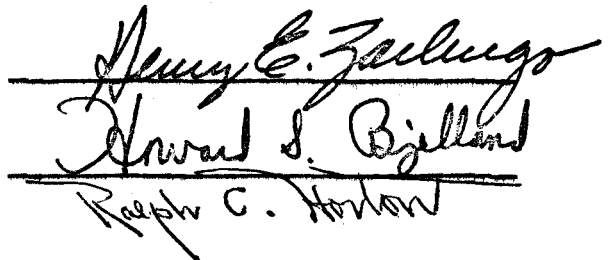
That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

March 1, 1966

until September 1, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 7th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
DECKER & LOOS, INC.,
SIDNEY, NEBRASKA.

PUC NO. 6176-I

March 7, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 24, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaclungo
Edward S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 7th day of March 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF

ERNEST A RODRIGUEZ, P O
BOX 253, LA JARA, COLORADO.

PERMIT NO. B-5486

March 7, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 1, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zeilinger
Howard S. Bjelland
Ralph C. Anderson

Commissioners

Dated at Denver, Colorado,
this 7th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ALCOTT COAL & ICE CO., 5820)
WEST 56th AVENUE, ARVADA,)
COLORADO.)

PERMIT NO. B-5436

March 7, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

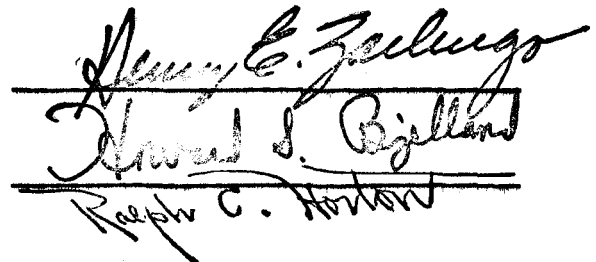
THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

February 6, 1966 until August 6, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 7th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
R. O. FRAZIER, P O BOX 61,)
MACK, COLORADO.)

PUC NO. 2971-I

March 7, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

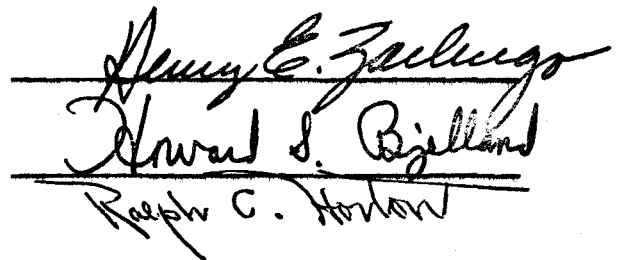
THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

February 23, 1966 until August 23, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 7th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
DON M. ROBERTS DBA D & B)
TRUCK SERVICE, BOX 16533,)
STOCKYARDS STA., DENVER, COLO)

PUC NO: 6184-I

March 7, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

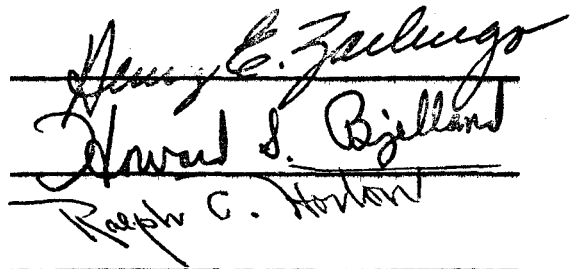
THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

February 6, 1966 until August 6, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 7th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
LEO S. BROWN, BOX 92,) PERMIT NO. B-6456
CRAIG, COLORAD.)

March 7, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

February 18, 1966 until August 18, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Nancy E. Zaslau
Edward S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 7th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
EDWARD ALTENBERN, 2045 NO.) PERMIT NO. B-5056
15TH., GRAND JUNCTION,)
COLORADO.)

March 7, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

February 21, 1966 until August 21, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Nancy E. Zaslavsky
Howard S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 7th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
R. O. FRAZIER, P O BOX 61,)
MACK, COLORADO.)

PERMIT NO. B-4451

March 7, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

February 23, 1966

until

August 23, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaslau
Arnold S. Bjorklund
Ralph C. Nordmark

Commissioners

Dated at Denver, Colorado,
this 7th day of March 196
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
DAVID J. & JOHN F. FOWLER,)
1120 SO. INGALLS ST.,)
DENVER, COLORADO.)

PUC NO. 6280-I

March 7, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

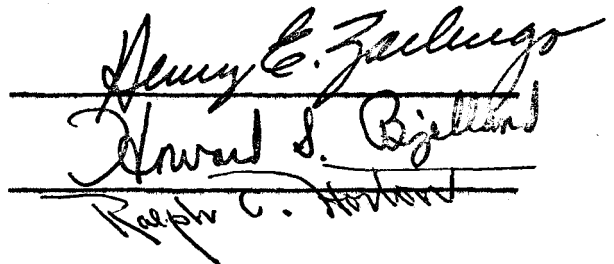
That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

March 2, 1966

until September 2, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 7th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
LEE A. HUNT, P O BOX 414,)
WAUNETA, NEBRASKA.)

PUC NO. 5321-I

March 7, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 11, 1966

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dennis E. Zaslavsky
Edward S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 7th day of March 196
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
L & M GRAIN & FEED COMPANY)
RTE 2, BOX 137, CHAPPELL,) PUC NO. 5238-I
NEBRASKA.)

March 7, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

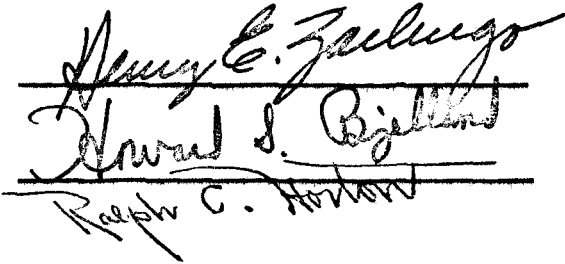
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 24, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 7th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
LEWIS J. KNUDSON, BOX 1266)
STERLING, COLORADO.)

PUC NO. 5885-I

March 7, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 4, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 7th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF }
MURPO INDUSTRIES INC.,915 }
ELM STREET, JUNCTION, } PUC NO. 5335-I
TEXAS. }

March 7, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

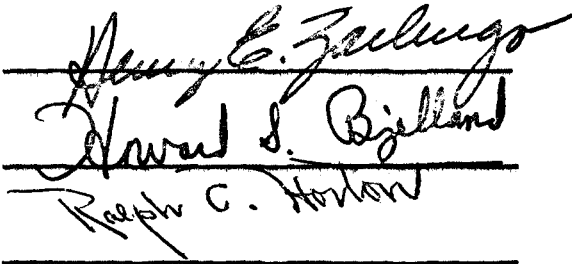
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 12, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 7th day of March 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF E. E. LONG, 2021 SOUTH PEARL)
STREET, DENVER, COLORADO, FOR)
REINSTATEMENT OF PERMIT NO. B-1292)
AND FOR AUTHORITY TO TRANSFER SAID)
PERMIT NO. B-1292 TO EARL SWAYZE) APPLICATION NO. 21765-PP-Transfer
AND ARLINE SWAYZE, DOING BUSINESS)
AS "E & A FEED & FERTILIZER," 6101)
EAST 65TH AVENUE, COMMERCE CITY,)
COLORADO.)

March 8, 1966

Appearances: E. E. Long, Denver, Colorado,
pro se;
Earl Swayze, Commerce City,
Colorado, for Transferees;
A. J. Meiklejohn, Jr., Esq., Denver,
Colorado, for Petroleum Transport
Company, Ruan Transport Corporation
and Ward Transport, Inc., Protestants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, E. E. Long, Denver, Colorado, was granted the following
operating rights:

Permit No. B-1292:

Transportation of sand, gravel, rock and like construction
material, from point to point within a radius of 75 miles
of Denver, Colorado. Dec. #41833: CONSOLIDATES AUTHORITY
UNDER B-3511 HEREWITH: Transportation of sand, gravel,
and other materials used in making up the surface of the
roads, from pits and supply points in the State of Colorado,
to jobs within a radius of 50 miles of said pits and supply
points, excluding service in Boulder, Clear Creek and Gilpin
Counties; coal from mines in the northern Colorado coal fields
to Denver, Colorado.

By the above-styled application said permit-holder seeks re-
instatement of said Permit No. B-1292 and authority to transfer said
operating rights to Earl Swayze and Arline Swayze, doing business as
"E & A Feed & Fertilizer," Commerce City, 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 Earl Swayze, on behalf of both transferees, stated that he would have no objection to adding to the authority under Permit No. B-1292 the restriction that the transportation of road-surfacing materials shall be restricted against the use of tank vehicles. This stipulation was approved by the Examiner and thereupon A. J. Meiklejohn stated that the Protestants who he represented would therefor withdraw their protests.

E. E. Long, the transferor herein appeared and testified that he owns Permit No. B-1292 which is presently under suspension by this Commission; that he has agreed to sell and transfer to the transferees for the consideration of \$25.00 Permit No. B-1292; that such transfer is being made on a debt free basis; that, with reference to the stipulation heretofore made, he at no time had considered the authority under Permit No. B-1292 as permitting the use of tank vehicles, and of course, has never operated under this Permit with tank vehicles.

Earl Swayze testified that he and his wife, Arline Swayze, are partners doing business under the trade name of "E & A Feed & Fertilizer;" that they have orally agreed to purchase Permit No. B-1292 for the sum of \$25.00 from E. E. Long; that they own sufficient equipment to continue operations under this Permit; that they are experienced in this type of transportation; that they have a net worth in excess of \$30,000.00; that he and his wife are familiar with the rules, regulations and laws of the State of Colorado pertaining to private carriers and will carefully abide by the same.

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 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 transferees will restrict the authority to be transferred as stipulated at the commencement of the hearing; that Permit No. B-1292 should be reinstated for the purpose of transfer; and 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-1292 be, and the same hereby is, reinstated for purpose of transfer.

That E. E. Long, Denver, Colorado, be, and hereby is, authorized to transfer all his right title and interest in and to Permit No. B-1292 to Earl Swayze and Arline Swayze, doing business as "E & A Feed & Fertilizer," Commerce City, Colorado, said authority henceforth to be and read as follows:

"Transportation of sand, gravel, rock and like construction material, from point to point within a radius of 75 miles of Denver, Colorado; transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to jobs within a radius of 50 miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the Northern Colorado coal fields to Denver, Colorado; transportation of road-surfacing materials to be restricted against the use of tank vehicles."

That transfer of said Permit No. B-1292 is subject to encumbrances against said operating rights, if any, approved by this Commission.

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

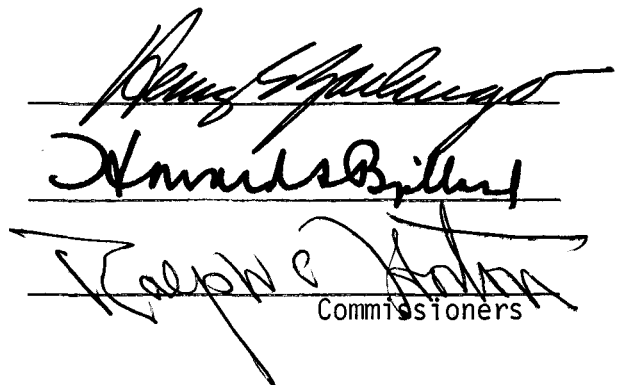
have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of the Order shall automatically revoke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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 8th day of March, 1966.

Is

Original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
PLATEAU NATURAL GAS COMPANY, A
CORPORATION, 20 BOULDER CRESCENT,
COLORADO SPRINGS, COLORADO, FOR AN
ORDER AUTHORIZING THE ISSUANCE OF
6,000 SHARES OF 5-1/2% CONVERTIBLE
CUMULATIVE PREFERRED STOCK OF 1965,
SERIES B.

APPLICATION NO. 21849
SECURITIES

March 7, 1966

S T A T E M E N T

BY THE COMMISSION:

Upon consideration of the application filed March 4, 1966 by
Plateau Natural Gas Company, a corporation, in the above styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on March 18, 1966,
at 2:00 o'clock P. M., 532 State Services Building, Denver, Colorado,
respecting matters involved and issues presented in the proceeding.
Any interested municipality or any representative of interested con-
sumers 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 March 11, 1966, and should set forth
the grounds of the proposed intervention and the petition and inter-
est of the petitioners, in the proceeding and must be subscribed by
intervenors.

Dated at Denver, Colorado,

gs

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

[Handwritten signatures]
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF) PUC NO. 1345,
HARRY B. HAWKS, R. R. 4, BOX 431,) Permits NOS. B-1365 & I,
MONTROSE, COLORADO.) B-3076, B-4769 & I, B-4929

March 8, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On January 6, 1966, the Commission entered Decision No. 66532, approving mortgage of PUC No. 1345, Permits Nos. B-1365 & I, B-3076, B-4769 & I, and B-4929 by Harry B. Hawks, Montrose, Colorado, to The Montrose National Bank, Montrose, Colorado, to secure payment of the sum of \$21,692.72.

The Commission is now in receipt of a communication from said Montrose National Bank that said mortgage has been paid off by renewal and requesting release of Chattel Mortgage dated December 10, 1965, and approval of Chattel Mortgage dated February 4, 1966, in the amount of \$32,057.51, in accordance with the terms and conditions set forth in said Chattel Mortgage.

The Commission states and finds that said requests should be granted, as set forth in the Order following.

O R D E R


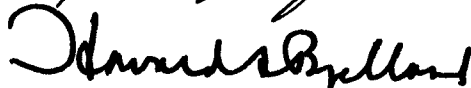
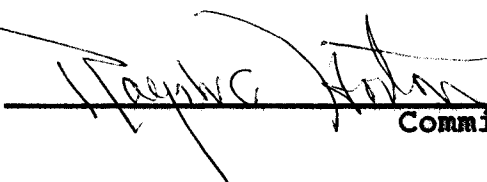
THE COMMISSION ORDERS:

That mortgage of the above-mentioned operating rights, authorized by Decision No. 66532, dated January 6, 1966, be, and the same hereby is, released, as requested by Mortgagee herein insofar as it concerns this Commission.

That Harry B. Hawks, Montrose, Colorado, be, and hereby is, authorized to mortgage all right, title and interest in and to PUC No. 1345 and Permits Nos. B-1365 & I, B-3076, B-4769 & I, and B-4929, to The Montrose National Bank, Montrose, Colorado, to secure payment of the sum of \$32,057.51, in accordance with the terms and conditions set forth in Chattel Mortgage dated February 4, 1966, 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

Dated at Denver, Colorado,
this 8th day of March, 1966.

jh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
KERR TRANSPORTATION CO., A CORPO-)
RATION, P. O. BOX 995, CRAIG, COLO-)
RADO, FOR AUTHORITY TO TRANSFER)
PERMIT NO. B-225 TO H. W. JAMIESON,)
DOING BUSINESS AS "JAMIESON TRUCK-)
ING," P. O. BOX 995, CRAIG, COLO-)
RADO.)

APPLICATION NO. 21538-PP-
Transfer

March 8, 1966

Appearances: Norman Hotchkiss, Esq., Grand
Junction, Colorado, for
Transferor;
Warren Reams, Esq., Grand
Junction, Colorado, for
Transferee;
Royce D. Sickler, Esq., Denver,
Colorado, for Larson Trans-
portation Co., and Rio Grande
Motor Way, Inc.; Protestants;
Robert P. Grueter, Esq., Denver,
Colorado, for Red Ball Motor
Freight, Inc., Protestant;
Fred A. Videon, Esq., Craig,
Colorado, for Beaver Bros.,
Inc., Protestant;
John P. Thompson, Esq., Denver,
Colorado, for a copy of the
Order.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Kerr Transportation Co., a corporation,
Craig, Colorado, was granted the following operating rights:

PERMIT NO. B-225:

NOT RESTRICTED, except to an operational head-
quarters and office in Craig, Colorado, only.

By the above-styled application, said permit-holder seeks authority to transfer said Permit No. B-225 to H. W. Jamieson, doing business as "Jamieson Trucking," Craig, 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 Warren Reams, on behalf of the transferee requested that a statement be made on behalf of the Protestants so that all concerned may have knowledge prior to the taking of evidence as to the basis for the protest.

Mr. Royce D. Sickler, on behalf of Protestants Larson Transportation Company and Rio Grande Motor Way, Inc., thereupon stated for the record that the companies he represents were protesting on the following grounds:

(1) That the authority sought to be transferred is dormant in all respects, or, in the alternative, is dormant as to certain types of commodities for which the companies he represents have had no competition from the operator of Permit No. B-225 heretofore;

(2) That the transferee herein presently operates under an authority which will be duplicating Permit No. B-225 and that, therefore, if the transfer is approved, there exists a possibility of dual operation;

(3) That the transferee proposed to operate under Permit No. B-225 in a way in which it has not previously been operated, the effect of which would impair or otherwise harm the operations of the common carriers who heretofore have been unaware of any competition from the operator of Permit No. B-225;

(4) That it was his clients' position that the transferee does not have sufficient financial ability to operate under this authority; and

(5) That the contract to purchase the Permit, which will be introduced in evidence, will reveal a consideration making it appear that the price being paid for the Permit would make the operation not financially economical based upon the transportation activities heretofore conducted under Permit No. B-225.

The other Protestants stated for the record that their position is as above-indicated by Mr. Sickler's statement, and, therefore, they wished to adopt Mr. Sickler's statement as their statement as a basis for their protests.

Mr. H. W. Jamieson, Grand Junction, Colorado, identified Exhibit No. 1 as a Balance Sheet reflecting his assets and liabilities as of June 30, 1965. He testified that this substantially reflects his financial status as of the day of hearing subject, however, to changes therein resulting from the contract of sale, (Exhibit 2) by which he agreed with the transferor to purchase Permit No. B-225 for the sum of \$25,000.00, which amount is in accordance

with the provisions of the contract of sale -- \$12,500.00 is presently in escrow at the United States Bank in Grand Junction, Colorado. In this regard, the Applicant also referred to Exhibit No. 3, an agreement between he and the transferor which he purchased equipment as listed in this exhibit for the sum of \$105,800.00.

With reference to the equipment list in Exhibit No. 3, Mr. Jamieson stated that he now owns this equipment in his own name and that these vehicles have been licensed in Moffat County, Colorado.

Mr. Jamieson stated that he presently holds no Colorado authorities or I.C.C. authorities in his own name; that he has had 25 years of experience in the transportation business and that heretofore he has held certain Permits and operating rights; that he now owns sufficient equipment to continue operations under Permit No. B-225; and that he is thoroughly familiar with the authority granted under this Permit and realizes that it is restricted to one office only to be located at Craig, Colorado.

Mr. Jamieson stated that he has been operating Permit B-225 under Temporary Authority issued by the Commission and that he has established an office at Craig, Colorado at 834 Russel Street, from which office he proposes to conduct future operations under this permit if the within application is approved by the Commission; that he has been operating Permit No. B-225 since September 15, 1965 when the Temporary Authority was issued and that for the purpose of this operation he has employed Forest Cooper as Manager

and bookkeeper at the office at Craig, Colorado, and if the within application is approved, a permanent office facility and shop will be located at Craig, Colorado and Mr. Forest Cooper who has considerable experience in the transportation business will continue to be the Manager of the business at Craig; and that he would actively supervise the transportation business to be conducted under Permit No. B-225 and that Mr. Cooper would function under his general supervision.

With reference to the \$25,000.00 consideration to be paid for Permit No. B-225, Mr. Jamieson stated that, in his opinion, this is a fair and reasonable amount based upon the nature of the authority and the business previously conducted thereunder; that he was familiar with the rules, regulations and laws of the Public Utilities Commission and the pertinent statutes of the State of Colorado pertaining to private carriers and that if the within application is approved, he would comply with such rules, regulations and laws.

Mr. Jamieson testified that while operating Permit No. B-225 under the Temporary Authority, steel, concrete pipe, livestock, and road-building equipment had been transported; that insurance as required by the Commission had been provided for and that while operating under the Temporary Authority, strict compliance had been had of the rules and regulations of the Public Utilities Commission; and that he has adequate financial status to conduct proper operations under Permit No. B-225 and would further be able to provide additional equipment if such became necessary.

On cross-examination, Mr. Jamieson testified that he and his wife own 100% of the stock of Moab Truck Center, Inc. which is engaged in the transportation business with headquarters at Moab, Utah, and terminals at Grand Junction, Urvan and Silverton, Colorado; that Moab Truck Center, Inc. owns and operates in Colorado under Permit No. B-5524 (Permit No. B-5524 on request of counsel is being made a part of the record); that he is the President of Moab Truck Center, Inc.; and that he devotes part of his time to the business activities of this company.

Mr. Jamieson further testified regarding Exhibit No. 1, the Balance Sheet which reflects his financial status as of June 30, 1965, and stated because of the transaction with the transferor, the Balance Sheet would show an additional asset of \$10,800.00 and an additional liability of \$95,000.00 and that the difference between this asset and liability would be accounted for by a personal bank account in the sum of \$10,800.00 which now would be shown as an additional asset.

With reference to the transportation of steel under the Temporary Authority, Mr. Jamieson stated that it was transported for a customer who had previously done business with the transferor and that the shipment originated in Denver and was delivered to the Rudi Dam Site in Colorado.

As to the transportation of concrete pipe, this witness stated that the shipment originated in Denver and was transported to Empire.

With reference to the transportation of livestock, it was destined to Denver from Snow Mass, Colorado, the Aspen

area of Colorado, and the Greeley area. As to road building equipment transported under the Temporary Authority, this witness stated that it originated at the Rudi Dam and was transported to Silt, Colorado. Mr. Jamieson was also asked regarding any shipments originating in Craig, Colorado. He stated that he did not believe there were any such shipments and that the closest origin point for a shipment to Craig, Colorado was the transportation of tanks hauled out of the Hayden-Trapper Lake area.

Also, during cross examination, Mr. Jamieson stated in effect that if necessary, he would invest additional funds to develop the transportation business under Permit No. B-225 and that all activity pertaining to the solicitation of business or developing of contracts with customers would emanate from the office of Craig, Colorado and that he had no intention of establishing offices elsewhere.

Mr. Jamieson indicated in cross examination that he intended to establish agents for the development of business around the State of Colorado but that no other office other than Craig, Colorado would be established for the development of business.

Mr. W. M. Kerr, President of Kerr Transportation Company, a Colorado corporation, testified that he and his wife own the majority of the stock of this corporation. This witness identified Exhibit 4 as the financial statement of the Kerr Transportation Company which includes a Balance Sheet, Statement of Income and Expenses and a note to the financial statements. This exhibit is dated June 30, 1965

and is substantially correct as of the day of hearing except for two transactions, to-wit: the sale of equipment to Mr. Jamieson and the conclusion of the lawsuit referred to therein which was resolved favorably so far as Kerr Transportation Company was involved. With reference to the lawsuit, this witness identified Exhibit 5 as a certified copy of the Order and Judgment of the District Court of Delta County, Colorado. This witness also testified with respect to Exhibit 2, the Contract of Sale, providing for a consideration of \$25,000.00 for Permit No. B-225 and Exhibit 3, an Agreement pertaining to the sale of the itemized equipment for the sum of \$105,800.00 to the transferee H. W. Jamieson. He stated that these two contracts set forth completely the provisions of the transactions between Kerr Transportation Company and H. W. Jamieson. He also added that with respect to the equipment list in Exhibit 3, it was used by the transferor in its operations under Permit No. B-225. This witness testified that operations under Permit No. B-225 were conducted from the office of the company at Craig, Colorado and during the period this Permit was operated by the transferor corporation, it was operated continuously and actively. During cross examination, Mr. Kerr was questioned regarding the statement of income and expenses for the six-month period ending June 30, 1965 and particularly with reference to revenue from operations under Permit No. B-225. Mr. Kerr conceded as such, this statement did not set forth revenue and his explanation was that it may be the revenues and expenses came out even. However, he could not make a definite statement in this regard.

Upon redirect examination, Mr. Kerr indicated that this statement was for Kerr Transportation Company whereas there had been in 1965 three changes in name of this company, to-wit: Kerr Truck Company, Kerr Coal Company and finally, Kerr Transportation Company, and that possibly the statement of income and expenses more or less reflects the operation of the Kerr Coal Company.

This witness was unable to explain with any clarity this portion of the financial statement of the Kerr Coal Company.

Exhibit Nos. 1, 2, 3, 4 and 5 were received in evidence. The transferor and transferee rested.

Ralph H. Knull, Denver, Colorado, testified that he is employed as General Traffic Manager by Rio Grande Motor Way, Inc. and Larson Transportation Company, both of which hold certificates of public convenience and necessity from the Public Utilities Commission - Rio Grande Motor Way, Inc. holds PUC No. 149 and Larson Transportation Company holds PUC No. 331. It was requested that official notice of these certificates be taken and made a matter of record in these proceedings. The request was granted.

This witness generally described both of the authorities involved and described the equipment owned and operated by both Rio Grande Motor Way, Inc. and Larson Transportation Company. He also explained that with reference to both of these authorities, the companies solicited business by the use of salesmen at various places in the State of Colorado. Mr. Knull stated that with reference to the operations, under these certificates of public conven-

ience and necessity, he is aware of only one instance where competition was encountered from the holder of Permit No. B-225 and that was in connection with a movement of steel from Denver to the Rudi Dam site near Basalt, Colorado. Mr. Knull stated Rio Grande Motor Way, Inc. has specific authority to serve the site of Rudi Dam from Denver, Colorado.

Jerry Stratman, Terminal Manager, Red Ball Motor Freight, Inc., Denver, Colorado, testified that this company owns and operates under PUC 8 and I for the transportation of general commodities between Denver, Colorado and Trinidad on U. S. 85 and 87 and all intermediate points; and from Pueblo on Highway 50 to the Kansas line, and all intermediate points; that its equipment and its various terminal facilities are in Colorado; and that he had no knowledge concerning any shipments made under Permit No. B-225.

Harvey W. Beaver, 814 Stout Street, Craig, Colorado, testified that Beaver Bros. Inc., in which he owns 40% of the stock, owns and operates under PUC No. 880 and 1880. Upon request official notice was taken of these authorities. This witness described the equipment maintained by this company and the authority and commodities transported by it. He testified that generally his company transported livestock, produce, feed and farm machinery and that as far as he knew he was unaware that the operator of Permit No. B-225 hauled any of these commodities in the area authorized by hhs authority. This witness, however, did testify that in 1938 and 1939 when Permit No. B-225 was owned by one Stanton, he

he was employed by Stanton and some livestock was hauled but that this type of transportation terminated at that time and since 1938 or 1939, none of these commodities were transported by the owners of Permit No. B-225 in the territory covered by the authority owned by Beaver Bros. Inc.

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 transferee will have sufficient equipment and experience to properly carry on the operations under Permit No. B-225; that transferee's financial standing is established to the satisfaction of the Commission; that evidence in support of the application reflects that operations as a private carrier were conducted during the period just prior to the filing of the instant application; that the testimony of H. W. Jamieson, the transferee, was indicative of an intention to engage agents located at terminals at various points in the State of Colorado for the development of contract customers which would be considered as a violation of the restriction that operational headquarters and the office of the holder of Permit No. B-225 be restricted to Craig, Colorado, only, and therefore, the Commission finds that this restriction should be further amplified to provide that the holder of Permit No. 225 shall not employ or engage any agent to contract with any person for the development of contract business, who is not domiciled at Craig, Colorado; that the testimony in support of Protestants' position is insufficient to constitute a basis for not approving the transfer or further restricting or limiting

the authority under Permit No. B-225; and 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 Kerr Transportation Co., a corporation, Craig, Colorado, be, and hereby is, authorized to transfer Permit No. B-225 to H. W. Jamieson, doing business as "Jamieson Trucking," Craig, Colorado, subject to encumbrances, if any, against said permit approved by this Commission.

That henceforth Permit No. B-225 shall be, and read as follows:

"NOT RESTRICTED, except to an operational headquarters and office in Craig, Colorado, only, and further provided that the holder of Permit No. B-225 shall not employ or engage any agent to contract with any person for the development of contract business, who is not domiciled at Craig, Colorado, or the area immediately surrounding the boundaries of Craig, Colorado."

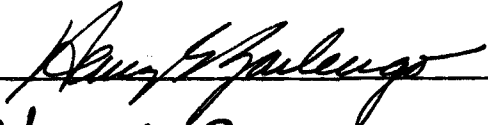
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of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

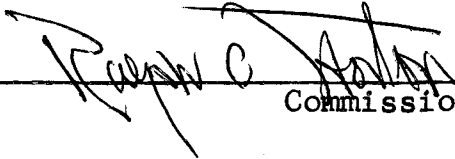
This Order is made a part of the permit authorized to be transferred.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 8th day of March, 1966.

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

BUEHLER TRANSFER CO., WEICKER TRANSFER &
STORAGE CO., JOHNSON STORAGE & MOVING CO.,
FORD VAN LINES, BEKINS VAN & STORAGE CO.,
AMICK TRANSFER & STORAGE CO., KAMP MOVING
& STORAGE CO., DUFFY STORAGE & MOVING CO.,
THOMAS & SON TRANSFER LINE, INC., MORGAN
TRANSFER & STORAGE CO., INC., AND UNITED
STATES TRANSFER & STORAGE CO.,
DENVER, COLORADO,

Complainants,

vs.

AURORA MOVING AND STORAGE CO., INC.,
1475 LIMA STREET
AURORA, COLORADO,

Respondent.

CASE NO. 5316

BUEHLER TRANSFER CO., WEICKER TRANSFER &
STORAGE CO., FORD VAN LINES, BEKINS VAN
& STORAGE CO., KAMP MOVING & STORAGE
CO., DUFFY STORAGE & MOVING CO.,
THOMAS & SON TRANSFER LINE, INC., MORGAN
TRANSFER & STORAGE CO., INC., AND UNITED
STATES TRANSFER & STORAGE CO.,
DENVER, COLORADO,

Complainants,

vs.

AURORA MOVING AND STORAGE CO., INC.,
1475 LIMA STREET
AURORA, COLORADO,

Respondent.

CASE NO. 5316-Amended

March 8, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On January 19, 1966, Complaint was filed with this Commission by
Buehler Transfer Co., Weicker Transfer & Storage Co., Johnson Storage & Moving
Co., Ford Van Lines, Bekins Van & Storage Co., Amick Transfer & Storage Co.,

Kamp Moving & Storage Co., Duffy Storage & Moving Co., Thomas & Son Transfer Line, Inc., Morgan Transfer & Storage Co., Inc., and United States Transfer & Storage Co., by McNichols, Wallace, Nigro and Johnson, Attorneys, against Aurora Moving and Storage Co., Inc., being Case No. 5316.

On March 3, 1966, the Commission received a communication from Attorneys for Complainants stating that Johnson Moving & Storage Co. and Amick Transfer & Storage Co. desire to withdraw as Complainants.

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

O R D E R

THE COMMISSION ORDERS:

That the Secretary of the Commission is hereby directed to change the records of the Commission to show Complainants in Case No. 5316 to be:



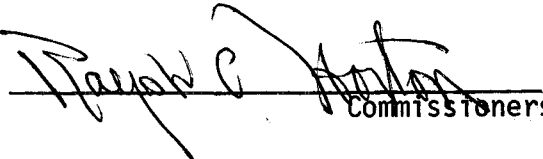
"BUEHLER TRANSFER CO., WEICKER TRANSFER & STORAGE CO., FORD VAN LINES, BEKINS VAN & STORAGE CO., KAMP MOVING & STORAGE CO., DUFFY STORAGE & MOVING CO., THOMAS & SON TRANSFER LINE, INC., MORGAN TRANSFER & STORAGE CO., INC. AND UNITED STATES TRANSFER & STORAGE CO.,"

in lieu of:

"BUEHLER TRANSFER CO., WEICKER TRANSFER & STORAGE CO., JOHNSON STORAGE & MOVING CO., FORD VAN LINES, BEKINS VAN & STORAGE CO., AMICK TRANSFER & STORAGE CO., KAMP MOVING & STORAGE CO., DUFFY STORAGE & MOVING CO., THOMAS & SON TRANSFER LINE, INC., MORGAN TRANSFER & STORAGE CO., INC., AND UNITED STATES TRANSFER & STORAGE CO."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 8th day of March, 1966.

(Decision No.66975)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE PETITION OF)
WESTERN POWER & GAS COMPANY, INC.,)
A CORPORATION, 233 SOUTH 10TH)
STREET, LINCOLN, NEBRASKA, FOR)
AUTHORITY TO ISSUE AND SELL)
\$7,000,000 AGGREGATE PRINCIPAL)
AMOUNT OF FIRST MORTGAGE BONDS.)

APPLICATION NO. 21803-
Securities

March 9, 1966

Appearances: James W. Preston, Esq., Pueblo,
Colorado, and
Melvin A. Hardies, Esq., Chi-
cago, Illinois, for Applicant;
B. D. Maggard, 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:

Western Power & Gas Company, Inc. (Applicant) filed
Application No. 21803-Securities with this Commission on
February 14, 1966. By such application, Applicant seeks
authority of this Commission to issue and sell \$7,000,000
principal amount of additional First Mortgage Bonds.

Said application was set for hearing after due notice
to all interested parties at 2:00 o'clock P.M., on February
28, 1966, in Room 532, State Services Building, Denver,
Colorado, and was then and there heard by the Commission and
taken under advisement. No protests were filed with regard
to this application, and no one appeared at the hearing
opposing the authority sought by the application.

Applicant is a corporation organized and existing
under the laws of the State of Kansas and duly qualified to
do business as a foreign corporation in Colorado. Its

principal office in Colorado is at 115 West Second Street, Pueblo; its general offices are at 233 South 10th Street, Lincoln, Nebraska.

Applicant is engaged in the business of owning and operating electric utility properties in Colorado and Kansas; gas utility properties in Nebraska, South Dakota and Kansas; telephone properties in Missouri, Iowa and Kansas; and water properties in Kansas. Applicant also owns a majority of the common stock of Central Telephone Company, Lee Telephone Company and Worthington Telephone Company. Central Telephone Company in turn owns a majority of the common stock of LaCrosse Telephone Corporation, Middle States Telephone Company of Illinois, Dixon Home Telephone Company, Southeastern Telephone Company, and Virginia Telephone & Telegraph Company. These subsidiaries are all engaged in the business of providing telephone service in various parts of the States of Nevada, Minnesota, Iowa, Illinois, Wisconsin, Virginia, North Carolina and Florida.

Applicant's witness, Mr. L. T. Nelson, Secretary-Treasurer of Western Power & Gas Company, Inc., testified in summary, as follows:

Applicant proposes to issue and sell, subject to the consummation of legal details and to the authorization of this Commission, the Kansas State Corporation Commission and the Missouri Public Service Commission, \$7,000,000 principal amount of First Mortgage Bonds, 5.15%, Series due March 1, 1991 (hereinafter called the "Bonds of the Series due 1991"), for cash at 100% of the principal amount thereof plus accrued interest from March 1, 1966, to the date of delivery thereof, to be issued under and secured by the Indenture of the Company (then named Western Light & Telephone Company, Inc.) to Continental Illinois National Bank

and Trust Company of Chicago, Edmond B. Stofft (to whom Donald H. Remmers is successor) and Kearney Wornall, as Trustees, dated July 1, 1945, as, and as to be, amended. Such Bonds will be substantially identical with the bonds of earlier series, except as to dates of issue and maturity, interest rate and optional and sinking fund redemption prices, as indicated by Exhibit A, a copy in proof form of the proposed Supplemental Indenture, dated March 1, 1966, supplementing the above-referred to Indenture, as amended, and providing for and establishing the terms and conditions of the Bonds of the Series due 1991.

Applicant employed Dean Witter & Co. and Paine, Webber, Jackson & Curtis to place the Bonds of the Series due 1991 with institutional investors and will pay the fees (\$35,000) and reasonable expenses of such firms for such service. Said Bonds have been placed as follows:

- \$2,000,000 - Chemical Bank New York Trust Company, as Trustee for Various Employee Benefit Trusts
- \$1,800,000 - Harris Trust and Savings Bank, not Individually but as Trustee or Agent for Various Accounts
- \$ 500,000 - Aid Association for Lutherans
- \$ 500,000 - The Franklin Life Insurance Company
- \$ 500,000 - The Minnesota Mutual Life Insurance Company
- \$ 400,000 - Mutual Trust Life Insurance Company
- \$ 350,000 - American United Life Insurance Company
- \$ 300,000 - Midwestern United Life Insurance Company
- \$ 250,000 - Bank Pension Fund of The First National Bank of Chicago
- \$ 250,000 - United Farm Bureau Family Life Insurance Company
- \$ 150,000 - University of Nebraska Foundation

Mr. Nelson stated that in the opinion of the board of directors and the management of Applicant, the proposed issue of Bonds of the Series due 1991 is the best available means of securing the additional capital which Applicant requires at this time. In relation to current costs for long-term debt money, the interest rate of 5.15% per annum to be borne by said Bonds is reasonable. The optional redemption privileges of Applicant will be restricted for ten years, but this restriction is currently customary in bonds sold to institutional investors and Applicant represents that such restriction is not expected to be burdensome to it.

The Bonds of the Series due 1991 will be issued against the certification to the Trustees of net expenditures for bondable additions to Applicant's plant and property in an amount equal to 166-2/3% of the Bonds to be issued. Applicant represents that it has adequate bondable additions available for this purpose.

Applicant represents that during 1965 it expended more than \$7,000,000 for construction or acquisition of facilities and more than \$11,000,000 for investment in the common stocks of its subsidiaries. The excess of such amounts over the cash generated from internal sources was provided by loans from banks, represented by short-term notes and by 2 1/2 year term notes (issuance of the latter having been duly authorized by the Commission), the aggregate of all such notes being \$13,000,000 at February 4, 1966.

Applicant proposes to reimburse its treasury for such expenditures for construction or acquisition of facilities and investment in common stocks of subsidiaries and to refund its lawfully outstanding obligations by applying the proceeds of sale of the Bonds of the Series due 1991, after deduction of expenses estimated at \$61,000 (including the fees payable for placement of the Bonds), to the discharge or reduction of its notes payable to banks. Such proceeds

will be applied, first, to the reduction or discharge of the short-term notes payable to banks then outstanding and, then, if any proceeds remain, to reduction of the 2 1/2 year term notes payable to banks.

Applicant's capitalization, as reflected on its balance sheet at November 30, 1965 (submitted in the proceeding as Exhibit B), adjusted to reflect the issuance of \$7,500,000 principal amount of 2 1/2 year term notes payable to banks and \$7,000,000 of Bonds of the Series due 1991, will consist of approximately 46% long-term debt, 16% preferred stock, and 38% common stock equity. As shown by Applicant's income statement for the twelve months ended November 30, 1965, submitted in this proceeding as Exhibit C, coverage for the interest requirements on the proposed additional Bonds is adequate.

F I N D I N G S

THE COMMISSION FINDS:

That Western Power & Gas Company, Inc. is a public utility as defined in Chapter 115-1-3, CRS, 1953.

That this Commission has jurisdiction of said Company and of the subject matter of the application herein.

That the Commission is fully advised in the premises.

That the foregoing Statement be, and it hereby is, adopted as part of the Findings herein.

That the proposed issue and sale by Western Power & Gas Company, Inc. of \$7,000,000 principal amount of its First Mortgage Bonds, 5.15%, Series due March 1, 1991, for the purposes and on the terms hereinabove described, are not inconsistent with the public interest; that such issue and sale are permitted by law and are consistent with the provisions of Chapter 115-1-4, CRS, 1963; and that the Order sought should be issued and be made effective forthwith.

O R D E R

THE COMMISSION ORDERS:

That the issue and sale by Western Power & Gas Company, Inc., of \$7,000,000 principal amount of its First Mortgage Bonds, 5.15%, Series due March 1, 1991, for the purposes and on the terms hereinabove described, be, and the same are hereby, authorized and approved.

That the securities issued hereunder shall bear on the face thereof for proper and easy identification thereof a legend as follows:

C.P.U.C. Identification No. 21803

That within ninety (90) days after the final delivery of such First Mortgage Bonds, 5.15%, Series due March 1, 1991, Applicant shall file with the Commission a verified report showing the respective sales of such Bonds and the costs and expenses incurred by the Applicant incident to such sales and the journal entries reflecting such transactions on the books of Western Power and Gas Company, Inc. Applicant shall file with such report a copy of the Supplemental Indenture dated March 1, 1966, as executed.

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 this Commission retain jurisdiction of these proceedings to the end that it may make such further Order or Orders in the premises as it may deem to be proper and desirable.

This Order shall become effective as of the day and date hereof. The authorization hereby granted shall, however, expire if not exercised prior to July 1, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






_____ Commissioners

Dated at Denver, Colorado,
this 9th day of March 1966.

et

(Decision No. 66976)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EDWIN F. KRAUS, BOX 44, PLACERVILLE,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 21752-PP

March 9, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On January 10, 1966, Edwin F. Kraus, Placerville, Colorado, filed the instant application seeking private carrier authority from this Commission for the transportation of logs, poles and timber products from forests to sawmills and places of storage and loading points within a radius of 100 miles of said forests; rough lumber from sawmills in said 100-mile radius to markets in the State of Colorado, with no town-to-town service.

The matter was duly and properly set for hearing in the District Court Room at Montrose, Colorado at 1:30 o'clock P.M. on Friday, March 4, 1966. On or about March 4, the Commission received a letter from the applicant stating that the applicant had moved to Utah and would no longer need the transportation authority sought in the application.

Considering the letter received from the applicant herein, it appears proper to the Commission that the instant application should be dismissed.

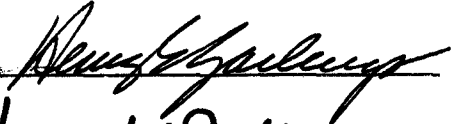
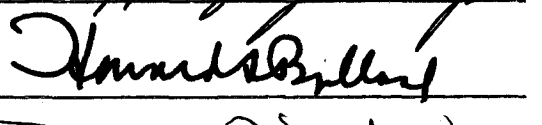
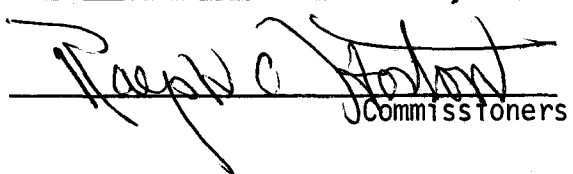
O R D E R

THE COMMISSION ORDERS:

That Application No. 21752-PP be, and the same hereby is, dismissed.

This Order shall be effective immediately.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 9th day of March, 1966.

ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF ROGER SICORD, CHIPETA HOTEL,)
MONTROSE, COLORADO, FOR A CLASS) APPLICATION NO. 21753-PP
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

March 9, 1966

Appearances: Roger Sicord, Montrose,
Colorado, pro se.

S T A T E M E N T

BY THE COMMISSION:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles and timber products from forests to sawmills, places of storage and loading points within a radius of 100 miles of said forests; rough lumber, from sawmills in said 100-mile radius to markets in the State of Colorado, with no town-to-town service.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the District Court Room, Montrose, Colorado, March 4, 1966, and at the conclusion of the evidence, the matter was taken under advisement.

Roger Sicord testified that he is the owner of a 1960 Autocar together with a log trailer, which equipment he plans to utilize to render service if the authority sought herein should be granted. He has had over twenty years' experience in truck operation and has net financial worth in excess of \$2,000. He has been operating under temporary authority issued by the Commission since January 20, 1966. If the authority is granted he plans to enter into contracts with various lumbermen for the transportation of the items designated in the application. He is familiar with the rules and regulations of the Public Utilities Commission as well

as the statutes of the State of Colorado and will comply therewith if the authority sought herein be granted.

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 Roger Sicord, Montrose, Colorado, should 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 100 miles of said forests; rough lumber, from sawmills in said 100-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.



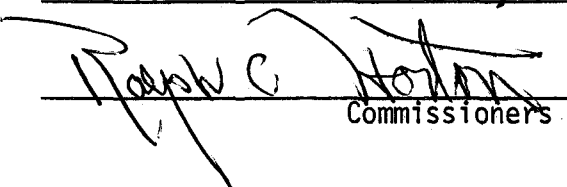
That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers,

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 March, 1966.

ls

Original

(Decision No.66978)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
THE GUNNISON COUNTY ELECTRIC ASSOCIATION,
INC., A COLORADO CORPORATION, OF CRESTED
BUTTE, COLORADO, FOR AN ORDER APPROVING
A LOAN OF \$421,000 FROM THE RURAL ELEC-
TRIFICATION ADMINISTRATION

APPLICATION NO. 21856
SECURITIES

March 8, 1966

S T A T E M E N T

BY THE COMMISSION:

Upon consideration of the application filed March 4, 1966 by The Gunnison County Electric Association, Inc., a corporation, in the above styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on March 22, 1966, at 2:00 o'clock P. 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 March 16, 1966, and should set forth the grounds of the proposed intervention and the petition and interest of the petitioners, in the proceeding and must be subscribed by interveners.

Dated at Denver, Colorado
this 8th day of March, 1966

gs

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry S. Pauling
Donald B. Bell
Ralph C. Austin
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: REQUESTS FOR DEVIATION FROM RULE)
9 OF RULES AND REGULATIONS GOVERNING)
COMMERCIAL CARRIERS BY MOTOR VEHICLE.)

CASE NO. 5146
SUPPLEMENTAL ORDER

March 8, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission is in receipt of written requests by the Colorado Ready Mixed Concrete Association and persons engaged in the business of ready mixed concrete production, sale, and delivery, for waiver of Rule 9 of the Commission's Rules and Regulations Governing Commercial Carriers by Motor Vehicle insofar as it pertains to transportation of pre-mixed concrete transported by those engaged in the manufacture and sale of pre-mixed concrete using special equipment "mobile mixers", which rule provides as follows, to-wit:

RULE 9

Emergency Equipment - Letters

Whenever any Commercial Carrier by motor vehicle, in cases of emergency or unusual demands for transportation, must use equipment not owned or under lease to him, the carrier may engage such other equipment as is necessary to meet the emergency and demands. The carrier shall, before the emergency equipment is placed in operation, issue an Emergency Letter and place one copy of the letter upon the emergency vehicle; one copy shall be mailed to the Public Utilities Commission of the State of Colorado, at Denver, Colorado, and be on file with said Commission within three (3) days after the issuance thereof, and one copy shall be retained by the carrier. . .

Whenever any Commercial carrier shall be required to use emergency equipment, the driver of such equipment shall bear the relationship to such carrier of employee and employer.

The compensation for the use of emergency equipment shall not be on a weight of load or loaded mile basis, and cannot include drivers' wages.

Pursuant thereto the Commission has had a staff investigation and written report submitted to it and finds under the circumstances that compliance with said Rule 9 by those so engaged is impracticable and unnecessary, that good cause exists for deviation which is not contrary to statute, and that deviation from said rule is compatible with the public interest and should be authorized.

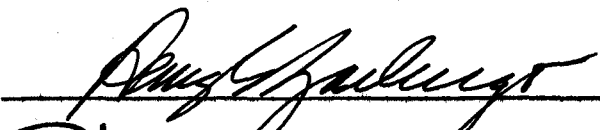

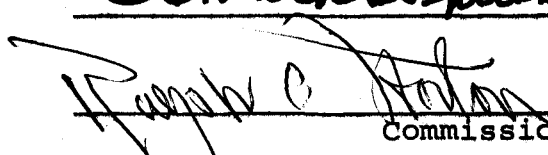
O R D E R

THE COMMISSION ORDERS:

That the holders of Commercial Carrier authorities in the business of manufacture, sale and delivery of pre-mixed concrete may in cases of emergency or unusual demands for transportation use such other equipment of others also so engaged as is necessary to meet the emergency and demands without compliance with Rule 9 of the Commission's Rules and Regulations Governing Commercial Carriers By Motor Vehicle (Decision No. 50342, Case No. 5146).

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 8th day of March, 1966,
et

Original

(Decision No. 66980)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE BURIAL CASES, CASKETS OR)
COFFINS; ROUTINGS; CEMENT IN)
BULK IN TANK VEHICLES)
-----)

CASE NO. 1585

March 9, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On February 7th and 10th, 1966, The Colorado Motor Carriers' Association, Agent, J. R. Smith, Chief of Tariff Bureau, filed various pages to its Local and Joint Freight Tariff No. 12-A, Colorado PUC No. 11*, and Motor Freight Tariff No. 14, Colorado PUC No. 13*(*The Motor Truck Common Carriers' Association, Agent, Series) scheduled to become effective March 16th and 14th, respectively, as designated in Appendix "A" attached hereto.

The elimination of the commodity rates on burial cases, caskets, etc., between Pueblo, Colorado, on the one hand, and Brighton, Ft. Lupton and Greeley, on the other, named in Item No. 1385, tariff 12-A, is brought about, Mr. J. R. Smith of the Association advises, by reason of no traffic of this kind moving between these points. Mr. Smith's memorandum to the Commission dated February 15, 1966 indicates also that the manufacturer of caskets at Pueblo, Colorado has moved to a new location at Canon City, Colorado.

The routing designation in Item No. 2490 is being corrected to No. 52, being Yuma County Transportation Company. Route 46 is not identified in the routing section of the tariff.

The elimination of item 445, tariff No. 14, naming commodity

rates on cement in bulk or in bags from Portland to Bayfield, Cortez, Dolores, Durango, Ignacio and Pagosa Springs, Mr. J.R. Smith states in a letter to the Commission dated February 11, 1966, results from the carriers being unable to regain lost cement traffic. Cement, for the points named, is being supplied out of either Tijeras, New Mexico or Denver, Colorado, - consequently the rates referred to herein do not serve any useful purpose.

Since the proposals, as set forth in Appendix "A" attached hereto and made a part hereof the same as if incorporated herein, appear to represent just, fair and reasonable rates and charges, an order should be entered prescribing said proposals. 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 Appendix "A".

O R D E R

THE COMMISSION ORDERS, that: --

1. The Statement and Findings be, and the same are hereby, made a part hereof.
2. The rates, rules and regulations and provisions as set forth in Appendix "A" attached hereto shall on March 16th and 14th, 1966, be the prescribed rates, rules and regulations and provisions of the Commission.
3. All motor vehicle common carriers who are affected by the changes prescribed herein shall publish or cause to be published new tariffs reflecting the changes prescribed herein.
4. All private carriers by motor vehicle to the extent they 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 March 16, 1966 and March 14, 1966, all affected motor vehicle common carriers shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein prescribed, provided that call and demand motor vehicle common carriers shall be subject to the penalty rule of twenty (20) per cent; except this provision shall not apply to Motor Freight Tariff No. 14, Colorado PUC No. 13, as provided in Appendix "A".

6. On and after March 16, 1966 and March 14, 1966, all private carriers by motor vehicle operating in competition with any motor vehicle common carrier affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed, provided that Class "B" private carriers shall be subject to the penalty rule of twenty (20) per cent; except that this provision shall not apply to Motor Freight Tariff No. 14, Colorado PUC No. 13, as provided in Appendix "A".

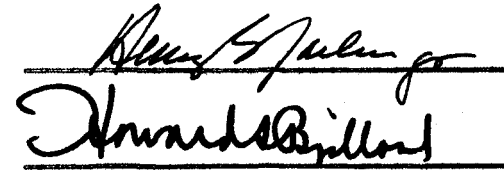
7. This order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

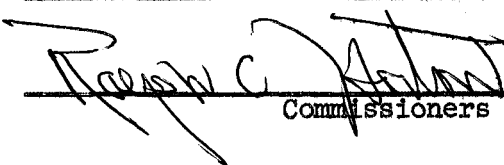
8. The order entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force and effect until further order of the Commission.

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





Commissioners

Dated at Denver, Colorado
this 9th day of March,
1966.

av

APPENDIX "A"

Colorado Motor Carriers' Association, Agent
Local and Joint Freight Tariff No. 12-A
Colorado PUC No. 11*

(*The Motor Truck Common Carriers' Association, Agent, Series)

Changes effective March 16, 1966:

SECTION NO. 2								
Commodity Rates								
(For application, see Page No. 190 of Tariff)								
Rates are in cents per 100 pounds (unless otherwise stated)								
Item	Commodity	From	To	Rates	Route			
No.	Commodities in the same item may be shipped in straight or mixed truck loads.	(Except as noted in individual items)			No.			
<u>COLORADO</u>								
<u>10th Revised Page No. 195-A</u>		<u>BETWEEN</u>	<u>AND</u>					
1385	Burial Cases, Caskets, Coffins, Vaults, or Accessories, subject to packing specifications of current N.M.F.C., viz.: Burial Cases (Caskets or coffins) or casket shells, NOI, S.U.; Grave Vaults, Metal, NOI.	Denver	Brighton	164	7			
			Burlington	288	11			
			Cheyenne					
			Wells	291	11			
			Colo Springs	134	47			
			Flagler	261	11			
			Ft. Lupton	175	7			
			Greeley	200	7			
			Hugo	248	11			
			La Junta	195	47			
			Lamar	311	11			
			Lamar	218	47			
			Las Animas	202	47			
			Limon	233	11			
			Pueblo	166	47			
	Burial Cases (Caskets or Coffins), subject to packing specifications of current N.M.F.C.	Pueblo	Rocky Ford	192	47			
			Trinidad	212	47			
			Walsenburg	190	47			
			Brighton	EA	26			
			Colo Springs	105	47			
			Ft. Lupton	EA	26			
			Greeley	EA	26			
			La Junta	125	47			
			Lamar	166	47			
			Las Animas	137	47			
			Rocky Ford	116	47			
			Trinidad	148	47			
			Walsenburg	116	47			
				Burial Cases (Caskets or Coffins), subject to packing specifications of current N.M.F.C.	Denver	Brush	140	32
						Ft. Morgan	132	32
Haxtun	175	4						
Holyoke	186	4						
Julesburg	190	32						
Sterling	162	32						

22nd Revised Page No. 232

2490	Poultry, Dressed, Iced, in barrels, Minimum weight 25,000 pounds	Yuma	Denver	41	*
	Ice, in Blocks, Loose, minimum weight 25,000 pounds	Denver	Yuma	41	© 52

* Formerly No. 46

Colorado Motor Carriers' Association, Agent
Motor Freight Tariff No. 14
Colorado PUC No. 13*

(*The Motor Truck Common Carriers' Association, Agent, Series)

Changes effective March 14, 1966:

SECTION NO. 1

Commodity Rates

Rates are in cents per 100 pounds (unless otherwise stated)

Item No.	Commodity	From	To	Rates
-------------	-----------	------	----	-------

19th Revised Page No. 47

	Cement, in bulk, or in		Cortez	46
	Bags, minimum weight		Durango	42
445	45,000 pounds		Ignacio	42
(E)	Shipments in Bags to be	Portland	Dolores	48
(A)	loaded by consignor and		Pagosa Spgs.	39
	unloaded by the consignee		Bayfield	42
	(Montezuma Truck Lines, Inc., and Don Ward, Inc.)			

N.M.F.C. denotes - National Motor Freight Classification

NOI - denotes - Not otherwise indexed by name in the governing classification

S.U.- denotes set-up

(E) - denotes elimination

(A) - denotes increase

(C) - denotes a change resulting in neither an increase nor a reduction

Route No. 4 - North Eastern Motor Freight, Inc., Sterling, Colorado

Brooks Transportation Company

11 - Denver-Limon-Burlington Transfer Company - direct

26 - Red Ball Motor Freight, Inc., Denver, Colorado Bethke Truck Lines

32 - North Eastern Motor Freight, Inc., - direct

47 - Red Ball Motor Freight, Inc., - direct

52 - Yuma County Transportation Co., - direct

**46 - United-Buckingham Freight Lines, - direct

** applies only on interstate traffic.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE : MOTOR VEHICLE OPERATIONS OF
WILLIAM R. BARRY, dba
VALLEY PALLET COMPANY
P. O. BOX 83
FORT COLLINS, COLORADO 80521

AUTHORITY NO. M-10097
CASE NO. 3815-Ins.

March 10, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On January 31, 1966 , 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.

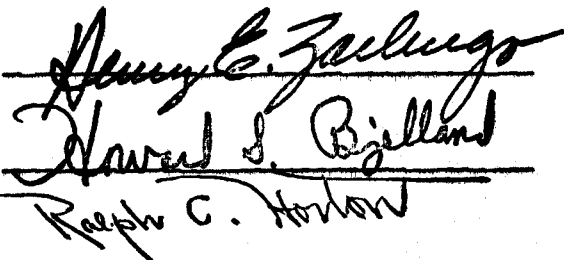
The Commission finds that said Authority should be restored to active status.

ORDER

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


Commissioners

Dated at Denver, Colorado,
this 10th day of March, 1966
bb

(Decision No. 66982)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JACOB E. ECKHARDT, DOING BUSINESS)
AS "ECKHARDT TRUCKING COMPANY," 739) PERMIT NO. B-3672
FRANCIS STREET, LONGMONT, COLORADO.)

March 10, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Jacob E. Eckhardt, doing business as "Eckhardt Trucking Company," Longmont, Colorado, is the owner of Permit No. B-3672, authorizing operation as a private carrier by motor vehicle for hire, for the:

Transportation of horses between points within a 25-mile radius of Estes Park, Colorado, and from and to points within said radius to and from other points in the State of Colorado. Transportation of stone from quarries within a radius of 10 miles of Lyons, Colorado, to points within a radius of 50 miles of Lyons, Colorado; forest and sawmill products from forests and sawmills within a 25-mile radius of Lyons to points within a 50-mile radius of Lyons, Colorado; cinder blocks from Hygiene, Colorado, to points within a 25-mile radius of Lyons, Colorado; and coal from northern Colorado coal fields to Lyons; no town-to-town service except from Lyons or from Hygiene, Colorado. Include the right to transport stone from quarries within a radius of 15 miles of Lyons, Colorado, to any point in the State of Colorado with return from delivery points to the quarries of defective or refused shipments. EXTENDED by Dec.#50800 to include the right to transport sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to 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, said operations to be limited to the use of dump trucks, only. EXTENDED by Dec. #56162 to include the transportation of: (1) Cinder blocks, from Boulder to Denver, and (2) drill bits, repair parts, and machinery weighing 4,000 pounds or less, between Denver on the one hand, and, on the other, quarries located in Boulder County and Larimer County, and between quarries located in Boulder County and Larimer County. EXTENDED by Dec. #56644 to include the right to transport light-weight block and concrete block, from plant of Boulder Block, Inc., located at Boulder, Colorado, to points within the following-described area: on the west, the Continental Divide; on the north, the Colorado-Wyoming State Line; on the east, the west boundary line of Morgan County; and on the south, an east-west line through Castle Rock, Colorado. EXTENDED by Dec. #59711 to include the right to transport light-weight block, from plant of St. Vrain Block Company, located at Longmont, Colorado, to points within the following-described area: on the west, the Continental Divide; on the north, the Colorado-Wyoming State Line; on the east, the west boundary line of Morgan County, and on the south, an east-west line through Castle Rock Colorado.

The Commission is in receipt of a communication from said permit-holder, requesting that the following operating rights be deleted from said Permit No. B-3672:

"Transportation of horses between points within a 25-mile radius of Estes Park, Colorado, and from and to points within said radius to and from other points in the State of Colorado."

The Commission states and finds that said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That operating rights under Permit No. B-3672, owned and operated by Jacob E. Eckhardt, doing business as "Eckhardt Trucking Company Longmont, Colorado be, and the same hereby are, amended and restricted, upon request of said permit-holder, by deleting therefrom the following authority:

Transportation of horses between points within a 25-mile radius of Estes Park, Colorado, and from and to points within said radius to and from other points in the State of Colorado,

so that operating rights under Permit No. B-3672 henceforth shall be and read as follows:

Transportation of stone from quarries within a radius of 10 miles of Lyons, Colorado, to points within a radius of 50 miles of Lyons, Colorado; forest and saw-mill products from forests and sawmills within a 25-mile radius of Lyons to points within a 50-mile radius of Lyons, Colorado; cinder blocks from Hygiene, Colorado, to points within a 25-mile radius of Lyons, Colorado; and coal from northern Colorado coal fields to Lyons; no town-to-town service except from Lyons or from Hygiene, Colorado. Include the right to transport stone from quarries within a radius of 15 miles of Lyons, Colorado, to any point in the State of Colorado, with return from delivery points to the quarries of defective or refused shipments;

EXTENDED by Dec. #50800 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 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, said operations to be limited to the use of dump trucks, only;

EXTENDED by Dec. #56162 to include the transportation of: (1) Cinder blocks, from Boulder to Denver and (2) drill bits, repair parts, and machinery weighing 4,000 pounds or less, between Denver on the one hand, and, on the other, quarries located in Boulder County and Larimer County, and between quarries located in Boulder County and Larimer County;

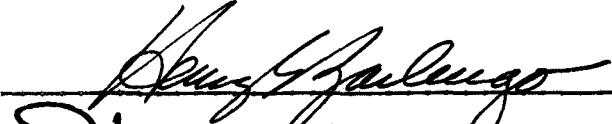

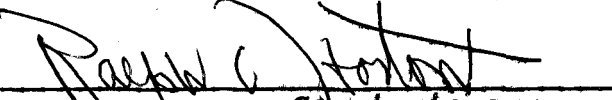
EXTENDED by Dec. #56644 to include the right to transport light-weight block and concrete block, from plant of Boulder Block, Inc., located at Boulder, Colorado, to points within the following-described area: on the west, the Continental Divide; on the north, the Colorado-Wyoming State Line; on the east, the west boundary line of Morgan County; and on the south, an east-west line through Castle Rock, Colorado;

EXTENDED by Dec. #59711 to include the right to transport light-weight block, from plant of St. Vrain Block

Company, located at Longmont, Colorado, to points within the following-described area: on the west, the Continental Divide; on the north, the Colorado-Wyoming State Line; on the east, the west boundary line of Morgan County and on the south, an east-west line through Castle Rock, Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 10th day of March, 1966.

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ROBERT TROUT, 2820 WEST 14TH,)
NORTH PLATTE, NEBRASKA.)

PUC NO. 5810-I

March 11, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 1, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zeelung
David S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 11th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
WM. E. SEARS REFRIGERATION &
FIXTURE CO., 1325 WALNUT ST.,
DENVER, COLORADO.

PERMIT NO. B-5120

March 11, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

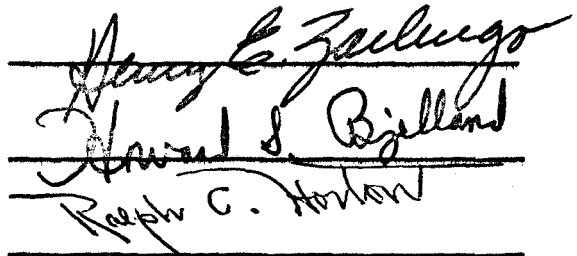
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 8, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 11th day of March 196
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
EMIL R. ZARBOCK, ROUTE 1, BOX
417A, Ft. LUPTON, COLORADO.)

PERMIT NO. B-6760

MARCH 11, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 16, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

James E. Zeilinger
Edward S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 11th day of March 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF }
R. W. ROGERS, BOX 483, SAGUACHE }
COLORADO. }

PERMIT NO. B-6342

MARCH 11, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

March 13, 1966 until September 13, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaslavsky
Howard S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 11th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
RICHARD LEE BROWN, BOX 236,
GLENWOOD SPRINGS, COLORADO.

PERMIT NO. B-6773

March 11, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

March 8, 1966

until September 8, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Ziehlings
Howard S. Bjelland
Ralph C. Johnson

Commissioners

Dated at Denver, Colorado,
this 11th day of March 1966.
et

0

(Decision No. 66988)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HUGO L. WILLIS, SILVERTON, COLO-)
RADO, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY AUTHOR-)
IZING EXTENSION OF OPERATIONS)
UNDER PUC NO. 1081.)

APPLICATION NO. 21723-Extension
SUPPLEMENTAL ORDER

March 10, 1966

Appearances: John H. Lewis, Esq., Denver,
Colorado, for Applicant;
Edward T. Lyons, Esq., Denver,
Colorado, for C. B. Johnson, Inc.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On February 8, 1966, the Commission entered Decision No. 66765 in the above-styled application.

On February 28, 1966, Petition for Rehearing was filed with the Commission by C. B. Johnson, Inc. by Leslie R. Kehl, Attorney.

The Commission states and finds that said Petition should be granted, as set forth in the Order following.

O R D E R

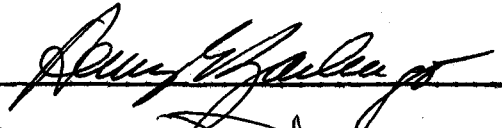
THE COMMISSION ORDERS:

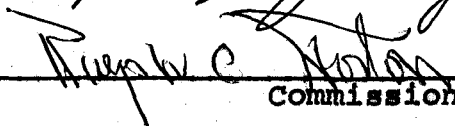
That Petition for Rehearing filed with the Commission by C. B. Johnson, Inc., by Leslie R. Kehl, Attorney, on February 28, 1966, be, and the same hereby is, granted.

That said matter be, and the same hereby is, set for rehearing at 10:00 o'clock A.M., on April 7, 1966, at 532 State Services Building, 1525 Sherman Street, Denver, Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners

COMMISSIONER HOWARD S. BJELLAND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 10th day of March, 1966.

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GREELEY GAS COMPANY, 1500 GRANT)
STREET, DENVER, COLORADO, FOR A CER-)
TIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY TO EXERCISE FRANCHISE)
RIGHTS IN THE CITY OF CANON CITY,) APPLICATION NO. 21816
COUNTY OF FREMONT, STATE OF COLORADO,)
FOR THE PURCHASE, MANUFACTURE, DIS-)
TRIBUTION AND SALE OF GAS, EITHER)
NATURAL, ARTIFICIAL OR MIXED, IN SAID)
CITY.)

March 10, 1966

Appearances: Lee, Bryans, Kelly & Stansfield,
Esqs., Denver, Colorado by
Donald D. Cawelti and E. A.
Stansfield, Denver, Colorado,
for Applicant;
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:

Greeley Gas Company filed an application with this Commission, seeking a certificate of public convenience and necessity authorizing the exercise of franchise rights granted by the City of Canon City, County of Fremont, Colorado, for the purchase, manufacture, distribution and sale of gas, either natural, artificial or mixed, in said City.

The matter was set for hearing after due notice to all interested parties, on March 7, 1966, at ten o'clock A.M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. At the conclusion of the hearing, the matter was taken under advisement.

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, distribution and sale of natural gas at various points within the State of Colorado. A certified copy of Applicant's Certificate of Incorporation, together with all amendments thereto, has heretofore been filed with this Commission.

The Applicant showed that on January 3, 1966, the City Council of the City of Canon City duly passed and adopted Ordinance No. 2 - Series of 1966 of the City of Canon City and did submit said ordinance to a vote of the qualified tax paying electors of the City at a special election held February 8, 1966, at which election the franchise was approved by a vote of 100 to 6. Said franchise ordinance was introduced in evidence as Exhibit No. B, and is entitled as follows:

AN ORDINANCE GRANTING TO THE GREELEY GAS COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT AND FRANCHISE TO FURNISH THE CITY OF CANON CITY AND ITS INHABITANTS MANUFACTURED, LIQUID PETROLEUM AIR-MIXED AND NATURAL GAS FOR ILLUMINATING, HEATING, MOTIVE POWER AND ALL OTHER PURPOSES TO WHICH THE SAME MAY BE APPLICABLE AND TO ERECT AND MAINTAIN A PLANT AND SYSTEM FOR SUPPLYING THE SAME AND GRANTING A RIGHT-OF-WAY UNDER THE SURFACE OF ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS AND PUBLIC PLACES OF SAID CITY FOR THE CONVEYANCE BY PIPES, MAINS, AND CONDUITS OF SAID GAS.

The term of said franchise is for a period of twenty years. Attached to the franchise introduced in evidence is a copy of the Certificate of Canvass of the returns of said election and a copy of the acceptance of the franchise by Applicant. Exhibit C, introduced at the hearing, was a map of the gas distribution system in the City of Canon City. This exhibit, by reference, is made a part hereof.

Witness for Applicant, Mr. Earl W. Cochran, testified that Applicant obtains its natural gas for distribution and sale in Canon City from the Colorado Interstate Gas Company.

The existing facilities will be utilized in continuing said gas service. There is no other public utility in the business of distributing

gas in said City of Canon City. Applicant is serving 4143 gas customers. The population of Canon City was 12,800 at the time of the 1960 U. S. Census and is estimated to be 15,500 in 1965.

Witness estimated the \$785,000 additional capital investment in the gas distribution system in the City of Canon City during the term of the franchise will be necessary, which amount will be provided from internal funds of the Applicant. Such amount shall also be used for determination of the required issuance fee for a certificate of public convenience and necessity, but shall not be binding upon the Commission for any other purpose.

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.

F I N D I N G S

THE COMMISSION FINDS:

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

That the Commission has jurisdiction of the Applicant herein, Greeley Gas Company, 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 Greeley Gas Company of the franchise rights granted in and by Ordinance No. 2 - Series of 1966 of the City of Canon City, for the purchase, manufacture, distribution and sale of gas by Greeley Gas Company in said City.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require, and will require, the exercise by Greeley Gas Company of the franchise rights granted in and

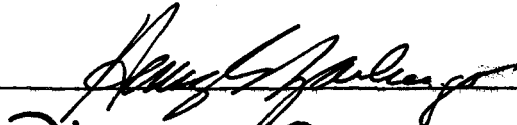
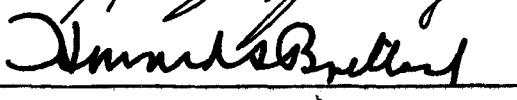
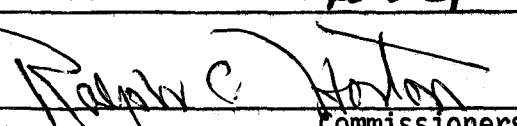
by Ordinance No. 2 - Series of 1966 of the City of Canon City marked Exhibit B herein, which, by reference, is made a part hereof, for the purchase, manufacture, distribution and sale of gas, either natural, manufactured or mixed, by Greeley Gas Company in said City, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That Greeley Gas Company shall install, operate and maintain its gas system and supply service in the area heretofore designated in accordance with its schedules of 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 Greeley Gas Company 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, in accordance with the Commission's requirements.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 10th day of March, 1966.

1s

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JOHN C. RUDOLPH, DOING BUSINESS)
AS, MOUNTAIN DISTRIBUTING COM-)
PANY, 1940 VIRGINIA STREET,)
IDAHO SPRINGS, COLORADO 80452)

PERMIT NO. M-875

March 15, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

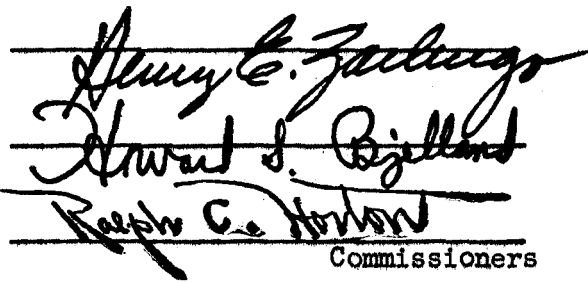
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 7, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 15th day of March 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
DANIEL B SHROYER)
114 EAST STERLING)
BUENA VISTA, COLORADO 81211) PERMIT NO. M-1360

March 15, 1966. --

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

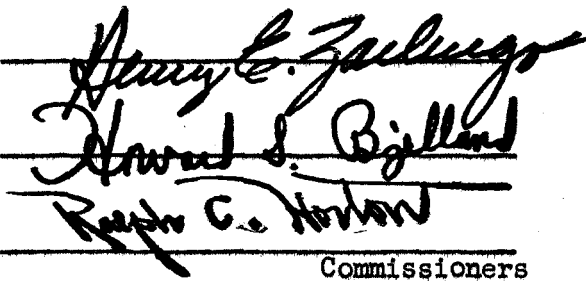
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 16, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 15th day of March 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
EMIL R. ZARBOCK)
ROUTE 1 BOX 417-A)
FORT LUPTON, COLORADO 80621) PERMIT NO. M-2598

March 15, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

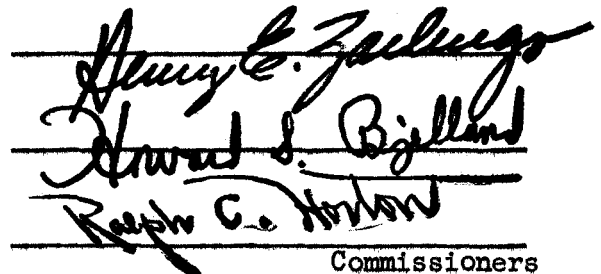
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 16, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 15 day of March 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
RICHARD LEE BROWN,)
P O BOX 195)
WIGGINS, COLORADO 80654) PERMIT NO. M-3280

March 15, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

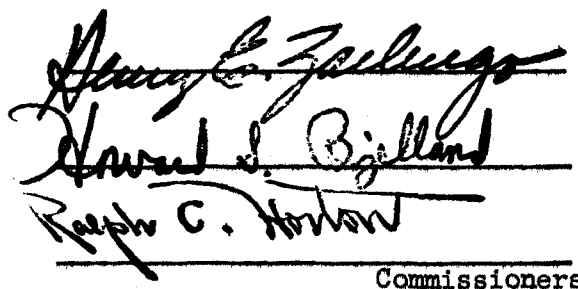
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 8, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 15 day of March 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JOSEPH FREIDENSON)
1386 TENNYSON STREET)
DENVER, COLORADO 80204) PERMIT M-4199

March 15, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

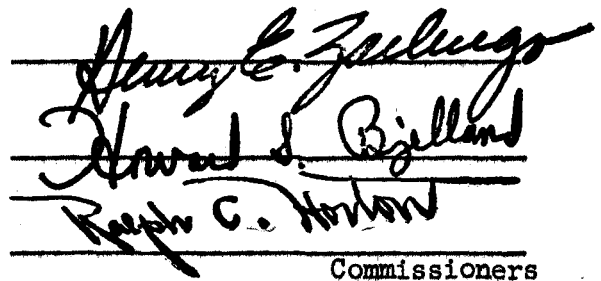
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 7, 1966

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 15 day of March 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Glen Garrabrant)
Hugo,)
Colorado 80821) PERMIT NO. M-8623

March 15, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 25, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaichko
Harold S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 15 day of March 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ROMEO NOBLE, FRANCIS WAKASUGI AND)
CHARLEY HAYASHIDA, DOING BUSINESS)
AS, BLANCA EQUIPMENT, BLANCA,) PERMIT NO. M-12082
COLORADO 81123)

March 15, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

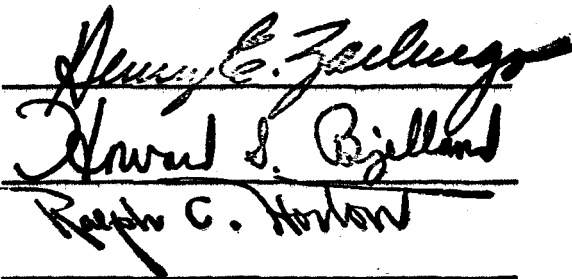
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 18, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 15 day of March 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
WALTER L. KEENAN, DOING BUSINESS)
AS, KERSEY BLOCK COMPANY, KERSEY)
COLORADO 80644) PERMIT NO. M-12127

March 15, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

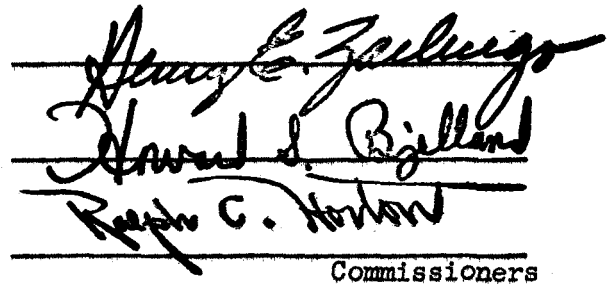
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 25, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 15 day of March 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
CREST MINING AND MILLING COMPANY)
POSTOFFICE BOX 141)
BLACKHAWK, COLORADO 80422)

PERMIT NO. M-15299

March 15, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

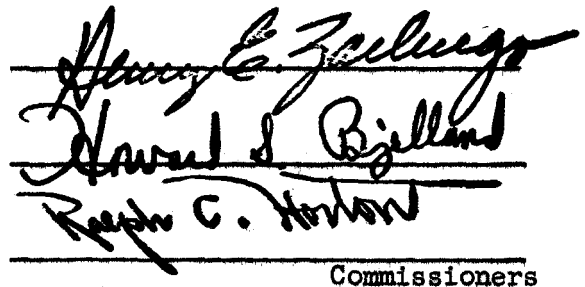
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 12, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 15 day of March 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
J. O. RICE
SALIDA,
COLORADO 81201

PERMIT NO. M-15647

March 15, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 23, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaslau
Howard S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 15 day of March 1966.

(Decision No. 67000)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
F. H. WILEY, BRISTOL, COLORADO.) PERMIT NO. B-4025

March 14, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

F. H. Wiley, Bristol, Colorado, is the owner of Permit No. B-4025, authorizing operation as a private carrier by motor vehicle for hire, for the:

Transportation of hay, grain, and farm products, generally, excluding livestock, from point to point within a radius of twenty-five miles of Bristol, Colorado.

The Commission is in receipt of a communication from said permit-holder, requesting that the following operating rights be deleted from said Permit No. B-4025:

"grain, and farm products, generally, excluding livestock"

The Commission states and finds that said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That operating rights under Permit No. B-4025, owned and operated by F. H. Wiley, Bristol, Colorado, be, and the same hereby are, Amended and restricted, upon the request of said F. H. Wiley, by deleting therefrom the following authority:

"grain and farm products, generally, excluding livestock"


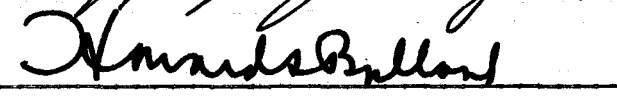

so that operating rights under Permit No. B-4025 henceforth

shall be and read as follows:

"Transportation of hay, from point to point within a radius of twenty-five miles of Bristol, Colorado."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 14th day of March, 1966.

et

(Decision No. 67001)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE H. REESE AND JANICE C. REESE)
DOING BUSINESS AS "COLORADO DUMP) PERMIT NO. B-6822
TRUCK SERVICE," 929 WEST CHEYENNE)
PLACE, COLORADO SPRINGS, COLORADO.)

March 14, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission is in receipt of a communication from the above-styled permit-holder, requesting authority to do business under the trade name and style: "George H. Reese and Janice C. Reese, doing business as "Colorado Dump Truck Service," in lieu of: "George H. Reese and Janice C. Reese, doing business as "Colorado Springs Trucking," in the conduct of operations under Permit No. B-6822.

The Commission states and finds that said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the Secretary of the Commission is hereby directed to change the records of the Commission to show Permit No. B-6822 to be owned and operated by:


George H. Reese and Janice C. Reese,
doing business as
"Colorado Dump Truck Service,"


in lieu of:

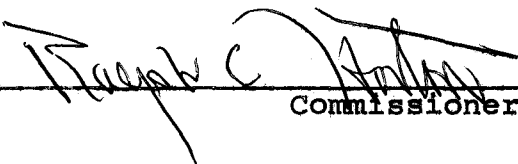
George H. Reese and Janice C. Reese,
doing business as
"Colorado Springs Trucking."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 14th day of March, 1966.

et

(Decision No. 67002)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DARREL L. GASTON, DOING BUSINESS)
AS GASTON GRAIN & COMMISSION)
COMPANY, 1203 W. 4TH - P. O. BOX)
1066, HUTCHINSON, KANSAS, FOR AUTH-))
ORITY TO TRANSFER INTERSTATE)
OPERATING RIGHTS TO GASTON FEED)
TRANSPORTS, INC., 1203 W. 4TH -)
P. O. BOX 1066, HUTCHINSON, KANSAS.)

PUC NO. 5769-I-Transfer

March 14, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Darrell L. Gaston, doing business as "Gaston Grain & Commission Company," Hutchinson, Kansas, was granted a certificate of public convenience and necessity (PUC No. 5769-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. 5769-I to Gaston Feed Transports, Inc., Hutchinson, Kansas.

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

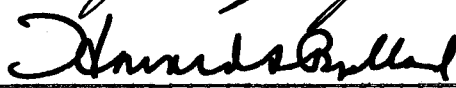
THE COMMISSION ORDERS:

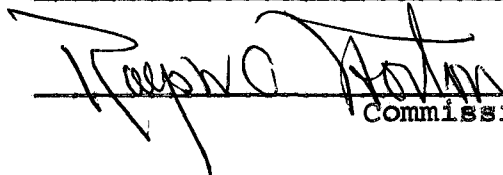
That Darrel L. Gaston, doing business as "Gaston Grain & Commission Company," Hutchinson, Kansas, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 5769-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Gaston Feed Transports, Inc., Hutchinson, Kansas, 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







Commissioners

Dated at Denver, Colorado,
this 14th day of March, 1966.

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
L. E. SCHOOLEY, INC., 2463 HIGHWAY)
6-50, GRAND JUNCTION, COLORADO, FOR)
AUTHORITY TO EXTEND OPERATIONS UNDER) APPLICATION NO. 21575-PP-Extension
PERMIT NO. B-4092 AND PERMIT NO.)
B-4092-I.)

March 14, 1966

Appearances: Edward T. Lyons, Jr., Denver,
Colorado, for Applicant;
Truman A. Stockton, Jr., Esq.,
Denver, Colorado, for Hugo L. Willis
Trucking, Fellin Brothers, and
Telluride Transfer, Protestants;
Royce D. Sickler, Esq., Denver,
Colorado, for Rio Grande Motor
Way, Inc. and Larson Transportation
Company, Protestants;
Lincoln D. Cojt, Esq., Grand Junction,
Colorado, for Estes Trucking
Company, Protestant.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, L. E. Schooley, Inc., Grand Junction, Colorado, was
granted Permit No. B-4092 and Permit No. B-4092-I, authorizing operation as
a private carrier by motor vehicle for hire, for the:

Transportation of vanadium and uranium ores, and con-
centrates thereof, from mines, pot holes, claims, and
stock piles in that part of the State of Colorado
west of the Continental Divide, and from points where
all highways intersect the Colorado-Utah and Colorado-
New Mexico State Lines, to ore reduction plants, mills,
and smelters in the States of Colorado, Utah, and New
Mexico, in intrastate and interstate commerce, with back-
haul of mining supplies, including hand tools, powder,
etc., to said mines, pot holes, claims, and stock piles,
from warehouse and mills of U. S. Vanadium Corporation and
Vanadium Corporation of America; sand, gravel, dirt, and
other materials used in making up the surface of the
roads, from pits and supply points in the State of Colo-
rado, to road construction jobs therein, excluding service
in Boulder, Clear Creek, and Gilpin Counties. Transfer
of interstate operating rights herein authorized is
subject to the provisions of the Federal Motor Carrier Act

of 1935, as amended. EXTENDED by Decision No. 50034: To include the transportation of mining supplies and equipment on carriers back-haul to mines, pot holes, claims and stock-piles which are not located on State or U. S. Highways, in that part of the State of Colorado west of the Continental Divide, but excluding Garfield, Pitkin, Eagle, and the east half of Gunnison County, from Grand Junction, Colorado, and from said mines; such back-haul authority to be limited to a maximum weight of 5,000 pounds per trip; such operation to be conducted in dump vehicles, only; only for mine operators with whom the carrier then has a valid contract for the transportation of uranium and vanadium ores; and in every instance of such back-haul, the applicant shall carry in the vehicle documentary evidence of the weight of the goods being transported.

By the above-styled application, said permit-holder seeks authority to extend operations under Permit No. B-4092 and Permit No. B-4092-I to include the transportation of oil shale and ores and concentrates, between points within the State of Colorado, other than Park County; and for authority to remove the exclusion of service in Boulder, Clear Creek and Gilpin Counties, in its authority to transport sand, gravel, dirt, and other materials used in making up the surface of roads.

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 Edward T. Lyons, on behalf of the applicant, moved to amend to further restrict the application by requesting that Lake County be eliminated as an area wherein the applicant is seeking authority to transport oil shale, ores and concentrates; and to amend the application to include the statement "transportation of road-surfacing materials to be restricted against the use of tank vehicles," such restriction, however, only to apply in Boulder, Clear Creek and Gilpin Counties. The above amendments being restrictive in nature were granted by the Examiner. Thereupon, Royce D. Sickler, on behalf of Rio Grande Motor Way, Inc., and Larson Transportation Company,

Protestants, withdrew their protests.

John W. Speight, Grand Junction, Colorado, testified that he is Secretary and Office Manager of L. E. Schooley, Inc., a Colorado corporation; that the Applicant specializes in the hauling of ore and concentrates and that the Applicant has had over ten years' experience in this type of transportation. This witness identified Exhibit A as a statement of the Applicant's present authority under Permit No. B-4092 and I; Exhibit B as an Equipment List; Exhibit C as a financial statement of the Applicant; Exhibit D as a statement of income and expenses for the period ending September 30, 1965; and Exhibit E as a listing of oil shale shipments by the Applicant in October, November and December, 1965 on Temporary Authority.

With reference to the equipment maintained by the Applicant, Mr. Speight testified that it is specialized in nature for the transportation of ore and concentrates; that the Applicant makes use of what is known as a "pup trailer," which according to the witness enables ore shipments to be made more economically; that much of the equipment has specialized rear ends installed for rough terrain; that, with reference to the use of specialized equipment, the equipment and method of handling ore shipments by the Applicant has been developed over a period of years; that, if the within application for extension is granted, the Applicant is able to provide additional equipment if necessary; that since October 18, 1965, the Applicant has been hauling oil shale as authorized by a Temporary Authority; that shipments made under said Temporary Authority are shown on Exhibit E; and that, as ore transportation specialists, the Applicant frequently provides the shipper with the use of a loader, will also blend ore for the shipper, and where expedient, will assign or dedicate certain equipment to a shipper.

Charles E. Haberman, Arvada, Colorado, testified that he is employed by Oil Shale Corporation which is engaged in the experimentation for the purpose of extracting petroleum products from oil shale; that

this company has two pilot plants in the Denver area; that for the past several months, the Applicant has been shipping oil shale from the Parachute Creek area located 17 miles north of Grand Valley to the pilot plants in the Denver area on an irregular basis; that the need for this transportation so far as Oil Shale Corporation is concerned will continue at least for several years; that 2 to 3 thousand tons of oil shale per year will be required by the pilot plants; that he is supporting the within application because the Applicant is in a position to accommodate this shipper with its specialized equipment and general knowledge regarding this type of transportation; and that if the within application is granted, his company will contract with the Applicant for the continued transportation of oil shale from the Parachute Creek area which is 17 miles north of Grand Valley to the pilot plants of this company in the Denver area.

David Sigismund, Grand Junction, Colorado, a partner in Sigismund Mining Company, testified that this company is engaged in general mining; that, at the present time, the company is operating a mine at Ofert, Colorado, which is approximately 45 miles south of Silverton, Colorado and 3 miles off the highway; that this mine produces crude iron oxide ore which is used in the paint industry; that this operation is seasonal during the summer months and it is anticipated that production will in the future amount to approximately 10,000 tons of iron oxide ore yearly; that the shipment of this ore will be from the mine at Ofert, Colorado to the rail head at Ridgway where the ore is stockpiled for sale and shipment out of the State; that the Applicant last summer hauled approximately 200 tons of this ore; and that he is supporting the within application inasmuch as the Applicant will assign vehicles for the exclusive use of this shipper and will also afford the shipper the use of a front end loader.

On cross examination, Mr. Sigismund testified that crude iron oxide ore which is stockpiled at Ridgway, Colorado, the rail head, is

shipped via railroad to Chicago and the State of Maryland for processing; and that at the time the ore is stockpiled at Ridgway it does not necessarily have a destination of Chicago and Maryland since it is sold to processing plants outside of Colorado from the stock pile.

Edwin Biever, Grand Junction, Colorado, stated that he is employed as an ore buyer for Climax Metal Company which operates a mill at Grand Junction and mines located mostly on the Colorado Plateau; that his company also purchases vanadium and uranium ores from approximately 40 mines in the area; that, at the present time, Climax Metal Company does not operate any mines or purchase from mines on the Eastern Slope of Colorado; that, however, some preliminary negotiations to secure ore from a mine on the Eastern Slope are under way and if successful Climax Metal Company will desire to use the services of the Applicant for the transportation of this ore from the Eastern Slope of Colorado; that his company uses the Applicant exclusively for the shipment of vanadium and uranium ore on the Western Slope of Colorado; that his company is well acquainted with the service provided by the Applicant; that it provides a distinct need so far as Climax Metal Company is concerned; and that if this company hauled ore from the Eastern Slope in the future, it would want to employ the services of the Applicant.

Mr. Leslie Estes testified that he is the owner of Estes Trucking Company, Rifle, Colorado, and operates under PUC Nos. 781, 802, 1971 and 3406; that his protest was directed to that part of the application requesting authority to transport oil shale; that his company has engaged in the hauling of oil shale for the past 20 years and that shipments in the past have been made for the School of Mines, the Oil Shale Corporation, the United States Bureau of Mines, the Union Oil Company and the Denver Institute; that these shipments originated in the Parachute Creek area in the vicinity of Grand Valley, Colorado, and were destined to points in the Denver area; that 7 or 8 percent of his revenue is for the transportation of oil shale; that he has available adequate equipment to provide

for this transportation and would, if necessary, dedicate certain equipment for the exclusive use of a shipper; that, to his knowledge, his company has handled all oil shale shipments prior to October of 1965 when a Temporary Authority was issued to the Applicant; that he had no previous notice of this Temporary Authority; that as late as September or October of 1965, he shipped 100 tons of oil shale for the United States Bureau of Mines which shipment was destined for the School of Mines; and that at present his company owns no equipment for oil shale transportation but has in the past leased suitable equipment for this purpose and that such equipment is available to him on this basis.

Hugo L. Willis, Silverton, Colorado, testified he owns and operates under PUC No. 1081 and that he maintains 8 trucks and two trailers; that he engages mostly in the transportation of ores and concentrates in the area designated under his authority; that he is protesting only that part of the application which requests authority for the transportation of ores and concentrates from the area covered by PUC No. 1081; that his authority could accommodate the transportation needs of the Sigismund Mining Company which operates and transports iron oxide ore from Ofert, Colorado to Ridgway, Colorado; that at no time has anyone from the Sigismund Mining Company contacted him regarding shipments of iron oxide ore; that, in his opinion, the granting of authority to the Applicant for the transportation of all ores and concentrates in the area he is authorized to serve would be harmful to his operations and there is no need for additional ore haulers in this area, as there are at present several common carriers which adequately serve these transportation needs.

Oliver Fellin testified that he is a partner in the firm of Fellin Brothers which specializes in the transportation of ore and concentrates under PUC No. 871; that he was not interested in protesting the requested authority for oil shale or shipments of ores from the Eastern Slope, but that his protest was directed merely against extending the authority for the transportation of ores on the Western Slope; that

at the present time the mining business in that area is very slow and consequently, this has had an adverse effect on his business; and that there is no need to authorize additional haulers in the area.

On cross examination, this witness conceded that the shipments of iron oxide ore from Ofert, Colorado to Ridgway, Colorado could not be handled by him under PUC No. 871.

Witness Robert F. Schuler testified that he is engaged in the business under the trade name of "Telluride Transfer," and operates under PUC No. 60; that his firm owns 16 pieces of equipment, eight of which are used for the transportation of ores and concentrates; that the shipment of iron oxide ore from Ofert, Colorado to Ridgway, Colorado could be handled under his authority, but that Sigismund Mining Company, so far as he knows, never contacted his firm for the purpose of providing this transportation; that the extension of authority to provide for the transportation of ore in the area covered by PUC No. 60 would be harmful to his operations; that there was no need to provide for additional ore haulers in the Western Slope area of Colorado, since many existing common carriers are confronted with idle equipment because of insufficient activity in the mining business; and that his protest was not directed against that part of the application requesting authority to transport oil shale or to transport ore from points on the Eastern Slope of Colorado.

All motions granted by the Examiner are hereby confirmed.

The Commission having considered the record and files and the written statement of the Examiner herein, states and finds that existing authorized common carrier service over the same general highway route or routes as sought to be served by the Applicant is adequate to serve the shipper witnesses who appeared and testified; that the granting of the instant application, followed by operations thereunder, would deprive existing authorized common carriers of business; that this deprivation of business would impair the efficient public service of existing

authorized common carriers adequately serving the territory which the Applicant proposes to serve; that the evidence of record indicates herein that the grant of the extended authority as herein sought would not be compatible with the public interest; and that the application should be denied, as set forth in the Order following.

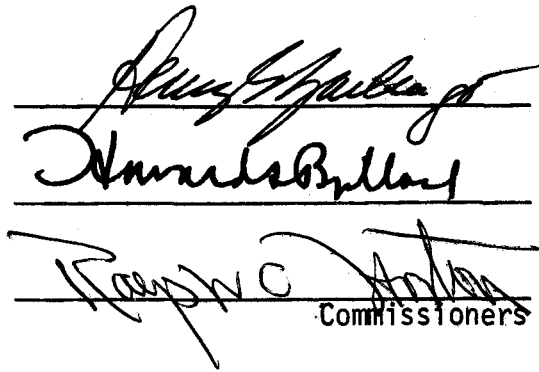
O R D E R

THE COMMISSION ORDERS:

That Application No. 21575-PP-Extension be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 14th day of March, 1966.

ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GLEN A. LUDWIG, 5614 BRENTWOOD,)
ARVADA, COLORADO, FOR AUTHORITY TO) APPLICATION NO. 21833-PP-
EXTEND OPERATIONS UNDER PERMIT NO.) Extension
B-2824.)

RE MOTOR VEHICLE OPERATIONS OF)
GLEN A. LUDWIG, 5614 BRENTWOOD,) PERMIT NO. B-2824
ARVADA, COLORADO.)

March 14, 1966

Appearances: Glen A. Ludwig, Arvada, Colo-
rado, pro se.

STATEMENT AND FINDINGS

BY THE COMMISSION:

Heretofore, Glen A. Ludwig, Arvada, Colorado, was auth-
orized to operate as a Class "B" private carrier by motor vehicle
for hire (Permit B-2824), authorizing transportation of:

Transportation of grain and beans between points
within the area extending 6 miles east, 10 miles
west, 30 miles north and 10 miles south of Genoa,
Colorado, and from points within said area to
elevators and markets within a 50-mile radius of
Genoa. Dec.#38190 EXTENDED TO: Transportation of
sand, gravel and other road-surfacing materials
from pits and supply points in the State of Colo-
rado to road and building construction jobs located
within a 50-mile radius of said pits and supply
points, excluding service in Clear Creek, Gilpin,
and Boulder Counties; coal from the northern
Colorado coal fields to Denver, Colorado; to
Valmont Plant of Public Service Company, located
near Boulder; to the Kuner-Empson Plants; to the
Great Western Sugar Company Plants and to the
Rocky Mountain Arsenal, all located within a 50-
mile radius of Denver, Colorado.

The Commission is in receipt of a communication from said
permit-holder, requesting that the following operating rights be
deleted from said Permit No. B-2824:

"Transportation of grain and beans, between points within the area extending 6 miles east, 10 miles west, 30 miles north and 10 miles south of Genoa, Colorado, and from points within said area to elevators and markets within a 50-mile radius of Genoa."

By the above-styled application, said permit-holder seeks authority to extend operations under said Permit No. B-2824, 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 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, and heard by Commissioner Horton, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, Glen A. Ludwig appeared and testified in support of the instant application, stating he had received many requests for his proposed extended operations; that he has sufficient equipment and net worth to conduct said proposed extended operations; and that, if authority herein sought is granted, he will obey all the laws and rules and regulations of this Commission.

The Commission, having considered the record and files, states and finds that Applicant's request for deletion of operating rights set forth above should be granted; that no one protests the granting of the instant application; that there is a need for Applicant's proposed extended transportation service;

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 to the Commission 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 the granting of 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 operating rights under Permit No. B-2824, owned and operated by Glen A. Ludwig, Brentwood, Arvada, be, and the same hereby are, amended and restricted, upon the request of said Glen A. Ludwig, by deleting therefrom the following authority:

"Transportation of grain and beans, between points within the area extending 6 miles east, 10 miles west, 30 miles north and 10 miles south of Genoa, Colorado, and from points within said area to elevators and markets within a 50-mile radius of Genoa."

That Glen A. Ludwig, Arvada, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-2824, 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 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 the sole and only authority under Permit No. B-2824, as extended, shall henceforth be, and read as follows:


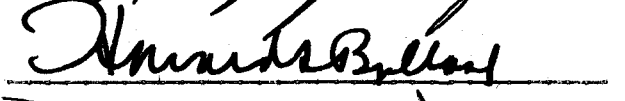

Transportation of sand, gravel and other road-surfacing materials from pits and supply points in the State of Colorado, to road and building construction jobs located within a 50-mile radius of said pits and supply points, excluding service in Clear Creek, Gilpin, and Boulder Counties; coal from the northern Colorado coal fields to Denver, Colorado; to Valmont Plant of Public Service Company, located near Boulder; to the Kuner-Empson Plants; to the Great Western Sugar Company Plants and to the Rocky Mountain Arsenal, all located within a 50-mile radius of Denver, Colorado;

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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 14th day of March, 1966.

et

(Decision No.67005)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT T. MCGINN, 6125 NORTH PECOS,)
DENVER, COLORADO, FOR A CLASS "B") APPLICATION NO. 21826-PP
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

March 14, 1966

Appearances: Robert T. McGinn, Denver,
Colorado, pro se.

STATEMENT AND FINDINGS

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 Commissioner Horton, and at
the conclusion of the hearing, the matter was taken under ad-
visement.

At the hearing, Applicant appeared and testified in sup-
port 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, a net worth of \$6,000, and suf-
ficient operating experience with which to conduct said proposed
operation.

The Commission, having considered the record and files,
states and finds that no one protests the granting of the in-
stant application; that there is a need for Applicant's pro-
posed transportation services; that applicant will have suf-

ficient 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 T. McGinn, 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.


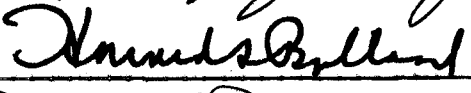
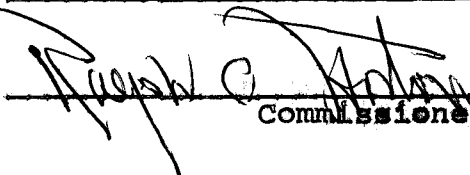
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit as deemed advisable.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 14th day of March, 1966.

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
W. J. DIGBY, INC., 1960 31ST)
STREET, P. O. BOX 5088 TERMINAL)
ANNEX, DENVER, COLORADO, FOR A) APPLICATION NO. 21811
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A)
COMMON CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

March 14, 1966

Appearances: William D. Mitchell, Esq., Denver,
Colorado, for Applicant.

STATEMENT AND FINDINGS

BY THE COMMISSION:

By the above-styled application, Applicant herein seeks a certificate of public convenience and necessity, authorizing the transportation of fruits and vegetables from points in Colorado to Colorado Springs, Denver and Pueblo, Colorado.

Said Application, pursuant to prior setting after appropriate notice to all parties in interest, was heard by Commissioner Horton, at 532 State Services Building, Denver, Colorado, on March 11, 1966, at 10:00 o'clock A.M., and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, William D. Mitchell, Attorney for Applicant, appeared, asking that the hearing be continued, and stated he had contacted all those persons who had filed written protests. He checked with the Secretary of the Commission to ascertain if April 27, 1966 would be a satisfactory date and was advised it would be satisfactory.

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


O R D E R

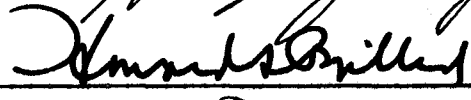
THE COMMISSION ORDERS:

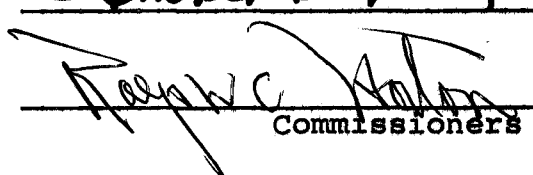
That Application No. 21811 be, and the same hereby is, continued, to be re-set for hearing before the Commission, at 10:00 o'clock A.M., on April 27, 1966, at 532 State Services Building, Denver, Colorado, with Notice to all parties in interest.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 14th day of March, 1966.

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DALE M. BLACK, 5007 SOUTH GROVE)
STREET, ENGLEWOOD, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A) APPLICATION NO. 21822-PP
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

March 15, 1966

Appearances: Dale M. Black, Englewood,
Colorado, pro se.

STATEMENT AND FINDINGS

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 Commissioner Horton.
At the conclusion of the evidence, the matter was taken
under advisement.

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.

The Commission, having considered the record and
files, 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 Dale M. Black, Englewood, 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.


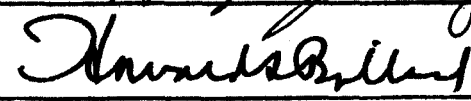
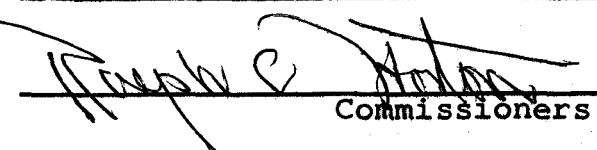
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 15th day of March, 1966.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

COLORADO TRANSPORTATION COMPANY,
1805 Broadway
Denver, Colorado,

Complainant,

vs.

DENVER-COLORADO SPRINGS-PUEBLO
MOTORWAY, INC. AND CONTINENTAL
BUS SYSTEM, INC., ROCKY MOUNTAIN
LINES DIVISION,
1629 Broadway,
Denver, Colorado,

Respondents.

CASE NO. 5304
SUPPLEMENTAL ORDER

March 15, 1966

Appearances: David Butler, Esq., Denver,
Colorado, for Complainant;
John R. Barry, Esq., Denver,
Colorado, for Respondents.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On February 16, 1966, the Commission entered Decision No. 66838 in the above-styled case.

On March 8, 1966, Petition for Rehearing was filed with the Commission by Complainant, Colorado Transportation Company, by David Butler, Attorney.

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

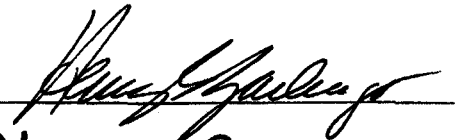
O R D E R

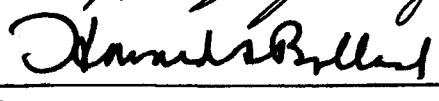
THE COMMISSION ORDERS:

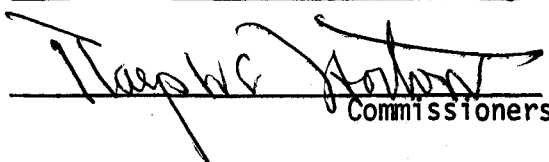
That Petition for Rehearing filed with the Commission by Complainant, Colorado Transportation Company, be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 15th day of March, 1966.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
GEORGE A. RIENAU, JR., CRAIG)
ROUTE, MEEKER, COLORADO.)

PERMIT NO. B-6781

March 16, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

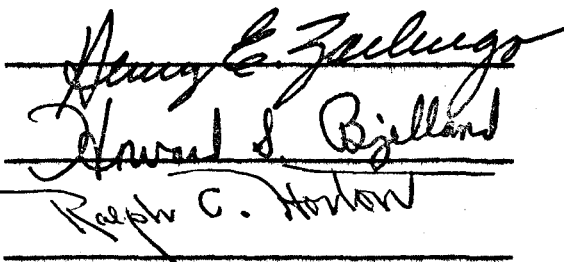
THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

February 24, 1966 until August 24, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 16th day of March 196 6.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF ARNOLD TRUCK LINE, INC., KIOWA, COLORADO.	}	<u>PERMIT NO. B-4476</u> <u>and B-4476-I</u>
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March 16, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

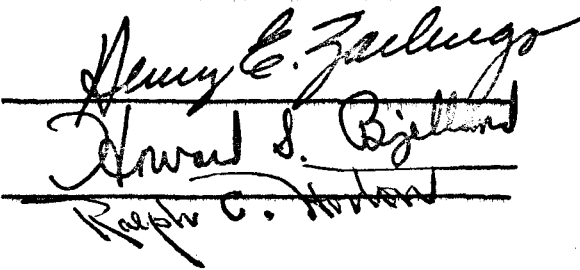
THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

March 1, 1966 until September 1, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 16th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
VERN PETERSON, 605 NORTH 3RD.,
IOLA, KANSAS.)

PUC NO. 5902-I

March 16, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 27, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaclung
Howard S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 6th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ATWOOD CORDAGE INC., 1204)
POWHATTAN STREET, DALLAS, TEXAS.)

PUC NO. 5514-I

March 16, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

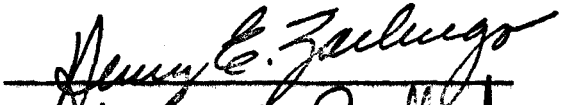

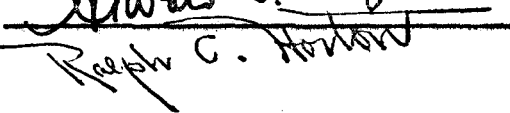
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 31, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 16th day of March 196 6
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
Hugh Damon, 1215 WEST KIOWA,
COLORADO SPRINGS, COLORADO.

PERMIT NO. B-6655

March 16, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 17, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaichko
Howard S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 16th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
KARL J. KICHLER, 3410 PECOS
STREET, DENVER, COLORADO.

PUC NO. 5659-I

March 16, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 27, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaclungo
Edward S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 16th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
KARL J. KICHLER, 3410 PECOS ST.,
DENVER, COLORADO. }

PERMIT NO. B-5199

March 16, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 27, 1966

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland
Ralph C. Howard

Commissioners

Dated at Denver, Colorado,
this 16th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: CLOSING OF STATION AT SWINK,)	
OTERO COUNTY, COLORADO, AS AN AGENCY)	
STATION BY THE ATCHISON, TOPEKA AND)	<u>INVESTIGATION AND</u>
SANTA FE RAILWAY COMPANY AND REA)	<u>SUSPENSION</u>
EXPRESS.)	<u>DOCKET NO. 560</u>

March 16, 1966

Appearances: Peter J. Crouse, Esq., Denver,
Colorado, for Applicant;
Cover Mendenhall, City Attorney,
Swink, Colorado, for Protestants;
J. L. McNeill, Denver, Colorado,
of the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

On November 19, 1965 petition in the instant matter was filed with the Commission and received as Application No. 21656. Request was made for an order to authorize withdrawal of the agency at Swink, Colorado, effective January 15, 1966. In conformance with the Commission's rules herein, public notice of the proposed change of service was posted at the station.

Subsequent to said public posting, letters of protest were received by the Commission. By Decision No. 66604, dated January 13, 1966, the Commission suspended the proposed station closing pending investigation and further order of the Commission. Said Application No. 21656 was thereupon closed and the whole matter transferred to Commission Investigation and Suspension Docket No. 560. Said Docket was regularly set for hearing before the Commission, at

the Court House, La Junta, Colorado, March 1 and 2, 1966, at ten o'clock A.M., due notice thereof being forwarded to all parties in interest.

On March 1, 1966, hearing was held by the Commission at the time and place designated; testimony was presented, exhibits received and the hearing completed on the same day. Thereafter the matter was taken under advisement by the Commission.

In the instant matter, we have the proposal of Applicants (Santa Fe Railway and REA Express) to withdraw joint agent from the Swink station for the reasons that there has been very little Express business; that Railroad revenue is mainly from carload business which can be readily handled at another station; that revenues creditable to the station have so declined in the period 1962 to 1964 as to change from a profitable operation to an unprofitable station; that existing rail and switching services will not be affected; and that the services of the agent are not required in the operation of this line of the railroad between LaJunta and Pueblo, Colorado. Protestants objected on the grounds that any discontinuance of service would seriously jeopardize the economy and welfare of the Swink area; that the absence of a station agent would be an inconvenience to railroad patrons; and that the closing action would be very detrimental to the best interests of the community.

Testimony in support of the application was given by C. C. Chatfield, Santa Fe Freight Auditor at Topeka, Kansas; and by Colorado Division Superintendent, C. B. Kurtz of La Junta, Colorado.

Exhibits as identified and explained by Mr. Chatfield and received at the hearing are as follows:

Exhibit No. 1 - Revenues and Expenses. Swink, Colorado. Years 1962 - 1965 and 1966 (January) - 7 pages. Monthly tabulation showing Total Revenues; separate earnings of Carload and L.C.L. Freight; Passenger business; Santa Fe portion of Express and Western Union earnings. Operation Expense and Swink Station Expense.

Exhibit No. 2 - Carload Traffic. Received and Forwarded. Years 1962 - 1965 and 1966 (January) - 4 pages. Monthly tabulation also showing Commodities handled.

Exhibit No. 3 - Less Carload Traffic. Received and Forwarded. 1962 - 1965 and 1966 (January) - 3 pages.

A summary of the above information is shown as follows:

Exhibit No. 1 - Revenues and Expenses: Swink Station.

<u>Item</u>	<u>1962</u>	<u>1963</u>	<u>1964</u>	<u>1965</u>
Local Rev. (50%)				
Less Carload	\$ 273.72	\$ 502.01	\$ 227.45	\$ 175.75
Carload Rec.	2,698.42	1,464.86	1,047.52	475.56
Carload Fwd.	13,421.56	12,556.61	503.50	2,302.75
Interline (100%)				
Less Carload	348.47	217.53	12.71	66.05
Carload Rec.	9,720.18	4,558.77	4,586.97	8,732.68
Carload Fwd.	77,196.01	40,876.67	5,196.30	---
Passenger Tickets	53.18	3.66	118.54	60.97
Milk & Cream	---	---	---	---
Railway Express	81.66	76.15	35.86	58.37
Western Union	106.74	53.06	29.64	4.47
Total Revenue	\$103,899.94	\$60,309.32	\$11,758.49	\$11,876.60
Less: Oper. Exp.	73,800.14	46,824.16	9,352.70	9,446.64
Remainder	30,099.80	13,485.16	2,405.79	2,429.96
Less: Swink Exp.	8,486.85	8,377.46	8,037.97	8,687.56
Gain or (Loss)	\$21,612.95	\$ 5,107.70	\$(5,632.18)	\$(6,257.60)

During the course of his testimony and cross-examination relating to the above station revenues, Mr. Chatfield explained that local freight movements required attention at

two stations; namely, origin and destination on Santa Fe lines and that the customary practice has been followed wherein 50% of revenues are credited to a station rather than the actual collections. On the other hand, Interline movements involve only a single Santa Fe station at either origin or destination and the full revenue or 100% is shown. It is to be noted that during 1964 decline in Forwarded Traffic resulted in Loss of \$5,632, as compared to Gains of \$5,107 in 1963 and \$21,612 in 1962.

It was also shown that other expenses of train operation for movement of Swink shipments between stations are also involved. These are items of crew labor, fuel, road and equipment maintenance and all other costs excluding station expenses which must also be borne by the business handled through the station.

On basis of Colorado traffic, the following percentages of Revenue were necessary for payment of Operating expenses; viz, 1962 - 71.03%; 1963 - 77.64%; 1964 - 79.54%; 1965 - 79.54%.

Exhibit No. 2 - Carload Traffic Operations.

<u>Commodity</u>	<u>1962</u>		<u>1963</u>		<u>1964</u>		<u>1965</u>	
	<u>Rec.</u>	<u>Fwd.</u>	<u>Rec.</u>	<u>Fwd.</u>	<u>Rec.</u>	<u>Fwd.</u>	<u>Rec.</u>	<u>Fwd.</u>
Wall Board	4		2		2		1	
Lumber	4		4		6		4	
Roofing			1					
Brick				15				
Petroleum Prod.	1		1		1		1	
Coal	4		3		2		1	
Fertilizer	41		17		18		25	
Cattle	16		14				34	
Sheep	23						4	
Feed	1		3		1			
Paper Bags					1			
Sugar Beets				341		14		151
Alfalfa Meal		377		117		-		-
Corn		38						
Molasses		20		43				
Onions		5		5				
Potatoes			2	2		9		
Wheat		14		9				
Wool		2		3				
Iron Scrap				1				
Tankage						5		
Hay				1	3		4	
Carloads	<u>94</u>	<u>456</u>	<u>47</u>	<u>537</u>	<u>34</u>	<u>28</u>	<u>74</u>	<u>151</u>
Average Per Mo.	8	38	4	45	3	2	6	13

From the above it is noted that decline and loss of Alfalfa meal shipments in 1963 and 1964 represent the major change in station operations resulting in the big Revenue losses as noted previously for years of 1963 and 1964.

Exhibit No. 3 pertains to the "Less than Carload" traffic which is handled by truck on railroad billing by the Santa Fe Trail Transportation Company. Further explanation was given by Mr. Clyde L. Fox, District Freight Agent of Denver, Colorado.

Mr. Fox stated that truck service working out of LaJunta is used to provide store-door pick-up and delivery handling for these shipments. Drivers handle collections and make shipment billings. Proposed removal of the Swink agent will not affect the local in-town service; meanwhile, a small portion of this business as held at the Swink station for out-of-town customers will be held at the LaJunta office.

In his testimony, Mr. Kurtz explained the following exhibits as also received at the hearing:

Exhibit No. 4 - Map.

Shows portion of Santa Fe Main line and Branch connections in the LaJunta, Swink, Rocky Ford and Las Animas area of southeastern Colorado.

Exhibit No. 5 - Train Schedule.

Shows two passenger trains - one east and one west. Also four freight trains - two east and two west.

Exhibit No. 6 - Revenue Statement - Prepay Stations.

Shows Revenue data - 1962, 1963, 1964 and 1965 (11 months) - for 12 Santa Fe stations being operated as non-agency or prepay stations.

Mr. Kurtz explained Santa Fe rail service in the area consists of east-west cross-country passenger and freight

trains moving over its main line via Holly, LaJunta and Trinidad. LaJunta is also the east terminal of the Pueblo District Branch line serving through Swink and Rocky Ford to Pueblo for connections to Denver. Swink is the west terminal for the 94-mile Arkansas Valley District Branch line located on north side of Arkansas River between Holly and Swink. Main line of the railroad is on south side of the river in this area.

The Swink station is open eight hours daily Monday through Fridays. Agent has handled REA Express shipments, Western Union telegrams, offered customary service for ticket sales, freight billings, collections and inspections. Principal operating function is observance and reporting of passing trains to Main line dispatcher at LaJunta and issuance of Train Orders as needed. Being a terminal for the Arkansas Valley Branch (A.V. Branch), Clearance Orders are also issued for the three-times-per-week movement of the A.V. Freight Train from Swink to LaJunta.

Trackage consists of the Main line, passing track, A.V. Branch connection, Stockyards siding, numerous storage sidings and trackage remaining in the old Holly Sugar plant area.

Other stations adjacent to Swink and service provided are:

Rocky Ford - 5.8 miles west on Pueblo Branch Line.

Provides full Agency service of tickets, freight service, bills, shipping documents. Scheduled stop for passenger trains, five employees, five days per week. 6:30 A.M. to 12:45 P.M.

Cheraw - 11.3 miles east on A. V. Branch. Agent on duty Monday through Friday, communications, sidings and storage trackage.

LaJunta - 4.9 miles east at Main Line junction.

Open 24 hours daily, 53 employees. Provides complete ticket service; all passenger trains stop; Western Union operators. Complete freight service, shipping documents, inspection and claim service. Colorado Division headquarters with General offices of Superintendent and Engineering forces, Operating department and Maintenance department. Yards include extensive trackage facilities for car storage, classification, repairs, cleaning, loading and unloading.

According to Mr. Kurtz, requested Agency closing at Swink will not involve local trackage or switching service; passenger trains will stop on customers' call to LaJunta dispatcher; cars may be ordered by telephone from LaJunta or Rocky Ford agents; any long distance toll expense concerning railroad business for patrons in the area will be paid by Santa Fe. Swink will be retained as a "Prepaid" station for inbound shipments; meanwhile, existing patrons are well known - many having established credit standing with the railroad - so that no unloading delays are expected awaiting payment of freight charges. Other or new patrons may also establish credit standing upon application to the Treasurer office of Santa Fe.

In response to extensive questioning pertaining to new service and reason for change, Mr. Kurtz emphasized that calls for damage inspections would receive rapid service upon a call to the LaJunta office where claims may also be filed or submitted to the Claim Inspector. Inspection calls may also be made to the Rocky Ford station. Car heater service would be provided from LaJunta by pick-up truck delivery. Telephone service would be utilized for Western

Union messages being received or to be sent, and confirmation copy handled by mail.

No loss of employment is expected for the present agent due to need for skilled men on the railroad and job protection rights under established seniority procedures.

Operating safety can be maintained by utilizing train reporting of the neighboring stations and issuance of Arkansas Valley Branch clearance orders is proposed for handling through the Branch line station of Cheraw.

In summary, Mr. Kurtz noted that in past years stations were located at short distances of five to ten miles apart to serve the early small towns due to poor roads, limited personal transportation facilities and no trucks. He emphasized such is not the situation at this time - very little personal inconvenience or hardship is expected, and the closing will eliminate the station expense for a corresponding saving of money to the railroad

Operations of Railway Express Agency at Swink were explained by Mr. Frank Peck, Agency Supervisor, Denver, Colorado. His Exhibit No. 7 is summarized as follows:

Exhibit No. 7 - Revenues and Shipments, Swink, Colorado.

Year	Shipments			Gross Revenue	Average per Month	
	Fwd.	Rec.	Total		Shipments	Revenue
1961	4	50	54	\$ 251.45	4	\$ 20.96
1962	5	58	63	369.92	5	30.83
1963	7	59	66	343.03	6	28.59
1964	-	28	28	149.15	2	12.43
1965	1	42	43	268.45	3	22.37

Present service is offered from the Swink station by the Rail agent as a joint agent for REA Express. No trains stop at the Swink station since Express shipments move into LaJunta via the main line trains and by truck line to and from Pueblo and Denver. Hence, removal of the Swink agent service will be replaced by direct truck delivery of inbound

shipments. Forwarded shipments are to be brought to the LaJunta station, but due to small number involved, no inconvenience is expected here.

On behalf of the protestants, testimony was offered by three witnesses who described their use of rail service and explained the expected inconvenience that would result for them if the agency were removed. Generally, protestants' testimony was similar and can be summarized as follows:

Mr. A. R. Wadleigh stated he is Mayor of Swink and is appearing in behalf of his Town to protest. He is also Manager of Simplot Soilbuilders Company, a distributor of fertilizers and soil improvement chemicals. He is a long time resident of Swink and a railroad patron for many years. Swink is an agricultural community and in his business Mr. Wadleigh verified that farm production was down over the past four years; in the past year losses were extremely heavy due to both drought and heavy floods; currently prospects are better; soils and planting outlook is good, while locally, the addition of Timberlake Cattle Company to the community as successor of former stock feeding operation offers an expanded livestock business.

He noted that Continental Trailways Bus Company had also utilized the services of the rail agent; that the Depot waiting room was pleasant for bus patrons, and a pull-off stop from paralleling U. S. Highway No. 50 was very convenient. Meanwhile, no plans have been made for substitute bus station, due to absence of a local drug store or another similar public facility.

Past service of the local agent was described as very helpful and efficient; damage inspections could be secured in 15 to 30 minutes; car tracing and ordering were

easy; damage settlements were expedited and rate information was readily available. Future livestock operations indicated an increased need for the Agent service which was considered as a most essential need of both the local and rural community.

Mr. Walter L. Glasgow testified that as operator of Swink Builder Supply Company, he had been a regular patron for many years in carload movement of lumber, wallboard (sheetrock), insulation and assorted building supplies. For masonite shipments, he also utilized enroute stops of "split" or part-car service in joint use with other dealers along the line; however, his volume of some two cars annually did not show in the exhibit materials, since car movements were recorded at another station.

He noted that use of bus service at the rail depot was also helpful for receipt of small items of "Bus Freight" since his yard and business is located across the street. He had no information about a substitute depot or possible use of a local service station to set-off future shipments.

He maintained that removal of the Agent would be a handicap in securing inspections of damaged materials; that his shipments of long-haul heavy merchandise offered good rail revenue to keep the service; and that loss of the service would be a general inconvenience to many people.

Mr. Rolland Lusk, Route 1, LaJunta, stated he lived four miles east of Swink; that with other family members his farming operations and shipments were handled under name of C. R. Lusk & Sons, Inc.; that railroad use was seasonal, consisting of bags and lumber items for crates and boxes inbound during the spring, with forwarded shipment of potatoes, onions and cantaloupes in the fall, for a total of 6 cars

during 1965. He noted that the previous four years had been a period of low crop yields due to adverse weather and poor moisture conditions; that principal occupation of the region is agriculture, and the other related industries of hay grinding, sugar beet production, fertilizer sales and livestock feeding were also adversely affected; that fall season of 1965 showed some improvement and prospects are now favorable for increased production.

With proposed station closing, he reviewed problems of billing, handling of perishables and inconvenience of going to LaJunta or Rocky Ford. He stated his firm had an established credit rating with Santa Fe and would have no delay to unload inbound shipments; that movement of outbound "collect" carloads offered no problem; that it was important for switching service to remain, and that with greater use of telephone service he could probably get along with details of billing and to secure shipping information. It was his belief other shippers would also be inconvenienced.

Relative to change of the Bus Stop to a filling station for alternate service, Mr. Lusk had no knowledge of acceptance of bus freight or what handling might be involved for a service station in Swink that he operates.

It is understandable to the Commission that the citizens of a community would desire the continued presence of a railroad agent as a means of promoting regional welfare and prestige. However, testimony related largely to personal inconvenience as anticipated by the above witnesses in connection with limited shipping needs on a largely seasonal basis. No pressing need of the general public was described wherein services of the agent were shown to be particularly essential. Meanwhile, in consideration of the public

convenience and necessity, we note provisions for alternate agency service; that there is a record of current L.C.L. movement with store-door service by Santa Fe Truck lines which will continue; that in-town delivery of REA Express shipments will eliminate former customer pick-up at the station.

In the continuation of remaining shipper needs, we are aware that for occasional movements of carload commodities as coal, oils, grain, lumber or livestock, the routine details of billing or collections can be handled at a station other than the point of origin or destination. Standard procedures are also available for establishment of credit whereby the customary requirement of prepayment to non-agency stations is waived and no inconvenience is, therefore, anticipated for regular patrons.

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 safe and economical railroad operation does not require the maintenance of an agent at the Swink Station.

That under the evidence presented, there is not sufficient public need or convenience to justify continued maintenance of the Swink station and the resultant losses due to insufficient revenues.

That the public convenience and necessity in the Gypsum area can be adequately served by the adjacent agency stations of Rocky Ford and LaJunta, Colorado.

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

O R D E R

THE COMMISSION ORDERS:

That effective on May 1, 1966, Applicants, The Atchison Topeka & Santa Fe Railway Company and REA Express Agency, be, and hereby are, authorized to withdraw their joint agent from the station at Swink, Otero County, Colorado, and thereafter to utilize the station of Rocky Ford and La Junta for the handling of railroad and/or Express business.

That telephone toll expense for the handling of railroad business from the Swink area will be paid by the railroad company.

That Railway Express delivery service for City of Swink be authorized. That reference shall be made to this decision in the affected tariff schedules to show the closing of the Swink railroad station and new service area of REA Express.


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

This Order shall become effective twenty-one (21) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






_____ Commissioners

Dated at Denver, Colorado,
this 16th day of March, 1966.

jh

Original

(Decision No. 67017)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE THE PRESCRIPTION OF RATES
IN DECISION NO. 66980, CASE
NO. 1585, APPLICABLE TO BURIAL
CASES, CASKETS, ETC., ITEM NO.
1385, *CMCA, Agent, Tariff 12-A,
COLORADO PUC NO. 11

Investigation and Suspension
Docket No. 561

March 15, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 9, 1966, the Commission prescribed the elimination of commodity rates on Burial Cases, Caskets, etc., named in Item No. 1385, 10th Revised Page No. 195-A, *CMCA, Agent, Tariff No. 12-A, Colorado PUC No. 11, effective March 16, 1966, applicable over the lines of Red Ball Motor Freight, Inc., to Denver, Colorado, thence Bethke Truck Lines, when said traffic is moving from Pueblo, Colorado to Brighton, Ft. Lupton and Greeley, Colorado.

The Commission is now in receipt of a letter from the Pueblo Chamber of Commerce, Pueblo, Colorado, by Charles L. Thomson, General Manager, dated March 11, 1966, stating that Mr. Alvin C. Lane, Owner, Royal Gorge Casket Company, Canon City, Colorado is contemplating a move to Pueblo within the next six months and desires the eliminated rates to remain in effect.

Upon the consideration of the said schedules and letter of Charles L. Thomson, the Commission is of the opinion that Item 1385, appearing in Case 1585, Decision No. 66980, dated March 9, 1966, should be withdrawn and the protested schedules suspended.

*Colorado Motor Carriers' Association, Agent (The Motor Truck Common Carriers' Association, Agent, Series)

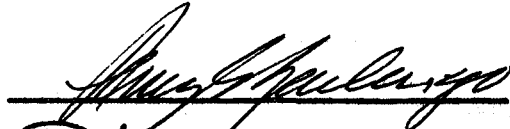
O R D E R

THE COMMISSION ORDERS, that: --

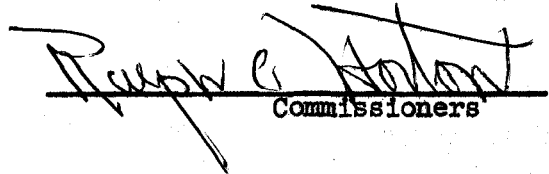
1. The Statement and Findings of Fact herein be, and they are hereby, made a part hereof.
2. Case No. 1585, Decision No. 66980 dated March 9, 1966, should be amended by the withdrawal of Item No. 1385, as referred to in the Statement and Findings hereof and appearing on page 1a of Appendix "A" attached thereto.
3. Item No. 1385, Colorado Motor Carriers' Association, Agent,
*(The Motor Truck Common Carriers' Association, Agent, Series) commodity rates named on 10th Revised Page No. 195-A, as referred to in the Statement and Findings hereof, should be suspended for a period of one hundred twenty days or until July 14, 1966, 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 Bethke Truck Lines, Inc., and Red Ball Motor Freight, Inc., and that said carriers be and they are hereby made respondents 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. 561 be, and the same hereby is, set for hearing before the Commission on the 31st day of March, 1966, at 10:00 o'clock 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

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

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

DENVER-LARAMIE-WALDEN TRUCK LINE,;)
DENVER LOVELAND TRANSPORTATION, INC.;)
EDSON EXPRESS, INC.,; AND OVERLAND)
MOTOR EXPRESS, INC., DOING BUSINESS)
AS BOULDER DENVER TRUCK LINE,)

Complainants,

vs.

CASE NO. 5314

MILLER BROTHERS, INC.,
306 NORTH 8TH AVENUE,
GREELEY, COLORADO,

Respondents.

March 15, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On January 27, 1966, a Petition to Intervene was filed by the Contract Carriers Conference of the Colorado Motor Carriers Association, by John J. Conway, Attorney, and attached to said Petition was a list of the individual members of said Conference.

On February 24, 1966, the Commission entered Decision No. 66900 authorizing the said Contract Carriers Conference of the Colorado Motor Carriers Association to intervene in the above-entitled case.

On March 14, 1966, a Motion to Amend Petition to Intervene was filed by said Intervenor by John J. Conway, Attorney, requesting that certain names be deleted and certain names be added to the original list filed on January 27, 1966, as members of the said Contract Carriers Conference of the Colorado Motor Carriers Association.

The Commission states and finds that said Motion should be granted, as set forth in the Order following.

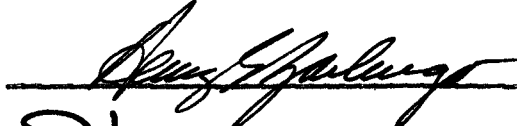
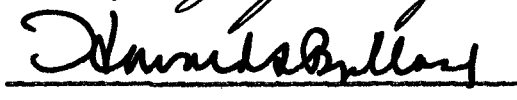
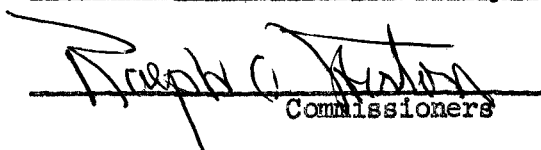
ORDER

THE COMMISSION ORDERS:

That Motion to Amend Petition to Intervene as filed by Intervenor by John J. Conway, Attorney, be, and the same hereby is, granted.

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 15th day of March, 1966.

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ANDREW R. ACKERMAN & CARL SCHAFER,)
526 ADAMS AVENUE, LOVELAND, COLORADO.)

PERMIT NO. B-4348

March 15, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Andrew R. Ackerman & Carl Schafer, Loveland, Colorado,
are the owners of Permit No. B-4348, authorizing operation as a private
carrier by motor vehicle for hire, for the transportation of:

Transportation of cement from cement factory located
at La Porte, Colorado, near Fort Collins, to points
located within a 25-mile radius of Loveland, Colo-
rado. DEC #37815 EXTENDED TO: Transportation of
sand, gravel, and other road-surfacing materials from
pits and supply points in the State of Colorado to
road and building construction jobs within a radius
of 50 miles of said pits and supply points, excluding
service in Boulder, Clear Creek and Gilpin Counties.

The Commission is in receipt of a communication from said
permit-holder, requesting that the following operating rights be deleted
from said Permit No. B-4348:

"Transportation of cement from cement factory located
at La Porte, Colorado, near Fort Collins, to points
located within a 25-mile radius of Loveland, Colorado."

The Commission states and finds that said request should
be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That operating rights under Permit No. B-4348, owned and
operated by Andrew R. Ackerman and Carl Schafer, Loveland, Colorado, be,
and the same hereby are, amended and restricted, upon request of said
Andrew R. Ackerman & Carl Schafer, by deleting therefrom the following

authority:

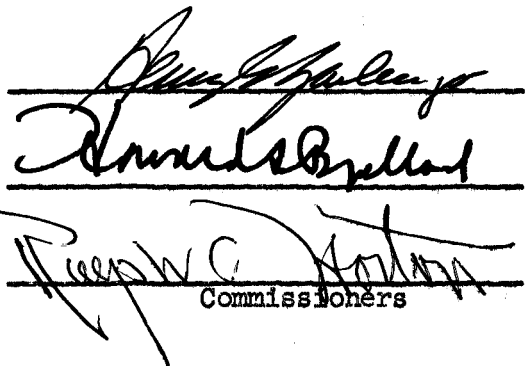
Transportation of cement from cement factory located at La Porte, Colorado, near Fort Collins, to points located within a 25-mile radius of Loveland, Colorado,

so that operating rights under Permit No. B-4348 henceforth, shall be and read, as follows:

"Transportation of sand, gravel and other road-surfacing materials from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of 50 miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties."

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 15th day of March, 1966.

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

DENVER-LOVELAND TRANSPORTATION, INC.,)
P. O. BOX 186,)
LOVELAND, COLORADO,)

Complainant,)

vs.)

ERNEST D. ALLEN,)
127 SOUTH GARFIELD,)
LOVELAND, COLORADO,)

Respondent.)

CASE NO. 5289

IN THE MATTER OF THE APPLICATION OF)
ERNEST D. ALLEN, 127 SOUTH GARFIELD,)
LOVELAND, COLORADO, FOR AUTHORITY)
TO TRANSFER PUC NO. 538 TO IRVIN)
SCHLEHUBER, BOX 192, LA PORTE, COLO-)
RADO.)

APPLICATION NO. 21115-Transfer

March 15, 1966

Appearances: Robert C. Christensen, Esq., Loveland,
Colorado, for Complainant;
John R. Barry, Esq., Denver, Colo-
rado, for Respondent;
William T. Secor, Esq., Loveland,
Colorado, for Protestants Sorenson
Truck Service, Inc., Golden Transfer
Company, and Livestock Transport,
Inc.

SUPPLEMENTAL ORDER

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On February 24, 1966, the Commission entered Decision No. 66886 in the above-styled matters, setting aside that portion of Decision No. 65660, dated August 24, 1965, authorizing transfer of PUC No. 538 from Ernest D. Allen, Loveland, Colorado, to Irvin Schlehuber, La Porte, Colorado, for failure of applicants to comply with requirements set forth in said Decision No. 65660.

It now appears that applicants herein have complied with all requirements of Decision No. 65660, and request that transfer therein authorized be made fully effective.

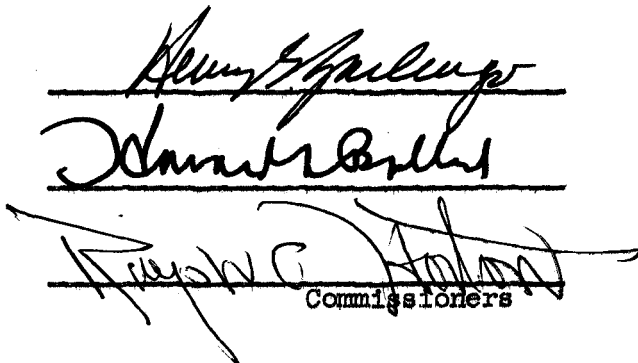
The Commission states and finds that said request should be granted, as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That Decision No. 66886, dated February 24, 1966, be, and the same hereby is, vacated, set aside, and held for naught, as of said 24th day of February 1966, and that the Secretary of the Commission is hereby instructed to change the records of the Commission to show PUC No. 538 to be owned and operated by Irvin Schlehuber, La Porte, Colorado, authority granted by this Commission to transfer said operating rights, by Decision No. 65660, dated August 24, 1965, being made fully effective.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 15th day of March, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
COLORADO MILK TRANSPORT, INC., A)
COLORADO CORPORATION, ROUTE 1, BOX)
141, BROOMFIELD, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 21617-PF-Amended
SUPPLEMENTAL ORDER

March 15, 1966

Appearances: Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for Applicant;
Robert D. Means, Esq., Denver,
Colorado, for Pueblo Milk Trans-
port;
Rodney O. McWhinney, Esq., Denver,
Colorado, for Willett Dairy Farm &
Cattle Co.;
William F. Reynard, Esq., Denver,
Colorado, for Tinsley Milk Line,
and Kucerik Bros. Milk Line.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On February 28, 1966, the Commission entered Decision No. 66908
in the above-styled application.

On March 10, 1966, Application for Rehearing was filed with the
Commission by Applicant herein by Alvin J. Meiklejohn, Jr. Attorney.

On March 15, 1966, oral arguments were made and heard by the
Commission at Denver, Colorado.

The Commission states and finds that sufficient grounds exist
for the granting of the Application for Rehearing and that the same should
be granted as set forth in the Order following.

O R D E R


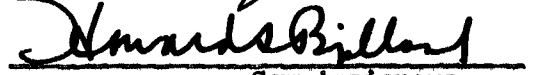
THE COMMISSION ORDERS:

That Application for Rehearing filed with the Commission by
Applicant herein, by Alvin J. Meiklejohn, Jr., Attorney, on March 10,
1966, be, and the same hereby is granted.

That Application No. 21617-PP-Amended be, and the same hereby is, set for rehearing on Friday, April 15, 1966, at 10:00 o'clock A.M., at 532 State Services Building, 1525 Sherman Street, Denver, Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING

Dated at Denver, Colorado,
this 15th day of March, 1966.
et

(Decision No.67022)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF }
CHARLES CALIGARIS, JR., 1641 CHESTNUT }
STREET, CANON CITY, COLORADO, FOR A }
CLASS "B" PERMIT TO OPERATE AS A }
PRIVATE CARRIER BY MOTOR VEHICLE FOR }
HIRE. }

APPLICATION NO. 21805-PP

March 18, 1966

Appearances: Judge Bryan L. Whitehead, Canon
City, Colorado, for Applicant.

STATEMENT AND FINDINGS

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 Commissioner Horton, on March 16, 1966,
at 10:00 o'clock A.M., at the County Commissioners Room, Court House,
Pueblo, Colorado, and at the conclusion of the evidence, the matter was
taken under advisement.

At the hearing, the evidence disclosed that Applicant herein
has been operating under a Temporary Authority issued by this Commis-
sion on March 9, 1966; that if authority herein sought is granted,
Applicant has entered into special contract, to provide needed and
specialized service for Canon Monarch Coal Company, said contract
admitted in evidence and marked Exhibit A; that Applicant has ample
and suitable equipment, and operating experience with which to conduct
said proposed operation.

Lloyd Beer, owner and operator of Canon Monarch Coal Company,
testified they previously hauled their own coal, sold their equipment
to Applicant, and need and will use his service if authority herein

sought is granted.

The Commission, having considered the files and record, 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 operating 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 Charles Caligaris, Jr., Canon City, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of coal, from mines in Fremont County to Southern Colorado Power Plants at Canon City, and Pueblo, 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 as deemed advisable.

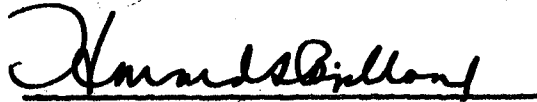
That this Order is the permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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

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

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




_____ Commissioners

Dated at Denver, Colorado,
this 18th day of March, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
JAMES F. GANSKE, DOING BUSINESS AS
"BUENA VISTA TRASH SERVICE," P. O.
BOX 397, BUENA VISTA, COLORADO, FOR
AUTHORITY TO TRANSFER PUC NO. 4038
TO JACK BEERY, DOING BUSINESS AS
"BUENA VISTA TRASH SERVICE," 320 SAN
JUAN, BUENA VISTA, COLORADO.

APPLICATION NO. 21825-Transfer

March 18, 1966

Appearances: Jordan Hochstadt, Esq., Denver,
Colorado, for Transferor and
Transferee.

STATEMENT AND FINDINGS

BY THE COMMISSION:

By the instant application, James F. Ganske, doing business as "Buena Vista Trash Service," Buena Vista, Colorado, owner and operator of certificate of public convenience and necessity No. 4038, seeks authority to transfer said operating rights, as disclosed in your authority sheet, to Jack Beery, doing business as "Buena Vista Trash Service," Buena Vista, Colorado, said PUC No. 4038 being the right to operate as a common carrier by motor vehicle for hire for the:

Call and demand transportation service for the collecting, transporting, and hauling of ashes, trash, garbage, and other refuse, for hire, between all points within a radius of five miles of the center of the Town of Buena Vista, Colorado, including all territory within the corporate limits of the Town of Buena Vista, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by Commissioner Horton, on March 16, 1966, at 10:00 o'clock A.M., at the County Commissioners Room, Court House, Pueblo, Colorado, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Transferor and Transferee herein, appeared and testified in support of the instant application, stating that consideration for said transfer is \$1,500; that Transferee will have ample and suitable equipment, and operating experience with which to conduct said operation, and there is no outstanding indebtedness against said certificate.

The Commission, having considered the record and files, 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 James F. Ganske, doing business as "Buena Vista Trash Service," Buena Vista, Colorado, be, and he hereby is, authorized to transfer all right, title, and interest in and to certificate PUC No. 4038 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Jack Beery, doing business as "Buena Vista Trash Service," Buena Vista, 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.

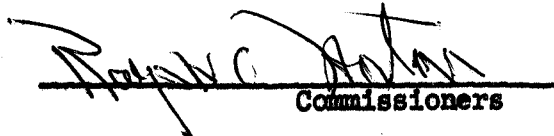
The right of transferee to operate under this Order shall depend upon prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

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

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




_____ Commissioners

Dated at Denver, Colorado,
this 18th day of March, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DONALD L. BATSON, 246 EAST DOUGLAS)
AVENUE, CANON CITY, COLORADO, FOR)
AUTHORITY TO TRANSFER PERMIT NO.)
B-6685 TO ELMER LOCKHART AND ANCEY)
LOCKHART, DOING BUSINESS AS)
"LOCKHART & SONS," 313 SOUTH 9TH)
STREET, CANON CITY, COLORADO.)

APPLICATION NO. 21839-PP-Transfer

March 18, 1966

Appearances: Elmer Lockhart and Ancey
Lockhart, Canon City, Colo-
rado, pro se.

STATEMENT AND FINDINGS

BY THE COMMISSION:

Heretofore, Donald L. Batson, Canon City, Colorado, was granted
authority to operate as a Class "B" private carrier by motor vehicle for
hire, (Permit No. B-6685), authorizing as disclosed by authority sheet:

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;

clay, from pits and supply points in Fremont and Custer
Counties, Colorado, to Pueblo, Colorado, Denver, Colorado,
and points within a radius of five miles thereof;

Dec. #66905: Extended to include the transportation of
logs, poles and timber products from forests to sawmills,
places of storage, and loading points within a radius of
100 miles of said forests; rough lumber, from sawmills in
said 100-mile radius to markets in the State of Colorado,
with no town-to-town service.

By the above-styled application, said permit-holder seeks authority to transfer Permit No. B-6685 to Elmer Lockhart and Ancey Lockhart, a co-partnership doing business as "Lockhart & Sons," Canon City, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by Commissioner Horton, on March 16, 1966, at 10:00 o'clock A.M., at the County Commissioners Room, Court House, Pueblo, Colorado, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Elmer and Ancey Lockhart, a co-partnership and Transferees herein, appeared and testified in support of the application, stating that the consideration of said transfer is \$400.00; that they have a net worth of \$70,000, ample and suitable equipment and operating experience to properly conduct said operations, and that they are both familiar with the laws and rules and regulations of the Commission governing operations of private carriers.

The Commission, having considered the record and files, 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 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 Donald L. Batson, Canon City, Colorado, be, and he hereby is, authorized to transfer all right, title, and interest in and to Permit No. B-6685 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Elmer Lockhart and Ancey Lockhart, a co-partnership, doing business as "Lockhart & Sons," Canon City, 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.

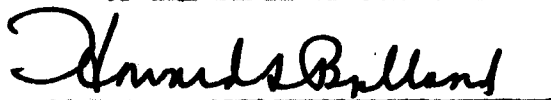
The right of transferee to operate under this Order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering operations under said permit up to the time of transfer of said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

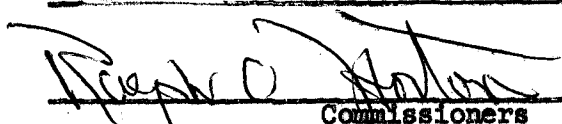
This Order is made a part of the permit authorized to be transferred.

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

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 18th day of March, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RITA GRANATO, EXECUTRIX OF THE)
ESTATE OF EMELIO GRANATO, DECEASED,)
DOING BUSINESS AS "CITY CAB COMPANY,")
UNION DEPOT, PUEBLO, COLORADO, FOR)
AUTHORITY TO TRANSFER PUC NO. 2282)
AND PUC NO. 2282-I TO MATEO)
SANFILIPO, DOING BUSINESS AS "CITY)
CAB COMPANY," UNION DEPOT, PUEBLO,)
COLORADO.)

APPLICATION NO. 21829-Transfer

IN THE MATTER OF THE APPLICATION OF)
RITA GRANATO, EXECUTRIX OF THE)
ESTATE OF EMELIO GRANATO, DECEASED,)
UNION DEPOT, PUEBLO, COLORADO, FOR)
AUTHORITY TO TRANSFER PERMIT NO.)
A-6105 TO MATEO SANFILIPO, DOING)
BUSINESS AS "CITY CAB COMPANY,")
UNION DEPOT, PUEBLO, COLORADO.)

APPLICATION NO. 21830-PP-Transfer

March 18, 1966

Appearances: Lawrence A. Ardell, Esq., Pueblo,
Colorado, for Transferor and
Transferee.

STATEMENT AND FINDINGS

BY THE COMMISSION:

Heretofore, Emelio Granato, doing business as "City Cab Company,"
Pueblo, Colorado, was granted the following operating rights as disclosed
by authority sheets:

PUC NO. 2282 & I

Transportation on call and demand by means of 5-passenger
and driver sedan taxicabs of passengers and their baggage
in the same vehicle, between points within the following
area, to-wit: all of the area lying within the exterior
boundary lines of the corporate limits of the City of
Pueblo, Colorado, as presently defined, including the
Colorado State Hospital; all of Santa Fe Avenue and
South Santa Fe Avenue, as presently located, between
Northern Avenue and Mineral Place Park, in the City of
Pueblo, Colorado; and from and to said area, and the
Colorado State Hospital, to and from the railroad yards,
Woodcroft Hospital, and Corwin Hospital or Clinic,
adjoining the City Limits of said Pueblo, Colorado;
Transportation on call and demand, by means of 5-passenger
and driver sedan taxicabs, of passengers and their
baggage in the same vehicle, between points within an area

described as follows; between points and places within a 16-mile radius of the City of Pueblo, Colorado; between all points in Colorado and the Colorado state boundary lines where all highways cross same in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended: transportation of passengers and their baggage, and separate baggage, between all points and places in the City of Pueblo, Colorado; transportation of passengers and their baggage, and separate baggage, by means of five-passenger and driver sedan taxicabs, only, from Pueblo, Colorado, to all points within the State of Colorado; transportation of packages, parcels, baggage, messages, letters, papers, and documents, from point to point within the boundaries of the City of Pueblo, Colorado; provided, however, that such transportation be performed in taxicabs, only, and that no individual items so transported shall exceed fifty pounds in weight; and provided, that each delivery from one origin to one destination shall be charged as though the applicant had transported one passenger from that origin to that point of delivery, in addition to any extra charge made for leaving the vehicle to pick up or deliver such items; transportation of packages, parcels, baggage, messages, letters, papers, and documents, from point to point within the boundaries of the City of Pueblo, Colorado, restricted, however, to the use of only one three-quarters-ton pick-up truck; and provided that each delivery from one origin to one destination shall be charged as though the applicant has transported one passenger from that origin to that point of delivery, in addition to any extra charge made for leaving the vehicle to pick up or deliver such item.

PERMIT NO. A-6105:

Transportation of small packages of human blood (limited to packages not to exceed 75 pounds in weight), from and to Canon City, Colorado, and the Municipal Airport in Colorado Springs, Colorado, via Highways U.S. 50, U.S. 24, Colorado 115, and unnumbered highway into Peterson Field, and return of empty containers, via same route, for one customer, only, viz., Airborne Freight Corporation, San Francisco International Airport, San Francisco, California.

By the above-styled applications, Rita Granato, Court appointed Executrix of the Estate of Emelio Granato, Pueblo, Colorado, seeks authority to transfer PUC NO. 2282, PUC No. 2282-I and Permit No. A-6105, to Mateo Sanfilipo, doing business as "City Cab Company," Union Depot, Pueblo, Colorado.

Said applications were regularly set for hearing before the Commission, and were heard, on a consolidated record, by Commissioner Horton, on March 16, 1966, at 10:00 o'clock A.M., at the County Commissioners Room, Court House, Pueblo, Colorado, and at the conclusion

of the evidence, the matter was taken under advisement.

At the hearing, Lawrence A. Ardell, Pueblo, Colorado, Attorney for the Transferor and Transferee herein, appeared and testified that authority to transfer said operating rights was granted to Rita Granato, widow, by Judge Hubert Glover of the District Court of Pueblo; that consideration for said transfers is \$20,133.00; that there is no indebtedness against said operations; that Transferee will have ample and suitable equipment and operating experience with which to conduct said operations.

The Commission, having considered the record and files, states and finds that no one protests the granting of the instant applications; 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 transfers are compatible with the public interest, and should be authorized, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Rita Granato, Executrix of the Estate of Emelio Granato, Deceased, doing business as "City Cab Company," Pueblo, Colorado, be, and she hereby is, authorized to transfer all right, title, and interest in and to PUC No. 2282 and PUC No. 2282-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Mateo Sanfilipo, doing business as "City Cab Company," Pueblo, 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 if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that

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

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

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

That Rita Granato, Executrix of the Estate of Emelio Granato, Deceased, doing business as "City Cab Company," Pueblo, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to Permit No. A-6105 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Mateo Sanfilipo, doing business as "City Cab Company," Pueblo, Colorado, subject to encumbrances against said operating rights, if any, approved by this Commission.

That said transfer shall become effective only if and when, and 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

Harold Brillant

Henry E. Zarlengo
Commissioners

Dated at Denver, Colorado,
this 18th day of March, 1966.
ls

COMMISSIONER HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT PARTICIPATING.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HUBERT E. JOHNSON, DOING BUSINESS AS)
"JOHNSON TRUCK LINE," ROUTE 2, BOX)
59, TRINIDAD, COLORADO, FOR A CERTI-)
FICATE OF PUBLIC CONVENIENCE AND)
NECESSITY TO OPERATE AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 21824

March 18, 1966

Appearances: Edward T. Lyons, Esq., Denver,
Colorado, for Ashton Trucking
Company, Protestant.

STATEMENT AND FINDINGS

BY THE COMMISSION:

By the above-styled application, Applicant herein sought a certificate of public convenience and necessity, authorizing operation as a common carrier by motor vehicle for hire, for the transportation of unprocessed farm products, except livestock, between points within a 200-mile radius of Trinidad, Colorado, with no town-to-town service.

Said application was regularly set for hearing before the Commission, and was heard by Commissioner Horton, on March 16, 1966, at 10:00 o'clock A.M., at the County Commissioners Room, Court House, Pueblo, Colorado, and at the conclusion of the evidence, the matter was taken under advisement.

At the time and place designated for hearing, Applicant failed to appear, either in person or by representative. Thereupon, Edward T. Lyons, Attorney appearing for Protestant Ashton Trucking Company, moved that Application be dismissed for failure to prosecute.

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

ORDER

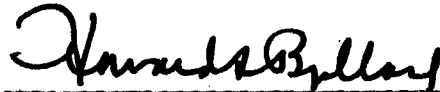
THE COMMISSION ORDERS:

That Application No. 21824 be, and the same hereby is,
dismissed, for lack of prosecution.

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

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 18th day of March, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
SALIDA-CANON TRUCKING, INC., DOING)
BUSINESS AS "CENTRAL COLORADO TRUCK-)
ING COMPANY," 520 SOUTH 10TH, CANON)
CITY, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 21850-PP

March 18, 1966

Appearances: Max Chelf, Canon City, Colo-
rado, for Applicant.

STATEMENT AND FINDINGS

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 Commissioner Horton, on March 16, 1966, at 10:00 o'clock A.M., at the County Commissioners Room, Court House, Pueblo, Colorado, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Max Chelf, Canon City, Colorado, appeared and testified in support of the application, stating he is an officer of the applicant corporation herein, and that said corporation has a net worth of \$50,000.00.

Paul Campbell, Canon City, Colorado, appeared and testified that the applicant corporation had acquired contracts with building contractors, and would also serve road contractors; 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 it has ample and suitable equipment, and operating experience with which to con-

duct said proposed operation.

The Commission, having considered the files and record, 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 Salida-Canon Trucking, Inc., doing business as "Central Colorado Trucking Company," Canon City, 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 therefor.

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

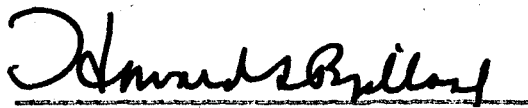

That this Order is the permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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

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

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 18th day of March, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
T. E. BARTON, DOING BUSINESS AS)
"TOM'S TRASH BARRELS," P. O. BOX)
221, PUEBLO, COLORADO, FOR AUTHORITY)
TO TRANSFER PUC NO. 4359 TO MARGARET)
VELASQUEZ, DOING BUSINESS AS "TOM'S)
TRASH BARRELS," 809 EAST ABRIENDO,)
PUEBLO, COLORADO.)

APPLICATION NO. 21756-Transfer

March 18, 1966

Appearances: T. E. Barton, Pueblo, Colo-
rado, pro se;
Margaret Velasquez, Pueblo,
Colorado, pro se.

STATEMENT AND FINDINGS

BY THE COMMISSION:

Heretofore, T. E. Barton, doing business as "Tom's Trash Barrels," Pueblo, Colorado, was authorized to operate as a common carrier by motor vehicle for hire (PUC No. 4359), authorizing, as disclosed by your authority sheet:

Transportation of trash, from point to point
within the County of Pueblo, State of Colorado,

By the above-styled application, said certificate-holder seeks authority to transfer certificate PUC No. 4359 to Margaret Velasquez, doing business as "Tom's Trash Barrels," Pueblo, Colorado.

Said application was regularly set for hearing before the Commission, and was heard on March 16, 1966, at 10:00 o'clock A.M., at the County Commissioners Room, Court House, Pueblo, Colorado, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Transferor and Transferee herein, appeared and testified in support of the application, stating that an agreement had been entered into for the purchase of said operating rights; that consideration for transfer of said certificate PUC No. 4359 is \$3,000

including equipment; that Transferee has a net worth of \$12,000, and there is no outstanding indebtedness against said certificate.

Transferee stated he will have ample and suitable equipment and operating experience with which to conduct said operations.

The Commission, having considered the record and files, 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 T. E. Barton, doing business as "Tom's Trash Barrels," Pueblo, Colorado, be, and he hereby is, authorized to transfer all right, title, and interest in and to PUC No. 4359 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Margaret Velasquez, doing business as "Tom's Trash Barrels," Pueblo, 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 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.

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 18th day of March, 1966.
et.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
NORMAN EDWARDS, 209 PALMER AVENUE,)
SALIDA, COLORADO, FOR AUTHORITY TO)
TRANSFER PERMIT NO. B-6804 AND)
B-6804-I TO KARL A. MARTELLARO AND)
WILMA MARTELLARO, 531 DODGE STREET,)
SALIDA, COLORADO.)

APPLICATION NO. 21618-PP-Transfer

March 18, 1966

Appearances: Douglas McHendrie, Esq., Denver,
Colorado, for Transferor and
Transferee.

STATEMENT AND FINDINGS

BY THE COMMISSION:

By the instant application, Norman Edwards, Salida, Colorado, owner and operator of Permit No. B-6804 and B-6804-I, seeks authority to transfer said operating rights to Karl A. Martellaro and Wilma Martellaro, Salida, Colorado, said Permit No. B-6804 and B-6804-I being the right, as disclosed by your authority sheet, to operate as a private carrier by motor vehicle for hire, for the:

Transportation for hire, in intrastate and interstate commerce, for a cartage service for pickup and delivery of express shipments from or to the Railway Express Agency, Inc., Express Office at the Denver & Rio Grande Western Depot at Salida, on the one hand, and on the other hand, all points within the collection and delivery limits at the express station of Salida, Colorado, as defined in Railway Express Agency, Inc., tariff Colorado PUC No. 3, 30th revision, as now in effect and as hereafter amended; interstate operating rights herein granted subject to the provisions of the Federal Motor Carrier Act of 1935, as amended; That Applicant is hereby expressly relieved from complying with the following rules or portions thereof of the Rules and Regulations Governing Private Carriers by Motor Vehicle for Hire as adopted by the Commission in Decision No. 54133, Case No. 5177: Rule 3 (g), requiring submission of a copy of authority from the Interstate Commerce Commission to operate in interstate commerce. Rule 5 (b), insofar as it would prohibit Applicant from transporting or accepting for transporta-

tion any shipment to be delivered to Railway Express Agency, Inc., at Salida, Colorado. Rule 6 (d), pertaining to the establishment of financial standing and qualifications of a proposed transferee of the permit. Rule 15 (3), pertaining to cargo insurance. Rule 18, pertaining to contracts and customer lists. Rule 19, pertaining to rates and charges. Rule 20, pertaining to the filing of tariffs. Rule 21, pertaining to compilation of tariffs and classifications. Rule 22, pertaining to bills of lading. Rule 23, pertaining to load sheets and manifests. Rule 25, pertaining to C.O.D. shipments.

Said application was regularly set for hearing before the Commission, and was heard by Commissioner Horton, on March 16, 1966, at 10:00 o'clock A.M., at the County Commissioners Room, Court House, Pueblo, Colorado, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Douglas McHendrie, Attorney for Transferor and Transferee, appeared and testified in support of the instant application, stating that Transferee herein has been operating under said Permit B-6804 and B-6804-I by virtue of a temporary authority issued by this Commission on November 9, 1965; that Transferee will have ample and suitable equipment, and operating experience with which to conduct said operation; that Transferee has a net worth of \$10,000, and there is no outstanding indebtedness against this permit.

The Commission, having considered the record and files, 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 Norman Edwards, Salida, Colorado, be, and he hereby is, authorized to transfer all right, title, and interest in and to Permit

No. B-6804 and B-6804-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Karl A. Martellaro and Wilma Martellaro, Salida, 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 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

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 18th day of March, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
MIRO PAKAN, P. O. BOX 236,
McLEAN, TEXAS.

PUC NO. 2413-I

March 21, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 1, 1966

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Ziehl
Harold S. Bjelland
Ralph C. Anderson

Commissioners

Dated at Denver, Colorado,
this 21st day of March 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
BOB ROTH TRANSFER, ROUTE 2,
NORFOLK, NEBRASKA.

PUC NO.6226-I

March 21, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

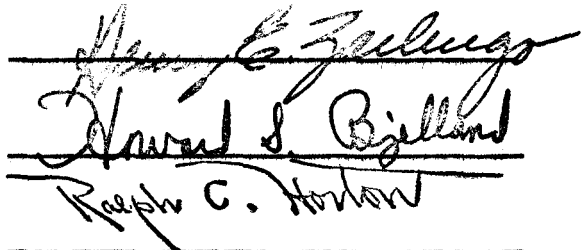
The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 14, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 21st day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
F. H. WILEY, BRISTOL, COLORADO.

PERMIT NO. B-4025

March 21, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 14, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 21st day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ELIZABETH & PAUL STOGNER DOING BUSI-)
NESS AS "PAUL B. STOGNER TRUCKING CO.)
412 E. EXPOSITION, DENVER, COLORADO.)

PERMIT NO. B-5080

March 21, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

February 25, 1966 until August 25, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 21st day of March

196 6.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
YEAROUS TRUCK LINE, INC., BOX 51,
FORT MORGAN, COLORADO.

PERMIT NO. B-1236

March 21, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

November 28, 1965

until May 28, 1966.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zeilinger
Howard L. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 21st day of March

1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
RALPH L. McDOWELL AND JACK M. McDOWELL,
DOING BUSINESS AS "McDOWELL LAWN GRADING
CO.," 380 SOUTH PEARSON, LAKEWOOD, COLO-
RADO, FOR A CLASS "B" PERMIT TO OPERATE
AS A PRIVATE CARRIER BY MOTOR VEHICLE
FOR HIRE.

APPLICATION NO. 21847-PP

March 22, 1966

Appearances: Jack M. McDowell, Lakewood,
Colorado, pro se.

S T A T E M E N T

BY THE COMMISSION:

Applicants herein seek authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 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.

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, March 18, 1966, and at the conclusion of the evidence, the matter was taken under advisement.

Jack McDowell testified that he and his brother Ralph are the applicants in the instant proceeding. They operate as partners doing business under the name of "McDowell Lawn Grading Co." They own a Ford dump truck which they plan to utilize to render service if the authority sought herein is granted. He estimates their net financial worth to be in excess of \$30,000. Each of the partners have had from ten to fifteen years in truck operation. If the authority sought is granted they plan to enter into contracts with persons, companies and contractors for the rendition of service under the proposed authority. They are 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 authority sought.

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

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

F I N D I N G S

THE COMMISSION FINDS:

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 Ralph L. McDowell and Jack M. McDowell, Lakewood, 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 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.



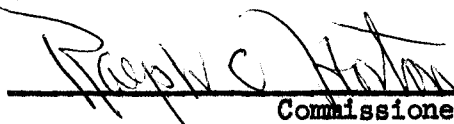
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until 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 22nd day of March, 1966.
ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
CONSOLIDATED FREIGHTWAYS CORPORATION
OF DELAWARE, 175 LINFIELD DRIVE, MENLO
PARK, CALIFORNIA, FOR AUTHORITY TO
TRANSFER PERMIT NO. A-464 and PERMIT
NO. A-464-I TO COLORADO HIGHWAY
EXPRESS, INC., 601 WEST MARIGOLD DRIVE,
DENVER, COLORADO.

APPLICATION NO. 21852-PP
Transfer

March 22, 1966

Appearances: John R. Barry, Esq., Denver, Colorado,
for Consolidated Freightways Corporation
of Delaware and Colorado Highway Express,
Inc., the Transferor and Transferee;
Edward T. Lyons, Jr., Esq., Denver,
Colorado, for Bethke Truck Lines, North
Eastern Motor Freight, Inc., Red Ball
Motor Freight, Inc., and Westway
Motor Freight, Inc., Protestants;
John P. Thompson, Esq., Denver, Colorado,
for Denver-Climax Truck Line, Inc.,
Denver-Laramie-Walden Truck Line, Inc.,
Denver-Loveland Transportation Co.,
Edson Express, Inc., Overland Motor
Express, Inc., South Park Motor Lines,
Denver-Limon-Burlington Transfer Co.,
Protestants.

S T A T E M E N T

BY THE COMMISSION:

On March 2, 1966 an application was filed with this Commission
to transfer private carrier Permit No. A-464 and 464-I from Consolidated
Freightways Corporation of Delaware to Colorado Highway Express, Inc.
Written protests were thereafter filed by the carriers designated in the
above appearances. The matter was set for hearing before the Commission
on Friday, March 18, 1966 at 10:00 o'clock A.M. When the matter was
called for hearing the attorney for the Transferor and Transferee filed
a motion with the Commission stating that the parties did not at this
time desire to proceed with the matter and requesting that the Commission

dismiss the instant application. No objection to the dismissal was voiced by the Protestants. The presiding Commissioner granted the Motion for Dismissal, stating that a written order of dismissal would follow.

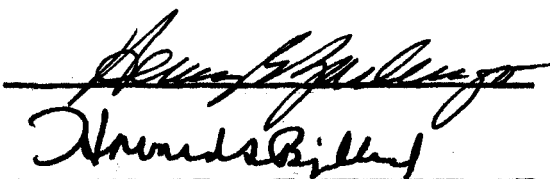
O R D E R

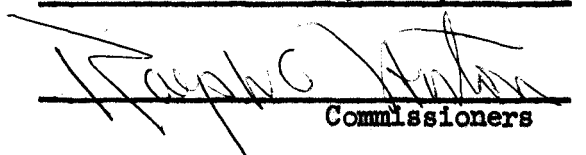
THE COMMISSION ORDERS:

That the instant application No. 21852-PP-Transfer be,
and the same hereby is, dismissed.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Donald B. Miller


Ralph C. Hinton
Commissioners

Dated at Denver, Colorado,
this 22nd day of March, 1966.
ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
ADOLPH E. ZAMBONI AND KATHERINE ZAMBONI,
DOING BUSINESS AS "H & L RUBBISH
REMOVAL," 1879 SOUTH GROVE, DENVER,
COLORADO, FOR AUTHORITY TO TRANSFER
PUC NO. 3612 TO GENARO R. LAING, JR.,
AND ANTONIA P. LAING, DOING BUSINESS
AS "LAING'S CLEANSING SERVICE,"
2992 WEST LAYTON AVENUE, ENGLEWOOD,
COLORADO.

APPLICATION NO. 21854
Transfer

March 22, 1966

Appearances: Adolph E. Zamboni and Katherine
Zamboni, Denver, Colorado, pro se;
Genaro R. Laing, Jr., and Antonia
P. Laing, Englewood, Colorado, pro se.

S T A T E M E N T

BY THE COMMISSION:

Adolph E. Zamboni and Katherine Zamboni, doing business
as "H & L Rubbish Removal," Denver, Colorado, are the owners and oper-
ators of PUC No. 3612, authorizing:

Transportation of ashes, trash, and other waste
materials, between points within the City and
County of Denver, and from points within the City
and County of Denver, to regularly-designated and
approved dumps and disposal places in the Counties
of Adams, Arapahoe, and Jefferson, State of
Colorado;

and by the instant application seek authority to transfer said PUC No. 3612
to Genaro R. Laing, Jr. and Antonia P. Laing, doing business as "Laing's
Cleansing Service," Englewood, Colorado.

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,
on Friday, March 18, 1966 at 10:00 o'clock A.M.

Adolph E. Zamboni testified that he and his wife Katherine

are the owners and operators of PUC No. 3612 and that they have been operating under such authority for the past two years. They have entered into a contract to transfer such authority with their equipment and customer list to Genaro R. Laing, Jr. and Antonia P. Laing. He identified the contract attached to the transfer application as the contract which had been entered into between the Zambonis and the Laings. All debts of the operation have been paid and there are no outstanding liabilities against the operation. He has known Genaro R. Laing for about ten years. Laing has been operating PUC No. 3612 under the supervision of Zamboni for the past two months and the customers are satisfied with such service. He wishes the Commission to approve the transfer.

Genaro R. Laing, Jr. testified that he and his wife Antonia are purchasing PUC No. 3612, together with the equipment and customer list from the Zambonis. He also identified the contract attached to the transfer application as the agreement which they had entered into. He has been operating under the instruction of Zamboni for the past two or three months. He and his wife have a net financial worth in excess of \$8,000 and they will use the 1950 stake truck described in the contract to render service. He and his wife will become familiar with the rules and regulations of the Commission and the statutes of the State of Colorado and will comply therewith if the transfer is approved.

No one appeared in opposition to the proposed transfer.

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

F I N D I N G S

THE COMMISSION FINDS:

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

O R D E R

THE COMMISSION ORDERS:

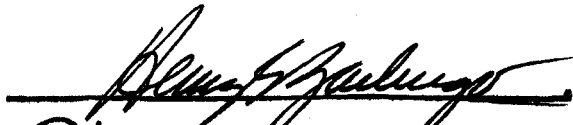
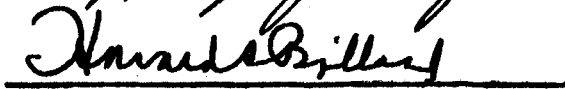
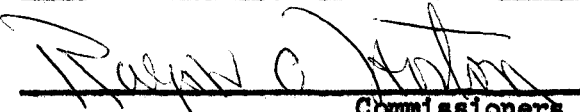
That Adolph E. Zamboni and Katherine Zamboni, doing business as "H & L Rubbish Removal," Denver, Colorado, be, and hereby are, authorized to transfer all right, title, and interest in and to PUC No. 3612 to Genaro P. Laing, Jr. and Antonia P. Laing, doing business as "Laing's Cleansing Service," Englewood, 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 transferors and transferees, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of 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 the prior filing by transferors 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 22nd day of March, 1966.

ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LENNART WALLDEN, DOING BUSINESS AS)
"HILL TOP-DENVER TRUCK LINE,")
PARKER, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY,)
AUTHORIZING EXTENSION OF OPERATIONS)
UNDER PUC NO. 455.)

APPLICATION NO. 21768-Extension-
Amended

March 22, 1966

Appearances: Leslie R. Kehl, Esq., Denver,
Colorado, for Applicant.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Applicant herein is presently the owner and operator of PUC No. 455, being the right to operate as a common carrier by motor vehicle for hire.

By the above-styled application, said certificate-holder seeks authority to extend operations under PUC No. 455 to include the transportation of milk and cream, in bulk, from points in Douglas and Elbert Counties, Colorado, to points within a radius of 15 miles of the intersection of Colfax and Broadway, Denver, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner fully 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 report of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Leslie R. Kehl, on behalf of the applicant, moved to amend the application to restrict any extended authority against the transportation to and from points located on or within one mile of the following highway segments:

(1) U. S. Highway 40 between Agate, Colorado and the east county line of Elbert County; (2) U. S. Highway 24 in Elbert County, Colorado; (3) Unnumbered county road between the junction of said road and U. S. Highway No. 24, located approximately six miles east of Matheson, Colorado and running to the east county line of Elbert County, Colorado; and (4) Unnumbered county road in Elbert County, Colorado, located eleven miles north of the southernmost county line of Elbert County and running parallel to said southernmost county line. The proposed amendment being restrictive in nature was allowed and the application was considered as so amended.

Lennart Wallden, the applicant herein, appeared and testified in support of the granting of the instant application, as amended, stating that the purpose of the instant application is to extend his present authority into other areas of Douglas and Elbert Counties in order to accommodate customers who have requested that he provide transportation service to them; that he owns sufficient specialized equipment for the bulk transportation of milk and cream, and that he is financially able to add to his present equipment if necessary.

Mr. Wallden identified Exhibit A as a map reflecting the area of his present authority and the area which he proposes to serve by the instant application; Exhibit B as an equipment list; Exhibit C as a financial statement reflecting that applicant has a net worth of \$44,150.09 as of February 1, 1966; Exhibit G as a statement of authority under PUC No. 455; and Exhibits D, E, F, and H as statements of authorities under Permit No. B-5493, PUC No. 2470, PUC No. 1832 and PUC No. 3787, respectively.

Robert M. Girard also appeared and testified in support of the granting of the instant application, stating that he is marketing representative for Denver Milk Producers, Inc., a cooperative, which has members in various areas of Elbert and Douglas Counties; that it is the wish of Denver Milk Producers, Inc. and also the producing

members in Elbert and Douglas Counties to have the applicant authorized to transport milk and cream in bulk from these points in Elbert and Douglas Counties to the plants of the Denver Milk Producers, Inc. in Denver; that Denver Milk Producers, Inc. engages the carrier to transport the bulk milk and cream from its member producers; that it is supporting the instant application in order to authorize applicant to serve these producer members in Elbert and Douglas Counties as a common carrier.

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 specialized equipment and experience with which to properly carry on said proposed extended operation; that applicant's financial standing is established to the satisfaction of the Commission; that a definite need exists in the area as herein involved for applicant's proposed service; that applicant established the fact that available traffic would warrant his additional proposed service; that the creation of the proposed new service would not seriously impair or endanger the operations of existing carriers in the area contrary to the public interest; and that the present and future public convenience and necessity requires and will require the proposed extended service of the applicant, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Lennart Wallden, doing business as "Hill Top-Denver Truck Line," Parker, Colorado, be, and hereby is, authorized to extend operations under PUC No. 455 to include the transportation of milk and cream in bulk from points in Douglas and Elbert Counties, Colorado, to points within a radius of 15 miles of the intersection of Colfax and Broadway, Denver, Colorado, except that authority hereunder is restricted against transportation to and from points located on or within one mile

of the following highway segments: (1) U.S. Highway 40 between Agate, Colorado, and the east county line of Elbert County; (2) U. S. Highway 24 in Elbert County, Colorado; (3) Unnumbered county road between the junction of said road and U. S. Highway No. 24, located approximately six miles east of Matheson, Colorado and running to the east county line of Elbert County, Colorado; and (4) Unnumbered county road in Elbert County, Colorado, located 11 miles north of the southernmost county line of Elbert County and running parallel to said southernmost county line; and this ORDER shall be deemed to be, and be, a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.


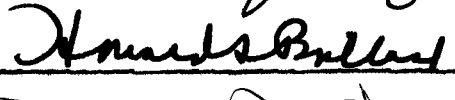

That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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

Dated at Denver, Colorado,
this 22nd day of March, 1966.
et

(Decision No. 67039)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DENNIS MAEZ, 266 NORTH TENTH AVENUE,)
BRIGHTON, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 21755

March 22, 1966

Appearances: Thomas Ryan, Esq., Denver, Colo-
rado, for Applicant;
Robert McLean, Esq., Denver,
Colorado, for Harvey C. Davis,
doing business as "Brite'N
Best Rubbish Service," and
Saturnino R. Flores, Protest-
ants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-styled application, applicant herein seeks authority to operate as a common carrier by motor vehicle for hire for the transportation of ashes, trash, rubbish and other waste materials within an area radiating for two miles in every direction from the corner of Main and Bridge Streets in the City of Brighton, State of Colorado, to regularly designated and approved dumps and disposal places within the County of Adams, 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.

Report of the Examiner states that at the hearing Dennis Maez, the applicant herein, appeared and testified in support of the granting of the instant application, stating that he has had some experience in this type of transportation; that he owns a $\frac{1}{2}$ -ton pickup truck which he proposes to use if the authority herein sought is granted; that at the present time the area herein involved has a population of 8,000 people and the population is steadily increasing. The applicant furnished no testimony or exhibits concerning his financial status and was unable to give any personal opinion as to whether the existing common carriers service was adequately serving the public need. He did, however, identify Exhibit A as a Petition signed by approximately 94 residents of the Brighton, Colorado area who therein express a feeling that the issuance of a certificate to the application would be a great convenience to the residents.

Harvey C. Davis appeared and testified in protest to the granting of the instant application stating that he operates under PUC No. 2835; that this certificate authorizes transportation of ashes and trash and rubbish in the Brighton area; that he owns two pieces of equipment at the present time and has on order new equipment which will allow him to even provide better and faster service; that he is financially able to add additional equipment if required; that he has a substantial investment in this business and advertises in the local papers and phone directory and actively solicits business in the area herein involved; that he has been able to give service to all who have requested it; that he has never received any complaint regarding his service; that, in his opinion, he and the other common carriers who have authority to serve the herein involved territory are completely and fully able to accommodate the needs of the residents of that area; and that to authorize another trash hauler would be harmful to his business and impair his ability to render service to the public. Mr. Davis identified Exhibits 1 and 2, as local newspapers setting forth advertising which he had purchased in connection with his ash and trash removal business.

Saturnino R. Flores also appeared and testified in protest to the granting of the instant application, stating that he owns and operates under PUC No. 3971 which authorizes transportation and removal of ashes and trash in the Brighton area; that he has been engaged in this business since 1956; that he has adequate equipment to fulfill the needs of his customers and demands upon him for service; that his equipment is idle some of the time; and that, in his opinion, he and other common carriers who are now authorized to provide service in the area herein involved are fully and completely able to meet the public need and additional trash haulers would be harmful to the business of the existing 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 substantial evidence was offered to establish the proof of a need for any additional carrier service as covered by the herein application; that the applicant failed to establish by substantial and competent evidence that existing carrier services are not reasonably adequate or satisfactory; that the creation of the herein proposed new service would seriously impair and endanger the operations of existing carriers in the involved territory contrary to the public interest; that the applicant failed to establish by substantial and competent evidence that the present or future public convenience and necessity requires or will require his proposed service; and that the instant application should be denied.

ORDER

THE COMMISSION ORDERS:

That Application No. 21755 be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Glenn E. Fulling
Harold Billings

Ralph C. Tolson
Commissioners

Dated at Denver, Colorado,
this 22nd day of March, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
SPENCER D. BURT, 94 S. WASHINGTON
STREET, DENVER, COLORADO.

PERMIT NO. M-3029

March 23, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

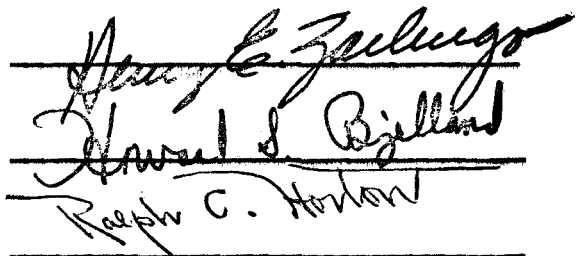
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is,
cancelled effective March 16, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 23rd day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
MID-STATES DISTRIBUTING CORP.,)
615 E. 16TH ST., FREMONT, NEBR.)

PERMIT NO. M-6616

March 23, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 27, 1966

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 23rd day of March 196 6
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
PARK-ELITCH COMPANY,)
1717 SO. ACOMA)
DENVER, COLORADO 80223)

PERMIT NO. M-6886

March 23, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 11, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zecher
Howard J. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 23rd day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JOHN L. & VIVIAN MAY dba MAY TRUCK-)
ING CO., 517 E. 5TH ST., GRAND)
ISLAND, NEBRASKA.)

PERMIT NO. M-11193

March 23, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 15, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaslau
Howard S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 23rd day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
RICHARD A. TUCKER, 1270 SOUTH
KENDALL, DENVER, COLORADO

PERMIT NO. M-11427

March 23, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 15, 1966

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 23rd day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
ANTHONY EDWARD GALLEGOS, BOX 218,
ALAMOSA, COLORADO 81101

PERMIT NO. M-13832

March 23, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 24, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zeilinger
Howard S. Bjelland
Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 23rd day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
GEORGE A. RIENAU, JR., CRAIG)
ROUTE, MEEKER, COLO. 81641.)

PERMIT NO. M-2899

March 23, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 24, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zeilinger
Edward S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 24th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
VERN PETERSON,)
Iola, Kansas)

PERMIT NO. M-3208

March 23, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 27, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Harold E. Ziehl
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 23rd day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
ATWOOD CORDAGE, INC., 1204
POWHATTON STREET, DALLAS, TEXAS.

PERMIT NO. M-9138

March 23, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 31, 1966

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Ziehl
Howard S. Bjelland
Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 23rd day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
LAWRENCE CLEGHORN, 4031 WEST GREEN-)
WOOD PLACE, DENVER, COLORADO.)

PERMIT NO. M-434

March 23, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 20, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zeilinger
Howard S. Bjelland
Ralph C. Hubbard

Commissioners

Dated at Denver, Colorado,
this 23rd day of March 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
WILLIAM PERRY TATE, DOING BUSINESS
AS MILAN BOTTLE SERVICE, BOX 2184,
GRANTS, NEW MEXICO.

PERMIT NO. M-959

March 23, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 13, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Ziehlings
Edward S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 23rd day of March 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
G. T. CLARK, ROUTE 1, BOX 614,
CHEYENNE, WYOMING.

PERMIT NO. M-3776

March 23, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is,
cancelled effective FEBRUARY 12, 1966

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zeelinger
Howard S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 23rd day of March 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
WORTH A. VAUGHAN, P. O. BOX 84,
PINE, COLORADO 80470

PERMIT NO. M-5154

March 23, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 14, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zuelweg
Howard S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 23rd day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
RALPH L. & EDNA FAY GALBRAITH,)
VULCAN TOOLS OF COLORADO, 2416)
HARLAN BLVD., DENVER, COLORADO.)

PERMIT NO. M-9844

March 23, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 28, 1966

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaclungo
Howard S. Bjelland
Ralph C. Hord

Commissioners

Dated at Denver, Colorado,
this 23rd day of March 1966.
eg

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
ROY B. & GERTRUDE M. HOWARD, DBA
HOWARD'S CASH HARDWARE, PAONIA,
COLORADO.

PERMIT M.-10154

March 23, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

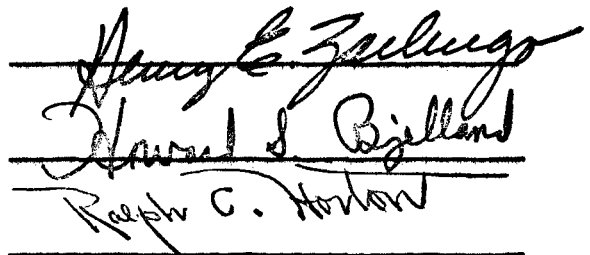
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 5, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 23rd day of March 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
MRS. H. S. KIZER, 1870 ALTURA,
AURORA, COLORADO 80010

PERMIT NO. M-11219

March 23, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 23, 1966

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Ziehl
Howard S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 23rd day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
NARCISO LUCERO, 30 NEW ADDITION,
LA JUNTA, COLORADO 80150

PERMIT NO. M-12864

March 23, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

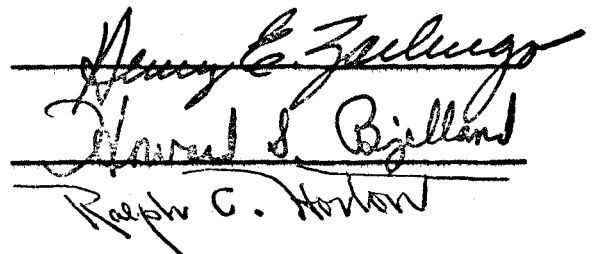
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 24, 1966

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 23rd day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
SIDNEY H. RICE, 2517 BOIT ST.,
COLORADO SPRINGS, COLORADO

PERMIT NO. M-14066

March 23, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 7, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaslau
Edward S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 23rd day of March 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ALVY PORTER AND OTTO L. PORTER, DOING)
BUSINESS AS "PORTER & SON," BOX 227,)
CRAWFORD, COLORADO, FOR AUTHORITY TO)
TRANSFER PUC NO. 1180 TO WESTERN)
SLOPE TRUCK LINE, INC., 416 NORTH MAIN,)
GUNNISON, COLORADO.)

APPLICATION NO. 21838-Transfer

March 24, 1966

Appearances: Charles Conklin, Esq., Delta,
Colorado, for Transferor;
John Thompson, Esq., Denver,
Colorado, for Western Slope
Truck Line;
Orville Dunlap, Montrose, Colo-
rado, pro se;
Edward T. Lyons, Esq., Denver,
Colorado, for Watters Truck
Line.

S T A T E M E N T

BY THE COMMISSION:

On February 28, 1966, Alvy Porter and Otto L. Porter filed their application for authority to transfer PUC No. 1180, a certificate to operate as a common carrier by motor vehicle for hire, whose authority as disclosed by the authority sheet prepared by the Enforcement Division is as follows:

Transportation of farm products (including livestock but excluding milk and cream), building materials, household furniture and farm supplies (including farm machinery), from point to point within a radius of 50 miles of Crawford, Colorado, PROVIDED, HOWEVER, that said operations shall be confined to a farm service and none of said commodities shall be transported between towns in competition with established common carriers' line-haul service. Farm products, including livestock but excluding milk and cream; farm supplies, including farm machinery, between all points within a radius of fifty (50) miles of Crawford, Colorado, and to and from said area, from and to all points in the State of Colorado, but excluding the right to make intermediate stops outside said fifty (50) mile radius, and further restricting said extended authority so that applicant shall not be permitted to maintain an office for securing business at any place other than Crawford, Colorado, or its immediate environs.

The above application for transfer was regularly set for hearing, after due notice to interested parties, who, in the opinion of the Commission, are entitled to notice, and was heard on March 21, 1966 at 532 State Services Building, Denver, Colorado, and at the conclusion of the hearing, the application for transfer was taken under advisement.

On March 7, 1966, Orville Dunlap, for Orville Dunlap & Son, filed a formal protest, in which he stated he would appear at the hearing and would support his protest by oral testimony.

On March 17, 1966, Edward T. Lyons, Attorney for M. R. Watters, who is engaged in the business of transporting freight for-hire as a private carrier by motor vehicle, pursuant to Permit No. B-859, filed a protest.

At the hearing held on the above date, the attorneys for transferor and transferee vigorously protested the appearance of a private carrier contending private carriers, as such, have no interest in the transfer. After listening to arguments of counsel, the Commissioner conducting the hearing, permitted the protest to stand, and permitted the attorney for the private carrier to interrogate Transferor and Transferee.

Witness Porter, one of the record owners of certificate PUC No. 1180, testified as to the operations of said certificate for the past few years. The evidence disclosed that there are no encumbrances, liens or mortgages against said certificate; that the consideration for the transfer of the certificate and certain equipment is the sum of \$14,000.00. Witness Porter was cross-examined by the attorney for the private carrier, especially as to mode of operation in the past and in the future.

Ray E. Labertew, President of Western Slope Truck Line, Inc., the Transferee herein, testified as to the corporation, and confirmed Witness Porter's testimony as to the terms and conditions of the proposed sale of Certificate PUC No. 1180. The witness was vigorously

cross-examined by the attorney for the private carrier. After a grilling cross-examination, the witness became confused as to immaterial matters, but insisted throughout that he would be governed by his authority, and the rules and regulations of the Commission. After this cross-examination, the Commission is of the opinion that Western Slope Truck Lines, Inc. will endeavor to lawfully operate the certificate even though some of his answers were misleading, brought about by the very clever cross-examination on the part of the Attorney for the private carrier.

Witness Dunlap was insistent that the Certificate not be enlarged.

F I N D I N G S

THE COMMISSION FINDS:

That PUC Certificate No. 1180 is one of the old certificates of public convenience and necessity issued by this Commission to serve a mountainous territory in the Counties of Delta, Montrose and Gunnison. Exhibit No. 2 points up its isolation and its inaccessibility to the Towns of Montrose, Delta and Gunnison. The certificate was originally issued to a territory within a 50-mile radius of Crawford, Colorado. In 1951 the authority was extended authorizing service from said 50-mile area, from and to all points in the State of Colorado. However, the Commission restricted the Certificate as follows:

"Applicant shall not be permitted to maintain an office for securing business at any place other than Crawford, Colorado, or its immediate environs."

It is apparent that the Commission in 1951 felt that this area needed a locally-based motor carrier for-hire service, and inserted the above quoted restriction to assure the residents of this area that service. After a review of the record, as disclosed by the files and the evidence, we are convinced that the area needs a locally-based carrier to take care of their transportation needs.

The Commission further finds that the Certificate is in good standing; that the Transferee is qualified pecuniary and otherwise;

and that there are no outstanding unpaid obligations against said certificate; that it is the opinion of the Commission, and we do so find, that the authorization of the transfer is in the public interest and, if said certificate is operated in conformance with authority under PUC No. 1180, it will not impair competing for-hire service.

O R D E R

THE COMMISSION ORDERS:

That Alvy Porter and Otto L. Porter, doing business as "Porter & Son," Crawford, Colorado, be, and hereby are, authorized to transfer all right, title, and interest in and to PUC No. 1180, to Western Slope Truck Line, Inc., subject to encumbrances, if any, against said certificate approved by this Commission.

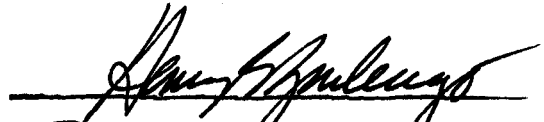

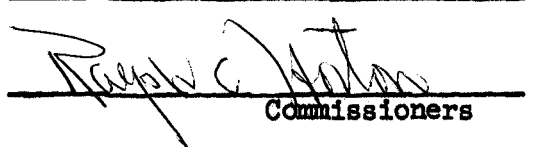
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements 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 24th day of March, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
BERT AND ARTHUR S. VAN EPS, DOING
BUSINESS AS "VANISH RUBBISH REMOVAL,"
2691 SOUTH VINE STREET, DENVER, COLO-
RADO, FOR AUTHORITY TO TRANSFER PUC
NO. 3166 TO METROPOLITAN TRASH, INC.,
6365 BRENTWOOD, ARVADA, COLORADO.

APPLICATION NO. 21842-
Transfer

March 23, 1966

Appearances: Robert E. McLean, Esq., Denver,
Colorado, for the Transferor
and Transferee.

S T A T E M E N T

BY THE COMMISSION:

Bert and Arthur S. Van Eps, doing business as "Vanish
Rubbish Removal," Denver, Colorado, are the owners and
operators of PUC No. 3166, authorizing:

Transportation on call and demand,
of ashes and trash, between points
in the City and County of Denver,
Colorado, and from points within the
City and County of Denver, Colorado,
to disposal places, as designated by
the City and County of Denver,
Colorado;

and by the instant application seeks to transfer said PUC
No. 3166 to Metropolitan Trash, Inc., Arvada, Colorado.

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, March 22, 1966, and at the
conclusion of the evidence, the matter was taken under
advisement.

As a preliminary matter the attorney for Metropolitan Trash, Inc., the transferee, stated that the transferee is presently the holder of operating rights which duplicate in their entirety the operating rights covered by PUC No. 3166 and further that the transferee agrees that under the provisions of the Rules of the Commission that upon approval of the transfer, PUC No. 3166 should be cancelled in its entirety.

Edward Schnorr testified that he is the Secretary-Treasurer of Metropolitan Trash, Inc.; that such company has entered into a contract with Bert and Arthur S. Van Eps for the purchase of, inter alia, PUC No. 3166; and that such agreement is set forth in Exhibit No. A. Exhibit No. A was identified and admitted in evidence. Metropolitan Trash, Inc. has a net financial worth in excess of \$100,000; has five large packing trucks and four open trucks; and the management of the company has had over forty years' aggregate experience in the ash and trash business. If the proposed transfer is authorized by the Commission, the transferee will continue to render service to the general public, as well as the customers previously served by the transferor. The officials of the company are familiar with the rules and regulations of the Commission and the statutes of the State of Colorado and will comply therewith if the transfer is approved.

Arthur S. Van Eps testified that he and Bert Van Eps are the owners of PUC No. 3166 and have entered into an agreement to sell such authority, together with certain equipment, to Metropolitan Trash, Inc. Exhibit No. A sets forth the terms of the sales agreement.

No one appeared in opposition to 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 compatible with the public interest and should be authorized, as set forth in the Order following.

The Commission further finds that Metropolitan Trash, Inc. is presently the holder of operating rights which duplicate PUC No. 3166 and that therefore, upon approval of this transfer by the Commission, PUC No. 3166 should be cancelled in its entirety.

O R D E R

THE COMMISSION ORDERS:

That Bert and Arthur S. Van Eps, doing business as "Vanish Rubbish Removal," Denver, Colorado, be, and hereby are, authorized to transfer all right, title, and interest in and to PUC No. 3166 to Metropolitan Trash, Inc., Arvada, Colorado, subject to encumbrances, if any, against said authority approved by the Commission.


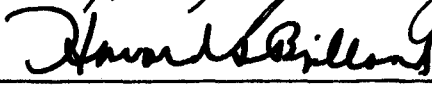
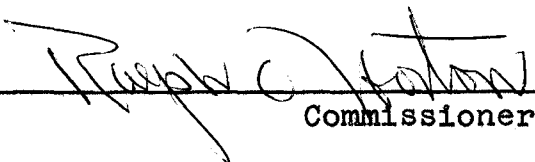
That said transfer shall become effective only if and when, but not before, said transferors and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements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

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

That upon the filing of said written acceptance, PUC No. 3166 be, and the same hereby is, cancelled in its entirety.

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 March, 1966.

jh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MERLE HECTOR, 5280 TENNYSON STREET,)
DENVER, COLORADO, FOR AUTHORITY TO) APPLICATION NO. 21843-Transfer
TRANSFER PUC NO. 3307 TO METROPOLITAN)
TRASH, INC., 6365 BRENTWOOD, ARVADA,)
COLORADO.)

March 23, 1966

Appearances: Robert E. McLean, Esq., Denver,
Colorado, for the Transferor
and Transferee.

S T A T E M E N T

BY THE COMMISSION:

Merle Hector, Denver, Colorado, is the owner and operator of
PUC No. 3307, authorizing:

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

and by the instant application seeks to transfer said PUC No. 3307 to
Metropolitan Trash, Inc., Arvada, Colorado.

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, March 22,
1966, and at the conclusion of the evidence, the matter was taken under
advisement.

As a preliminary matter the attorney for Metropolitan Trash,
Inc., the transferee, stated that the transferee is presently the holder
of operating rights which duplicate in their entirety the operating
rights covered by PUC No. 3307 and further that the transferee agrees
that under the provisions of the Rules of the Commission that upon

approval of the transfer, PUC No. 3307 should be cancelled in its entirety.

Edward Schnorr testified that he is the Secretary-Treasurer of Metropolitan Trash, Inc.; that such company has entered into a contract with Merle Hector for the purchase of, inter alia, PUC No. 3307; and that such agreement is set forth in Exhibit No. A. Exhibit No. A was identified and admitted in evidence. Metropolitan Trash, Inc. has a net financial worth in excess of \$100,000; has five large packing trucks and four open trucks; and the management of the company has had over forty years' aggregate experience in the ash and trash business. If the proposed transfer is authorized by the Commission, the transferee will continue to render service to the general public, as well as the customers previously served by the transferor. The officials of the company are familiar with the rules and regulations of the Commission and the statutes of the State of Colorado and will comply therewith if the transfer is approved.

Merle Hector testified that he is the owner of PUC No. 3307, that he wishes to transfer said authority to Metropolitan Trash, Inc.; that Exhibit No. A is the agreement for transfer entered into by and between the parties; and that he wishes the Commission to approve the transfer.

No one appeared in opposition to 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 compatible with the public interest and should be authorized, as set forth in the Order following.

The Commission further finds that Metropolitan Trash, Inc. is presently the holder of operating rights which duplicate PUC No. 3307 and that therefore, upon approval of this transfer by the Commission,

PUC No. 3307 should be cancelled in its entirety.

O R D E R

THE COMMISSION ORDERS:



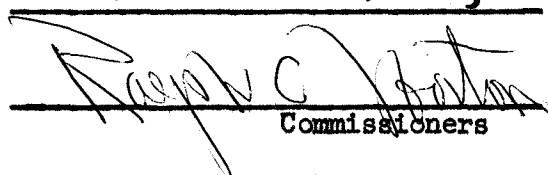
That Merle Hector, Denver, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 3307 to Metropolitan Trash, Inc., Arvada, Colorado, subject to encumbrances, if any, against said authority approved by the Commission.

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 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.

That upon the filing of said written acceptance, PUC No. 3307 be, and the same hereby is, cancelled in its entirety.

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 March, 1966.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ASA S. LEONARD DBA COMMERCE) AUTHORITY NO. M 9496
FURNITURE COMPANY, P.O. Box 97,)
Commerce City, Colorado 80022) CASE NO. 4009-Ins.

March 24, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 14, 1966, 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.

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. Norton

Commissioners

Dated at Denver, Colorado,
this 24th day of March, 1966.

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 6,000 SHARES OF)
5-1/2% CUMULATIVE CONVERTIBLE)
PREFERRED STOCK OF 1965, SERIES B.)

APPLICATION NO. 21849-SECURITIES

March 24, 1966

Appearances: John A. Phillips, Esq., of
Cool & Phillips, Colorado
Springs, 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:

Pursuant to Section 115-1-4, Colorado Revised Statutes, 1963,
Plateau Natural Gas Company, a Colorado corporation, herein called
"Applicant" or "Plateau", filed with the Commission on March 4, 1966,
its application for an order of this Commission authorizing it to
issue and sell 6,000 shares of 5-1/2% Cumulative Convertible Pre-
ferred Stock of 1965, Series B.

By notice dated March 7, 1966, this Commission ordered that
a public hearing be held on said application at 2:00 o'clock P.M., on
March 18, 1966, at the Hearing Room of the Commission, 532 State
Services Building, Denver, Colorado. Interested parties, munici-
palities, representatives of interested consumers or security holders
of Applicant, and other persons whose participation in said pro-
ceedings 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 March 11, 1966.

The hearing on the aforesaid application was held at the designated time and place, 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, principally engaged in the purchase, transmission, distribution and sale of natural gas in various cities, towns and communities in the States of Colorado, Kansas, Texas, Oklahoma and New Mexico.

Applicant's principal executive offices are located in Colorado Springs, Colorado. Applicant recently acquired all of the assets and liabilities of Kansas-Colorado Utilities, Inc., through merger. All of the financial statements introduced as Exhibits at the hearing reflect such acquisition by merger.

A copy of Applicant's Restated Articles of Incorporation, as amended, is on file with the Commission. 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 1964 of the par value of \$100 per share; 10,000 shares of 5-1/2% Convertible Cumulative Preferred Stock 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 December 31, 1965, 11,000 shares of its 5-3/4% First Cumulative Preferred Stock; 8,000 shares of 6% Convertible Cumulative Preferred Stock of 1964, 4,000 shares of its 5-1/2% 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, on December 31, 1965, 50,001 shares were subject to certain common stock warrants outstanding in the hands of persons who formerly held the 5-1/2% Cumulative Preferred Stock, and 275,000 shares of Common Stock were reserved for conversion of the 2,750 shares of 3% Convertible Cumulative Preferred Stock; 263,000 shares were reserved for issuance upon conversion of the outstanding 6% Convertible Cumulative Preferred Stock of 1964; 100,000 shares were reserved for the conversion of the 4,000 shares of 5-1/2% Convertible Cumulative Preferred Stock of 1965; and 50,000 shares were subject to a Stock Option Plan heretofore adopted by Applicant.

Applicant has heretofore issued and as of December 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, \$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, and \$3,500,000 principal amount of its 5% Series F First Mortgage and Collateral Trust Bonds due March 1, 1985. As of December 31, 1965, Applicant had outstanding \$1,650,000 of short term indebtedness. Applicant further had outstanding as of December 31, 1965, \$1,400,000 principal amount of 5-1/2% Promissory Notes, due 1968 through 1981, and \$1,400,000 principal amount of 5-1/4% Promissory Notes, due 1969 through 1982.

Applicant proposes to issue and sell 6,000 shares of its 5-1/2% Convertible Cumulative Preferred Stock of 1965, Series B, the proceeds of such issue to be used to retire outstanding short-term indebtedness.

W. Bruce Fullerton, President of Applicant, testified that present stockholders have committed themselves to the purchase at par of the 6,000 shares of 5-1/2% Convertible Cumulative Preferred Stock.

There are to be no underwriting or other fees incurred by Applicant in respect of the proposed issuance and sale of the securities, and the expenses directly allocable to such issuance and sale are estimated by Applicant not to exceed the sum of \$5,000.

Applicant's supporting exhibits included a pro forma Balance Sheet at December 31, 1965, and an Income Statement, Actual and pro forma, for the year 1965 which were introduced as Exhibits C and D, respectively.

The balance sheet reveals total utility plant in service of \$22,765,084; accumulated depreciation, depletion and amortization of \$6,437,161, resulting in net utility plant in service of \$16,327,923; construction work in progress amounted to \$219,139; net gas plant acquisition adjustment was \$1,669,645, making total utility plant of \$18,216,707. Total capitalization amounted to \$17,100,183 and consisted of \$5,503,183 of equity; \$8,797,000 of first mortgage bonds and \$2,800,000 of 5-1/4% and 5-1/2% promissory notes; total equity amounted to 32.2% of total capitalization and debt 67.8%.

After the issue of the 6,000 shares of 5-1/2% Cumulative Convertible Preferred Stock, the relationship of equity to total capitalization will be 34.5% and debt 65.5%.

Plateau also had notes payable to banks of \$1,650,000. After application of funds from the sale of the 6,000 shares of 5-1/2% Cumulative Convertible Preferred Stock, notes payable will be reduced by \$600,000. Mr. Fullerton stated that Plateau had already commenced its construction program with funds from these bank loans and that, during the course of the summer, such loans would be increased to perhaps \$2,500,000 or \$3,000,000. He indicated that in the fall of 1966 Plateau would probably issue additional permanent securities for

partially refunding these bank loans.

Plateau's Statement of Income for the twelve months ending December 31, 1965, Exhibit D, shows total operating revenues of \$5,840,584 and total operating charges of \$5,037,095, resulting in utility operating income of \$803,489; after other income of \$11,646 and income deductions of \$628,371, net income amounted to \$186,764. Mr. Fullerton stated that operations for the year 1965 resulted in no income taxes due to the application of Internal Revenue Service guide lines and investment tax credit.

The Statement of Earned Surplus of Applicant for the twelve months ending December 31, 1965 was also introduced at the hearing as Exhibit E. After the addition of \$186,764 net income for the period and appropriations for preferred stock dividends of \$122,458, the balance at December 31, 1965 was \$971,583.

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, 1963.

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 6,000 shares of its 5-1/2% Convertible Cumulative Preferred Stock of 1965, Series B, 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, 1963; and

That the Order sought should be issued, and should be made effective forthwith.

O R D E R

THE COMMISSION ORDERS:

That the Applicant, Plateau Natural Gas Company, be and it hereby is, authorized and empowered to issue and sell 6,000 shares of its 5-1/2% Convertible Cumulative Preferred Stock of 1965, Series B.

That Applicant be, and it hereby is, authorized to use the proceeds derived from the issuance and sale of the 6,000 shares of its 5-1/2% Convertible Cumulative Preferred Stock of 1965, Series B, to retire outstanding short-term indebtedness.

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 securities authorized hereunder, or the interest thereon, on the part of the State of Colorado.

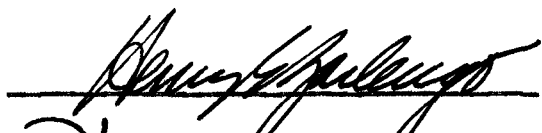
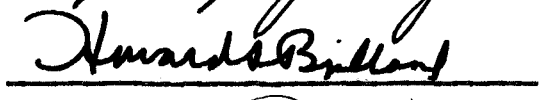

That within ninety (90) days after the issuance and sale of the securities, Applicant shall make a verified report to this Commission of the issue and disposition of said securities, the fees, commission, and expenses incident to such sale, accompanying such

report with a new balance sheet reflecting the issuance and sale of said securities.

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 24th day of March, 1966.

ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MORGAN HEIGHTS, INC., BOX 250, FORT)
MORGAN, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO CONSTRUCT, OPERATE AND MAINTAIN A)
GAS UTILITY COMPANY IN AN AREA)
NORTH OF FORT MORGAN, COLORADO, KNOWN)
AS MORGAN HEIGHTS, WINSLOW SUBDIVISION.)

APPLICATION NO. 20837

March 24, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-styled application, filed with the Commission on November 2, 1964, Applicant herein seeks a certificate of public convenience and necessity authorizing construction, operation and maintenance of a gas utility company in an area north of Fort Morgan, Colorado, known as Morgan Heights, Winslow Subdivision.

Since that time, said matter has been pending with no request for hearing.

As the Commission is desirous of closing its docket on long-pending matters, the Commission states and finds that unless written request for setting of the above-entitled matter for hearing shall be received by the Commission before the effective date of this Order, the above-styled application should be dismissed for want of prosecution.

ORDER

THE COMMISSION ORDERS:

That the Application herein filed be, and hereby is, dismissed, unless written request for hearing shall be received by the Commission before the effective date of this Order.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Harold Paulsen
Harold Paulsen

Ralph C. Austin
Commissioners

Dated at Denver, Colorado,
this 24th day of March, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF
JACOB E. ECKHARDT, DOING BUSINESS
AS "ECKHARDT TRUCKING COMPANY,"
739 FRANCIS STREET, LONGMONT,
COLORADO.

PERMIT NO. B-3672

March 24, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 10, 1966, the Commission entered Decision No. 66982 amending and restricting operating rights under Permit No. B-3672 by deleting therefrom the following authority:

Transportation of horses between points within a 25-mile radius of Estes Park, Colorado, and from and to points within said radius to and from other points in the State of Colorado.

The Commission is now in receipt of a communication from said permit-holder requesting that said Decision No. 66982 be set aside and that said operating rights be reinstated into Permit No. B-3672.

The Commission states and finds that said request is not incompatible with the public interest and should be granted, as set forth in the Order following.

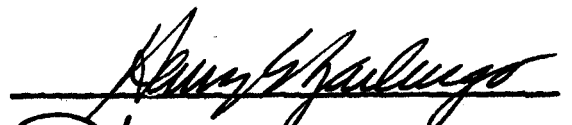


O R D E R

THE COMMISSION ORDERS:

That Decision No. 66982, dated March 10, 1965, be, and the same hereby is, vacated, set aside and held for naught as of said 10th day of March, 1966; and that operating rights deleted from Permit No. B-3672 by said Decision be, and the same hereby are, reinstated into said Permit No. B-3672, so that operating rights under Permit No. B-3672 henceforth shall be and read as follows:

Transportation of horses between points within a 25-mile radius of Estes Park, Colorado, and from and to points within said radius to and from other points in the State of Colorado. Transportation of stone from quarries within a radius of 10 miles of Lyons, Colorado, to points within a radius of 50 miles of Lyons, Colorado; forest and sawmill products from forests and sawmills within a 25-mile radius of Lyons to points within a 50-mile radius of Lyons, Colorado; cinder blocks from Hygiene, Colorado, to points within a 25-mile radius of Lyons, Colorado; and coal from northern Colorado coal fields to Lyons; no town-to-town service except from Lyons or from Hygiene, Colorado. Include the right to transport stone from quarries within a radius of 15 miles of Lyons, Colorado, to any point in the State of Colorado, with return from delivery points to the quarries of defective or refused shipments. EXTENDED BY DEC #50800 to include the right to transport sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to 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, said operations to be limited to the use of dump trucks, only. EXTENDED BY DEC #56162 to include the transportation of: (1) Cinder blocks, from Boulder to Denver, and (2) Drill bits, repair parts, and machinery weighing 4,000 pounds or less, between Denver on the one hand, and, on the other, quarries located in Boulder County and Larimer County, and between quarries located in Boulder County and Larimer County. EXTENDED BY DEC #56644 to include the right to transport light-weight block and concrete block, from plant of Boulder Block, Inc., located at Boulder, Colorado, to points within the following-described area: on the west, the Continental Divide; on the north, the Colorado-Wyoming State Line; on the east, the west boundary line of Morgan County; and on the south, an east-west line through Castle Rock, Colorado. EXTENDED BY DEC #59711 to include the right to transport light-weight block, from plant of St. Vrain Block Company, located at Longmont, Colorado, to points within the following-described area: on the west, the Continental Divide; on the north, the Colorado-Wyoming State Line; on the east, the west boundary line of Morgan County, and on the south, an east-west line through Castle Rock, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 24th day of March, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RITA GRANATO, EXECUTRIX OF THE ESTATE)
OF EMELIO GRANATO, DECEASED, DOING)
BUSINESS AS "CITY CAB COMPANY," UNION)
DEPOT, PUEBLO, COLORADO, FOR AUTHOR-)
ITY TO TRANSFER PUC NO. 2282 AND PUC)
NO. 2282-I TO MATEO SANFILIPO, DOING)
BUSINESS AS "CITY CAB COMPANY,")
UNION DEPOT, PUEBLO, COLORADO.)

APPLICATION NO. 21829-Transfer

IN THE MATTER OF THE APPLICATION OF)
RITA GRANATO, EXECUTRIX OF THE ESTATE)
OF EMELIO GRANATO, DECEASED, UNION)
DEPOT, PUEBLO, COLORADO, FOR AUTH-)
ORITY TO TRANSFER PERMIT NO. A-6105)
TO MATEO SANFILIPO, DOING BUSINESS)
AS "CITY CAB COMPANY," UNION DEPOT,)
PUEBLO, COLORADO.)

APPLICATION NO. 21830-PP-Transfer

March 24, 1966

Appearances: Lawrence A. Ardell, Esq., Pueblo,
Colorado, for Transferor and
Transferee.

SUPPLEMENTAL ORDER

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 18, 1966, the Commission entered Decision No. 67025
in the above-styled applications.

It now appears that a typographical error appears in the
Statement and Findings of Fact of said Decision, in the 6th line ap-
pearing on page 3 thereof the consideration for the transfers is shown
as \$20,133.00 and the same should be \$40,133.00.

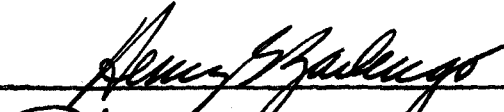
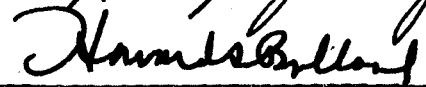

O R D E R

THE COMMISSION ORDERS:

That Decision No. 67025, dated March 18, 1966, be, and the same hereby is, amended, nunc pro tunc, as of said 18th day of March, 1966, by correcting the consideration for the transfers to \$40,133.00 instead of \$20,133.00 appearing on the 6th line of page 3 of the Statement and Findings of said Decision.

That, except as herein amended, Decision No. 67025 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 24th day of March, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
BUEHLER TRANSFER COMPANY, 3899 JACKSON
STREET, DENVER, COLORADO, FOR AUTHORITY
TO TRANSFER ALL OF THE CAPITAL STOCK OF
FITCH VAN AND STORAGE, INC., DOING
BUSINESS AS "BOULDER MOVING & STORAGE,
INC.," OWNER AND OPERATOR OF PUC NO.
352 AND PUC NO. 352-I, TO THOMAS F.
VOLLE, JOE F. ENRIGHT, MELVIN A. CHANCE
AND JOHN D. HICKEY, 1963 34TH STREET,
BOULDER, COLORADO.

APPLICATION NO. 21778-
Stock Transfer

March 24, 1966

Appearances: John P. Thompson, Esq., Denver,
Colorado, for Transferor and
Transferees of Capital Stock;
Edward T. Lyons, Jr., Esq., Denver,
Colorado, for Bulk Transporters,
Inc., Consolidated Milk Lines,
Petroleum Transport Company,
Ruan Transport Corporation and
Ward Transport, Inc., Protestants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The above-styled 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, A. Bruce Robbins, President of Buehler Transfer Company, 3899 Jackson Street, Denver, Colorado, testified this company is a Colorado corporation and owns all the stock of Fitch

Van and Storage, Inc." Boulder, Colorado. Mr. Robbins stated that Buehler Transfer Company has entered into an agreement with Thomas F. Volle, Joe F. Enright, Melvin A. Chance and John D. Hickey, for the transfer and sale of all the stock of Fitch Van and Storage, Inc., doing business as "Boulder Moving and Storage, Inc." A copy of this agreement, which was filed as a late filed exhibit, reflects that the purchase price of this stock is \$79,000.00. Mr. Robbins explained that in accordance with this Agreement the purchasers of this stock agree to pay \$20,000.00 cash on the transfer date and that the balance of \$59,000.00 with interest at the rate of six percent per annum on the unpaid balance shall be payable in monthly installments of \$656.00 until paid in full. As security for the payment of this balance of \$59,000.00, the agreement provides that the stock shall be pledged to Buehler Transfer Company, Denver, Colorado, and Mr. Robbins requested that the Public Utilities Commission in addition to approving the transfer of the stock also approve the pledge of the stock as security for the payment of the balance of the purchase price in the sum of \$59,000.00.

Mr. Robbins also testified that Fitch Van and Storage, Inc., doing business as "Boulder Moving and Storage, Inc." is a Colorado corporation and that the Articles of Incorporation have heretofore been filed with the Commission. He also stated that the effect of the transfer of the stock will be that control of the corporation will pass entirely to the transferees including control of all the assets, good will, lease and PUC No. 352 and I. Mr. Robbins also emphasized in his testimony that Buehler Transfer Company is retaining no interest whatsoever in Fitch Van and Storage, Inc., doing business as "Boulder Moving and Storage, Inc."

Attached to the Agreement of sale is an equipment list of vehicles owned by Fitch Van and Storage, Inc., doing business as "Boulder Moving and Storage, Inc." and also attached thereto is an inventory of equipment, all of which will be continued to be owned by Fitch Van and Storage, Inc.

On cross-examination, Mr. Robbins testified that Fitch Van and Storage, Inc., doing business as "Boulder Moving and Storage, Inc.", does not at present own any tank vehicles for the transportation of bulk liquid commodities and has not owned such equipment for the past three years.

Thomas F. Volle, Boulder, Colorado, testified that for the past 18 months, approximately, he has been General Manager of Fitch Van and Storage, Inc. doing business as "Boulder Moving and Storage, Inc." Boulder, Colorado, and that he is one of the four persons who have agreed to purchase all of the outstanding stock in this corporation from Buehler Transfer Company for a total purchase price of \$79,000.00. He testified that the transfer of stock will in no way change the operations heretofore conducted by this company under PUC No. 352 and I.

This witness also testified that negotiations in the past were conducted with Arapahoe Chemicals Company for the transportation of chemicals in bulk but that these negotiations did not materialize. This witness also stated that in his experience with Fitch Van and Storage, Inc., doing business as "Boulder Moving and Storage, Inc." some dry items in bulk have been transported, but that the company has not received a request since he has been General Manager for the transportation of liquid commodities in tank vehicles.

Mr. Volle stated also that the other purchasers of the stock to-wit: Joe F. Enright, Melvin A. Chance, and John D. Hickey, are owners of the stock of Boulder Denver Truck Line. However, he stated that the conduct of that transportation business would be operated as a separate entity entirely and that in fact, because of the nature of the authorities owned by the two companies, there would result in no competition between them. Mr. Volle stated that he and the other purchasers of the stock will each own 25% of the stock; that he will continue as General Manager; and that he has no interest in Boulder Moving and Storage, Inc.

Mr. Volle also requested on his own behalf, and on behalf of the other purchasers of the stock, that the pledge of the stock be approved by the Public Utilities Commission as security for the payment of \$59,000.00, the balance of the purchase price of the stock which shall be paid by the transferees in monthly installments until paid in full. Mr. Volle also stated that he has had considerable experience in the transportation business and that it is his intention as General Manager of Fitch Van and Storage, Inc., doing business as "Boulder Moving and Storage, Inc." to conduct operations in the same manner, with the same personnel, and the equipment as the operation has heretofore been conducted.

The protest submitted in writing on behalf of the Protestants named above, reflects at least two grounds for protest which should be considered. First, the Protestants maintain that unless the operating rights under PUC No. 352 and I owned by Fitch Van and Storage, Inc., doing business as "Boulder Moving and Storage, Inc." are now restricted against the transportation of commodities in bulk in tank

vehicles; that the approval of the within application would be tantamount to the issuance of a new or extended certificate of public convenience and necessity, there being alleged that heretofore the operator under PUC No. 352 and I has not engaged in the transportation of liquid commodities in tank vehicles heretofore although under its authority, such transportation may be conducted. Secondly, the Protestants allege that the transferees of the stock own, operate, or control other common carriers and that if the within transfer is approved, the effect will be to consolidate the operations conducted by Fitch Van and Storage, Inc., doing business as "Boulder Moving and Storage, Inc." with other common carriers.

The following named witnesses testified in support of the protest herein filed:

Don Smith
Traffic Manager
Ward Transport, Inc.

Ted W. Blue
Traffic Manager
Petroleum Transport Co.

Paul V. Haen
Colorado District Manager
Ruan Transport Corporation

Frederick Bethke
President
Bulk Transporters, Inc.

In substance, the testimony of these witnesses was that heretofore the operations under PUC No. 352 and I did not include the transportation of bulk liquid commodities in tank vehicles and that the change of control of the Fitch Van and Storage, Inc., doing business as "Boulder Moving and Storage, Inc." might involve such operations in the future. Each of these witnesses testified that the present common carriers of liquid commodities in tank vehicles fully and completely meet the public need for such transportation and that additional carriers in this area of transportation would be harmful to the Protestants herein.

Melvin A. Chance, Boulder, Colorado, testified that he is President of Boulder Denver Truck Line, Inc. and that

he, Joe F. Enright and John D. Hickey own 1/3 of the stock in this corporation. He stated that Boulder Denver Truck Line, Inc. operates under PUC No. 2635. This witness also stated that he, Joe F. Enright and John D. Hickey will, if the within application is approved, own 25% of Fitch Van and Storage, Inc. doing business as "Boulder Moving and Storage, Inc." and that they may become officers of this company after the stock transfer is completed. He added, however, that operations of the Boulder Denver Truck Line, Inc. and the operations of Fitch Van and Storage, Inc. doing business as "Boulder Moving and Storage, Inc." will be conducted entirely as separate businesses and operations; that there will be no common employment between these companies; and that there will be no effort made to conduct the affairs of these companies in any manner other than as separate entities.

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 evidence was presented reflecting that the approval of the within application would not be in the public interest; that the transferees propose to pay transferor \$79,000.00 for all of the stock outstanding; that, although three of the transferees of this stock are the stockholders of Boulder Denver Truck Line, Inc., the evidence established, nevertheless, that Boulder Denver Truck Line, Inc., and Fitch Van and Storage, Inc., doing business as "Boulder Moving and Storage, Inc.," are separate corporations and will continue to operate as separate entities; that, although the authority under PUC No. 352 and

and PUC No. 352-I may include the transportation of liquid commodities in bulk in tank vehicles, said company while operating thereunder has not recently utilized tank vehicles for the transportation of this type of commodity, and, in fact, the evidence revealed that this type of transportation has not been engaged in heretofore because no demand has been made to provide such transportation; that the evidence fails to reflect that the holder of PUC No. 352 and PUC No. 352-I has in any way either by statements or overt acts indicated an intention to abandon any portion of its operating rights; that the evidence presented in support of the Protestants' position is insufficient to deny the within application; that the proposed stock transfer is compatible with the public interest and should be authorized as set forth in the Order following; and that the transferees of the stock should be authorized to pledge the stock of Fitch Van and Storage, Inc., doing business as "Boulder Moving and Storage, Inc.," to the transferor of the stock to secure payment of the sum of \$59,000.00 which will remain owing the transferor of the stock on the effective date of the transfer.

O R D E R

THE COMMISSION ORDERS:

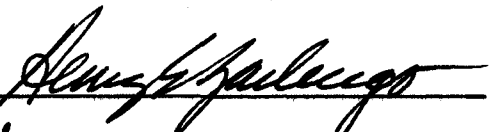
That Buehler Transfer Company, Denver, Colorado, be, and hereby is, authorized to transfer all of the outstanding capital stock of Fitch Van and Storage, Inc., doing business as "Boulder Moving and Storage, Inc.," the owner and operator of PUC No. 352 and PUC No. 352-I, to Thomas F. Volle, Joe F. Enright, Melvin A. Chance and John D. Hickey, Boulder, Colorado.


That said Thomas F. Volle, Joe F. Enright, Melvin A. Chance and John D. Hickey, be, and hereby are, authorized

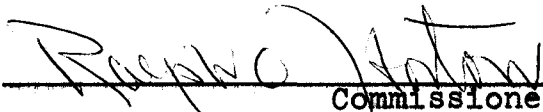
to pledge the outstanding capital stock of Fitch Van and Storage, Inc., doing business as "Boulder Moving and Storage, Inc." to Buehler Transfer Company, as security for the payment of \$59,000.00 which sum will remain owing to the transferor of said stock on the effective date of the transfer of the same.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 24th day of March, 1966.

jh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
T. O. DAVIS, DONALD G. SINSABAUGH)
AND VINCENT ANDERSON ON BEHALF OF)
THEMSELVES AND OTHERS SIMILARLY SIT-)
UATED FOR AN ORDER AUTHORIZING PUBLIC)
SERVICE COMPANY OF COLORADO TO RENDER)
STREET LIGHTING SERVICE IN AN UNIN-)
CORPORATED AREA IN JEFFERSON COUNTY.)
(APPLEWOOD KNOLLS))

March 24, 1966

Appearances: D. D. Cawelti, Esq., Denver,
Colorado, for Public Service
Company of Colorado;
Paul M. Brown, Denver, Colorado,
for the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

This is an application by Mr. T. O. Davis 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.

The matter was set for hearing, after due notice to interested parties, on February 2, 1966 at 10 o'clock A.M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado and was heard at said time and place.

The tariff of Public Service, providing for street lighting in an 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 of decision of this

Commission directing street lighting service to be established in the area. Since all customers did not sign, Public Service could not install street lights without an order of the Commission.

Appearing at the hearing in opposition to the application were the following persons: Mr. Keith Hay, Mr. Henry G. Wilson, Mr. Douglas F. Douglas, Mr. Frank C. Kinney, Mrs. Susan Jewett, Mr. T. W. Haines, Mr. James Palacas, Mrs. Nelson, Mr. William Simeral, Mr. A. Sadar, Mr. Richard Bailey, Mr. Gilley, Mrs. Sarah Blankenship, Mrs. Ruth Griggs, Mr. R. H. Emich, Mr. Sadok and Mr. Norman A. Martin.

Between July 26, 1965 and September 19, 1965 petitions for street lighting service addressed to Public Service were circulated among the residents of the area in question. There are 331 electric customers within the area and the signatures of 229 of those customers appear on the petitions for street lighting. Between the time of the circulation of the petitions and the date of the hearing on the application, 9 of the petition signers asked to have their names removed from the petition.

The following persons were present at the hearing in support of the application: Mr. T. O. Davis, Mr. Don Sinsabaugh, Mr. Ed L. Day, Mr. R. O. Snyder and Mr. C. R. Avorke.

The principal spokesman for the proponents was Mr. T. O. Davis who stated that there was a need for street lighting in the area to promote the safety and security of the inhabitants against criminal elements and assist in traffic safety upon the streets.

The opposition denied that safety, health or welfare would be aided and stressed their basically aesthetic objections to street lighting facilities. A counter petition signed by 87 persons against street lighting was submitted.

In view of the long interval of time between the date of the petition circulation and the date of the Commission hearing, the vacillation of some of the petition signers since originally approving

the petition, and the obviously divided sentiment in the area concerning street lights, the Commission believes that further study of the question by the residents of the area should be undertaken. It is not the purpose of a street lighting order of this Commission to require street lights when such order would be contrary to the sentiments of the residents of the area. On the other hand the Commission will not deny an area the benefits of street lighting because of the obstinacy or unreasoned opposition of a few of the residents affected. Here the objections were not to the cost of the lighting, but rather were concerned with the appearance of the poles, wires and standards necessary to provide the lighting.

The residents of the area may, by the delay of an order in this application, come to a consensus in their desires for street lighting. In arriving at this determination they should be aware that the benefits of street lighting cannot be achieved without the physical facilities necessary to provide the same. These benefits must be weighted against the aesthetic effect necessarily produced. Just as one cannot move traffic without a road, so one cannot have street lighting without poles.

This application will, accordingly, be neither granted nor denied, but will be held in abeyance to be reopened and reheard upon the motion of any of the affected residents of the area.

F I N D I N G S

The Commission makes no findings except as expressed in the foregoing statement.



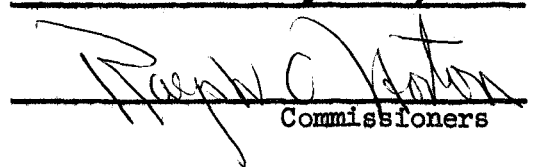
O R D E R

THE COMMISSION ORDERS:

That this application be held in abeyance to be reopened and reheard upon the motion of any of the affected residents of the area.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 24th day of March, 1966.
ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ANTHONY TORTESSI DOING BUSINESS AS)
TORTESSI PRODUCE, 1024 GUNNISON,)
PUEBLO, COLORADO.)

PERMIT NO. M-6626

March 25, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

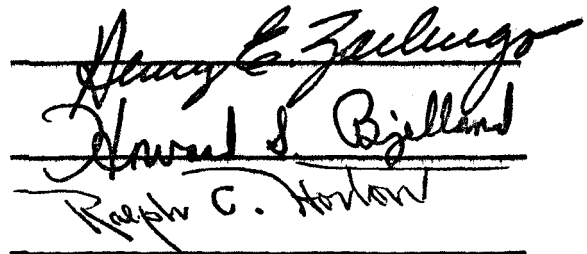
The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 21, 1966

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 25th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ARTHUR G. WALKER, 1713 AVENUE F,)
GOTHENBERG, NEBRASKA.)
)
)
)

PERMIT NO. M-1674

March 25, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 21, 1966

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaclung
Harold S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 25th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
HARUYI SAIKI, TAGUCHI G ROCERY,)
801 WALNUT STREET, ROCKY FORD,)
COLORADO.)

PERMIT NO. M-841

March 25, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 10, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaebue
Harold S. Bjelland
Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 25th day of March 196 6
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
O. H. HARDY, WALSH OIL COMPANY,
BOX 155, WALSH, COLORADO.

PERMIT NO. M-1014

March 25, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 19, 1966

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Ziehl
Harold S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 25th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
WILLIAM D. WEST, ROUTE 1, BOX 306,
GOLDEN, COLORADO. }

PERMIT NO. M-1021

March 25, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 17, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaclung
Edward S. Bjelland
Ralph C. Harkness

Commissioners

Dated at Denver, Colorado,
this 25th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF }
MOUNTAIN STATES DRILLING CO., INC., }
622 PATTERSON BLDG., DENVER, }
COLORADO. }

PERMIT NO. M-2875

March 25, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 1, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaslau
Howard S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 25th day of March 196 6
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
C & H BUILDERS, 723 SIERRA MADRE,)
COLORADO SPRINGS, COLORADO.)
-----)

PERMIT NO. M-4420

March 25, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 17, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Ziehl
Howard S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 25th day of March 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
GERALD C. LAMBERT, BOX 27,)
HAXTUN, COLORADO.)

PERMIT NO. M-5585

March 25, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 17, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Z. [Signature]
Edward S. [Signature]
Ralph C. [Signature]

Commissioners

Dated at Denver, Colorado,
this 25th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
G. W. REYNOLDS, 517 BROWN AVENUE,)
PUEBLO, COLORADO.)

PERMIT NO. M-7658

March 25, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 5, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zacluzko
Howard S. Bjelland
Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 25th day of March 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
MOUNTAIN VALELEY COMMODITIES,
16780 MT. VERNON ROAD, GOLDEN,
COLORADO.

PERMIT NO. M-7810

March 25, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 21, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 25th day of March 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
LYNN I. WILCOX, WILCOX FRIENDLY)
GROCERY, 430 EAST MAIN STREET,)
FLORENCE, COLORADO.)

PERMIT NO. M-8570

March 25, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 23, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zaichko
Edward S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 25th day of March 1966.
et.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
WILLIAM SCHEOPNER, BOX 66,
STRATTON, COLORADO.

PERMIT NO. M-8929

March 25, 1966.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 13, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaclung
Harold S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 25th day of March 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
GLEN H. HAYWARD, BOX 45,
EVERGREEN, COLORADO.

PERMIT NO. M-13198

March 25, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 13, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Ziehl
David L. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 25th day of March 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
KELLER LADDERS SOUTHERN, INC., P. O)
BOX 314, CALDWELL, TEXAS.)

PERMIT NO. M-13340

March 25, 1966.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 21, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaichko
Harold S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 25th day of March 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
VINTON LOWELL ALBERS, 903 WEST
9TH STREET, GOODLAND, KANSAS.

PERMIT NO. M-13808

March 25, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 19, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaebler
Howard S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 25th day of March 1966.
et

ing copy

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JOHN A. CUVELIER DBA) AUTHORITY NO. PUC 3593
JOHN'S EXPRESS)
2063 South Zuni St.) CASE NO. 4118-Ins.
Denver, Colorado 80223 -----

March 24, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 14, 1966, 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.

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, re-instated, 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. Ziering
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 25th day of March, 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
WILLIAM CLARENCE SMITH, P. O. BOX)
104, HOTCHKISS, COLORADO.)

PUC NO. 1182

March 28, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, the Commission authorized the above-named carrier to suspend operations under the above-entitled authority.

The Commission is now in receipt of a communication from the above-named carrier requesting that said authority be reinstated.

The Commission finds that the request should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, reinstated as of March 8, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zacluzko
Harold S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 28th day of March 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
RICHARD LEE BROWN, P. O. BOX 195,
WIGGINS, COLORADO.

PERMIT NO. B-6773

March 28, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, the Commission authorized the above-named carrier to suspend operations under the above-entitled authority.

The Commission is now in receipt of a communication from the above-named carrier requesting that said authority be reinstated.

The Commission finds that the request should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, reinstated as of March 14, 1966

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaslauzo
Howard S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 28th day of March 1966.

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
WILLIAM SCHEOPNER, BOX 186,)
STRATTON, COLORADO.)

PUC NO. 3723-I

March 28, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 13, 1966.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaichko
Howard S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 28th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
HARRY D. JOHNSON, DBA JOHNSON HAUL-)
ING TRASH, 1326 $\frac{1}{2}$ STONE, PUEBLO, COLO-)
RADO.)

PUC NO. 3773

March 28, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

March 18, 1966 until September 18, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zeisinger
Howard S. Brilliant
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 28th day of March 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ANTHONY TORTESSI DBA TORTESSI)
PRODUCE, 1024 GUNNISON STREET, PUEBLO,)
COLORADO.)

PUC NO. 3924-I

March 28, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 21, 1966

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaclungo
Edward S. Bjelland
Ralph C. Hordford

Commissioners

Dated at Denver, Colorado,
this 28th day of March 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
ARTHUR G. WALLER, 1713 AVENUE F,
GOTHENBURG, NEBRASKA.

PUC NO. 6072-I

March 28, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 21, 1966

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zacluzko
Edward S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 28th day of March 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
JUNIOR R. WELBORN, 1385 DALLAS,
AURORA, COLORADO.

PERMIT NO. B-5924

March 28, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

March 15, 1966

until September 15, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Nancy E. Zeelings
Howard S. Bjelland
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 28th day of March

1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PUBLIC SERVICE COMPANY OF COLORADO,)
550 15TH STREET, DENVER, COLORADO,)
FOR AN ORDER AUTHORIZING THE ISSUANCE)
OF \$35,000,000 PRINCIPAL AMOUNT OF)
ITS FIRST MORTGAGE BONDS.)

APPLICATION NO. 21892
SECURITIES

March 25, 1966

S T A T E M E N T

BY THE COMMISSION:

Upon consideration of the application filed March 24, 1966 by Public Service Company of Colorado, a corporation, in the above styled matter:

O R D E R

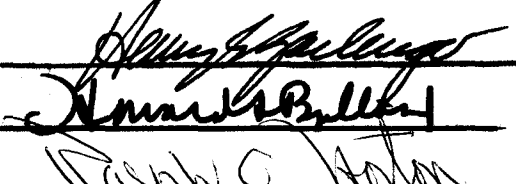
THE COMMISSION ORDERS:

That a public hearing be held, commencing on April 5, 1966, at 10:00 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 March 30, 1966, and should set forth the grounds of the proposed intervention and the petition and interest of the petitioners, in the proceeding and must be subscribed by interveners.

Dated at Denver, Colorado
this 25th day of March, 1966

gs

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EAGLE TRUCK LINE, INC., EAGLE, COLO-)
RADO, FOR AUTHORITY TO TRANSFER)
PERMIT NO. A-805 TO C. B. JOHNSON,)
INC., P. O. DRAWER "S", CORTEZ,)
COLORADO.)

APPLICATION NO. 21697-PP-Transfer
SUPPLEMENTAL ORDER

March 25, 1966

Appearances: Leslie R. Kehl, Esq., Denver,
Colorado, for Transferor and
Transferee;
John H. Lewis, Esq., Denver,
Colorado, for Hugo L. Willis,
Fellin Bros., and Telluride
Transfer, Protestants;
Royce D. Sickler, Esq., Denver,
Colorado, for Rio Grande Motor
Way, Inc., Protestant;
John P. Thompson, Esq., Denver,
Colorado, for W. R. Hall
Transportation and Storage
and Orville Dunlap & Son,
Protestants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On February 28, 1966, the Commission entered Decision No. 66914
in the above-entitled matter.

On March 17, 1966, Petition for Rehearing was filed with the
Commission by Hugo L. Willis, Fellin Brothers and Telluride Transfer,
Protestants, by their Attorneys Stockton, Linville, Lewis & Mitchell.

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.

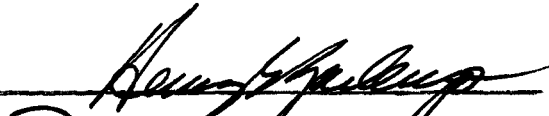


O R D E R

THE COMMISSION ORDERS:

That Petition for Rehearing filed with the Commission by Hugo L. Willis, Fellin Brothers and Telluride Transfer, Protestants, by their Attorneys Stockton, Linville, Lewis & Mitchell, be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 25th day of March, 1966.
et

(Decision No. 67093)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE THE PRESCRIPTION OF RATES IN DECISION)
NO. 66980, CASE NO. 1585, APPLICABLE TO }
BURIAL CASES, CASKETS, ETC., ITEM NO. }
1385,*CMCA, AGENT, TARIFF 12-A, COLORADO }
PUC NO. 11. }

INVESTIGATION AND SUSPENSION
DOCKET NO. 561
SUPPLEMENTAL ORDER

March 25, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 15, 1966, the Commission entered Decision No. 67017 in the above-entitled matter, among other things, setting said matter for hearing at 10:00 o'clock A.M. on March 31, 1966, at 532 State Services Building, Denver, Colorado.

It now appears to the Commission that said matter should have been set for hearing at 2:00 o'clock P.M. on March 31, 1966, at 532 State Services Building, Denver, Colorado.

The Commission states and finds that Decision No. 67017 should be amended, as set forth in the Order following.

O R D E R

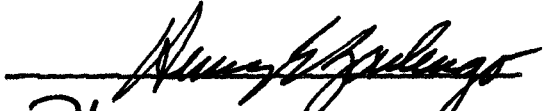
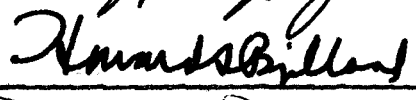
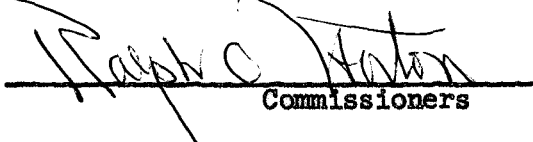
THE COMMISSION ORDERS:

That Decision No. 67017 be, and the same hereby is, amended, nunc pro tunc, as of March 15, 1966, by correcting the time of the hearing as appearing on page 3 thereof, to read 2:00 o'clock P.M. instead of 10:00 o'clock A.M.

*Colorado Motor Carriers' Association, Agent (The Motor Truck Common Carriers' Association, Agent, Series)

That except as herein amended, Decision No. 67017 shall remain
in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 25th day of March, 1966.
et

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
H. C. RYBERG DBA) AUTHORITY NO. PUC 3141
RYBERG CONSTRUCTION CO.)
1664 So. Clarkson St.) CASE NO. 4106-Ins.
Denver, Colorado 80210- - - - -

- - - - -
March 30, 1966
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 14, 1966, 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.

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 S. Gailung
Harold B. Butler
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 30th day of March, 1966.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
BOWEN TRUCKING COMPANY) AUTHORITY NO. PUC 1370 and I
1204 East Broadway)
Farmington, New Mexico) CASE NO. 4143-Ins.

March 30, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 14, 1966, 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.

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. Ziegler
Harold Brillant
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 30th day of March, 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE RATE ON GASOLINE, IN BULK, IN)	
TANK VEHICLES, FROM DENVER, COLORADO)	
TO BOULDER, COLORADO, EXTENDING)	CASE NO. 1585
EXPIRATION DATE OF MARCH 1, 1966 to)	
A PERMANENT BASIS)	

March 29, 1966

STATEMENT AND FINDINGS

BY THE COMMISSION:

On November 3, 1965, the Commission, by Decision No. 66207, prescribed a rate of 1.500 cents per gallon on gasoline, minimum 1500 gallons, transported from Denver, Colorado to Boulder, Colorado. The Statement and Findings of the Commission carried a provision that the rate so prescribed was to expire on March 1, 1966, unless sooner canceled, changed or extended. The rate expired on March 1, 1966.

The Commission is now in receipt of application No. 314, undated, of the Colorado Motor Carriers' Association, as Agent, for and on behalf of carriers participating in the tariff Colo. PUC No. 12, requesting authority to publish the now expired rate upon one day's notice to the Commission and the public. The application states, in part, --

"Your petitioner is informed now by a representative of Petroleum Transport Company that this traffic is still moving in quantities of 1,500 gallons, that there is a continuing need for the rate of 1.500 cents per gallon to apply on this traffic and that, through an oversight, he failed to request the elimination of the expiration date prior to March 1 of this year."

Under the provisions of Rule 18, C-(1)-(c) of the Rules of Procedure, the proposed rate may be published on one day's notice to the general public and filing with the Commission. Since the proposal appears to represent a just, fair and reasonable rate an order should be entered prescribing said rate.

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 rate set forth in the Statement and Findings herein, subject to the rules and regulations provided in Colorado Motor Carriers' Association, Agent, Motor Freight Tariff No. 7-A, Colorado PUC No. 12, shall be the prescribed rate, 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 April 5, 1966, 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.

6. On and after April 5, 1966, all private carriers by motor vehicle operating in competition with any motor vehicle common carrier affected by this order shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed.

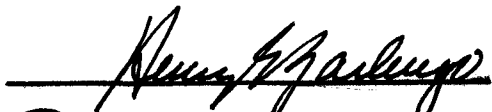

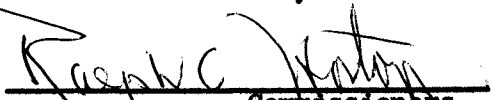
7. This order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

8. The order entered in Case 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




Commissioners

Dated at Denver, Colorado
this 29th day of March, 1966
av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
METROPOLITAN TRASH, INC., 9192 EAST
EASTMAN PLACE, DENVER, COLORADO.

PUC NO. 3264

March 30, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

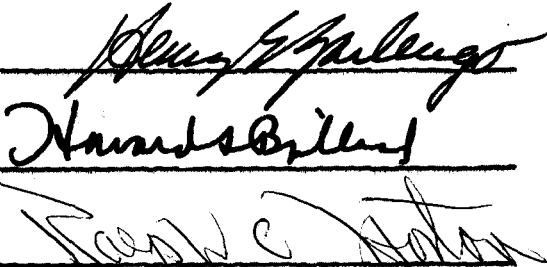
ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 28, 1966.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 30th day of March 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
METROPOLITAN TRASH, INC., 9192 EAST
EASTMAN PLACE, DENVER, COLORADO.

PUC NO, 3288

March 30, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 28, 1966

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry S. Gaudin

Harold Brillant

Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 30th day of March 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
METROPOLITAN TRASH, INC., 9192 EAST
EASTMAN PLACE, DENVER, COLORADO.

PUC NO. 3322

March 30, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 28, 1966

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Gailings
Harold Brillon
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 30th day of March 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
METROPOLITAN TRASH, INC., 9192 EAST
EASTMAN PLACE, DENVER, COLORADO.

PUC NO. 3467

March 30, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

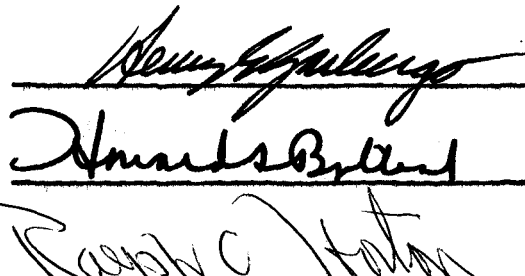
ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 28, 1966.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 30th day of March 1966.
et

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CONTRACT CARRIER SERVICE INC.) AUTHORITY NO. PUC 4412-I
P.O. Box 544)
Cottage Grove, Oregon 97424) CASE NO. 4144-Ins.

March 31, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 14, 1966, 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.

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, re-instated, 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 G. J. [Signature]
Harold S. [Signature]
Robert C. [Signature]
Commissioners

Dated at Denver, Colorado,
this 31st day of March, 1966.

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, LITTLE-)	<u>APPLICATION NO. 21791-PP-Extension</u>
TON, COLORADO, FOR AUTHORITY TO)	
EXTEND OPERATIONS UNDER PERMIT)	
NO. B-6307.)	

March 30, 1966

Appearances: Max M. Glaston, Esq., Denver,
Colorado, for the Applicant;
Don G. Brotzman, Esq., Boulder,
Colorado, for Pherson Trucking
Company, Protestant;
Joseph F. Nigro, Esq., Denver,
Colorado, for Weicker Transfer
and Storage, Protestant;
William Brumfield, President
Atwood Truck Line, Inc., pro se.

S T A T E M E N T

BY THE COMMISSION:

On February 3, 1966 M D Trucking Corporation, 6795 South Gilpin Circle East, Littleton, Colorado, filed an application with this Commission requesting an extension of Permit No. B-6307. The existing authority under Permit No. B-6307 is as follows:

"Transportation of sand, gravel and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, 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. Decision No. 65385 extended 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 to be restricted against the use of tank vehicles."

The application filed herein requests that Permit No. B-6307 be extended to include:

"Transportation of light weight aggregate known as 'idealite' from the plant of the Idealite Company, near Rocky Flats, in Jefferson County, Colorado, to points and places within a 200 mile radius thereof."

The Commission designated and assigned the hearing of this application to a Hearing Examiner pursuant to authority vested in the Commission by 1963, Colorado Revised Statutes, 115-2-6 and 115-6-9. Accordingly, the hearing was held before the Examiner on March 9, 1966 at Denver, Colorado, and thereafter, the Examiner transmitted to the Commission a record and exhibits of said proceeding together with the Examiner's summary of evidence, findings of fact and recommendation as follows:

SUMMARY OF EVIDENCE

Mr. Max M. Glaston for the Applicant, moved to amend the application to reduce the authority requested by the application to the:

"Transportation of light weight aggregate known as 'Idealite' from the plant of the Idealite Company near Rocky Flats in Jefferson County, Colorado, to the plants of the Ready Mix Corporation of Colorado Springs, Colorado, located in El Paso County, Colorado."

The proposed amendment being restrictive in nature was allowed and the application was considered as so amended.

Thereupon, all Protestants above-named withdrew their protests.

Fred E. Day, Jr., Littleton, Colorado, testified he is the President of M D Trucking Corporation, the Applicant herein, which presently operates under the authority of Permit No. B-6307. He stated that the purpose of the within application, as amended, is

to secure additional authority to transport idealite from the Idealite Company plant in Jefferson County, Colorado to the plants of one customer only located in El Paso County, Colorado, to-wit: Ready Mix Corporation of Colorado Springs, Colorado. Mr. Day identified Exhibit A as an Operating Statement and Balance Sheet of the Applicant corporation which he stated substantially reflects the financial condition of the Applicant as of the day of hearing. Mr. Day also stated that the Applicant has sufficient equipment to provide for the additional transportation service requested and that the Applicant is experienced in the transportation of the type of commodity sought to be transported.

Clinton H. Heller, President of Ready Mix Corporation of Colorado Springs, Colorado, stated that his company requested the Applicant to make this application and that if granted, the Company intends to contract with the Applicant for the transportation of idealite from Jefferson County, Colorado to the several plants of Ready Mix Corporation of Colorado Springs, Colorado, located in El Paso County, Colorado.

Other than indicated herein, no other protests were filed. Exhibit A was received in evidence.

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds the Applicant has ample and suitable equipment, sufficient net worth and operating experience with which to render and to conduct the proposed service as herein sought; that there is a present and special need for such extended service; and that the granting of the extended authority as hereinafter set out and recommended would not impair the efficient public service of any authorized motor vehicle common carrier and is in the public interest.

CONCLUSION

Based upon the Findings of Fact set forth above, it is recommended that the within application be approved and that the application as amended be granted.

It is further recommended that the authority under Permit No. B-6307 be reworded as follows in order to eliminate duplicitous wording and that the extension herein requested be incorporated so that henceforth the authority under Permit No. B-6307 will provide as follows:

"Transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, 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; also: Transportation of light weight aggregate known as 'Idealite' from the plant of the Idealite Company near Rocky Flats in Jefferson County, Colorado to the plants of the Ready Mix Corporation of Colorado Springs, Colorado located in El Paso County, Colorado."

FINDINGS OF THE COMMISSION

THE COMMISSION FINDS:

The Commission has now considered the record and exhibits of such proceeding transmitted to it by the Hearing Examiner and has considered the Report of Examiner as heretofore set forth. Pursuant to the provisions of 1963, Colorado Revised Statutes, 115-9-6, the Commission hereby adopts as its own the findings of fact and conclusions of said Examiner as hereinabove set forth and enters the following orders pursuant thereto.

O R D E R

THE COMMISSION ORDERS:


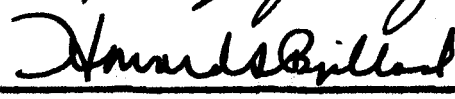

That M D Trucking Corporation, 6795 South Gilpin Circle East, Littleton, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-6307 and that the existing authority of the Applicant shall be eliminated and the following authority shall be in effect henceforth:

"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; also: Transportation of light weight aggregate known as 'Idealite' from the plant of the Idealite Company near Rocky Flats in Jefferson County, Colorado to the plants of the Ready Mix Corporation of Colorado Springs, Colorado located in El Paso County, Colorado,"

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 (21) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 30th day of March, 1966.

ls

(Decision No. 67103)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF STANLEY H. SCHLAGEL, ROUTE 1, BOX 29, PIERCE, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	}	<u>APPLICATION NO. 21815-PP</u>

March 30, 1966

Appearances: Stanley H. Schlagel, Pierce,
Colorado, pro se.
Robert P. Grueter, Esq., Denver,
Colorado, for Northeastern
Milk Hauling Association,
Protestant.

S T A T E M E N T

BY THE COMMISSION:

On February 15, 1966, Stanley H. Schlagel, Route 1, Box 29, Pierce, Colorado, filed an application with this Commission requesting a Class "B" Permit to transport sand, gravel and other road-surfacing materials used in the construction of roads and highways, farm products (excluding livestock) and natural fertilizer, and sugar beets within a radius of 50 miles of Pierce, Colorado.

The Commission designated and assigned the hearing of this application to a Hearing Examiner pursuant to authority vested in the Commission by 1963, Colorado Revised Statutes, 115-2-6 and 115-6-9. Accordingly, the hearing was held before the Examiner on March 15, 1966 at Denver, Colorado, and thereafter, the Examiner transmitted to the Commission the record of said proceeding together with the Examiner's summary of evidence, findings of fact and recommendation as follows:

SUMMARY OF EVIDENCE

Stanley H. Schlagel informed the Examiner he wished to amend his application to exclude from his request for the "transportation of farm products (excluding livestock) and natural fertilizer to and from a 50-mile radius of Pierce, Colorado, the transportation also of milk and cream." The motion to amend being considered restrictive in nature was allowed and the application was considered as so amended. Thereupon, Mr. Grueter representing the above-named Protestant stated that the protest was being withdrawn.

Stanley H. Schlagel, Route 1, Box 29, Pierce, Colorado, testified that he has sufficient equipment and experience to provide for the transportation needs of certain customers he intended to contract with for the transportation of the commodities described in his application. He also stated that he is financially able to provide adequate private carrier service to such customers. He has arranged for insurance as required by the Commission and is acquainted with the rules, regulations and laws of the State of Colorado pertaining to private carriers and agrees to abide by the same. He also stated, in his opinion, the granting of the within application would not impair the efficient public service of any common carrier.

Other than indicated, no one appeared to protest the within application.

FINDINGS OF FACT

From the evidence and file herein, your Examiner finds that the Applicant has adequate equipment, sufficient experience, and is financially able to provide the private carrier service he is applying for and that no evidence was presented indicating that the granting of the within application would impair the efficient public service of any common carrier.

CONCLUSION

It is recommended that Stanley H. Schlagel, Route 1, Box 29, Pierce, Colorado be granted a Class "B" Permit to operate as a private carrier by motor vehicle for hire, for the:

"Transportation of sand, gravel and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, 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, to homes 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;

also: farm products (excluding livestock, milk and cream) and natural fertilizer, from and to points within a 50-mile radius of Pierce, Colorado; sugar beets, from stock-piles to processing plants within said 50-mile radius of Pierce, Colorado."

FINDINGS OF THE COMMISSION

THE COMMISSION FINDS:

The Commission has now considered the record and file of such proceeding transmitted to it by the Hearing Examiner and has considered the Report of Examiner as heretofore set forth. Pursuant to the provisions of 1963, Colorado Revised Statutes, 115-6-9, the Commission hereby adopts as its own the findings of fact and conclusions of said Examiner as hereinabove set forth and enters the following orders pursuant thereto.

O R D E R

THE COMMISSION ORDERS:

That Stanley H. Schlagel, Route 1, Box 29, Pierce,

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 to be restricted against the use of tank vehicles.

also: farm products (excluding livestock, milk and cream) and natural fertilizer, from and to points within a 50-mile radius of Pierce, Colorado; sugar beets, from stockpiles to processing plants within said 50-mile radius of Pierce, Colorado."

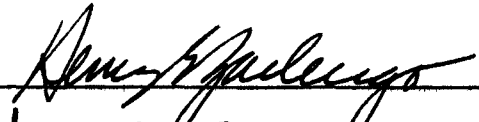
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit deemed advisable.

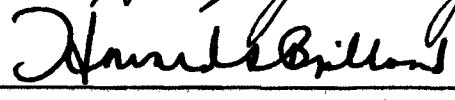
That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured a letter of authority for each vehicle to be operated hereunder.

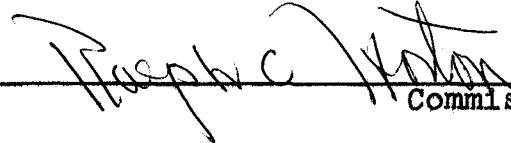
That the right of Applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of this Commission.

This Order shall become effective twenty-one (21)
days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 30th day of March, 1966.

jh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

BESSEMER BUS CORP., DOING BUSINESS AS
"AIR LINES CAB SERVICE,"
501 MINING EXCHANGE BUILDING,
COLORADO SPRINGS, COLORADO,

Complainant,

vs.

THE PIKES PEAK AUTOMOBILE COMPANY,
A CORPORATION,
7 NORTH CASCADE AVENUE,
COLORADO SPRINGS, COLORADO,

Respondent.

CASE NO. 5313

March 30, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On November 16, 1965, formal Complaint was filed with the Commission by Bessemer Bus Corp., doing business as "Air Lines Cab Service," against The Pikes Peak Automobile Company, a corporation, alleging violation of its authority.

On November 18, 1965, an Order to satisfy or Answer was issued by the Commission, directed to The Pike Peak Automobile Company, and an Answer thereto was filed with the Commission on December 9, 1965.

Said matter was set for hearing on February 1, 1966, at Colorado Springs, Colorado, and subsequently vacated and re-set for hearing on April 4, 1966, at 10:00 A.M., at Denver, Colorado.

The Commission is now in receipt of a Motion from Complainant by Horn, Anderson & Johnson, Attorneys, stating that the matters in controversy herein have been disposed of and requesting that an order be entered dismissing the complaint filed herein and vacating the hearing heretofore set for April 4, 1966.

The Commission states and finds that said request should be granted, as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That hearing on Case 5313 set for April 4, 1966, at 10:00 o'clock A.M., at Denver, Colorado, be, and the same hereby is, vacated.

That said Case No. 5313 be, and the same hereby is, dismissed,
upon request of Complainant herein.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Juleygo
Hiram Brillee
Napht C. Horton
Commissioners

Dated at Denver, Colorado,
this 30th day of March, 1966.
at

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF
INLAND CORPORATION, P. O. BOX 1528,
FARMINGTON, NEW MEXICO.

} PUC NO. 5681-I

March 30, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission is in receipt of a communication from the above-styled certificate-holder, requesting authority to change the corporate name to Inland Corporation in lieu of Inland Crude Inc. in the conduct of operations under PUC No. 5681-I.

The Commission states and finds that said request should be granted, as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That the Secretary of the Commission is hereby directed to change the records of the Commission to show PUC No. 5681-I to be owned and operated by:

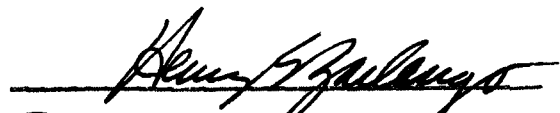


Inland Corporation

in lieu of:

Inland Crude Inc.

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 30th day of March, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
THE COLORADO STATE BANK OF DENVER, 201)	
SIXTEENTH STREET, DENVER, COLORADO,)	
JUDGMENT CREDITOR, AS SUCCESSOR IN)	
INTEREST TO THOMAS D. LANE, DOING BUSI-)	APPLICATION NO. 21764-Transfer
NESS AS "THOMAS D. LANE TRUCK LINE,")	
FOR AUTHORITY TO TRANSFER PUC NO. 1127)	
TO GILPIN COUNTY FREIGHT SERVICE, INC..)	
A COLORADO CORPORATION, 2575 FAIRFAX)	
STREET, DENVER, COLORADO.)	

March 30, 1966

Appearances: Robert W. Caddes, Esq., Denver,
Colorado, for the Applicant,
The Colorado State Bank of
Denver;
Julius Ginsberg, Esq., Denver,
Colorado, for Transferee;
A. J. Meiklejohn, Jr., Esq., Denver,
Colorado, for Westway Motor
Freight, Inc., Protestant;
Clement R. Hackethal, Esq., Denver,
Colorado, for Gilpin County
Truck Line, Protestant.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The above-styled application was regularly set for hearing before the Commission on February 21, 1966, 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 W. Verner, Loan Officer of the Colorado State Bank of Denver, testified that the bank had heretofore loaned a sum of money to Thomas D. Lane, doing business as "Thomas D. Lane Truck Line," evidenced by a promissory note; that Thomas

D. Lane, doing business as "Thomas D. Lane Truck Line," had defaulted in its payments on this promissory note; and that, thereupon the bank after filing an action in the District Court in and for the City and County of Denver, was awarded a judgment against Thomas D. Lane, doing business as "Thomas D. Lane Truck Line." Thereafter, the bank caused an attachment to be had against the various assets of Thomas D. Lane, doing business as "Thomas D. Lane Truck Line," including PUC No. 1127.

This witness identified Exhibit B as the Notice of Levy issued pursuant to the authority of a Writ of Execution against PUC No. 1127 and other assets; and Exhibit C as a copy of the Sheriff's Certificate of Purchase of Personal Property reflecting that at the sale conducted by virtue of a Writ of Execution that the Colorado State Bank of Denver purchased, among other assets, PUC No. 1127. Thereafter, according to this witness' testimony, the Colorado State Bank of Denver entered into an Agreement of Sale with Gilpin County Freight Service, Inc., a Colorado corporation, for the purchase of PUC No. 1127 for the sum of \$1,200.00.

Mr. Verner stated that the Colorado State Bank of Denver is seeking by the within application the Commission's approval for the transfer of PUC No. 1127 to the Gilpin County Freight Service, Inc. in accordance with the terms and provisions of the Agreement of Sale which this witness identified as Exhibit A. Exhibit A, B and C were received in evidence.

Edith K. Sharp, Denver, Colorado, testified that she is the President of Gilpin County Freight Service, Inc., a Colorado corporation, recently incorporated for the purpose of purchasing PUC No. 1127 and engaging in the transportation business under this authority. This witness identified Exhibit D as her financial statement and the financial statement of Myron Alan Goldstein, also one of the officers of the transferee corporation who will actively participate in the operations of the transportation business proposed to be conducted under PUC No. 1127. She stated that the financial resources as reflected in Exhibit D will be available to the transferee corporation and that, in addition,

the transferee corporation at the present time has \$2100.00 deposited in the bank and owns a 3/4-ton pickup truck which will initially be used to conduct business under PUC No. 1127; that if additional equipment is required, the transferee corporation is in a position to secure whatever equipment that may be necessary to adequately serve the public under PUC No. 1127; that, in her opinion, the transferee corporation will have sufficient financial resources available to adequately carry on and continue the transportation business under PUC No. 1127; that she personally has had much experience in the transportation business and particularly in the administration of such a business; and that she is acquainted with the rules, regulations and laws of the State of Colorado pertaining to common carriers and that if the Commission approves the within transfer, such rules, regulations and laws will be observed.

On cross examination, this witness testified that she is the wife of William Sharp, who is general Manager of Jim Chelf, Inc., which company is engaged in the transportation business; that the transferee corporation has been given temporary authority and has made several shipments thereunder; that she is acquainted with the limitations and restrictions set forth under PUC No. 1127 and is aware of the fact that this authority restricts the holder from serving any intermediate points between Golden and Denver and Denver and Golden. The Articles of Incorporation of the transferee were filed as a late filed exhibit and is contained in the file.

Mr. A. J. Meiklejohn, attorney for Protestant Westway Motor Freight, Inc., read into the record the authority under PUC No. 701 under which this Protestant operates and asked that official notice be taken of PUC No. 701. Thereupon this Protestant rested.

Patrick E. Monahan testified he does business under the trade name of Gilpin County Truck Line by authority of PUC No. 6557 recently issued to him by the Public Utilities Commission; that transportation under this authority was commenced December 23, 1965 when a certificate of public convenience and necessity was issued to him; that the authority

under PUC No. 6557 is substantially the same authority as authorized under PUC No. 1127 and that he is protesting the within application on the grounds that he is adequately providing transportation service under PUC No. 6557; that the effect of the transfer herein applied for would be to reactivate an authority in competition with his authority under PUC No. 6557; that he was aware of the existence of the authority under PUC No. 1127 when he applied for a certificate of public convenience and necessity but that he did not anticipate this authority would be transferred and operations in the future would be conducted thereunder. This Protestant rested.

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

The Commission, having considered the record, files and exhibits and the written statement of the Examiner herein, states and finds that transferee corporation will have sufficient equipment and experienced personnel with which to carry on the operation; that transferee corporation's financial standing was established to the satisfaction of the Commission; and that the proposed transfer is compatible with the public interest and should be authorized, as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:



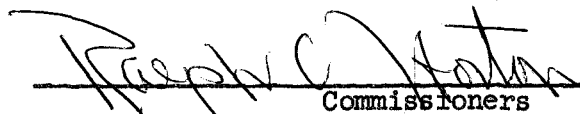
That Applicant herein be, and hereby is, authorized to transfer PUC No. 1127, with the following authority:

Transportation of freight, between Central City and Blackhawk and Denver, Colorado, without the right to render any service between Golden and Denver and Denver and Golden, and including the right to make such trips to Russell Gulch as traffic may require; freight, as a common carrier, between Denver, Colorado, and Central City, Russell Gulch, and Blackhawk, via U. S. #40, and Colorado #119; said route may be used as an alternate route to the one over which applicant is authorized to operate via Golden Gate Canon; transportation of ore and concentrates, from mines within a twenty-mile radius of Central City to points in said area, and to mills and railroad loading points at Colorado City, Leadville and Malta; mining and milling machinery and mine supplies from Central City or Blackhawk to mines within said twenty-mile radius; general cartage service from point to point within Gilpin County, on call and demand.

to Gilpin County Freight Service, Inc., a Colorado corporation, Denver, Colorado, subject to encumbrances, if any, against said certificate approved by this Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 30th day of March, 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
THE GUNNISON ELECTRIC ASSOCIATION,
INC., A COLORADO CORPORATION, CRESTED
BUTTE, COLORADO, FOR AN ORDER AUTHOR-
IZING THE ISSUANCE OF A MORTGAGE NOTE,
PRINCIPAL AMOUNT OF \$421,000, TO THE
RURAL ELECTRIFICATION ADMINISTRATION
AND THE APPLICATION OF THE PROCEEDS
THEREFROM TO CERTAIN LAWFUL PURPOSES.

APPLICATION NO. 21856-
SECURITIES

March 30, 1966

Appearances: Robert G. Porter, Esq.,
Gunnison, Colorado, for
Applicant;
J. M. McNulty, Denver, Colorado,
and
E. R. Thompson, Denver, Colo-
rado, of the Staff of the
Commission.

S T A T E M E N T

BY THE COMMISSION:

On March 4, 1966, Gunnison County Electric Associa-
tion, Inc. (later referred to as "Association"), filed with
this Commission an application for authorization to issue
a mortgage note, principal amount of \$421,000, with interest
at two per cent (2%) per annum, Exhibit A, to be secured
by supplemental mortgage, Exhibit C, to mortgage made by
the Gunnison County Electric Association, Inc. to the United
States of America, dated as of May 1, 1953, Exhibit B. By
Commission Decision and Order No. 66978, the matter was set
for hearing after due notice to all interested parties on
March 22, 1966 at 2:00 o'clock P.M., 532 State Services
Building, Denver, Colorado. At such time and place the
matter was heard and, at the conclusion of the hearing,
taken under advisement by the Commission.

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

Applicant is engaged in the business of acquiring, distributing and selling of electrical energy to its members and to others in the Counties of Gunnison, Saguache and Hinsdale in the State of Colorado. It is a non-profit cooperative corporation and is financed by loans from the United States Government through the Rural Electrification Administration.

The proposed loan of \$421,000 is for the purpose of construction, completion, extension and improvement of the properties of the Association. One major project, for which funds are to be provided from this loan, is the extension of electric service up Taylor River to Taylor Park and the Tin Cup area estimated at a cost of \$193,756. Funds of \$108,000 for this project were authorized by the Commission in its Decision and Order No. 59053, August 9, 1962. Applicant's witness, at that time, stated that funds earmarked for the Taylor-Tin Cup extension could not be drawn down until such time as the project proved to be feasible and was approved by the Rural Electrification Administration. At the current hearing, Applicant's witness, Mr. C. W. Ausborn, Manager of the Gunnison County Electric Association, Inc., testified that the Taylor-Tin Cup project had not been constructed because of lack of feasibility and that the Association had received authority from the Rural Electrification Administration to utilize these funds for the construction of other facilities and equipment needed by the Association as indicated by Exhibit C, entered into evidence herein. Approximately \$24,000 of the \$108,000 authorized

has not yet been drawn from the Rural Electrification Administration. Mr. Ausborn further testified that the present application for the borrowing of \$421,000 represented the funds needed for the following purposes:

Taylor Park and Tin Cup Area:

32.58 miles of Single phase, 2 wire,	\$		
14.4 kv line		179,000	
33 Transformers		10,156	
92 Meters		4,600	
Total for Taylor Park			\$193,756

Other Allocations:

Potential Ski Area at Lake City - 3 phase	5,780	
Single phase taps and developments	5,217	
Tie Lines (Crested Butte Substation)	20,000	
Conversion of Ohio Creek and Doyleville		
South from 7.2 kv to 14.4 kv	27,220	
131 Transformers and 183 Meters to serve		
new customers	93,896	
Conversion of 79 Transformers (Ohio		
Creek and Doyleville South)	19,975	
To increase capacity of existing consumer		
services - 30 transformers,		
20 meters	9,315	
20 new sets of service wires	5,000	
Sectionalizing equipment	6,175	
Engineering Fees	29,672	
Reimbursement of General Funds for		
completed construction	4,994	
Total Other Allocations		\$227,244
GRAND TOTAL		<u>\$421,000</u>

Mr. Ausborn described briefly the problems of extending electric service to Taylor Park and Tin Cup. The 32 miles of proposed single phase electric lines have been mostly surveyed and estimates made of the facilities to serve this area which, at the present time, has approximately 11 commercial and 85 residential prospective customers, all of them seasonal. To date, \$9,986 has been expended for such surveys and studies. Taylor Park and Tin Cup is a summer recreational area with no year-round residents except a caretaker at the Taylor Reservoir. The summer season is approximately two months long and many summer residents stay only a few weeks. Mr. Ausborn testified that the estimated minimum

annual revenue from the commercial customers would have to be at least \$500 and that the annual revenue from the residential customers would have to average \$209 before the project could be considered feasible. From his interviews of the prospective customers, it is his opinion that an insufficient number of customers will sign up for electric service. He stated, in response to questions, that if in the future the Taylor-Tin Cup project was still not feasible the Association would again seek permission from the Rural Electrification Administration to use these funds for other required construction. Mr. Robert G. Porter, in a statement to the Commission, said that after the Commission Decision and Order No. 59053, August 9, 1962, the Association sent a letter to all prospective consumers in Taylor Park and Tin Cup. A total of 96 letters were sent out from which 16 replies were received and only 4 residents were willing to sign applications for electric service.

As evidence of the Association's financial position, its Balance Sheet as of December 31, 1965 and its Statement of Operations for the year 1965, Exhibits B and A respectively, were introduced into evidence. Miss Hazel Gardiner, Office Manager, testified to these exhibits and stated also that the Association had a cushion of credit with the Rural Electrification Administration of \$54,979, which is prepayment on debt service and is available in emergencies to meet interest and debt payments. Also the Association had on hand \$98,112 of cash and other liquid assets. The Association's total long term debt to Rural Electrification Administration was \$1,002,810. This amount less the cushion of credit of \$54,979 represents the net liability of \$947,832, as shown on the Balance Sheet, Total equities and margins as of this date were \$28,582.

Miss Gardiner pointed out that the total revenues for the year 1965 amounted to \$247,491; total expenses including interest deductions amounted to \$230,182, leaving net margins for the year of \$17,309.

In response to questions, Miss Gardiner stated that the Association had suffered some loss in revenue by the removal of customers from the Gunnison River Valley above the Blue Mesa Dam and also revenues last year were affected downward by the unusually cool, rainy summer season.

Much of the territory served by the Association is popular winter and summer recreational area. Miss Gardiner stated that, of the approximately 1,200 customers, 525 are seasonal. It is anticipated that the number of seasonal customers will increase as the recreational facilities are developed along the Gunnison River above the Blue Mesa Dam. Also the ski areas at Crested Butte and Lake City are attracting additional residential and commercial customers.

Mr. Robert G. Porter, attorney for the Association since its inception, testified that the problems of the Association stemmed from the fact that the area served by the Association is sparsely settled and there is heavy pressure by distant prospective customers to have electric service extended to them whether it is feasible or not. Over the years the Association has made every effort to serve the people and to keep operating expenses at an absolute minimum. He indicated that he and the Board of Directors are well aware of the low equity position of the Association and are concerned about the possible difficulties of acquiring adequate financing in the years ahead.

The Commission has carefully reviewed the evidence presented at the hearing and is familiar with the operations

of the Association as are reflected in the annual reports of the Association and other data on file with this Commission. In view of the fact that the Taylor Park-Tin Cup project has not been constructed because of lack of feasibility and the funds earmarked therefor were utilized for other purposes (after approval from the Rural Electrification Administration) and due to the fact that the residents of this area still request electric service, and that these prospective customers may eventually agree to financial arrangements which will make this service feasible, and that the Association cannot obtain these funds until it can prove feasibility and receive approval from the Rural Electrification Administration, the Commission in the Order to follow will approve the mortgage loan applied for herein even though such loan, in part, is to provide funds for the Taylor Park-Tin Cup extension.

F I N D I N G S

THE COMMISSION FINDS:

That the Gunnison Electric Association, Inc. is a public utility as defined in Chapter 115-1-3, Colorado Revised Statutes, 1963.

That the Commission has jurisdiction of said Applicant and of the subject matter of this application.

That the Commission is fully advised in the premises.

That the above and foregoing Statement be regarded as part of these Findings.

That the proposed issuance of a mortgage note, principal amount of \$421,000, Exhibit A attached to Application No. 21856-Securities, is reasonably required and should be authorized and approved.

That the supplemental mortgage to the mortgage made by Gunnison Electric Association, Inc. to the United States

of America, dated as of May 1, 1953, Exhibit C attached to Application No. 21856-Securities, should be authorized and approved.

That the proposed securities transactions are not inconsistent with the public interest.

That the purpose or purposes thereof are permitted by and are not inconsistent with the provisions of Chapter 115, Colorado Revised Statutes, 1963.

That, if in the future the Taylor Park-Tin Cup project is still not feasible and, because of such non-feasibility, permission has been received from the Rural Electrification Administration by the Applicant Association to use these funds for other construction purposes, the Association should notify this Commission of such proposed utilization of funds, giving a list of the construction budget items for which the funds are to be used.

That within one hundred twenty (120) days after execution of the instruments authorized herein, Applicant should file one conformed copy of each of said instruments with the Commission.

That the Order should be issued and made effective forthwith.

O R D E R

THE COMMISSION ORDERS:

That the issuance by Gunnison Electric Association, Inc. of the mortgage note in the principal amount of \$421,000, Exhibit A attached to the application No. 21856-Securities, be, and the same is hereby, authorized and approved.

That the issuance by Gunnison Electric Association, Inc. of the supplemental mortgage to the mortgage made by

Gunnison Electric Association, Inc. to the United States of America dated as of May 1, 1953, Exhibit C attached to Application No. 21856-Securities, be, and the same is hereby, authorized and approved.

That, if in the future the Taylor Park-Tin Cup project is still not feasible and, because of such non-feasibility, permission has been received from the Rural Electrification Administration by the Applicant Association to use these funds for other construction purposes, the Association shall notify this Commission of such proposed utilization of such funds, giving a list of the construction budget items for which these funds are to be used.

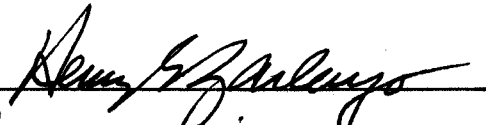

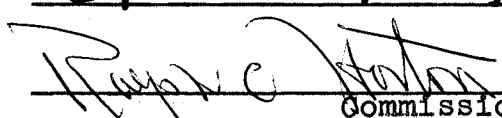
That within one hundred twenty (120) days after the execution of the instruments authorized herein, Applicant shall file with the Commission one conformed copy of each instrument.

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

That the Commission retains jurisdiction of these proceedings to the end that it may make such further Order or Orders in the premises as to it may be deemed proper and desirable.

That the authority herein granted should be executed 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 30th day of March, 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
NORMAN EDWARDS, 209 PALMER AVENUE,
SALIDA, COLORADO, FOR AUTHORITY TO
TRANSFER PERMIT NO. B-6804 AND PERMIT
NO. B-6804-I TO KARL A. MARTELLARO AND
WILMA MARTELLARO, 531 DODGE STREET,
SALIDA, COLORADO.

APPLICATION NO. 21618-PP-Transfer
SUPPLEMENTAL ORDER

March 30, 1966

STATEMENT AND FINDINGS

BY THE COMMISSION:

On March 18, 1966, the Commission entered Decision No. 67029 in the above-styled application.

It now appears that a typographical error appears in the Statement and Findings of said Decision, in the first line of paragraph 3, page 2 thereof, and the words "Douglas McHendrie, Attorney" should be deleted therefrom.

The Commission states and finds that Decision No. 67029 should be amended, nunc pro tunc, as of March 18, 1966, as set forth in the Order following.

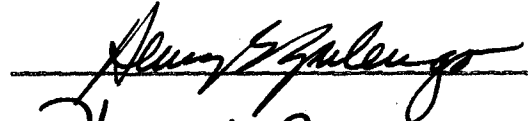
O R D E R

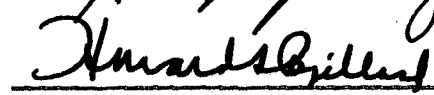
THE COMMISSION ORDERS:

That Decision No. 67029, dated March 18, 1966, be, and the same hereby is, amended, nunc pro tunc, as of said 18th day of March, 1966, by deleting the words "Douglas McHendrie, Attorney for" from the first line, third paragraph, page two of said Decision.

That, except as herein amended, Decision No. 67029 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 30th day of March, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)	
OF K. C. ELECTRIC ASSOCIATION, A)	
COLORADO CORPORATION, OF HUGO,)	APPLICATION NO. 19025-SECURITIES
COLORADO, FOR AN ORDER AUTHORIZING)	<u>Second Supplemental Order</u>
THE ISSUANCE OF SECURITIES AND THE)	
APPLICATION OF THE PROCEEDS THERE-)	
FROM.)	
- - - - -	

- - - - -
March 31, 1966
- - - - -

Appearances: T. H. Thomas, Esq., Burlington,
Colorado, for Applicant;
P. M. Brown, 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:

On March 23, 1966, K. C. Electric Association filed with the Commission an application for authority to modify its loan agreement with the United States of America pertaining to the Rural Electrification Administration project designation "Colorado 39 H Kit Carson," principal amount of \$308,000 dated March 28, 1962. This loan was authorized and approved by this Commission on April 27, 1962 in its Order, Decision No. 58484, Application No. 19025-Securities; the Commission, in this instance, also authorized and approved the Amendment, dated December 22, 1961, to Amending Loan Contract dated July 16, 1951, as amended.

The parties above-mentioned have now entered into an agreement which would modify the repayment obligations of Applicant. All of the \$308,000 has not been "drawn down" by Applicant, and, therefore, it seeks to renew the loan on the unadvanced balance (\$82,343.15), known as "principal balance"; thus we understand that the provisions

of the note as applied in the beginning will, in effect, be moved later in time to the date of this agreement, March 31, 1966, and thence will apply in the same manner to the payment of interest and repayment of "principal balance" over thirty-five (35) years from this date.

In view of the fact that this Commission has previously authorized and approved the borrowing of the \$308,000 and that Applicant asked for no changes in the provision other than moving the period of the note to a later date (relative to the unadvanced portion), we see no need for a public hearing on this matter; and therefore, in the Order to follow, will authorize and approve the Agreement between the United States of America and K. C. Electric Association, dated as of March 31, 1966, pertaining to REA Project designation "Colorado 39 H Kit Carson".

F I N D I N G S

THE COMMISSION FINDS:

After careful consideration of this supplemental application of K. C. Electric Association, and of the date and records on file with this Commission pertaining thereto, the Commission is of the opinion that the agreement, subject herein, should be authorized and approved.

That this Commission has jurisdiction of K. C. Electric Association, as to the subject matter of the instant application, as defined in 115-1-3 and 115-1-4, Colorado Revised Statutes, 1963.

That the Commission is fully advised in the premises.

That the Commission has retained jurisdiction of these proceedings to the end that it may make further Order or Orders in the premises which it may deem to be proper and desirable.

That the above and foregoing Statement is incorporated in these Findings by reference.

That the Agreement between the United States of America and K. C. Electric Association, dated March 31, 1966 referred to above and filed with this Commission March 23, 1966, is not inconsistent with the public interest and should be authorized and approved.

O R D E R

THE COMMISSION ORDERS:

That the Agreement between the United States of America and K. C. Electric Association, dated March 31, 1966 and designated "Colorado 39 H Kit Carson", as set forth fully in the copy of the Agreement attached to Application No. 19025-Securities, Second Supplemental Order, be, and the same is hereby, authorized and approved.

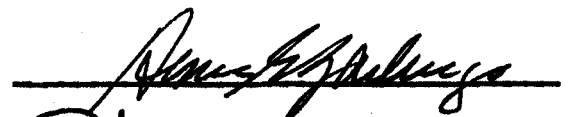


That K. C. Electric Association, within one hundred twenty (120) days of the date hereof, or date of execution, shall file with this Commission a conformed copy of the executed agreement authorized and approved herein.

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

That in all other respects the Decision and Order No. 58484, Application No. 19025-Securities, shall remain in full force and effect.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 31st day of March, 1966.

ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ROMAINE STOLL, DOING BUSINESS AS)	
"K & L SUPPLY," CARBONDALE, COLORADO,)	
FOR A CLASS "B" PERMIT TO OPERATE AS A)	<u>APPLICATION NO. 21801-PP</u>
PRIVATE CARRIER BY MOTOR VEHICLE FOR)	
HIRE.)	

March 31, 1966

Appearances: Romaine Stoll, Carbondale, Colo-
rado, 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, pursuant to prior setting after appropriate notice to all parties in interest, was heard at The City Council Room of the Municipal Building, Glenwood Springs, Colorado, at 10:00 o'clock A.M., on March 16, 1966, and at the conclusion of the evidence, the matter was taken under advisement.

Applicant appeared and testified in support of the application stating that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation; and that he will abide by all the rules and regulations of the Commission with which he will familiarize himself.

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

The Commission states and finds 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 Romaine Stoll, doing business as "K & L Supply," Carbondale, 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 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 right of Applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of this Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Samuel J. Salinger

Harold S. Biller

Raymond C. Horton
Commissioners

Dated at Denver, Colorado,
this 31st day of March, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DONALD FISCHER, DOING BUSINESS AS)
"DON FISCHER," BOX 636, CARBONDALE,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 21846-PP

March 31, 1966

Appearances: Donald Fischer, Carbondale,
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, pursuant to prior setting after appropriate notice to all parties in interest, was heard at The City Council Room of the Municipal Building, Glenwood Springs, Colorado, at 10:00 o'clock A.M., on March 16, 1966, and at the conclusion of the evidence, the matter was taken under advisement.

Applicant appeared and testified in support of the application, stating that he has ample and suitable equipment, sufficient net worth and operating experience with which to conduct said proposed operation; and that he will abide by all the rules and regulations of the Commission with which he will familiarize himself.

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

The Commission states and finds 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 Donald Fischer, doing business as "Don Fischer," Carbondale, 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 therefor.

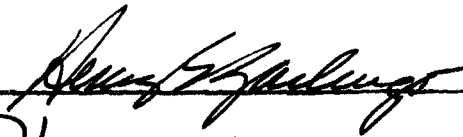
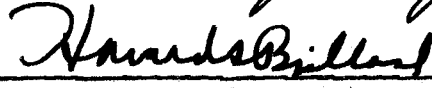
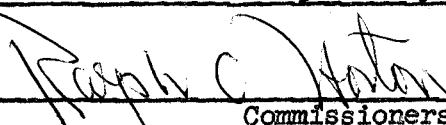
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit as deemed advisable.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 31st day of March, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EDWARD L. ALLMER, DOING BUSINESS AS)
"ALLMER'S CUSTOM FARM SERVICE," ROUTE)
4, BOX 165C, GREELEY, COLORADO, FOR)
A CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 21835-PP

March 31, 1966

Appearances: Edward L. Allmer, Greeley, Colo-
rado, pro se.

S T A T E M E N T

BY THE COMMISSION:

On February 25, 1966, Edward L. Allmer, doing business as "Allmer's Custom Farm Service," filed an application with this Commission requesting a Class "B" permit to transport silage corn, sugar beets, and manure, between points within the Counties of Morgan, Weld and Adams, State of Colorado.

The Commission designated and assigned the hearing of this application to a Hearing Examiner pursuant to authority vested in the Commission by 1963, Colorado Revised Statutes, 115-2-6 and 115-6-9. Accordingly, the hearing was held before the Examiner on March 15, 1966 at Denver, Colorado, and thereafter, the Examiner transmitted to the Commission the record of said proceeding together with the Examiner's summary of evidence, findings of fact and conclusion as follows:

SUMMARY OF EVIDENCE

Edward L. Allmer, doing business as "Allmer's Custom Farm Service," Greeley, Colorado, testified in support of the granting of the authority herein applied for. He stated that if his application is granted, he will enter into special carriage contracts for the transportation of silage corn, sugar beets, and manure, between points within the Counties of Morgan, Weld and Adams, State of Colorado; that he has ample and suitable equipment,

sufficient net worth and operating experience to render the special service herein sought; that, as far as he knew, the granting of such authority would not impair the efficient public service of any other authorized motor vehicle common carrier having the same territory over the same general highway route, or routes; that if this authority is granted, he agrees to operate in accordance with all the present and future rules, regulations and safety requirements of the Public Utilities Commission and all laws of the State of Colorado; and that he has made provisions for insurance as required by the Commission.

No one appeared in protest to this application.

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds that the Applicant has ample and suitable equipment, sufficient net worth and operating experience with which to render and to conduct the proposed service as herein sought; that there is a present and special need for such service; and no evidence was presented that the granting of the authority as hereinafter set out and recommended would impair the efficient public service of any authorized motor vehicle common carrier and is in the public interest.

CONCLUSION

That the application for a Class "B" Permit be granted to Edward L. Allmer, doing business as "Allmer's Custom Farm Service," Route 4, Box 165C, Greeley, Colorado, for the following authority:

"Transportation of silage corn, sugar beets, and manure, between points within the Counties of Morgan, Weld and Adams, State of Colorado."

FINDINGS OF THE COMMISSION

The Commission has now considered the record and exhibits of such proceeding transmitted to it by the Hearing Examiner and has considered the Report of Examiner as heretofore set forth. Pursuant to the provisions of 1963, Colorado Revised Statutes, 115-6-9, the Commission hereby adopts as its own the findings of fact and conclusions of said

Examiner as hereinabove set forth and enters the following orders pursuant thereto.

O R D E R

THE COMMISSION ORDERS:

That Edward L. Allmer, doing business as "Allmer's Custom Farm Service," Route 4, Box 165C, Greeley, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of silage corn, sugar beets, and manure, between points within the Counties of Morgan, Weld and Adams, State of Colorado.

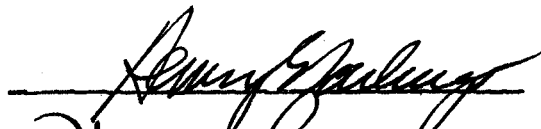
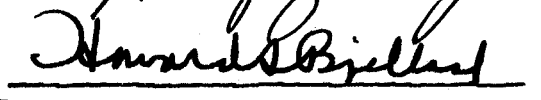

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit deemed advisable.

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

That the right of Applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of this 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 31st day of March, 1966.
et

(Decision No. 67113)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JESSE ALLEN WYATT, P. O. BOX 302, RIFLE,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 21790-PP

March 31, 1966

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, 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.

Said application, pursuant to prior setting after appropriate notice to all parties in interest, was called for hearing at 10:00 A.M., at the City Council Room of the Municipal Building, Glenwood Springs, Colorado, at which time and place applicant failed to appear, either in person or by representative. However, later the applicant requested that the instant application be dismissed.

The Commission 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. 21790-PP, 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

Henry J. Gailberg
Harold Biller
Ralph C. Hutton
Commissioners

Dated at Denver, Colorado,
this 31st day of March, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOE A. SARMIENTO, JOE A. SARMIENTO,)
JR., AND ROBERT SARMIENTO, DOING)
BUSINESS AS "JOE A. SARMIENTO &)
SONS," FREDERICK, COLORADO, FOR)
AUTHORITY TO TRANSFER PUC NO. 1012)
TO CLIFTON L. CLARK AND ERNEST L.)
PETERSON, DOING BUSINESS AS "GOLDEN)
WEST TRANSPORTATION CO.," BOX 328,)
FREDERICK, COLORADO.)
-----)

APPLICATION NO. 21788-Transfer

March 31, 1966

Appearances: Joe A. Sarmiento, Jr., Frederick,
Colorado, pro se.
Clifton L. Clark and Ernest L.
Peterson, Frederick, Colorado,
Transferees, pro se.

S T A T E M E N T

BY THE COMMISSION:

Joe A. Sarmiento, Joe A. Sarmiento, Jr. and Robert
Sarmiento, doing business as "Joe A. Sarmiento & Sons," Frederick,
Colorado, are the owners and operators of PUC No. 1012 and by the
within application seeks to transfer said PUC No. 1012 to Clifton
L. Clark and Ernest L. Peterson, doing business as "Golden West
Transportation Co.," Box 328, Frederick, Colorado.

The Commission designated and assigned the hearing of this
application to a Hearing Examiner pursuant to authority vested in
the Commission by 1963, Colorado Revised Statutes, 115-2-6 and
115-6-9. Accordingly, the hearing was held before the Examiner on
March 9, 1966 at Denver, Colorado, and thereafter, the Examiner trans-
mitted to the Commission the record and exhibits of said proceeding
together with the Examiner's summary of evidence, findings of fact
and conclusion as follows:

SUMMARY OF EVIDENCE

Joe A. Sarmiento, Jr., Frederick, Colorado, testified that he and the other named transferors are the owners of PUC No. 1012 and they have continuously operated thereunder up to the present time. He testified they have entered into an agreement in writing, the original of which is in the Commission's file, for the sale of this authority to Clifton L. Clark and Ernest L. Peterson, doing business as "Golden West Transportation Co.," Box 328, Frederick, Colorado. This witness explained that although this agreement provides for a consideration of \$1.00 and other considerations, that the actual consideration is \$2500.00 which includes in addition to the sale of the authority equity in a building used by the transferors in their transportation business. This witness also stated that there was filed with the application a statement by the transferors that there is no outstanding indebtedness against PUC No. 1012 and that transfer will be made on a debt free basis.

Clifton L. Clark, Frederick, Colorado, one of the transferees testified concerning the written agreement and confirmed the testimony of the previous witness with respect to the agreement. Mr. Clark stated that he and Ernest L. Peterson intend to do business under the trade name of "Golden West Transportation Co.," Box 328, Frederick, Colorado; that they are experienced in the transportation business and have sufficient equipment to provide the transportation authorized under PUC No. 1012; and that there was filed with the application a financial statement of both transferees reflecting a net worth of \$6,290.00 which this witness said, in his opinion, would be sufficient to adequately continue the operations under this authority. Mr. Clark stated that he and the other transferees are familiar with the rules, regulations and laws of the State of Colorado pertaining to common carriers and that they will abide by the same, and that they have provided for insurance as required by the Commission.

No one appeared to protest the within application.

FINDINGS OF FACT

From the testimony and file herein, your Examiner finds the transferees have ample and suitable equipment, sufficient net worth and operating experience with which to render and to continue operations under PUC No. 1012; that there is no outstanding indebtedness due and owing against the motor vehicle operation of said authority; and that approval of the transfer as sought herein will not be contrary to the public interest.

CONCLUSION

That the Commission make and enter its Order approving the transfer of PUC No. 1012 from Joe A. Sarmiento, Joe A. Sarmiento, Jr. and Robert Sarmiento to Clifton L. Clark and Ernest L. Peterson, doing business as "Golden West Transportation Co.," Box 328, Frederick, Colorado.

FINDINGS OF THE COMMISSION

THE COMMISSION FINDS:

The Commission has now considered the record and exhibits of such proceeding transmitted to it by the Hearing Examiner and has considered the Report of Examiner as heretofore set forth. Pursuant to the provisions of 1963 Colorado Revised Statutes, 115-6-9, the Commission hereby adopts as its own the findings of fact and conclusions of said Examiner as hereinabove set forth and enters the following orders pursuant thereto.

O R D E R

THE COMMISSION ORDERS:

That Joe A. Sarmiento, Joe A. Sarmiento, Jr. and Robert Sarmiento, doing business as "Joe A. Sarmiento & Sons," Frederick, Colorado, be, and hereby are, authorized to transfer all right, title, and interest in and to PUC No. 1012 to Clifton L. Clark and Ernest L. Peterson, doing business as "Golden West Transportation Co.," Box 328, Frederick, Colorado.

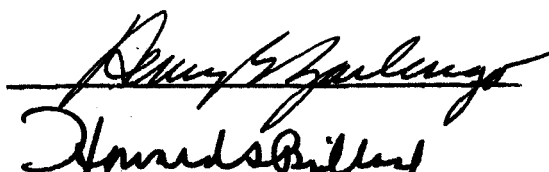
That said transfer shall become effective only if and when, but not before, said transferors and transferees, in writing have advised the Commission that said certificate has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements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

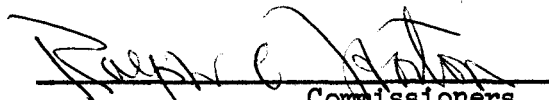
The right of transferees to operate under this Order shall depend upon their compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferors of delinquent reports, if any, covering operations under said certificate up to the time of transfer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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Donald B. Miller



Commissioners

Dated at Denver, Colorado,
this 31st day of March, 1966.

ls

0
(Decision No. 67115)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRANK WELCH, DOING BUSINESS AS)
"MORGAN COUNTY RUBBISH REMOVAL,")
BOX 95, WELDONA, COLORADO, FOR)
AUTHORITY TO TRANSFER PUC NO. 4353)
TO ALEX DENES, DOING BUSINESS AS)
"MORGAN COUNTY RUBBISH REMOVAL,")
BOX 614, ROUTE 1, FORT MORGAN,)
COLORADO.)

APPLICATION NO. 21792-
Transfer

March 31, 1966

Appearances: Alex Denes, Fort Morgan,
Colorado, pro se.

S T A T E M E N T

BY THE COMMISSION:

Frank Welch, doing business as "Morgan County Rubbish Removal," Box 95, Weldona, Colorado, is the owner and operator of PUC No. 4353, and by the within application seeks to transfer said PUC No. 4353 to Alex Denes, doing business as "Morgan County Rubbish Removal," Box 614, Route 1, Fort Morgan, Colorado.

The Commission designated and assigned the hearing of this application to a Hearing Examiner pursuant to authority vested in the Commission by 1963, Colorado Revised Statutes, 115-2-6 and 115-6-9. Accordingly, the hearing was held before the Examiner on March 9, 1966 at Denver, Colorado, and thereafter, the Examiner transmitted to the Commission the record and exhibits of said proceeding together with the Examiner's summary of evidence, findings of fact and conclusion as follows:

SUMMARY OF EVIDENCE

Alex Denes, doing business as "Morgan County Rubbish Removal," Box 614, Route 1, Fort Morgan, Colorado, testified that he entered into an agreement in writing dated April 26, 1962, a copy of which was filed with the application, providing for the sale of PUC No. 4353 owned by Frank Welch, doing business as "Morgan County Rubbish Removal," Box 95, Weldona, Colorado, for a total purchase price of \$2,000.00. Mr. Denes also testified that his financial statement was also filed with the application and reflects a net worth of \$15,559.00.

This witness also stated that a number of residents in the Fort Morgan area had forwarded letters to the Public Utilities Commission recommending that PUC No. 4353 be transferred to Mr. Denes. Mr. Denes stated that there were no liens, encumbrances or obligations against the authority or the business heretofore conducted under it and the transfer will therefor be made on a debt free basis. He also stated that he owns sufficient equipment to adequately provide for the service authorized and that he is experienced in this type of transportation service. This witness is acquainted with the rules, regulations and laws of the State of Colorado and stated that he will carefully comply with the same if the transfer is approved. He has also provided for insurance as required by the rules of the Public Utilities Commission.

No one appeared to protest the within application

FINDINGS OF FACT

From the testimony and file herein, your Examiner finds that the transferee has ample and suitable equipment, sufficient net worth and experience to continue operations

under PUC No. 4353; that the transfer will be on a debt free basis; and that approval of the application herein will not be contrary to the public interest.

CONCLUSION

That Frank Welch, doing business as "Morgan County Rubbish Removal," be authorized to transfer PUC No. 4353 to Alex Denes, doing business as "Morgan County Rubbish Removal," Box 614, Route 1, Fort Morgan, Colorado.

FINDINGS OF THE COMMISSION

THE COMMISSION FINDS:

The Commission has now considered the record and exhibits of such proceeding transmitted to it by the Hearing Examiner and has considered the Report of Examiner as heretofore set forth. Pursuant to the provisions of 1963 Colorado Revised Statutes, 115-6-9, the Commission hereby adopts as its own the findings of fact and conclusions of said Examiner as hereinabove set forth and enters the following orders pursuant thereto.

O R D E R

THE COMMISSION ORDERS:

That Frank Welch, doing business as "Morgan County Rubbish Removal," Box 95, Weldona, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 4353 to Alex Denes, doing business as "Morgan County Rubbish Removal," Box 614, Route 1, Fort Morgan, Colorado.

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

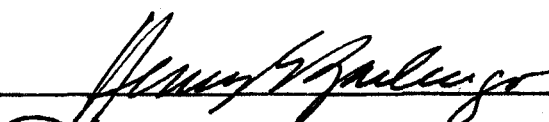
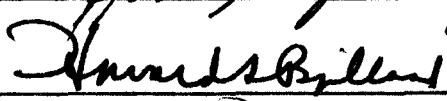

and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of the Order shall automatically revoke the authority herein granted to make the transfer, without further 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 transferees to operate under this Order shall depend upon their compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

This Order shall become effective twenty-one (21) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 31st day of March, 1966.

Jh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT G. FEIT, ROUTE 1, BOX 98,)
GREELEY, COLORADO, FOR A CLASS "B") APPLICATION NO. 21814-PP
PERMIT TO OPERATE AS A PRIVATE CARRIER)
BY MOTOR VEHICLE FOR HIRE.)

March 31, 1966

Appearances: Robert G. Feit, Greeley, Colorado,
 pro se;
 Robert P. Grueter, Esq., Denver,
 Colorado, for Northeastern Milk
 Hauling Association, Protestant.

S T A T E M E N T

BY THE COMMISSION:

On February 15, 1966, Robert G. Feit, Route 1, Box 98, Greeley, Colorado, filed an application with this Commission requesting a Class "B" permit to transport sand, gravel, and other road-surfacing materials used in the construction of roads and highways, farm products (excluding livestock) and natural fertilizer, and sugar beets within a radius of 50 miles of Greeley, Colorado.

The Commission designated and assigned the hearing of this application to a Hearing Examiner pursuant to authority vested in the Commission by 1963, Colorado Revised Statutes, 115-2-6 and 115-6-9. Accordingly, the hearing was held before the Examiner on March 15, 1966 at Denver, Colorado, and thereafter, the Examiner transmitted to the Commission the record of said proceeding together with the Examiner's summary of evidence, findings of fact and recommendations as follows:

SUMMARY OF EVIDENCE

Robert G. Feit informed the Examiner he wished to amend his application to exclude from his request for the "transportation of farm products (excluding livestock) and natural fertilizer to and from a 50-mile radius

of Greeley, Colorado," the transportation also of milk and cream. The motion to amend being considered restrictive in nature was allowed and the application was considered as so amended. Thereupon, Mr. Grueter representing the above-named Protestant stated that the protest was being withdrawn.

Robert G. Feit, Route 1, Box 98, Greeley, Colorado, testified that he has sufficient equipment and experience to provide for the transportation needs of certain customers he intended to contract with for the transportation of the commodities described in his application. He also stated that he is financially able to provide adequate private carrier service to such customers. He has arranged for insurance as required by the Commission and is acquainted with the rules, regulations and laws of the State of Colorado pertaining to private carriers and agrees to abide by the same. He also stated, in his opinion, the granting of the within application would not impair the efficient public service of any common carrier.

Other than indicated, no one appeared to protest the within application.

FINDINGS OF FACT

From the evidence and file herein, Your Examiner finds that the Applicant has adequate equipment, sufficient experience, and is financially able to provide the private carrier service he is applying for and that no evidence was presented indicating that the granting of the within application would impair the efficient public service of any common carrier.

CONCLUSION

It is recommended that Robert G. Feit, Route 1, Box 98, Greeley, Colorado, be granted a Class "B" Permit to operate as a private carrier by motor vehicle for hire, for the:

"Transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road-jobs, 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, to homes 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;

also: farm products (excluding livestock, milk and cream) and natural fertilizer, from and to points within a 50-mile radius of Greeley, Colorado; sugar beets, from stockpiles to processing plants within said 50-mile radius of Greeley, Colorado."

FINDINGS OF THE COMMISSION

THE COMMISSION FINDS:

The Commission has now considered the record and file of such proceeding transmitted to it by the Hearing Examiner and has considered the Report of Examiner as heretofore set forth. Pursuant to the provisions of 1963, Colorado Revised Statutes, 115-6-9, the Commission hereby adopts as its own the findings of fact and conclusions of said Examiner as hereinabove set forth and enters the following orders pursuant thereto.

O R D E R

THE COMMISSION ORDERS:

That Robert G. Feit, Route 1, Box 98, Greeley, 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 to be restricted against the use of tank vehicles; also:

farm products (excluding livestock, milk and cream) natural fertilizer, from and to points within a 50-mile radius of Greeley, Colorado; sugar beets, from stockpiles to processing plants within said 50-mile radius of Greeley, Colorado.

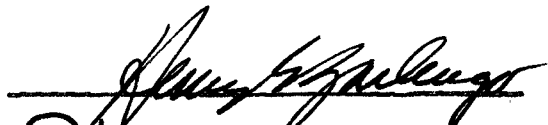
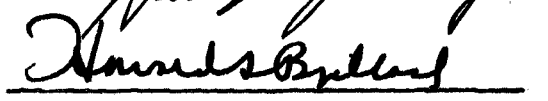
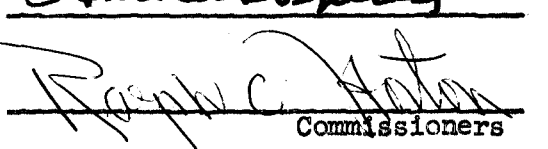
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit deemed advisable.

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

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

This Order shall become effective twenty-one (21) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 31st day of March, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE PETITION OF
WESTERN POWER & GAS COMPANY, INC.,
A CORPORATION, 115 WEST SECOND
STREET, PUEBLO, COLORADO, FOR
AUTHORITY TO ISSUE UP TO 1,820,170
SHARES OF ITS COMMON STOCK OF THE
PAR VALUE OF \$5 PER SHARE

APPLICATION NO. 21897
SECURITIES

March 31, 1966

S T A T E M E N T

BY THE COMMISSION:

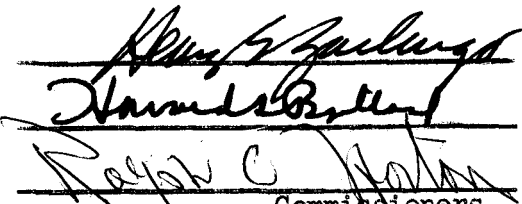
Upon consideration of the application filed March 31, 1966 by Western Power & Gas Company, Inc., a corporation, in the above styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on April 13, 1966, at 2:00 o'clock P. 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 April 7, 1966, and should set forth the grounds of the proposed intervention and the position and interest of the petitioners, in the proceeding and must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 31st day of March, 1966
gs

(Decision No. 67118)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
KERR TRANSPORTATION CO., A CORPOR-)
ATION, P. O. BOX 995, CRAIG, COLO-)
RADO, FOR AUTHORITY TO TRANSFER)
PERMIT NO. B-225 TO H. W. JAMIESON,)
DOING BUSINESS AS "JAMIESON TRUCK-)
ING," P. O. BOX 995, CRAIG, COLO-)
RADO.)

APPLICATION NO. 21538-PP-Transfer
SUPPLEMENTAL ORDER

April 1, 1966

Appearances: Norman Hotchkiss, Esq., Grand
Junction, Colorado, for
Transferor;
Warren Reams, Esq., Grand
Junction, Colorado, for
Transferee;
Royce D. Sickler, Esq., Denver,
Colorado, for Larson Trans-
portation Co., and Rio Grande
Motor Way, Inc., Protestants;
Robert P. Grueter, Esq., Denver,
Colorado, for Red Ball Motor
Freight, Inc., Protestant;
Fred A. Videon, Esq., Craig,
Colorado, for Beaver Bros.,
Inc., Protestant;
John P. Thompson, Esq., Denver,
Colorado, for a copy of the
Order.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 8, 1966, the Commission entered Decision No. 66973
in the above-styled matter.

On March 25, 1966, Petition for Rehearing of Protestants
Rio Grande Motor Way, Inc., Larson Transportation Company, Red Ball
Motor Freight, Inc., and Beaver Bros., Inc. was filed with the
Commission by Ernest Porter, Royce D. Sickler, Jones, Meiklejohn,
Kehl & Lyons, Attorneys for Protestants.

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.

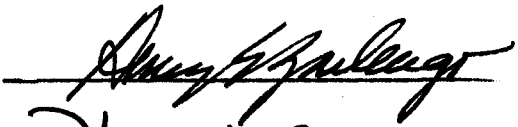
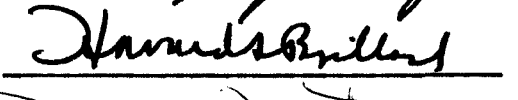
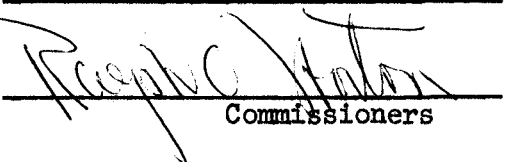
O R D E R

THE COMMISSION ORDERS:

That Petition for Rehearing of Protestants Rio Grande Motor Way, Inc., Larson Transportation Company, Red Ball Motor Freight, Inc., and Beaver Bros. Inc., be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 1st day of April, 1966.
ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAMONA GARCIA, ADMINISTRATRIX OF THE)
ESTATE OF ROBERT ROMERO, DECEASED,)
1644 ELIOT STREET, DENVER, COLORADO,)
FOR REINSTATEMENT OF PUC NO. 3499,)
AND FOR AUTHORITY TO TRANSFER SAID)
PUC NO. 3499 TO AVERY E. MAIN AND)
LORRAINE R. MAIN, DOING BUSINESS AS)
"MAIN RUBBISH REMOVAL," 315 CHEROKEE)
STREET, DENVER, COLORADO.)

APPLICATION NO. 21878-Transfer

April 1, 1966

Appearances: Avery E. Main, Denver,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Robert Romero, Denver, Colorado, was granted
the following operating rights:

PUC No. 3499:

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

By the above-styled application Ramona Garcia, Administratrix
of the Estate of Robert Romero, Deceased, seeks reinstatement of PUC
No. 3499 and authority to transfer said PUC No. 3499 to Avery E. Main
and Lorraine R. Main, doing business as "Main Rubbish Removal," Denver,
Colorado.

Said application, pursuant to prior setting after appropriate
notice to all parties in interest, was heard at 2:00 P.M., on
March 31, 1966, at 532 State Services Building, Denver, Colorado, and
at the conclusion of the evidence the matter was taken under advisement.

The applicant transferee, Avery E. Main, appeared and testified in support of the application stating that he has had three years' experience in the trucking and transportation of rubbish removal and at the present time is so engaged as an employee; that he will operate one truck and will drive the same himself; that he will familiarize himself with the rules of the Commission and abide by them. His financial statement attached to the application indicates an equity worth \$2,474.00. Submitted in the file is a certified copy of Letters of Appointment of Ramona Garcia as Administratrix of the Estate of Robert Romero, Deceased, issued by the County Court of Denver, Colorado, being probate No. P-38169.

By Order of the Commission the Certificate No. 3499 was suspended until April 8, 1966, and request for reinstatement having been made prior to said time and it not appearing that it would be contrary to the public interest to reinstate the same, said PUC 3499 should be reinstated.

The Commission states and finds that no one protests the granting of the instant application; that the transferees will have sufficient equipment and experience to properly carry on the operation; that the 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 PUC No. 3499 be, and the same hereby is, reinstated for the purpose of transfer.

That Ramona Garcia, Administratrix of the Estate of Robert Romero, Deceased, Denver, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 3499 -- with




authority as set forth in the statement preceding which is made a part hereof by reference -- to Avery E. Main and Lorraine R. Main, doing business as "Main Rubbish Removal," Denver, Colorado, subject to encumbrances against said operating rights, if any, approved by this Commission.

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

The right of transferees to operate under this Order shall depend upon their compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering operations under said 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 1st day of April, 1966.

ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BOULDER VALLEY AVIATION, INC., 407)
COLORADO BUILDING, BOULDER, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A COMMON)
CARRIER BY AIRPLANE.)

APPLICATION NO. 21771
Decision and Order

April 4, 1966

Appearances: Gerald A. Caplan, Esq., Boulder,
Colorado, for Boulder Valley
Aviation, Inc., Applicant;
James A. Ryan, Esq., Boulder,
Colorado, for Lazy-8 Aviation,
Inc., Protestant;
Ray Wilson, Denver, Colorado, for
the Staff of the Commission;
A. J. Meiklejohn, Esq., Denver,
Colorado, for Aspen Airways, Inc.,
for a copy of the Order.

PROCEDURE AND RECORD

On January 21, 1966, Boulder Valley Aviation, Inc., hereinafter referred to either by name or as Applicant, filed the instant application (No. 21771) with this Commission seeking generally authority to operate as a common carrier by airplane in the State of Colorado, from a fixed base located at the Boulder Municipal Airport, Boulder, Colorado. On February 3, 1966, the Commission set the application for hearing before the Commission on Tuesday, March 29, 1966 at 10:00 o'clock A.M., in the Court House at Boulder, Colorado. On March 21, 1966, the Commission received a letter from attorneys representing Lazy-8 Aviation, Inc., indicating that such corporation intended to protest the application of Boulder Valley Aviation, Inc. The application (No. 21771), pursuant to the above-referred-to setting, after due and proper notice to all parties in interest, was heard at said time and place by Commissioner Howard S. Bjelland.

As a preliminary matter, the attorney for the Applicant informed the Commission that if the authority sought should be granted, the Appli-

cant had no objection to and would accept the customary restriction requiring a non-scheduled air carrier to charge rates 50% higher than rates charged by a scheduled air carrier when rendering charter services between points served by a scheduled carrier.

Leland D. Arnot, Jr. and Eugene M. Warren, the President and Vice President respectively of the Applicant corporation, testified in support of the application. Clay Berg of the Adult Education Division of the University of Colorado, Otto Bartoe of Ball Brothers Research Corp., Fred Ellinghaus of Boulder Centriplex, Inc. (the Boulder Downtown Improvement Association), and Clyde Gelwick of the Boulder Medical Center, testified as public witnesses in support of the application. The Applicant also introduced in evidence Exhibit No. A which depicted the location of Applicant's proposed facilities at the Boulder Municipal Airport, Exhibit No. B which was a copy of the Articles of Incorporation of Applicant, and Exhibit No. C which was a financial statement of Applicant.

Robert Jones and Shirley Jones, the President and Secretary respectively of Lazy-8 Aviation, Inc. testified in support of the protest to the granting of the application. Raymond Johnson, a printer and publisher, Leif Arentzen of Ingersoll-Rand, and Dewey Johnson of Denver Boulder Bus Lines testified as witnesses called by Lazy-8 Aviation, Inc., the Protestant. Protestant Lazy-8 Aviation, Inc. introduced in evidence Exhibits No. 1, 2 and 3, which were samples of advertising materials used by such corporation in attempts to obtain air charter business. Upon conclusion of the hearing, the matter was taken under advisement. The Commission, on its own motion, now takes official notice of its Decision No. 48547, dated August 20, 1957. This is the decision of the Commission which granted air carrier authority to Lazy-8 Aviation, Inc., the Protestant.

FINDINGS OF FACT

After due and careful consideration of the record in this proceeding, including the application, the testimony, the exhibits, and the Commission order of which official notice was taken, the Commission finds as fact that:

Boulder Valley Aviation, Inc. is a corporation duly organized and existing under the laws of Colorado. The President of such corporation is Leland D. Arnot, Jr., and the Vice President is Eugene M. Warren. Each of these officers own 2500 shares of the common stock of the corporation, and also serve as members of the board of directors. As of January 1, 1966, the corporation has \$12,000 in cash, \$57,500 in subscribed stock available on call of the board of directors, \$2500 in machinery, fixtures and automobiles, and \$5000 in a 20-year lease from the City of Boulder of 12 acres of land at the Boulder Municipal Airport, for a total corporate net worth of \$77,000.

Boulder Valley Aviation, Inc. is in the process of constructing facilities upon such leased land at the Boulder Municipal Airport. Such facilities include a rather large office building and T-hangars for the storage of airplanes. A portion of these facilities are expected to be completed by May 15, 1966. The corporation presently has available to it, by ownership or lease, four light airplanes, namely, a Twin Beech, a Sky Knight, and two Bonanzas. The corporation has received daytime air taxi authority from the FAA. Eugene M. Warren has been flying since 1938, has worked many years as a charter pilot, and now has a commercial pilot's license. He has logged over 5000 hours as a pilot. Leland D. Arnot, Jr. has been flying since 1944, has experience in the operation of a fixed base at an airport, and now has single engine, multi-engine, and instrument pilot certificates. He has logged over 4000 flying hours as a pilot.

Upon completion and acquisition of all of the proposed facilities of Boulder Valley Aviation, Inc., at a total anticipated investment of approximately \$200,000, the Applicant plans to render the following services to the public:

1. Flight training.
2. Maintenance and Repair of Airplanes.
3. Storage of Airplanes.
4. Charter Flight Service, Interstate and Intrastate.

5. Line Service -- gasoline, etc.

6. Terminal Facility -- Lounge, restaurant, etc.

Applicant is also an authorized dealer for Beechcraft, and will provide sales and service facilities for Beechcraft planes. Applicant may now render interstate charter flight service under its FAA authority.

Boulder Valley Aviation, Inc. is financially able, has adequate equipment, experience, and facilities, and has the necessary FAA authority, to render to the general public in the State of Colorado, the intrastate air charter service for which it now seeks authority from the Commission.

Lazy-8 Aviation, Inc. is a corporation operating a fixed base intrastate air charter service from the Boulder Municipal Airport. This Commission granted Lazy-8 Aviation, Inc. authority to so operate on August 20, 1957, in Decision No. 48547, in the following words:

"THE COMMISSION ORDERS:

"That public convenience and necessity require the common carrier operations of applicant herein, by airplane, for the transportation of passengers and property, not on schedule, but on call and demand, from, to and between all points within the State of Colorado, using Boulder, Colorado, as the base of operations, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

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

This authority is the exact authority which Applicant seeks in the present proceeding. Lazy-8 Aviation, Inc. now furnishes to the general public from the Boulder Municipal Airport all of the six previously described services which Applicant proposes to render.

Robert Jones is the President of Lazy-8 Aviation, Inc., and his wife, Shirley Jones, is the Secretary and the bookkeeper of the corporation. This corporation presently has four airplanes, namely, 2 Cessna 182's, 1 Beechcraft, and 1 Piper Apache. In addition, the corporation has the dealership for Cessna, and has access to dealer's stocks available in Denver. Lazy-8 Aviation, Inc., has VFR and IFR single and multi-engine, day and night,

air taxi authority from the FAA. It employs 5 full-time pilots and 4 part-time pilots. The corporation with its present personnel and equipment could accommodate at least two charter flights a day. In 1965, Lazy-8 Aviation, Inc. had total gross revenues for the entire year from both interstate and intrastate charter flights of \$945. Annual revenues for charter flights varies from the figure of \$945 to as much as \$3600. The corporation averages between 15 to 30 charter flights, interstate and intrastate, a year.

Lazy-8 Aviation, Inc. has been for the past 8 years and presently is operating a charter intrastate air flight service from the Boulder Municipal Airport. This corporation has adequate equipment, experience and facilities, as well as FAA authority, to render to the general public in the State of Colorado such air services. It is now rendering such service, and such existing service is adequate.

DISCUSSION

We note that several public witnesses testified that the service of an additional intrastate charter air carrier at the Boulder Municipal Airport would be desirable, and would be beneficial to the Boulder economy. None, however, testified that the present service was inadequate, or that they had ever been unable to obtain such service. The public witnesses who testified that they had used the existing air charter service of Lazy-8 Aviation, Inc. all testified that such service had been satisfactory. A considerable amount of testimony was introduced as to the growth of the Boulder area, and that with such growth plus anticipated future growth, the Boulder area would benefit by having two air charter carriers available, so that the public could in effect have the choice of utilizing one or the other. The position of the Applicant in this proceeding generally follows the line of such testimony. There may be a great deal of logical, practical, and economic merit in such a position.

From a legal standpoint, however, such a position is without merit. The Supreme Court of the State of Colorado has repeatedly instructed and admonished this Commission that the regulatory principles to be

applied by this Commission are those of "regulated monopoly." The most recent pronouncement of such principles was made by the Colorado Supreme Court in Case No. 21136, The Western Colorado Power Company and Public Service Company of Colorado versus the Public Utilities Commission of the State of Colorado and Colorado-Ute Electric Association, Inc. Under such ruling, it is clear that "inadequacy of existing facilities must be shown in order to authorize a new service," and that, "under regulation, existing suppliers are entitled to serve all desiring service, whether they be existing or potential customers." Further citations from this case or other Colorado Supreme Court decisions would needlessly cumber this order.

CONCLUSIONS

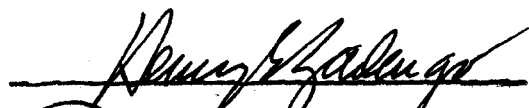
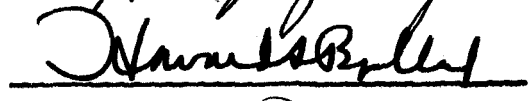

The Commission has made a finding of fact that the existing service of Lazy-8 Aviation, Inc., is adequate. The Commission now specifically finds and concludes that as a matter of law, if existing service is adequate, public convenience and necessity does not require the proposed service of Boulder Valley Aviation, Inc. It automatically follows that the instant application must be denied.

ORDER

THE COMMISSION ORDERS:

1. That Application No. 21771 be, and the same hereby is, denied.
2. That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 4th day of April, 1966.
et

(Decision No. 67121)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT J. MOLTER, CARROLL L. HARDY)
AND DAVID S. CONANT 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 ADAMS)
COUNTY.)

APPLICATION NO. 21858

April 4, 1966

Appearances: D. D. Cawelti, Esq., Denver,
Colorado, for Public Service
Company of Colorado;
Paul M. Brown, 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. Robert J. Molter 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 Adams 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 March 31, 1966, at 10 o'clock A.M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and was heard on a consolidated hearing with Application No. 21859.

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 64 customers now receive electric service. Of the 64 customers, signatures were obtained of 57, or a percentage of 89.1% of the total number of customers. Said petitions were submitted as Exhibit Nos. B-1 through B-3 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 7 customers did not sign, Public Service could not install street lights without an order of the Commission.

Principal spokesman for Applicants was Mr. Carroll L. Hardy. Mr. Hardy 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.

Also present in support of the application, though not testifying were Messrs. Robert J. Molter and David S. Conant 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, 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 \$1522.00 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:


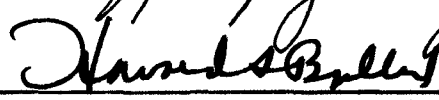
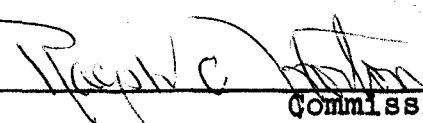
That Public Service Company of Colorado is hereby authorized and directed to install, operate and maintain a non-ornamental, mercury vapor street light system in accordance with the provisions of its Tariff, Colorado PUC No. 4 - Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and 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 10 in number, shall be installed as required in the area described as follows:

Beginning at the southeast corner of the lot numbered as 8640 Essex Street; thence westerly along the southwesterly lot line of said lot and irregularly along the southwesterly lot lines (extended across adjacent streets) of the lots numbered as 8651 Essex Street, 8660 and 8661 Edison Street, 8670 and 8681 De Soto Street, to the southwesterly corner of said last-named lot; thence northerly along the rear lot lines of the lots west of De Soto Street extended to the center line of East 88th Avenue; thence east along said center line to the intersection with the extended easterly lot line of the lots easterly of Essex Street; thence south along said rear lot lines 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 4th day of April, 1966.

jh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)	
OF MRS. ANNA MARIE STEWART, MRS.)	
DELORES CASEY AND MRS. EILEEN KITZMAN)	
ON BEHALF OF THEMSELVES AND OTHERS)	<u>APPLICATION NO. 21859</u>
SIMILARLY SITUATED FOR AN ORDER AUTH-)	
ORIZING PUBLIC SERVICE COMPANY OF)	
COLORADO TO RENDER STREET LIGHTING)	
SERVICE IN AN UNINCORPORATED AREA)	
IN ADAMS COUNTY.)	

April 4, 1966

Appearances: D. D. Cawelti, Esq., Denver,
Colorado, for Public Service
Company of Colorado;
P. M. Brown, Denver, Colorado,
for the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

This is an application by Mrs. Anna Marie Stewart 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 Adams 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 March 31, 1966, at 10 o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and was heard on a consolidated hearing with Application No. 21858.

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 78 customers now receive electric service. Of the 78 customers, signatures

were obtained of 68, or a percentage of 87.2% of the total number of customers. Said petitions were submitted as Exhibit Nos. B-1 through B-3 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 10 customers did not sign, Public Service could not install street lights without an order of the Commission.

Principal spokesman for Applicants was Mrs. Anna Marie Stewart. Mrs. Stewart 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 thefts 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. Delores Casey and Mrs. Eileen Kitzman 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,

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 \$1,837 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 P.U.C. 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.

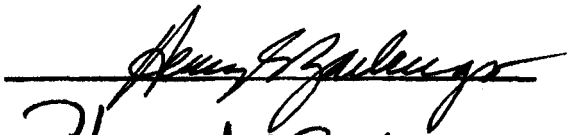

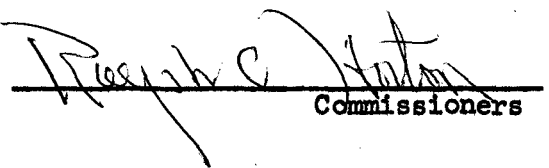
That street lights, approximately 12 in number, shall be installed as required in the area described as follows:

Beginning as the SW corner of the lot numbered as 1640 Evelyn Court, thence north along the west line of said lot and, (including interjacent streets) along the west lines of the lots numbered as 1641 Evelyn Court, 1640 and 1641 E. 86th Place and continuing in a generally northerly direction along the westerly lot lines of the lots west of McElwain Blvd. to the NW corner of the lot numbered as 8751 McElwain Blvd.; thence east along the north line of said lot extended to the center line of McElwain Blvd.; thence north

along said center line to the intersection with the center line of E. 88th Avenue; thence east along said last-named center line to the intersection with the extended east lot lines of the lots east of Evelyn Court; thence south and southwesterly along the east and southeasterly lot lines of the lots east and southeasterly of Evelyn Court to the southerly corner of the lot numbered as 1740 Evelyn Court; thence west along the south lot lines of the lots south of Evelyn Court 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 4th day of April, 1966.
ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
D. D. SMITH, SMITH WATER SERVICE, BOX)
762, STERLING, COLORADO.)

PUC NO. 4126

April 4, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 14, 1966.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Gaden
David S. Butler

Robert C. Hutton
Commissioners

Dated at Denver, Colorado,
this 4th day of April 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
MR. VICTOR M. CASTLE, 8420 W. 54th PLACE,
ARVADA, COLORADO 80002.

PERMIT NO. B-5720

April 4, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be suspended for six months.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

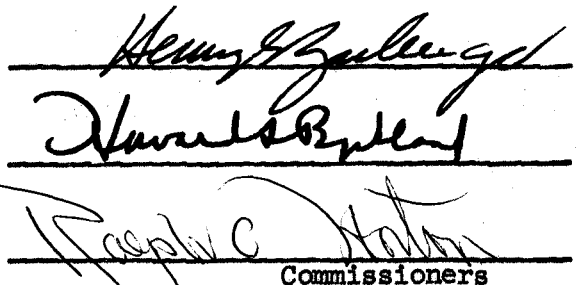
That suspension of motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized from

April 1, 1966 until October 1, 1966

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority without further action by the Commission, shall be revoked without the right to reinstatement.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 4th day of April 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JOE E. CLARK, 212 MORNINGSIDE DRIVE,)
SECURITY, COLORADO SPRINGS, COLORADO.)

PERMIT NO. B-6594

April 4, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 5, 1966.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry G. Gilling
James Butler
Ralph E. Hinton
Commissioners

Dated at Denver, Colorado,
this 4th day of April 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
EDWIN C. WILSON, 610 HILLTOP DRIVE,
COLORADO SPRINGS, COLO. 80906

PERMIT NO. B-6872

April 4, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

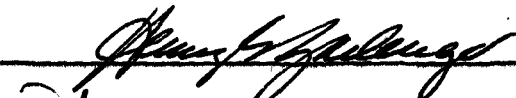

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 12, 1966.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 4th day of April 1966.
et

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE : MOTOR VEHICLE OPERATIONS OF

JOE COSTA JR. DBA
TRINIDAD FREIGHT SERVICE
211 White Avenue
Trinidad, Colorado 81082

AUTHORITY NO. PUC 594

CASE NO. 4203-Ins.

April 5, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 24, 1966 , 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.

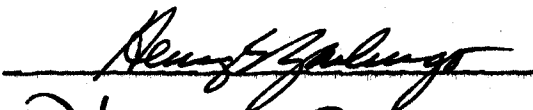
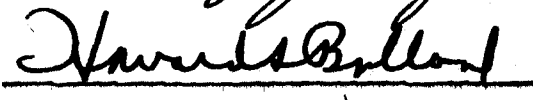

The Commission finds that said Authority should be restored to active status.

ORDER

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




Commissioners

Dated at Denver, Colorado,
this 5th day of April, 1966

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE : MOTOR VEHICLE OPERATIONS OF)

DICK HAYNES DBA)
HAYNES MANUFACTURING COMPANY)
9th and Choctaw)
Chickasha, Oklahoma 73018)

AUTHORITY NO. M 15788

CASE NO. 3829-Ins.

April 5, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On January 31, 1966 , 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.



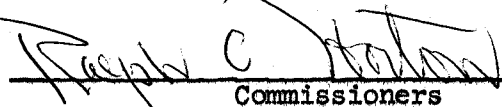
The Commission finds that said Authority should be restored to active status.

ORDER

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




Commissioners

Dated at Denver, Colorado,
this 5th day of April, 1966

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE : MOTOR VEHICLE OPERATIONS OF)

BRUNO GRENIS DBA)
ELECTROLUX SALESMAN)
3140 Repplier Drive)
Boulder, Colorado 80301)

AUTHORITY NO. M 13029

CASE NO. 4318-Ins.

April 5, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 24, 1966 , 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.

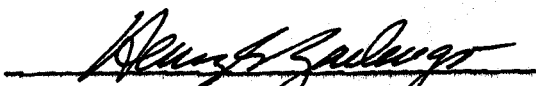


The Commission finds that said Authority should be restored to active status.

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




Commissioners

Dated at Denver, Colorado,
this 5th day of April, 1966

ing copy

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE : MOTOR VEHICLE OPERATIONS OF)

PHILLIP D. DEWING)
3750 South Huron)
Englewood, Colorado 80110)

AUTHORITY NO. M 12742
CASE NO. 4082-Ins.

April 5, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 14, 1966 , 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.

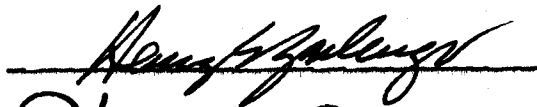
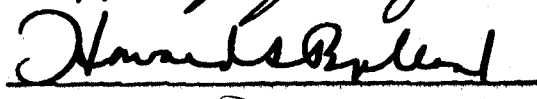

The Commission finds that said Authority should be restored to active status.

ORDER

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




Commissioners

Dated at Denver, Colorado,
this 5th day of April, 1966

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

DENVER LARAMIE WALDEN TRUCK LINE, INC.;
DENVER LOVELAND TRANSPORTATION, INC.;
EDSON EXPRESS, INC.; and OVERLAND MOTOR
EXPRESS, INC., doing business as
BOULDER-DENVER TRUCK LINE,

Complainants,

vs.

MILLER BROTHERS, INC., 306 NORTH 8TH
AVENUE, GREELEY, COLORADO,

Respondent.

CASE NO. 5314

April 5, 1966

Appearances: John P. Thompson, Esq., Denver,
Colorado, for Complainants;
John R. Barry, Esq., Denver,
Colorado, for Respondent.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Complainants on January 5, 1966 filed their formal complaint against respondent, alleging among other things that respondent unlawfully operates as a common carrier without authority; serves as a private carrier a number of customers in excess of the authority of a private carrier; advertises unlawfully; serves customers without having and keeping contracts with them; unlawfully interlines freight and serves territory beyond its authority; unlawfully carries private carrier and common carrier freight in the same vehicle at the same time; and unlawfully charges and collects freight charges lower than those applicable to the freight transported; all in unlawful, unfair and destructive competition to complainants and injuring complainants. Respondent denies all these charges.

On February 16, 1966, complainants requested in writing, and obtained from the Commission, subpoena directed to Mr. Ivan Miller to appear

for the taking of his deposition on oral interrogatories. Though objection was initially made to this subpoena, this has not been pursued, and no objection is now made to taking that deposition at an appropriate time.

Complainants also that date obtained Subpoena Duces Tecum directed to respondent, ordering it to produce at its Denver office and allow inspection and copying of six types of documents, all for the entire year 1965:

1. Bills of lading as to intrastate traffic handled.
2. Freight bills as to intrastate traffic handled.
3. Manifests on intrastate traffic moving to or through Broomfield, Lafayette and Longmont.
4. Advertisements placed, and materials given shippers which listed any points served by respondent, or offices or telephone numbers.
5. Written contracts relating to 1965 shipments.
6. Memoranda of oral contracts relating to 1965 shipments.

These subpoenas being duly served, respondent filed motion to be relieved of them, alleging in general immateriality, irrelevance and inconvenience.

By Decision No. 66900, on February 24, 1966, we set the matter for oral argument at the hearing room of the Commission on March 10, 1966; and following such argument, all commissioners sitting, the Commission took the matter under advisement during recess, and at the conclusion of the recess advised the parties of its decision, which this document confirms.

It appears to the Commission that all of the materials sought are relevant and material to the issues joined by the parties. Certain facts in proof of the contested undercharge allegation, for example, can only be verified by having both the bill of lading (signed by the shipper) and the freight bill (prepared by the carrier). Proof of the contested allegation of serving customers without contracts requires comparing the bill of lading, signed by the originator of the freight, the freight bill, showing who paid the freight charges, and the written contracts or memoranda of oral contracts. Proof of the contested allegations of unlawful interlining with other carriers, and serving beyond authorized territory, require both bills of lading as to local traffic, and freight bills (which alone show origin, destination, and interline carrier) as to interline traffic. Proof of the

contested allegation of unlawfully mixing freight is most clearly possible in conjunction with the Denver-Estes Park common carrier service (which Miller concededly can perform) and points intermediate, as to which service authority is in issue; and the request here is limited to manifests for that specified area. The material sought is thus all directly related to the issues the parties have joined.

The question of inconvenience deserves further mention. All of the records sought, are sought for the entire year 1965. This involves thousands of records, according to respondent; and complainants estimate on this basis it will take several days for several people working with copying machines, to reproduce the part of these records which complainants may desire. Complainants are willing to do this at the places where the records are located, and at their own expense. Due to the seasonal variability of the trucking business and the day to day variations in volume, it would be difficult if not impossible to select a period when all of respondent's estimated 1600 shippers would be completely covered with respect to service, to rates, to commodities, and to territories. On the other hand, we would not wish harassment to be the result of this legitimate inquiry. We will therefore condition our order for discovery upon a consideration for respondent's convenience and expense.

We accordingly find that the materials and things sought are relevant and material to the subject-matter involved in the pending action, and that good cause has been shown for complainants to be permitted to examine and copy such of said records as they desire, subject to the protective provisions of our order to follow; and that the Motion to be Relieved of or to Modify Subpoena Duces Tecum should accordingly be overruled.

ORDER

THE COMMISSION ORDERS:

1. That Respondent's Motion to be Relieved of or to Modify Subpoena Duces Tecum is overruled, except to the extent hereinbelow set forth.

2. That Complainants are granted permission to examine and copy the books, papers and things set forth in Subpoena Duces Tecum issued by the Commission on February 16, 1966.

3. That such examination and copying shall be done at the offices of the respondent at Greeley and Fort Collins, Colorado.

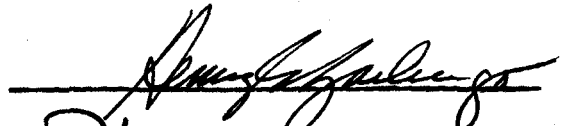
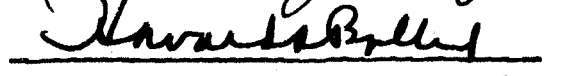

4. That the parties shall agree upon a time or times mutually convenient to them for such examination and copying; and failing such agreement, complainants shall apply for a Subpoena Duces Tecum in conformity with this Order, and give not less than ten days' notice in advance of the time specified in the request therefor, to respondent, by mailing a copy of the request for same to respondent's attorney of records.

5. That for each day when such examining and copying is done, complainants shall pay the sum of \$50.00 to respondent in connection with expense of respondent in providing personnel to attend such inspection.

6. That Complainant may examine respondent's officer Ivan Miller upon oral interrogatories by giving Notice to respondent's attorney of its desire to do so, as provided by the Colorado Rules of Civil Procedure.

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 5th day of April, 1966.
et

(Decision No. 67132)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
SOUTHEAST COLORADO POWER ASSOCIATION,
A COLORADO CORPORATION, 901 WEST
THIRD STREET, LA JUNTA, COLORADO, FOR
A CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY TO FURNISH ELECTRICAL
FACILITIES, PLANTS, OR SYSTEMS, OR
EXTENSIONS THEREOF, TO FURNISH ELEC-
TRICAL SERVICE FOR LIGHT, HEAT,
POWER, AND OTHER PURPOSES, TO PERSONS
CUSTOMERS, CONSUMERS, AND ORGANI-
ZATIONS LIVING AND LOCATED IN THE
COUNTIES OF BACA, CHEYENNE, EL PASO,
KIOWA, LAS ANIMAS, AND LINCOLN, STATE
OF COLORADO.

APPLICATION NO. 19814

IN THE MATTER OF THE APPLICATION OF
SOUTHEAST COLORADO POWER ASSOCIATION,
A COLORADO CORPORATION, 901 WEST
THIRD STREET, LA JUNTA, COLORADO, FOR
A CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY TO FURNISH ELECTRIC
SERVICE FOR LIGHT, HEAT, POWER AND
OTHER PURPOSES, IN THE TERRITORY DE-
SCRIBED, LOCATED IN BACA, BENT,
PROWERS, OTERO, CHEYENNE, KIOWA, LAS
ANIMAS, PUEBLO, EL PASO, CROWLEY, AND
LINCOLN COUNTIES, STATE OF COLORADO.

APPLICATION NO. 19362

SOUTHEAST COLORADO POWER ASSOCIATION,
a Colorado Corporation, 901 West
Third Street, LaJunta, Colorado,

Complainant,

vs.

SOUTHERN COLORADO POWER COMPANY,
Pueblo, Colorado;
CITY OF LAMAR, Lamar, Colorado;
TOWN OF HOLLY, Holly, Colorado;
CITY OF LA JUNTA, La Junta, Colorado;
WHEATLAND ELECTRIC ASSOCIATION,
Scott City, Kansas;
PIONEER ELECTRIC ASSOCIATION,
Ulysses, Kansas;
TRI-COUNTY ELECTRIC COOP,
Hooker, Oklahoma;

CASE NO. 5253

Respondents.)

IN THE MATTER OF THE APPLICATION OF
THE CITY OF LA JUNTA, A MUNICIPAL
CORPORATION UNDER THE LAWS OF THE
STATE OF COLORADO, FOR A CERTIFICATE
OF PUBLIC CONVENIENCE AND NECESSITY
TO RENDER ELECTRIC SERVICE IN CERTAIN
AREAS OF OTERO COUNTY, COLORADO.

APPLICATION NO. 20090

IN THE MATTER OF THE APPLICATION OF
THE CITY OF LAMAR, COLORADO, A
MUNICIPAL CORPORATION UNDER THE LAWS
OF THE STATE OF COLORADO, FOR AN ORDER
AUTHORIZING EXTENSION OF ITS PRESENT
CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY.

APPLICATION NO. 20118-
EXTENSION

IN THE MATTER OF THE APPLICATION OF
THE TOWN OF SPRINGFIELD, COLORADO,
A MUNICIPAL CORPORATION LOCATED AT
SPRINGFIELD, COLORADO, FOR A CERTI-
FICATE OF PUBLIC CONVENIENCE AND
NECESSITY, TO FURNISH ELECTRIC SERVICE
FOR LIGHT, HEAT, POWER AND OTHER
PURPOSES, IN TERRITORY LOCATED IN
BACA COUNTY, STATE OF COLORADO.

APPLICATION NO. 20188-
AMENDED

IN THE MATTER OF THE APPLICATION OF
THE CITY OF LAS ANIMAS, LAS ANIMAS,
COLORADO, A MUNICIPAL CORPORATION,
UNDER THE LAWS OF THE STATE OF COLO-
RADO, FOR A CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY TO RENDER
ELECTRIC SERVICE IN CERTAIN AREAS IN
BENT COUNTY, COLORADO.

APPLICATION NO. 20267

April 5, 1966

Appearances: Carl Shinn, Esq., Lamar, Colo-
rado, and
John P. Thompson, Esq., Denver,
Colorado, for Southeast Colo-
rado Power Association;
Christian K. Johnson, Esq., Lamar,
Colorado, and
John R. Barry, Esq., Denver,
Colorado, for the City of
Lamar;
John R. Stewart, Esq., La Junta,
Colorado, and
John R. Barry, Esq., Denver,
Colorado, for the City of La
Junta;
John R. Barry, Esq., Denver,
Colorado, for the Town of
Holly;

Fred E. Sisk, Esq., Las Animas,
Colorado, and
Joseph F. Nigro, Esq., Denver,
Colorado, for the City of
Las Animas;
Harry S. Petersen, Esq., Pueblo,
Colorado, for Western Power
and Gas Company;
Howard M. Schmidt, Esq., Spring-
field, Colorado, for the Town of
Springfield;
Robert T. James, Esq., Colorado
Springs, Colorado, for Mountain
View Electric Association;
J. M. McNulty, Denver, Colorado,
E. R. Thompson, Denver, Colorado,
and
Paul M. Brown, Denver, Colorado,
for the Staff of the Commission.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On October 18, 1965, the Commission entered its
Decision No. 66075 in the above-styled matters.

On November 4, 1965, Petition for Rehearing of City of
Lamar and Town of Holly was filed with the Commission, and
on November 5, 1965, Petition for Rehearing of Southern
Colorado Power Company, Division of Western Power and Gas
Company, Inc. was filed with the Commission.

On November 12, 1965, the Commission entered its
Decision No. 66261 granting said Petitions for Rehearing,
in part, and said matters were therein set for rehearing
on January 5 and 6, 1966.

On December 20, 1965, the Commission entered its
Decision No. 66467, vacating rehearing set for January 5
and 6, 1966, and re-setting said matters for rehearing on
February 23, 24 and 25, 1966.

On February 3, 1966, the Commission entered its
Decision No. 66750 vacating rehearing set for February 23,
24 and 25, 1966, said matters to be reset for rehearing at
a later date.

The Commission states and finds that said matters should be reset for rehearing on May 23, 1966, at 10:00 o'clock A.M., at Denver, Colorado, as set forth in the Order following.


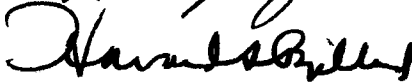
O R D E R

THE COMMISSION ORDERS:

That rehearing on the above-styled matters be, and the same hereby are, reset for rehearing on May 23, 1966, at 10:00 o'clock A.M., at 532 State Services Building, 1525 Sherman Street, Denver, Colorado.

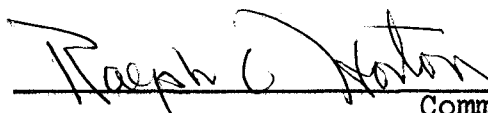
This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER RALPH C. HORTON DISSENTING:

I respectfully dissent until we have a pronouncement of the Supreme Court.


Commissioner

Dated at Denver, Colorado,
this 5th day of April, 1966.

jh

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

HERMAN D. WARD)
1712 Blake Street)
Pueblo, Colorado 81001)

AUTHORITY NO. M 15062

CASE NO. 1882-Ins.

April 5, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On August 19, 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.


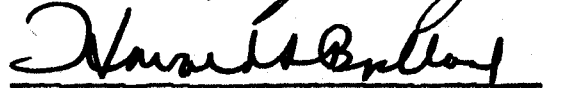

The Commission finds that said Authority should be restored to active status.

ORDER

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




Commissioners

Dated at Denver, Colorado,
this 5th day of April, 1966

ing copy

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE : MOTOR VEHICLE OPERATIONS OF
JAMES C. EDWARDS
614 Tropicana
Grand Junction, Colorado 81501

AUTHORITY NO. M 13908
CASE NO. 4338-Ins.

April 6, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 24, 1966 , 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.


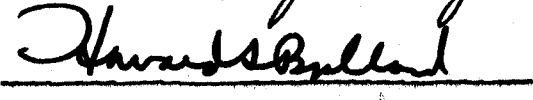

The Commission finds that said Authority should be restored to active status.

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




Commissioners

Dated at Denver, Colorado,
this 6th day of April, 1966

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
WALDO DYCK dba WEST END FURNITURE CO.,)
2432 W. COLORADO AVENUE, COLORADO)
SPRINGS, COLORADO.)

PERMIT NO. M-612

April 6, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.


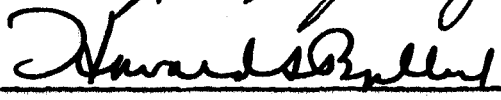

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective April 2, 1966.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 6th day of April 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JESS G. RODRIQUEZ, 2601 EAST 6TH ST.,)
PUEBLO, COLORADO.)

PERMIT NO. M-1562

April 6, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 28, 1966.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Samuel H. Gadsden
Harold B. Brels
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 6th day of April 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
D. D. SMITH dba SMITH WATER SERVICE,)
427 W. MAIN, STERLING, COLORADO.)

PERMIT NO. M-4890

April 6, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

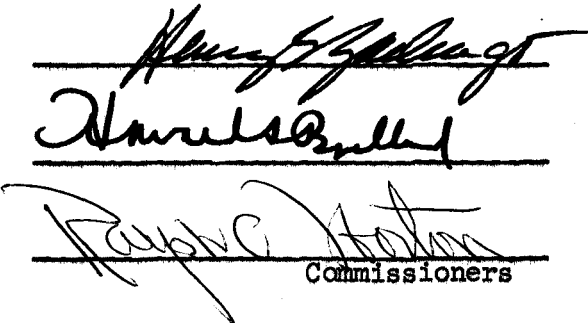
ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective February 14, 1966.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 6th day of April 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
CHARLES F. SOMES, 1223 JACKSON,)
PUEBLO, COLORADO 81001)

PERMIT NO. M-5001

April 6, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective April 5, 1966.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Alvin G. Galt

Howard B. Bell

Ralph C. Hutton
Commissioners

Dated at Denver, Colorado,
this 6th day of April 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
ESTATE OF W. C. MADDOX dba MADDOX ICE
CO., 684 ALCOTT STREET, DENVER,
COLORADO 80204.

PERMIT NO. M-6444

April 6, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 12, 1966.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

[Handwritten signatures]

[Handwritten signature]
Commissioners

Dated at Denver, Colorado,
this 6th day of April 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
ELMER CLEMENT, ROUTE 1, BOX 122,
CANYON, TEXAS.

PERMIT NO. M-8089

April 6, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

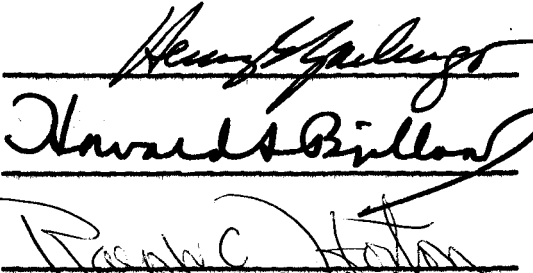
ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 28, 1966.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 6th day of April 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ROWLAND GRIFFITH dba PIONEER OIL & GAS)
CO., ROUTE 1, BOX 425, FORT COLLINS,)
COLORADO 80521.)

PERMIT NO. M-13566

April 6, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

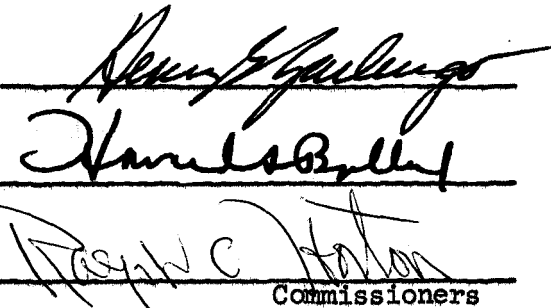
ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 3, 1966.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 6th day of April 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JOE C. MONTGOMERY, MONTGOMERY BEVERAGE)
COMPANY, P. O. BOX 152, CHEYENNE,)
WYOMING.)

PERMIT NO. M-10377

April 6, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 28, 1966.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Barry B. Galt
Howard B. Bland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 6th day of April, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
CHET'S FOODS, INC., BEULAH STAR RTE,
PUEBLO, COLORADO.

PERMIT NO. M-1752

April 6, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

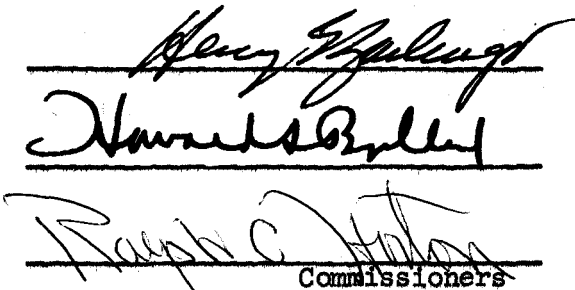
ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective January 16, 1966.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 6th day of April, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
H. R. FARRENS, BERTS POTATO CHIP CO.,
2528 EAST 13TH STREET, CHEYENNE,
WYOMING.)

PERMIT NO. M-6572

April 6, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

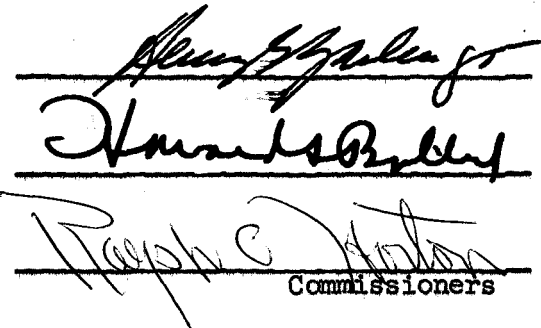
ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 14, 1966.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 6th day of April 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
CLARK W. SIENS, P. O. BOX 454,)
BUENA VISTA, COLORADO 81211)

PERMIT NO. M-7369

April 6, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

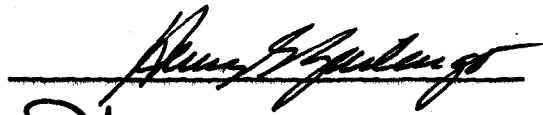
ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 13, 1966.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado,
this 6th day of April 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
DALLAS B. KAY, TRANS-WESTERN MACHINERY)
COMPANY, 2135 SO. DELAWARE, DENVER,)
COLORADO 80223.)

PERMIT NO. M-13622

April 6, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.



ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 3, 1966.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 6th day of April 1966.
et

(Decision No. 67147)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
COMMERCIAL OIL TRANSPORT, INC., 1030
STAYTON STREET, FORT WORTH, TEXAS,
FOR AUTHORITY TO TRANSFER PUC NO.
3206 AND PUC NO. 3206-I TO WESTERN-
COMMERCIAL TRANSPORT, INC., 2400 COLD
SPRINGS ROAD, P. O. BOX 270, FORT
WORTH, TEXAS.

APPLICATION NO. 21827-
Transfer

April 6, 1966

Appearances: Robert P. Grueter, Esq., Denver,
Colorado, for Transferee.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Commercial Oil Transport, Inc. a corpora-
tion, of Fort Worth, Texas, was granted the following
operating rights:

PUC No. 3206 and PUC No. 3206-I,

Transportation of lard, animal and vegetable oils
in bulk (other than milk) in tank trucks between
points in the City and County of Denver, and a
ten-mile radius thereof; between Denver, Colorado
and a five-mile radius of Denver, on the one hand,
and Pueblo, Colorado Springs, and Loveland, Colo-
rado, on the other hand.

Between all points in Colorado and the Colorado
state boundary lines where all highways cross same
in interstate commerce, only, subject to the pro-
visions of the Federal Motor Carrier Act of 1935,
as amended.

By the above styled application, said certificate holder
seeks authority to transfer said Certificate of Public Con-
venience and Necessity No. 3206 and No. 3206-I to Western-
Commercial Transport, Inc., of Fort Worth, Texas.

Said application was regularly set for hearing before
the Commission, and was heard by one Commissioner duly
designated and to whom the hearing was assigned by the
Commission.

At the conclusion of the hearing, the matter was taken under advisement.

The Commission, having considered the record and files herein, states and finds that Transferee will have sufficient equipment and experience to properly carry on the operations under Certificates of Public Convenience and Necessity Nos. 3206 and 3206-I; that Transferee's financial standing is established to the satisfaction of the Commission; that evidence in support of the application reflects that operations as a common carrier were conducted during the period just prior to the filing of the instant application; that the Transferee has been issued a certificate of authority to transact business in this State 1/; and 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 Commercial Oil Transport, Inc., a corporation, Fort Worth, Texas, be and hereby is, authorized to transfer Certificates of Public Convenience and Necessity Nos. 3206 and 3206-I to Western-Commercial Transport, Inc., a corporation, Fort Worth, Texas, subject to encumbrances, if any, against said permit 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 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,


1/See certificate of authority to transact business in Colorado, issued by the Secretary of State of Colorado, filed with the Public Utilities Commission under even date.


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.

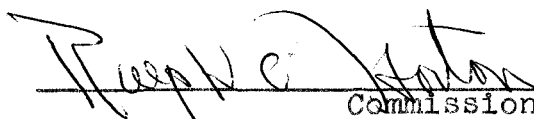
The right of Transferee to operate under this Order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by Transferor of delinquent reports, if any, covering operations under said certificates up to the time of transfer of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

This Order shall become effective twenty-one (21) days from the date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 6th day of April, 1966.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE : MOTOR VEHICLE OPERATIONS OF)
JOHN K. FRYE AND DAVID G. OWENS DBA)
BRUSH BLOCK COMPANY)
North Cameron St.)
Brush, Colorado 80723)

AUTHORITY NO. M 874
CASE NO. 4140-Ins.

April 6, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 14, 1966 , 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.

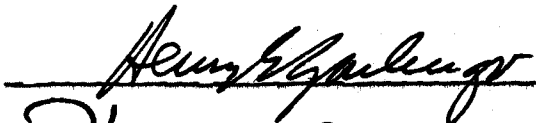
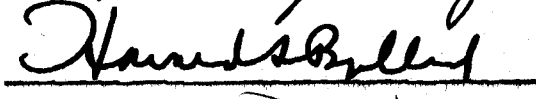

The Commission finds that said Authority should be restored to active status.

ORDER

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




Commissioners

Dated at Denver, Colorado,
this 6th day of April, 1966

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN L. CLIFFORD AND MICHAEL F. CLIF-)
FORD, DOING BUSINESS AS "THE HIGH-LINERS,")
1453 SECOND AVENUE, DURANGO, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY, TO OPERATE AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 21601

April 6, 1966

Appearances: Frank J. Anesi, Esq., Durango,
Colorado, for Applicants;
Irvin L. Mason, Esq., Durango,
Colorado, for La Plata River
Corporation, Protestant;
Lavern McKelvey, Esq., Durango,
Colorado, for San Juan Tours,
Inc., Protestant;
Francis Kubaske, doing business as
"San Juan Scenic Jeep Tours,"
Ouray, Colorado, pro se;
John R. Barry, Esq., Denver, Colo-
rado, for Continental Bus System,
Inc., for Copy of Order.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the instant application, the applicants seek a certificate of public convenience and necessity to operate as a common carrier by motor vehicle in the transportation of passengers in the Counties of Dolores, Hinsdale, La Plata, Montezuma, Ouray, San Miguel, and San Juan, State of Colorado.

The application was set for hearing on February 1, 1966, at nine o'clock A.M., in the Columbine Room of the Courthouse, at Durango, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing the matter was taken under advisement, and thereafter the said Examiner transmitted to the Commission the record

and exhibits of said proceeding together with a written report consisting of the appearances made and entered, of the proceedings had, of the motions made by the parties, of his rulings made, of said Examiner's record of proceedings and testimony given at the hearing, and of his findings of fact and conclusion. Following is the record of said proceedings and testimony:

"As a preliminary matter, Mr. Frank J. Anesi, attorney for the Applicant, presented a Stipulation between John R. Barry as attorney for Continental Bus System, Inc. and Mr. Anesi as attorney for the Applicant, which sets forth an agreement to maintain a rate level which will be sufficiently high to be non-competitive over the highway in the event the Commission grants a certificate to the Applicant. The Stipulation was received by your Examiner and made a part of this record.

"Also, as a preliminary matter, Mr. Frank Anesi for the Applicant, moved to amend the application to provide that passenger transportation as requested shall originate and terminate at Durango, Colorado only. This proposed amendment being restrictive in nature was allowed and the application was considered as so amended. Thereupon, Francis Kubaske, doing business as "San Juan Scenic Jeep Tours," Ouray, Colorado, stated that his protest was being withdrawn.

"Mr. Anesi on behalf of the Applicant also moved to strike the protest of San Juan Tours, Inc. on the grounds that no written pleading setting forth this protest had been filed previous to the hearing. This motion was denied by your Examiner and the protest of San Juan Tours, Inc. was allowed.

"John L. Clifford, 1453 Second Avenue, Durango, Colorado, testified that he and his brother, Michael F. Clifford intend to do business under the trade name of "The High-Liners," if the within application is approved by the Commission. This witness identified Exhibit A as a map of the area surrounding Durango, Colorado which shows the various scenic tours which the Applicants intend to make available. He stated that because of the rough terrain and trails which the Applicants propose to use, four-wheel drive type vehicles will be required and that if the application is approved, the Applicants will acquire two such vehicles to commence operations. This witness also stated that it was the Applicants' intention to furnish scenic jeep tours in the area surrounding Durango only during the summer months. Mr. Clifford stated that he has been a resident of Durango for over 20 years and is in the auto repair business. He related that, in his experience he has found that many tourists have indicated a desire for scenic trips to the various remote areas around Durango which can be reached only by jeeps and four-wheel drive vehicles. He stated that, in his opinion, there was a need to provide such service and that it would accommodate the public who desire this special type of scenic tour. He also said that the tourist business around the Durango area has increased substantially during the past several years and will continue to increase in the future. He stated, therefore, the demand for scenic jeep tours should increase in the same proportion.

"Mr. Clifford stated that he and his brother have a combined net worth of approximately \$16,000.00; that they have had some experience in driving jeep type vehicles into the remote scenic areas around Durango; and that if the Public Utilities Commission issues a certificate, they will immediately arrange to acquire at least two four-wheel drive vehicles as they would like to commence operations in June, 1966. This witness also stated that prior to the hearing, he was unaware of any other common carrier which offered scenic jeep tours to and from Durango, Colorado. Mr. Clifford stated that with the application there was filed financial statements for both the Applicants and that they are substantially correct as of the date of the hearing.

"On cross examination, this witness stated that at the present his cash position was under \$200.00 and that his assets were for the most part represented by the garage and equipment, real estate and his personal residence.

"Joe Earl Wolcott, Durango, Colorado, testified that he is the Assistant Dean at Fort Lewis College at Durango, Colorado. He stated that frequently students have expressed a desire to go by jeep to remote scenic points around Durango and that as far as he knew, there was no such service available. This witness also stated that he was aware of the fact that many tourists during the summer season have demonstrated an interest in scenic jeep tours and were unable to make such arrangements because no such service was available.

"On cross examination, this witness stated that his contacts were primarily with students and not tourists, and although he has been at the Fort Lewis College since 1957, he was unaware of the fact the San Juan Tours, Inc. and La Plata River Corporation had authority and would provide for scenic jeep tours in the area.

"Fred Klatt, Jr., Durango, Colorado, stated that since 1930 he has been engaged in the business as a travel agent and in the car rental business in Durango with headquarters at the Strater Hotel in Durango. Mr. Klatt related that during the summer months, he is in close contact with many tourists and during the last tourist season estimated that three or four inquiries a week were made of him regarding the availability of scenic jeep tours in the area. He stated that as far as he knew, there was no such service available to and from Durango, Colorado, although he was aware of the fact that La Plata River Corporation at Hesperus, Colorado did have four-wheel drive vehicles and would provide for scenic tours. He stated, however, in his opinion, this did not accommodate the public demand inasmuch as the La Plata River Corporation is headquartered at Hesperus, Colorado which is approximately 12 miles west of Durango, Colorado.

"This witness also stated he was unaware of any local advertising regarding jeep tours.

"On cross examination, Mr. Klatt identified Protestant's Exhibit 1 as a weekly bulletin published at Durango, Colorado which is distributed to the tourists visiting in the area. This witness acknowledged that this exhibit contained advertising of the La Plata River Corporation advertising scenic trips in the area via four-wheel drive vehicles. This

witness also identified Protestant's Exhibit 2 as a pamphlet distributed under the name of La Plata River Corporation which outlines and describes scenic areas which may be reached by four-wheel drive vehicles operated by La Plata River Corporation. This witness also stated that he is acquainted with San Juan Tours, Inc. but was not aware that its authority authorized scenic jeep tours.

"The Applicant rested.

"On behalf of the Protestants a motion was made to dismiss the application on the grounds that the Applicant failed to show public convenience and necessity and failed to show that the public need, if any, for scenic jeep tours was taken under advisement.

"Michael F. Clifford, one of the Applicants, was called as an adverse witness by Mr. Irvin L. Mason representing La Plata River Corporation. This witness stated that he and his wife were discharged in bankruptcy approximately four or five years ago. This witness added, however, that his present net worth individually is \$4,000.00 to \$5,000.00 and he feels that the previous bankruptcy would in no way affect his proposed operation under a certificate of public convenience and necessity.

"William A. Crangle, Hesperus, Colorado, testified that he is Secretary and Treasurer of La Plata River Corporation which owns and operates Certificate of Public Convenience and Necessity No. 2462 issued by the Public Utilities Commission. Mr. Crangle testified that under this certificate La Plata River Corporation is authorized and does engage in the business of providing tours into the remote scenic areas in the Durango section of the State; that this company owns four four-wheel drive passenger vehicles and one four-wheel drive truck; and that during the summer months advertises each week in the Durango newspaper that it provides scenic jeep tours in the area.

"He identified Exhibit 4 (Protestant's) as a poster advertising the La Plata River Corporation which is placed in a conspicuous place in all the motels and hotels in the Durango area. This poster advertises the services provided by this company and includes pictures of its four-wheel drive equipment used to provide scenic tours as well as fishing, hunting and camping trips into the remote areas around Durango, Colorado. This witness also identified Protestant's Exhibit 5 as a catalog containing all of the menus of the various restaurants in the area which includes advertising by motels and other businesses interested in promoting tourist trade. This exhibit is also distributed to all motels, hotels and restaurants in the area. This exhibit also includes an advertisement by the La Plata River Corporation advertising scenic trips by four-wheel drive vehicles in the area and includes a Durango phone number.

"Mr. Crangle stated that the La Plata River Corporation has never refused to provide service to tourists requesting scenic tours in the remote areas. Mr. Crangle also stated that he is an official guide in the area; that he

he has had long experience in traversing the remote trails and jeep roads in the area; and that, he as well as other employees, have considerable experience in the type of transportation service offered to tourists, campers, fishermen and hunters who request special jeep tours to off the highway scenic points in the area.

"On cross-examination, this witness stated that the headquarters of La Plata River Corporation is at Hesperus, Colorado, and that most of the scenic jeep trips begin and terminate at this point. He stated, however, that his company does have authority to operate out of Durango, Colorado and would accommodate any request for a scenic trip originating at Durango. This witness added that during the coming tourist season La Plata River Corporation intends to establish an office at Durango, Colorado for the purpose of providing scenic trips originating and terminating at Durango, Colorado.

"Donald E. Demarst, Hesperus, Colorado, testified that he operates the Canon Motel at Hesperus, Colorado and is also Vice President of the La Plata River Corporation which has an approximate net worth of \$100,000.00. This witness stated also that he is a Director of the Durango Motel Association and that he is very familiar with the tourist business in the area. He also testified that La Plata River Corporation advertises extensively in the whole area including Durango, Colorado and that this company maintains sufficient equipment and experienced personnel to accommodate the requests of tourists for any type of scenic tour. This witness testified that, in his opinion, La Plata River Corporation fully and completely meets the public need for scenic jeep tours; that it has maintained a Durango phone number to accommodate tourists who may be staying at Durango; and that in the future, an office will also be maintained at Durango for this purpose.

"This witness stated that, in his opinion, there is no present need to provide an additional common carrier in the area with authority to operate scenic jeep tours and that the approval of the within application would have the effect of impairing the service provided to the public by La Plata River Corporation.

"Don L. James, Durango, Colorado, testified that he is Assistant Vice President of San Juan Tours, Inc., and Supervisor of this company's operations at Durango, Colorado. He stated that this company owns and operates under PUC No. 2462 and he identified Exhibit 3 as a statement of authority. He also identified Exhibit 6 as an Adoption Notice of the sightseeing tariff of Canon Ball, Inc., which formerly owned PUC No. 2462. He stated that this tariff describes scenic jeep trips anywhere within a 50-mile radius of Durango, Colorado. Mr. James stated that under this authority San Juan Tours, Inc. maintains jeep equipment at Silverton, Colorado and that during the past tourist season 54 passengers were provided with scenic tours out of Silverton, Colorado.

"This witness also testified that San Juan Tours, Inc. has authority to provide scenic jeep trips originating and terminating at Durango, Colorado and will provide for such transportation whenever a request is made. This witness indicated that he had not been aware of any requests for scenic jeep tours originating and terminating at Durango, and on cross-examination, stated that San Juan Tours, Inc. had not advertised such jeep tours in the area. This witness stated primarily San Juan Tours, Inc. is interested in providing sightseeing tours on oiled or established highways in the area, but nevertheless, is in a position also to provide for jeep trips and will do so if it receives requests from tourists at Durango, Colorado.

"This witness stated also that, in his opinion, there was no need to provide for an additional authority in the Durango area to provide for scenic jeep tours and that the public need was adequately and fully met by the existing common carriers who provide this type of transportation service.

The Protestants rested.

The Commission, having considered the said record and exhibits and the said written Report of the Examiner herein, and in particular the testimony as recorded by him, states and finds:

That the evidence pertinent and relevant to the issues is conflicting.

That the Applicants have failed to satisfactorily sustain the burden of proof to establish that the present, or future, public convenience and necessity require, or will require, the transportation services for which applicants herein seek authority.

That the evidence is insufficient to make a finding that the present, or future, public convenience and necessity require, or will require, the transportation services for which the Applicant herein seeks authority.

That inadequacy of available transportation service similar to the transportation service proposed by the Applicants of the common carriers presently serving the public to satisfy the requirements of the present, or future public convenience and necessity in the judgment of the Commission has not been established.

That the motion to dismiss the application on behalf of the Protestants should be denied.

That the application should be denied.

O R D E R




THE COMMISSION ORDERS:

That motion to dismiss the application on behalf of the Protestants be, and the same hereby is, denied.

That the rulings of the Examiner be, and they hereby are, confirmed.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 6th day of April, 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
SAN JUAN TOURS, INC., DOING BUSINESS)
AS "GLENWOOD-ASPEN STAGES," P. O.)
BOX 2378, COLORADO SPRINGS, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY, AUTHORIZING EXTENSION)
OF OPERATIONS UNDER PUC NO. 1089 AND)
PUC NO. 1089-I.)

APPLICATION NO. 21857-Extension

April 7, 1966

Appearances: William A. Baker, Esq., Colorado
Springs, Colorado, for Applicant;
John R. Barry, Esq., Denver, Colo-
rado, for Continental Bus System, Inc.;
Walter M. Simon, Esq., Denver, Colo-
rado, for Airport Limousine, Inc.;
I. B. James, for Rocky Mountain
Motor Company.

S T A T E M E N T

BY THE COMMISSION:

On March 7, 1966, San Juan Tours, Inc., doing business as
"Glenwood-Aspen Stages" filed its application to extend its authority
under Certificate of Public Convenience and Necessity No. 1089 to
include the:

Transportation of passengers and their baggage, and
express, by bus or such other motor vehicle as the
public convenience and necessity reasonably may
require, between points within the Snowmass Ski Area
and the community of Snowmass and between such points
and Aspen, Colorado and Glenwood Springs, Colorado,
and intermediate points; and in charter service to or
from the Snowmass Ski Area from and to all other points
in the State of Colorado.

Pursuant to prior setting, upon appropriate notice to all
parties in interest, the application was heard on March 30, 1966 at
the Hearing Room of the Commission, in Denver, Colorado, and taken under
advisement.

The Letter of Authority issued by the Enforcement Division
discloses that Applicant is presently the owner of Certificate of

Public Convenience and Necessity No. 1089, with the following authority:

"(1) Transportation of passengers and property, including baggage, mail, and express, between Glenwood Springs and Aspen and intermediate points, serving Carbondale as an off route point (express service, however, to be restricted to packages not in excess of one hundred pounds each, and rate to be charged for transportation thereof to be not less than one hundred twenty per cent of the line-haul rate prescribed by the Commission for the movement of freight between points authorized to be served under Decision No. 26292); and (2) The transportation of passengers and property, including baggage, mail, express, and freight, in the same vehicle as passengers between Glenwood Springs, Colorado, on the one hand, and on the other, points and places on Highways Nos. 133 and 327 west of (but not including), Carbondale, Colorado, and (including) Marble, Colorado, subject, however, to the following restrictions: That service between the point on Highway No. 82 where it is intersected by Highway No. 133, and Marble, is to be operated on schedule from June 1st of each year until October 1st of each year hereafter, except by leave of the Commission first had and obtained, operation over said route the balance of the year, for transportation of passengers, baggage, mail, express, freight, etc., to be on call and demand; said operations to be an extension of and to be operated in connection with the applicant's presently authorized service between Glenwood Springs, Colorado, and Aspen, Colorado; and provided further, that applicant shall not pick up or deliver passengers or property upon or along Colorado Highway No. 82 and Colorado Highway No. 133 between Glenwood Springs and Carbondale; and (3) Occasional motor coach service by SPECIAL CHARTER for transportation of passengers and their baggage, in the same vehicle with the passengers, between all points on the applicant's authorized passenger routes on the one hand, and, on the other, points in the State of Colorado; and (4) The right to transport passengers and their baggage, and express, in buses of fifteen-passenger capacity or over, said express service to be limited to packages not in excess of one hundred pounds each, between points and places within a five-mile radius of Aspen, Colorado. Service under sub-heads (2) and (3) to be subject to the conditions and restrictions as set forth in Decision No. 29002. The foregoing restrictions in sub-heads (1) and (4) as to the weight of express shipments shall not apply to interlined express shipments received from other carriers. Service over Highway No. 82 shall include off route points within one mile of said route. INTERSTATE AUTHORITY: 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. Decision No. 66780: Granted approval of the interchange agreements for rendering service between Denver, Colorado and Aspen, Colorado with Continental Bus System, Inc."

At the hearing, Attorney for applicant asks permission to delete from his application the following:

The third and fourth words and the tenth and eleventh words in line five of the prayer of the application, wherein the application will read as follows:

"charter service from the Snowmass Ski Area to all other points in the State of Colorado"

There being no objection from those entering an appearance, the Amendment was permitted by the Commissioner taking the hearing.

In support of the application, three witnesses were sworn, and it is our purpose here to summarize their testimony.

D. R. C. Brown, President of Aspen Ski Corporation testified as to his Company's activity in the Aspen Area; that they are presently using applicant's service in Aspen and a five-mile radius thereof for the transportation of skiers and tourists; that his Company, in conjunction with the Jann's Corporation of California, are building a ski development about $8\frac{1}{4}$ miles from Aspen, near Snowmass; his Company anticipated spending one million dollars in ski runs and lifts, while the Jann Company, who have large land holdings in the area are planning the construction of a village at Snowmass which will run several million dollars. The witness states one lift is already completed, and they will complete two more this summer for next winter's season. Their plans are to transport skiers from Aspen to Snowmass. He anticipates this will be a large movement and comparable to the movement to Buttermilk Mountain this past season. The operation will run over county roads.

Wayne Brubaker, the Manager of San Juan Tours, stated he was familiar with the program, that his company was presently performing a similar service to Buttermilk Mountain, and are presently asking that their authority be extended to include Snowmass; that they are the only locally-based certificated carrier, and his Company anticipates a large movement of skiers and express next year; that his Company has presently enough equipment to take care of their demand, but on the

strength of the development at Snowmass have now on order two new buses.

Gunnar Alenius, Vice-President of the applicant Company, testified as to applicant's plans for the future, as to its finances, and the company's plan to take care of the transportation needs of the Aspen-Snowmass Area.

No evidence was offered protesting the application, as amended.

F I N D I N G S

THE COMMISSION FINDS:

1. That Applicant is presently a certificated motor carrier for hire serving in the Aspen Area and that this application seeks only to extend their present common carrier authority.
2. That the proposed extension of their present authority is required by public convenience and necessity; that Applicant is willing and able to perform the service proposed, and to conform to rules and regulations of the Commission pursuant to the law, and, therefore, a Certificate extending said authority should be issued as hereinafter Ordered and conditioned.
3. That the ability of competing carriers, if any there be, will not be impaired, and no undue burden will be placed on their operation.
4. The Commission concludes, and so finds, from the record and evidence introduced at the hearing, that public convenience and necessity require the granting of the amended application and further all conditions and limitations are required by public convenience and necessity.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the extended motor vehicle common carrier service of San Juan Tours, Inc., doing

business as "Glenwood-Aspen Stages", Colorado Springs, Colorado, for transportation of passengers and their baggage, and express, by bus or such other motor vehicle as the public convenience and necessity reasonably may require, between points within the Snowmass Ski Area and the community of Snowmass, and between such points and Aspen, Colorado and Glenwood Springs, Colorado, and intermediate points; and in charter service from the Snowmass Ski Area to all points in the State of Colorado; and this ORDER shall be taken, deemed and held to be, a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefore.


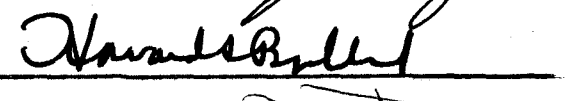

That Applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 7th day of April, 1966.
ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
WRIGHT MOTOR LINES, INC., ROCKY FORD,
COLORADO, TO BE RELIEVED FROM COMPLIANCE
WITH RULE 14 OF THE COMMISSION'S RULES
AND REGULATIONS GOVERNING COMMON
CARRIERS BY MOTOR VEHICLE, WHEN TRANS-
PORTING LIQUID COMMODITIES, IN BULK,
UNDER PUC NO. 960 AND PUC NO. 960-I

APPLICATION NO. 21677-Waiver

IN THE MATTER OF THE APPLICATION OF
WRIGHT MOTOR LINES, INC., ROCKY FORD,
COLORADO, TO BE RELIEVED FROM COMPLIANCE
WITH RULE 12 OF THE COMMISSION'S RULES
AND REGULATIONS GOVERNING PRIVATE
CARRIERS BY MOTOR VEHICLE, WHEN TRANS-
PORTING LIQUID COMMODITIES, IN BULK,
UNDER PERMIT NO. A-455.

APPLICATION NO. 21678-PP-Waiver

April 6, 1966

Appearances: Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for Applicant.

S T A T E M E N T

BY THE COMMISSION:

By application filed November 29, 1965, Wright Motor Lines, Inc., of Rocky Ford, Colorado, petitions this Commission for an order relieving it from compliance with the Commission's Rule No. 14 of its Rules and Regulations Governing Common Carriers by Motor Vehicle, and of its Rule No. 12 of its Rules and Regulations Governing Private Carriers by Motor Vehicle, when Applicant is transporting liquid commodities, in bulk, under its Certificate or Permit. The matter was duly set to be heard by the Commission Tuesday, March 22, 1966, at the Hearing Room of the Commission in Denver, Colorado, and all persons deemed to be in interest were given notice of such hearing. No one opposes the granting of the application.

Wright Motor Lines, Inc. (Wright) is a motor common carrier conducting operations under Certificate of Public Convenience and

Necessity PUC No. 960 and PUC No. 960-I, issued by this Commission. In addition, Wright holds a Private Carrier Permit authorizing operations as a private carrier by motor vehicle, which bears No. A-455. Wright has its Colorado domicile at Rocky Ford, Colorado, and participates in the transportation of liquid commodities, in bulk, under both its Certificate and its Permit.

Heretofore, in Application No. 17600, by Order entered April 28, 1960 in Decision No. 54168, this Commission relieved common and private carriers transporting liquid commodities, in bulk, in tank vehicles, from compliance with Rule No. 14 of the Rules and Regulations Governing Common Carriers by Motor Vehicle, and Rule No. 12 of its Rules and Regulations Governing Private Carriers by Motor Vehicle. This Decision designates a number of the principal tank truck carriers within this State as being persons covered by the Order. These parties included Groendyke Transport, Inc., Frank C. Klein and Company, Inc., M & M Oil and Transportation, Inc. (now Petroleum Transport Company), Melton Transport Company, Ward Transport, Inc. and Denver Chicago Transport Company, Inc. Among the private carriers who were exempted by this Order were Bridge Brothers, B & M Oil Company and Jim Chelf, Inc. In total, seven common carriers were named by name and three private carriers were named by name in this Order. Wright asserts, however, that it had always been interpreted as relieving all tank truck carrier members of Colorado Motor Carriers' Association from compliance with the two named Rules. The petition which resulted in this Order was filed on behalf of members of Colorado Motor Carriers' Association who were in the Tank Truck Carrier Conference. At all times Wright has been a member of Colorado Motor Carriers' Association and a member of the Tank Truck Carrier Conference.

Subsequent transferees of the operating rights of the companies named above have been relieved of compliance with these Rules. For example, Ruan Transport Corporation, in Decision No. 59706,

dated November 28, 1962 (the successor-in-interest to Denver Chicago Transport Company, Inc.), was relieved from compliance with these Rules under its PUC No. 1515 and its Permit No. B-5315. Petroleum Transport Company--the successor-in-interest to M & M Oil and Transportation, Inc.--was relieved in connection with Application No. 18906. Consolidated Freightways Corporation of Delaware was successor-in-interest to Barlow's Service--one of the named carriers in Decision No. 54168--but Consolidated Freightways Corporation of Delaware did not obtain relief from the Rules at the time the operating rights were transferred to it. Accordingly, Consolidated Freightways Corporation of Delaware applied to the Commission for relief from these Rules, and this relief was granted in Decision No. 60937. Pacific Intermountain Express Co.--who was not a member of Colorado Motor Carriers' Association at the time of the entry of Decision No. 54168--similarly applied for relief from these Rules and the relief was granted in Decision No. 60937.

Accordingly, all of Wright's competition--and the carriers transporting almost all of the bulk liquid commodities within this State--have been relieved from compliance with the subject Rules No. 12 and 14. Wright has at all times thought it was relieved by operation of Decision No. 54168, dated April 28, 1960.

During the course of recent hearings relating to rates to apply to bulk petroleum products, a question was raised by the Commission's Rate Department as to Wright's lawful right to deviate from the provisions of the subject Rules No. 12 and 14. To end any doubt as to Wright's right to deviate from these Rules, the subject application was filed with this Commission. Wright immediately requested temporary authority from the Commission's Enforcement Division to effect these deviations, and under date of November 30, 1965, this temporary authority was granted and has been in effect at all times since that date.

Wright is a common and private carrier by motor vehicle of liquid commodities, in bulk. Its problems and operating circumstances

are identical with those of the carriers who have already been relieved from compliance. Wright's situation fits exactly in the Commission's description of tank truck carriers which is found on page 4 of Decision No. 54168:

"Their testimony establishes that the need and demand for tank truck service fluctuates greatly, dependent upon weather conditions, source of supply, seasons of the year, unusual demands and other conditions beyond the control of the carrier; that petitioners maintain adequate equipment to meet the usual and normal demands for service, but cannot economically maintain sufficient equipment to meet peak demands; that such demands are unpredictable and of short duration; that efficient and economical service in the public interest requires that tank truck carriers of liquid commodities, in bulk, be permitted to lease equipment only for such periods as may be necessary to meet such peak demands for their services; that the applicable rates for the services of tank truck carriers generally are stated in amounts per gallon, whereas, due to great variance in weight per gallon of different liquid commodities, the revenue per tank truck load, or per mile operated differ greatly on different liquid commodities; that motor vehicle operations are more costly in mountain territory than in plains territory; that the loading and unloading time is the same on short and long hauls, so that the compensation to the lessor based on a mileage rate is not equitable; that these differences in weight of the different commodities and the difference between mountain and plains cost of operation and the inequity between the revenue, when based on a mileage rate, between long and short hauls can only be compensated by a division of the revenue obtained by the certificate or permit-holder between himself and the leased carrier."

Additionally, it was shown that part of Wright's equipment is used interchangeably in interstate and intrastate commerce. The Interstate Commerce Commission allows compensation to be paid the lessor of the equipment based upon a division of the revenue. This creates an awkward situation in connection with the leasing of equipment which will be used interchangeably.

We have previously concluded that tank truck carriers of liquid commodities, in bulk, are a special class of carriers having problems peculiar to themselves. Among these problems is the leasing of tank trucks as limited by Rule 14 of the Rules and Regulations

Governing Common Carriers by Motor Vehicle, and Rule 12 of the Rules and Regulations Governing Private Carriers. Wright is engaged in the transportation of a very limited number of commodities that require the use of special equipment. It--and its competitors who are already relieved--are transporting a very large part of all of the liquid commodities, in bulk, requiring tank trucks in the State of Colorado. Wright is competitive with other tank truck carriers who have already been relieved from this compliance. No other carrier, either common or private, will be prejudiced by Applicant being relieved from the provisions of the designated Rules.

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.

That the public interest requires that Wright Motor Lines, Inc., which is both a common and private carrier by motor vehicle, Applicant herein, should be relieved from the provisions of the Commission's Rules and Regulations Governing Common and Private Carriers by Motor Vehicle, being Common Carrier Rule 14 and Private Carrier Rule 12, when Wright Motor Lines, Inc. is engaged in the transportation of liquid commodities, in tank trucks, in bulk, as the same applies to period of the lease of equipment and the leasing of equipment or employing of drivers with compensation on a percentage basis dependent upon gross receipts per trip or for any period of time.

That the following Order should be entered.

O R D E R

THE COMMISSION ORDERS:

That Applicant herein, Wright Motor Lines, Inc. a common carrier of liquid commodities, in bulk, be, and it hereby is, relieved from compliance with the provisions of the Commission's Rule No. 14 of


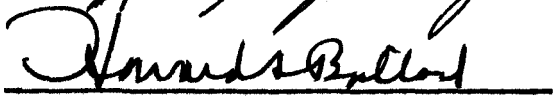
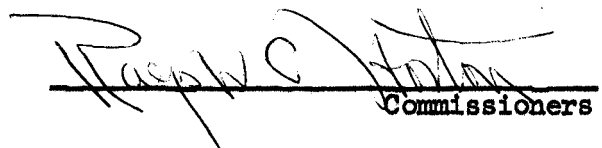
the Rules and Regulations Governing Common Carriers by Motor Vehicle, which specify a minimum period for the leasing of equipment for such carrier and which prohibit the leasing of equipment or the employing of drivers by such carrier on a percentage basis dependent on gross receipts per trip, or for any period of time.

That Applicant herein, Wright Motor Lines, Inc., a private carrier of liquid commodities, in bulk, be, and it hereby is, relieved from compliance with the provisions of the Commission's Rule No. 12 of the Rules and Regulations Governing Private Carriers by Motor Vehicle, which specify the minimum period for the leasing of equipment for such carrier and which prohibit the leasing of equipment or the employing of drivers by such carrier on a percentage basis dependent on gross receipts per trip, or for any period of time.

Copies of whatever leases or agreements are executed for the lease of equipment pursuant to this Order shall remain in the office of the carrier, available to the Commission or its Staff for inspection, and the carrier shall place upon the tank truck evidence that the equipment is leased.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 6th day of April, 1966.

ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
E. DOROTHEA HARGLEROAD AND CORWIN J.)
HARGLEROAD, DOING BUSINESS AS)
"HARGLEROAD VAN & STORAGE CO.," 120)
SOUTH HASTINGS, HASTINGS, NEBRASKA,)
FOR AUTHORITY TO TRANSFER INTERSTATE)
OPERATING RIGHTS TO CALVERT MOVING &)
STORAGE INC., DOING BUSINESS AS)
"HARGLEROAD-CALBERT MOVING &)
STORAGE, P. O. BOX 280, KEARNEY,)
NEBRASKA.)

PUC NO. 1667-I-Transfer

April 6, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, E. Dorothea and Corwin J. Hargleroad, doing
business as "Hargleroad Van & Storage Co.," Hastings, Nebraska, was
granted a certificate of public convenience and necessity (PUC NO. 1667-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. 1667-I to Calvert Moving & Storage Inc., doing business as
"Hargleroad-Calvert Moving & Storage," Kearney, Nebraska.

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.

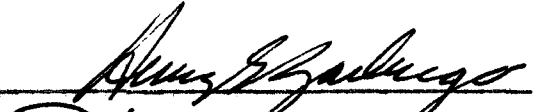

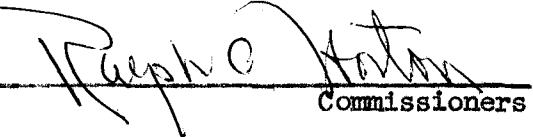
O R D E R

THE COMMISSION ORDERS:

That E. Dorothea Hargleroad and Corwin J. Hargleroad, doing business as "Hargleroad Van & Storage Co.," Hastings, Nebraska, be, and hereby are, authorized to transfer all right, title and interest in and to PUC NO. 1667-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Calvert Moving & Storage Inc., doing business as "Hargleroad-Calvert Moving & Storage," Kearney, Nebraska, 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




Commissioners

Dated at Denver, Colorado,
this 6th day of April, 1966.
ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
ELMER LEY, 916 14TH AVENUE,
GREELEY, COLORADO 80630.

PERMIT NO. B-1163

April 7, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, the Commission authorized the above-named carrier to suspend operations under the above-entitled authority.

The Commission is now in receipt of a communication from the above-named carrier requesting that said authority be reinstated.

The Commission finds that the request should be granted.

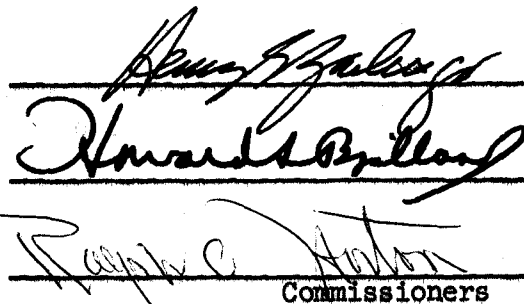
ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, reinstated as of March 1, 1966.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 7th day of April 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ELMER LEY, DOING BUSINESS AS ELMER LEY)
WHOLESALE & PRODUCE, 916 14TH AVENUE,)
GREELEY, COLORADO.)

PUC NO. 4534-I

April 7, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, the Commission authorized the above-named carrier to suspend operations under the above-entitled authority.

The Commission is now in receipt of a communication from the above-named carrier requesting that said authority be reinstated.

The Commission finds that the request should be granted.

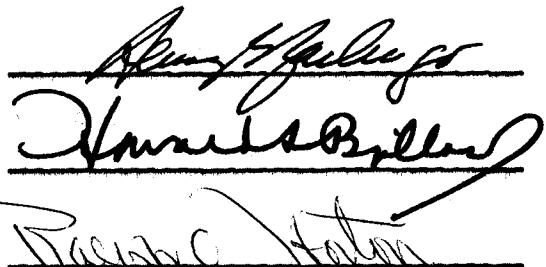
ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, reinstated as of March 1, 1966.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 7th day of April 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
FRED R. ESPINOZA, 1904 EAST 12TH
STREET, PUEBLO, COLORADO

)
)
)
)

PERMIT NO. B-5475

April 7, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

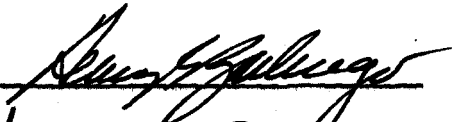
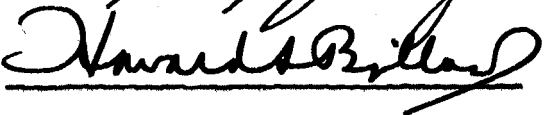
ORDER

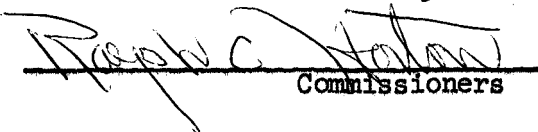
THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 18, 1966.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 7th day of April 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
G. E. ROBINSON, BRANDON,
NEBRASKA.

PUC NO. 4906-I

April 7, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.

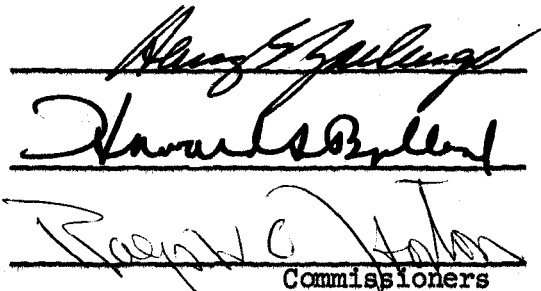
ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 18, 1966.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 7th day of April 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
J. M. BROOKS, J. M. BROOKS TRUCKING,)
ROUTE 3, BOWIE, TEXAS.)

PUC NO. 6086-I

April 7, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a request that the above-entitled authority be cancelled.

The Commission states and finds that to grant the request will be in the public interest and should be granted.


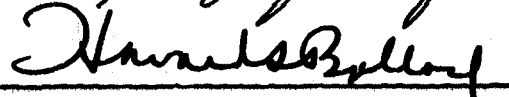
ORDER

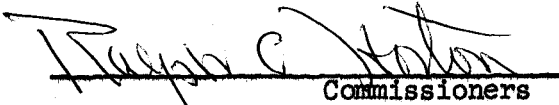
THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective April 1, 1966.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 7th day of April 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASED HOURLY RATES)	
GENERAL CARTAGE BETWEEN)	
POINTS IN THE METROPOLITAN)	<u>INVESTIGATION AND SUSPENSION</u>
AREA OF DENVER.)	<u>DOCKET NO. 562</u>
- - - - -	

- - - - -
April 6, 1966
- - - - -

STATEMENT AND FINDINGS

BY THE COMMISSION:

On March 10, 1966, the Larsen Transfer and Storage Company, by Wayne E. Larsen, 2560 Blake Street, Denver, Colorado, filed 1st Revised Page No. 14 to its Local Cartage Tariff No. 1-A, Colorado PUC No. 2, scheduled to become effective April 11, 1966. The revised page provides for increased rates and charges as set forth in Appendix "A", attached hereto and made a part hereof the same as if incorporated herein.

Upon consideration of the said schedules and the protest of Service Supply Company, the proposed hourly rates 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.

ORDER

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 Larsen Transfer and Storage Company, Local Cartage Tariff No. 1-A, Colorado PUC No. 2, 1st Revised

Page No. 14, scheduled to become effective April 11, 1966.

3. The operation of said schedules be, and it is hereby suspended and the use thereof deferred to and including August 9, 1966, unless otherwise ordered by the Commission.

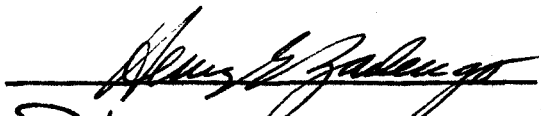
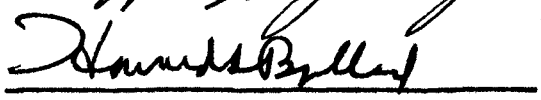
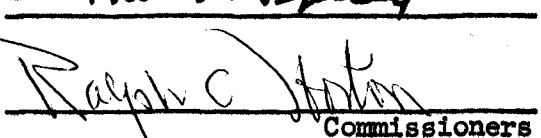
4. The investigation in this proceeding shall not be confined to the matters and issues hereinbefore stated for instituting this investigation, but shall include all matters and issues with respect to the lawfulness of said schedules under the Public Utilities Law.

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 Larsen Transfer and Storage Company, 2560 Blake Street, Denver, Colorado, 80205, and said carrier is hereby made respondent to this proceeding. The necessary suspension supplement shall be issued, filed and posted to the schedule referred to herein.

7. This Investigation and Suspension Docket No. 562 be, and the same hereby is, set for hearing before the Commission on the 25th day of April 1966, at 2:00 o'clock P.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

Dated at Denver, Colorado,
this 6th day of April, 1966.

ls

APPENDIX "A"

Larsen Transfer and Storage Company
Local Cartage Tariff No. 1-A
Colorado PUC No. 2

1st Revised Page No. 14 - effective April 11, 1966

GENERAL CARTAGE HOURLY RATES		
Equipment	Straight Time	Overtime
1/2-ton pickup truck and driver	* (A) (E)	(A) (E)
Truck and Driver - to 1½ tons rated capacity	** (A) (E)	(A) (E)
*** (C) Truck and driver	(A) \$7.50	(A) \$10.00
Tractor only and driver	(A) 7.50	(A) 10.00
Tractor and Trailer and Driver	(A) 10.50	(A) 13.00
Lift Gate Truck and driver	(A) (E)	(A) (E)
Trailers only	3.00	3.00
Helpers -- per man	(A) 6.00	(A) 8.50

Straight time rates will be charged for all hours worked except those provided for in overtime explanation below.

Overtime rates will be charged for all time worked in excess of 8 hours per day and for all time worked before 8:00 a.m., and after 5:00 p.m., on week days and for all time worked on Saturdays, Sundays and Holidays.

Time rates shall include driving time to and from the carriers' garage.

Fractions of an hour will be charged for at the nearest one-half hour.

Present hourly rates:

* \$5.50 and \$7.75

** 6.00 and 8.25

*** Truck and driver, over 1½ tons rated capacity \$6.50 and \$8.75

(A) denotes increase

(E) denotes elimination

(C) denotes a change, resulting in neither an increase nor a reduction.

(Decision No. 67159)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LEROY D. ELLIOTT, P. O. BOX 1233, ADAMS)
CITY, COLORADO, FOR A CLASS "B" PERMIT)
TO OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 21481-PP
SECOND SUPPLEMENTAL ORDER

April 8, 1966

Appearances: Marjorie M. Elliott, Commerce
City, Colorado, for Applicant.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On December 27, 1965, the Commission entered its Decision No. 66487 in the above-styled application, revoking operating rights granted to the above-styled Applicant by Decision No. 66025, dated October 8, 1965, for failure of said applicant to comply with requirements set forth in said Decision No. 66025.

It now appears that Applicant has complied with all requirements of Decision No. 66025, and requests reinstatement of operating rights granted thereby.

The Commission states and finds that said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 66487, dated December 27, 1965, be, and the same hereby is, vacated, set aside, and held for naught, as of said 27th day of December, 1965, and operating rights heretofore granted to the above-styled Applicant by Decision No. 66025, dated October 8, 1965,

be, and the same hereby are, restored to active status, as of said date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry S. Gallagher
Donald B. Bell

Ralph C. Johnson
Commissioners

Dated at Denver, Colorado,
this 8th day of April, 1966.
et

(Decision No. 67160)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
RANDALL C. MORTENSEN, BOX 553,
ALAMOSA, COLORADO.

PERMIT NO. B-3224 and
B-3224-I

April 8, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Randall C. Mortensen, Alamosa, Colorado, is the owner of Permit No. B-3224 and B-3224-I, authorizing operation as a private carrier by motor vehicle for hire, for the 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;

"EXTENDED TO: Transportation of ground hay for W. J. Small & Co., only, from point to point within a radius of 40 miles of Alamosa, Colorado, in both interstate and intrastate commerce, interstate authority subject to the provisions of the Federal Motor Carrier Act of 1935."

The Commission is in receipt of a communication from said permit holder, requesting that the following intrastate authority be deleted from said Permit No. B-3224 and B-3224-I:

"Transportation of hay for W. J. Small & Co., only, from point to point within a radius of 40 miles of Alamosa, Colorado."

The Commission states and finds that said request should be granted, as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:


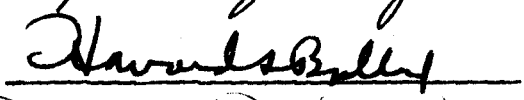

That operating rights under Permit No. B-3224 and B-3224-I, owned and operated by Randall C. Mortensen, Alamosa, Colorado, be, and the same hereby are, amended and restricted, upon the request of said

permit-holder, by deleting therefrom and cancelling the intrastate authority, so that operating rights under Permit No. B-3224-I henceforth shall be and read as follows:

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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 8th day of April, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
URBANO O. MUNIZ, P. O. BOX 269, LA JARA,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 21684-PP
SUPPLEMENTAL ORDER

April 11, 1966

Appearances: Urbano O. Muniz, La Jara, Colo-
rado , pro se;
Elizabeth A. Conour, Esq., Del
Norte, Colorado, for J. B.
Whitaker.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On January 13, 1966, the Commission entered its Decision No. 66610, granting to Applicant herein the right to operate as a Class "B" private carrier by motor vehicle for hire.

The Commission is in receipt of a communication from the above-styled Applicant, stating that he no longer has use for said operating rights and requesting cancellation thereof.

The Commission states and finds that said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That operating rights granted by Decision No. 66610, dated January 13, 1966, be, and the same hereby are, cancelled and revoked upon request of Urbano O. Muniz.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Amos G. Hadden

Harold B. Byler

Ralph C. Anton
Commissioners

Dated at Denver, Colorado,
this 11th day of April, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GRAND LAKE TOURS, A DIVISION OF GRAND)
LAKE BOAT SERVICE, INC., FOR A CERTI-)
FICATE OF CONVENIENCE AND NECESSITY)
AUTHORIZING THE TRANSPORTATION OF)
PASSENGERS ON SCENIC AND INFORMATIVE)
TOURS.)

APPLICATION NO. 21840

April 8, 1966

Appearances: Akolt, Shepherd and Dick, Esq.,
Denver, Colorado, for Applicant;
David Butler, Esq., Denver,
Colorado, for Colorado Transporta-
tion Co.;
Richard Stratham, Estes Park,
Colorado, for National Forest Tours.

S T A T E M E N T

BY THE COMMISSION:

On March 1, 1966, Grand Lake Boat Service, Inc. filed Appli-
cation No. 21840 with the Commission seeking authority to transport
passengers on scenic and informative tours. After due and proper notice
to all parties in interest the above captioned matter came on for hearing
on April 1, 1966. Pursuant to stipulation between the applicant and
various parties in interest the following modifications were made with
respect to the authority requested in the application:

1. Only four wheel drive vehicles of a capacity not
exceeding ten passengers and one driver are to be used
for the service.
2. Only round trip service will be offered by the
applicant.
3. No service will be offered in the territory lying
within fifteen miles of Estes Park, Colorado, exclusive
of that portion of the territory lying West of the
Continental Divide.

4. No service will be offered in the territory bounded by Kremmling, Parshall, Loveland Pass Summit, Como, Fairplay, Malta, Dowd and Azure, Colorado.

No protests were made to the application as amended.

Lyle L. Killion, President of the applicant corporation gave testimony at the hearing.

F I N D I N G S

THE COMMISSION FINDS:

1. That the Commission has jurisdiction over the application and that due and proper notice of the hearing was given to all parties in interest.

2. That the applicant has sufficient experience to provide the service for which the application seeks authority.

3. That the applicant has sufficient financial resources to provide the service for which the application seeks authority.

4. That the community of Grand Lake, Colorado, has experienced a growth in tourist trade.

5. That in the vicinity of Grand Lake, Colorado, are many scenic areas which are accessible only by roads and trails which the ordinary two wheel drive passenger vehicle cannot traverse.

6. That there is a need and demand for the type of tour service which the applicant proposes to offer.

7. That presently existing carrier services in the area are inadequate to meet the need and demand for tour services.

8. That public convenience and necessity requires the issuance of a certificate of convenience and necessity as requested in the application and as modified by stipulation.

O R D E R

THE COMMISSION ORDERS:

That the Applicant, Grand Lake Tours, a division of Grand Lake Boat Service, Inc. be, and hereby is, authorized to transport passengers, without baggage, by four wheel drive vehicles of a capacity

not exceeding ten passengers and one driver on scenic and informative round trip tours for hire on a call and demand basis or on a specific time-table basis or on both bases during the tourist season, within the following area: All territory bounded by a circle with a radius of fifty miles from the town of Grand Lake, except:

1. That portion of the circle lying to the east of a north-south line formed by extending that portion of the east boundary of the Rocky Mountain National Park which runs from the northeast corner of the Park south to a point approximately four miles north-northeast of the Town of Estes Park, Colorado, north to the point where said line intersects said circle and south to the point where said line intersects said circle.

2. The territory east of the Continental Divide lying within fifteen miles of Estes Park, Colorado.

3. The territory bounded by Kremmling, Parshall, Loveland Pass Summit, Como, Fairplay, Malta, Dowd and Azure, Colorado.

This Order shall be deemed to be, and shall be, a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY for the authority granted above.

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

That Applicant shall operate his carrier system according to the schedule filed 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

Henry G. Paulings
Harold Byler
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 8th day of April, 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

VAIL AIRWAYS INC.,
Stapleton International Airport,
Denver, Colorado,

Complainant,

vs.

CASE NO. 5317

CLINTON AVIATION COMPANY, INC.,
Stapleton International Airport,
Denver, Colorado, and
DENVER AIR CHARTER, c/o ROBERT MAUPIN,
Stapleton International Airport,
Denver, Colorado,

Respondents.

April 8, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Aspen Airways, Inc., Sardy Field, Aspen, Colorado, by its Attorney Alvin J. Meiklejohn, filed a Motion for Leave to Intervene as a Complainant in the above-captioned proceeding and caused copies of said Motion to be served by mail upon parties of record in this proceeding.

The Commission states and finds that applicant for intervention, Aspen Airways, Inc., is a party who may or might be interested in or affected by any order which may be entered in this proceeding and that the intervention should be authorized.

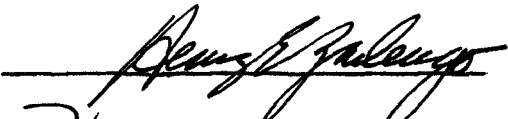
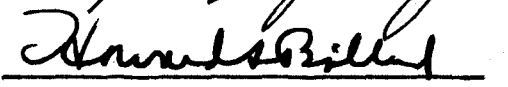
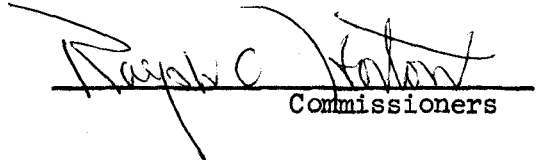
O R D E R

THE COMMISSION ORDERS:

That Motion for Aspen Airways, Inc. for Leave to Intervene as a Complainant, be, and the same hereby is, granted.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 8th day of April, 1966.
ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CARL AINSWORTH, INC., 3710 MARIPOSA)
STREET, DENVER, COLORADO, FOR AUTHORITY)
TO EXTEND OPERATIONS UNDER PERMIT NO.)
B-5435.)

APPLICATION NO. 21866-PP-
Extension

April 8, 1966

Appearances: Harold D. Torgan, Esq., Denver,
Colorado, for Applicant;
Joseph F. Nigro, Esq., Denver,
Colorado, for Weicker Transfer
& Storage Company, Protestant;
Donald G. Brotzman, Esq., Boulder,
Colorado, for Pherson Trucking
Company, Protestant.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

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

Report of the Examiner states that at the hearing, Harold D. Torgan, Attorney for the Applicant, stated that certain witnesses whose appearance is necessary in order to support the within application were unable to attend the hearing on April 5, 1966, and moved that the hearing be continued on the instant application.

The Commission states and finds that said motion should be granted and that the herein instant application should be continued and reset for hearing as set forth in the Order following.

O R D E R

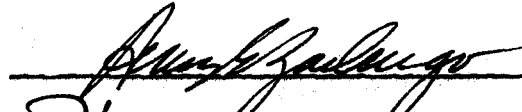
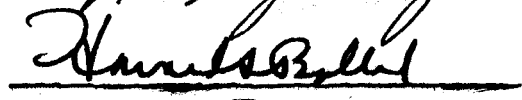

THE COMMISSION ORDERS:

That Application No. 21866-PP-Extension be, and the same hereby is, continued and reset for hearing before the Commission at ten o'clock

A.M., on April 25, 1966, at 532 State Services Building, 1525 Sherman Street, Denver, Colorado, with notice to the parties who entered their appearance on April 5, 1966.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 8th day of April, 1966.
et

orig copy

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE : MOTOR VEHICLE OPERATIONS OF

RICHARD E. CURRY DBA
CURRY CONSTRUCTION COMPANY
Box 236
Kremmling, Colorado

AUTHORITY NO. B 5886

CASE NO. 4571-Ins.

April 5, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 5, 1966 , 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.

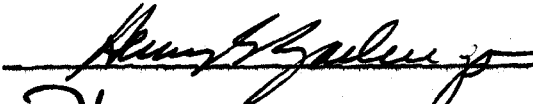


The Commission finds that said Authority should be restored to active status.

ORDER

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




Commissioners

Dated at Denver, Colorado,
this 11th day of April, 1966

orig copy

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE : MOTOR VEHICLE OPERATIONS OF)

FISCHBACH AND MOORE INC.
2100 Clay Street
Denver, Colorado 80211)

AUTHORITY NO. M 10619

CASE NO. 4498-Ins.

April 12, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 5, 1966 , 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.

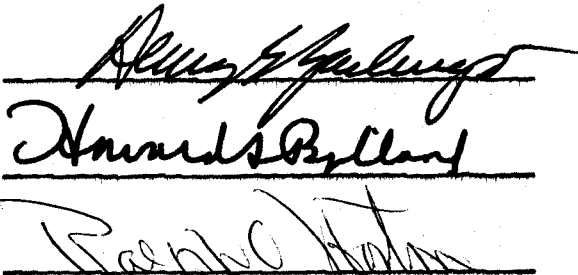
The Commission finds that said Authority should be restored to active status.

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


Commissioners

Dated at Denver, Colorado,
this 12th day of April, 1966

orig copy

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE : MOTOR VEHICLE OPERATIONS OF)
ROBERT K. JOHNSON DBA)
MANITOU EXPRESS COMPANY)
P.O. BOX 6231)
Colorado Springs, Colorado 80904)

AUTHORITY NO. PUC 189 and I
CASE NO. 4358-Ins.

April 12, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 5, 1966 , 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.

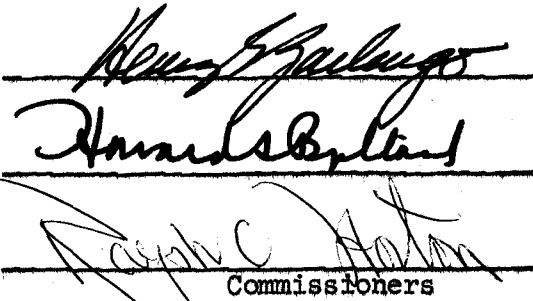
The Commission finds that said Authority should be restored to active status.

ORDER

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


Commissioners

Dated at Denver, Colorado,
this 12th day of April, 1966

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE PROTEST OF DENVER-
COLORADO SPRINGS-PUEBLO MOTOR WAY, INC.,
A COMMON CARRIER, OF PROPOSED LOCAL
SIGHTSEEING TARIFF NO. 96, COLORADO
PUC NO. 97, FILED BY COLORADO TRANSPOR-
TATION COMPANY, DOING BUSINESS AS "ROCKY
MOUNTAIN MOTOR COMPANY (DENVER CAB DIVISION),"
DENVER, COLORADO

Investigation & Suspension
Docket No. 421

April 11, 1966

STATEMENT AND FINDINGS

BY THE COMMISSION:

By Decision No. 52205, dated April 30, 1959, upon the protest of Denver-Colorado Springs-Pueblo Motorway, Inc., the operation of fares and charges for the transportation of passengers as published in Colorado Transportation Company, doing business as Rocky Mountain Motor Company (Denver Cab Company Division), Denver, Colorado, Local Sightseeing tariff No. 96, Colorado PUC No. 97, scheduled to become effective May 1, 1959, was suspended and the use thereof deferred until the 28th day of August, 1959. Decision No. 52938, dated August 26, 1959, further suspended the operation of said schedules until the 28th day of February, 1960. The protested fares and charges became effective upon the expiration of the suspension thereof, as provided by the Public Utilities Law.

The respondent and the protestant were notified by the order in Decision No. 63166, dated June 25, 1964, that unless a request for hearing on the above-styled matter should be received by the Commission before the effective date of the order (thirty days from June 25, 1964), said matter shall be dismissed.

Respondent did not reply to the notice and protestant authorized the Commission to dismiss the present complaint insofar as said protestant was concerned.

The Commission finds no good purpose will be served by an investigation of the protested schedules and finds that the order instituting the investigation should be vacated and the proceeding discontinued.

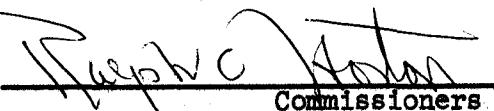
O R D E R

THE COMMISSION ORDERS, That: --

1. The Statement and Findings herein be, and they are hereby, made a part hereof.
2. The investigation instituted into and concerning the lawfulness of the fares and charges published in Colorado Transportation Company, doing business as Rocky Mountain Motor Company (Denver Cab Company Division) Denver, Colorado, Local Sightseeing Tariff No. 96, Colorado PUC No. 97, be and the same is hereby vacated and the proceeding herein discontinued.
3. This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




_____ Commissioners

Commissioner Henry E. Zarlengo necessarily absent and did not participate.

Dated at Denver, Colorado this
11th day of April, 1966 av

Original
(Decision No. 67169)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE INCREASED CLASS AND COMMODITY RATES)	
CANCELLATION OF JOINT RATES AND ROUTES)	<u>Investigation & Suspension</u>
RIO GRANDE MOTOR WAY, INC., ET AL)	<u>Docket No. 496</u>

April 11, 1966

STATEMENT AND FINDINGS

BY THE COMMISSION:

By Decision No. 58933, dated July 17, 1962, the operation of rates and charges for the transportation of property between Denver and Colorado Springs, on the one hand, and points in the San Luis Valley and the San Juan Basin, on the other hand, published in numerous revised pages to Colorado Motor Carriers' Association, Agent, Tariff No. 12-A, Colorado PUC No. 11, as detailed in Appendix "A" to said decision, scheduled to become effective July 31, 1962, was suspended and the use thereof deferred to and including November 28, 1962. The operation of said rates and charges was further suspended and the use thereof deferred to and including May 28, 1963, after which date they became effective, as provided by the Public Utilities Law.

A general revision of rates and charges, resulting in increases and reductions, applicable to property transported between points on the lines of respondent Rio Grande Motor Way, Inc., and/or connecting lines, was made by said respondent, with such revision being prescribed in Case 1585, Decision No. 63201, dated June 26, 1964, effective July 1, 1964. In the light of this decision, and without deciding the issues raised by this proceeding, we can see no good reason for going forward with the investigation instituted herein. Should the issues here before us again be raised, then at that time will they be decided.

We find that the investigation instituted herein should be vacated and the proceeding discontinued.

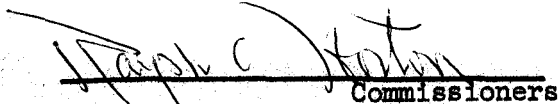
ORDER

THE COMMISSION ORDERS, That, --

1. The Statement and Findings herein be, and they are hereby, made a part hereof.
2. The investigation instituted herein into and concerning the lawfulness of rates and charges published in Colorado Motor Carriers' Association, Agent, Tariff 12-A, Colorado PUC No. 11, referred to in Appendix "A" of Decision No. 58933, dated July 17, 1962, be and the same is hereby vacated and the proceeding herein discontinued.
3. This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




_____ Commissioners

Commissioner Henry E. Zarlengo necessarily absent and did not participate.

Dated at Denver, Colorado this
11th day of April, 1966 av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILLIAM DODDS-SCOTT, JR., DOING BUSI-)
NESS AS "SCOTT RUBBISH REMOVAL," ROUTE)
2, GLENWOOD SPRINGS, COLORADO, FOR A) APPLICATION NO. 21802-Extension
CERTIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY AUTHORIZING EXTENSION OF)
OPERATIONS UNDER PUC NO. 5416.)

April 13, 1966

Appearances: John A. Thulson, Esq., Glenwood
Springs, Colorado, for Appli-
cant;
Martin G. Dumont, Esq., Glenwood
Springs, Colorado, for Robert
M. Williams.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Applicant is the holder of PUC No. 6416 which authorizes:

"Transportation of ashes, trash, garbage, debris,
refuse, and other waste materials; to dispose of
trees, stumps, tree cuttings and similar materials;
to haul waste, dirt, sand, rock and gravel in
connection with demolition or construction, grading,
improvements or changes on construction work, for
private individuals and for building contractors, to
dumps and other places of disposal, such waste
materials being restricted to only materials which
are discarded, thrown away, or abandoned, except
materials which will be used in landscaping opera-
tions, within the City of Glenwood Springs, Colo-
rado, and a 10-mile radius thereof."

By the above-styled application Applicant seeks to extend the
area of his authority to include the Towns of Carbondale and Basalt,
Colorado, and points within a 5-mile radius of each of said towns and
within a 2-mile radius of that portion of Colorado Highway No. 82
situated between said Towns.

Said application, pursuant to prior setting after appropriate
notice to all parties in interest, was heard at the City Council Room
of the Municipal Building, Glenwood Springs, Colorado, at 10:00 A.M.,

on March 16, 1966, and at the conclusion of the evidence the matter was taken under advisement.

Applicant moved to amend the application by addition of a map which was marked Exhibit No. 1 to be attached to the application. Said motion was granted by the presiding officer and the exhibit received in evidence. Official notice will be taken of PUC No. 5416.

The Applicant testified in support of the application generally stating the scope of his authority; stating that he has a net worth of \$80,000; that he would like the trade name of his business changed from "Scott Coal Co." to "Scott Rubbish Removal;" that the area is experiencing an expansion in business and population; that when he filed his application he was unaware of Protestant's authority or of the authority of any other carrier who might be competitive; that he has had numerous requests to provide rubbish removal for customers and is ready, willing and able to furnish the same; that the Town of Carbondale has offered him a contract for its rubbish removal as they have no present like service available; that he is able to render service in the area and could give weekly service or even bi-weekly service if needed; that there are 300 potential customers whom he believes he will be able to serve, whereas presently he serves only about 160 customers in the Glenwood area; that those potential customers mostly do their own rubbish removal; that he is negotiating for a dump of his own; and, that without the availability of his service, the people in the area within which he seeks to extend his authority will have to continue to remove their own rubbish.

D. E. Hayward of Carbondale representing the City Manager testified that he is familiar with the Carbondale area; that there has been indiscriminate hauling and dumping along the roads; that he is not aware of any carriers who can provide the people with the service needed; that in his contact with the people he knows that a substantial number in the community would avail themselves of the applicant's services; that within Carbondale itself there is a "drastic need" for such service; that he

has lived in the area for three years and has had to do his own rubbish removal; that as far as he knows the services being rendered by the applicant are "very, very good."

Paul Jessup testified that he is a motel operator and in the real estate business in Carbondale and also has served as a councilman for four years; that he is aware of the fact that residents must do their own hauling; that Carbondale has had a contract for rubbish removal with a Mr. Cyril Martin who now is out of business; that he has offered a contract to Applicant; that in his opinion the Applicant would be competent. This witness also testified that he does his own rubbish removal and that the town needs a carrier service such as the applicant proposes to give and that they would use it.

Three other witnesses also offered to testify in the same manner as the testimony of the foregoing witnesses.

The Commission takes official notice of PUC Certificate No. 6611 and letter of authority of March 1965.

Robert M. Williams of Basalt testified in protest in substance, and to the effect, that he is a county employee, has lived 22 years in Basalt, operates PUC No. 6611 which generally provides for the transportation of ashes, trash and other debris within the Town of Basalt, Colorado, and within a radius of 10 miles of Basalt, Colorado, to approved dumps within 20 miles of Basalt, Colorado; that he is using in his operations a 1951 Chevrolet with a packer; that he has 35 customers in the Basalt area whom he tries to service once a week on Saturdays; that he puts in $4\frac{1}{2}$ hours weekly providing such service; that he hasn't tried to get more customers but can take care of the area covered by his authority. He further testified that there would be no need for two authorities covering the same area his authority covering Basalt and a 10-mile radius thereof.

On cross examination he testified that about 300 people live in Basalt and another 300 families reside within the ten mile radius;

that he is presently working as a truck driver for the county but could handle additional customers in the evenings; that he does not serve any customers in Carbondale.

On re-direct examination he testified that depending on the need he would quit his job with the county and devote himself to the rubbish removal business.

George Lucksinger testified that he has been a resident of Basalt for 60 years, is a carpenter in semi-retirement, knows the protestant and that protestant is rendering adequate service.

The Commission finds from the evidence and the record that public convenience and necessity require the granting of the application as set forth in the following Order. The Commission finds that the present service has been, and is now, inadequate and insufficient to serve the public in the area wherein the applicant seeks to extend his authority excepting therefrom that area now being served by Robert M. Williams under PUC No. 6611. The Commission finds that Applicant should be authorized to change his trade name; and that authority should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the Secretary of the Commission be, and hereby is, directed to change the records of the Commission to show PUC No. 5416 to be owned and operated by William-Dodds-Scott, Jr., doing business as "Scott Rubbish Removal," in lieu of William Dodds-Scott, Jr., doing business as "Scott Coal Co."

That William Dodds-Scott, Jr., doing business as "Scott Rubbish Removal," Glenwood Springs, Colorado, be, and hereby is, authorized to extend operations under PUC No. 5416, as herein set forth, and the following shall henceforth be the complete authority under PUC No. 5416, to-wit:

"Transportation of ashes, trash, garbage, debris, refuse, and other waste materials, to dispose of trees, stumps, tree cuttings and similar materials; to haul waste, dirt, sand,

rock and gravel in connection with demolition or construction, grading, improvements or changes on construction work, for private individuals and for building contractors, to dumps and other places of disposal, such waste materials being restricted to only materials which are discarded, thrown away, or abandoned, except materials which will be used in landscaping operations, within the City of Glenwood Springs, Colorado, and a ten-mile radius thereof, within the Town of Carbondale, Colorado, and a five-mile radius thereof, and within a two-mile radius of that portion of Colorado Highway No. 82 situated between the Towns of Carbondale and Basalt, excepting therefrom that portion of said Colorado Highway No. 82 lying and being within a five-mile radius of the Town of Basalt, Colorado;"

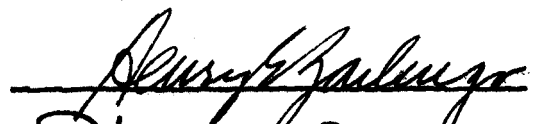

and this ORDER shall be deemed to be, and be, a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.

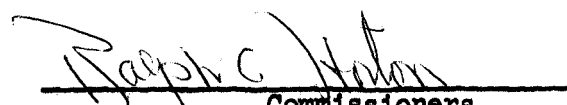
That Applicant shall operate his carrier system in accordance with the Order of the Commission except when prevented by Act of God, the public enemy, or extreme conditions.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 13th day of April, 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
L & E FREIGHT LINE, INC., RAMAH, COLO-)
RADO, FOR A CERTIFICATE OF PUBLIC CON-)
VENIENCE AND NECESSITY AUTHORIZING) APPLICATION NO. 21780-Extension
EXTENSION OF OPERATIONS UNDER PUC NO.)
4693.)

April 12, 1966

Appearances: Robert D. Means, Esq., Denver,
Colorado, for Applicant;
Edward C. Hastings, Esq., Denver,
Colorado, for Denver-Limon-
Burlington Transfer Company,
Protestant.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-styled application, applicant herein seeks a certificate of public convenience and necessity, authorizing extension of operations under PUC No. 4693, to include the transportation as presently authorized and extended, on schedule, to Limon, Colorado, via Highway U. S. 40, 287 and via Highway U. S. 24 and points within a three mile radius of Limon, 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.

Elizabeth Kosley, Ramah, Colorado, Secretary and Treasurer of L & E Freight Line, Inc. testified that the Company presently operates a transportation business under authority PUC No. 4693; she identified Exhibit A as a statement of this authority; Exhibit B as a map showing

the general area of the authority; Exhibit C showing the area requested by the within Application, to-wit: Limon, Colorado, and a three-mile radius of Limon, Colorado; Exhibit D as a statement of assets, liabilities and capital of the Applicant, together with a statement of income and detailed earnings for the fiscal year ending April 30, 1965.

Mrs. Kosley stated that in her opinion the Applicant, a Colorado corporation, has sufficient net worth to adequately provide the service requested by the within application; that at the present time the Applicant owns four pieces of equipment, which include two trucks, one 1957 GMAC power unit, and a 26-foot trailer; that this equipment was adequate to provide the additional service within the three-mile radius of Limon, Colorado and that if additional equipment would be necessary, the Applicant has sufficient financial means to provide it; that preliminary arrangements had been made to lease a building in Limon, Colorado which would be used as a combination office and dock facility. She identified Exhibits E, F & G as photographs of this building. According to this testimony, if the within application is approved, L & E Freight Line, Inc. will move its office from Ramah to Limon, Colorado.

Mrs. Kosley explained that, in her opinion, public convenience and necessity requires the service of a common carrier which can provide five-day-a-week service between Denver and Limon, which the Applicant would propose if the application is approved; that at the present time the Applicant's authority under PUC No. 4693 authorizes it to serve an area which has a boundary approximately one mile west of Limon, Colorado; that if the application is approved, the Applicant proposes a three-day-a-week schedule between Limon and Falcon, Colorado and intermediate points along U. S. Highway 24, and that at the present time no common carrier has this authority; that based upon her inquiries and general knowledge regarding the transportation situation of the area, Mrs. Kosley estimated that if the application is approved

the applicant would transport freight, estimated to be 20,000 pounds per day, between Denver and Limon; that Denver-Limon-Burlington Transfer Company now has authority to serve Denver to Limon; however, she added that there are a number of business people in Limon who have found the existing service inadequate and have expressed an interest in the establishment of another common carrier located at Limon which could provide adequately for the transportation needs between Denver and Limon and Limon to Denver.

Leo Kosley, President of L & E Freight Line, Inc. testified in detail as to the schedules which the applicant would offer five days a week for transportation between Denver and Limon and between Falcon and Limon; that the schedules, as proposed, would provide for arrival of freight from Denver in the evening and delivery to consignees at Limon and a three-mile radius thereof by ten o'clock the next morning.

James Stratton, Limon, Colorado, stated that he owns and operates Gaskills Department Store which, on an average, receives between 250 and 300 parcels per month from Denver; that at the present time Denver-Limon-Burlington Transfer Company handles a large percentage of these shipments. This witness expressed dissatisfaction, however, with the service afforded by this common carrier - and particularly with reference to the manner in which claims are handled. Mr. Stratton also is President of the Limon Chamber of Commerce and, speaking on behalf of this organization, he stated that it would be of great convenience to the community to have a common carrier based at Limon which had authority to provide a transportation service between Denver and Limon; that some time ago the Union Pacific Railroad ceased making LCL shipments at Limon and that all such shipments either destined for Limon or originating at Limon must now be handled by motor carrier transportation; and that in his opinion an additional common carrier is needed to replace the service from Denver formerly performed by the Union Pacific Railroad.

Marion Smith, owner and operator of Main Automotive Supply, Limon, receives on an average of two LCL shipments per day from Denver and that Denver-Limon-Burlington Transfer Company has handled this transportation. This witness characterized service provided by Denver-Limon-Burlington Transfer Company as rotten and testified as to a number of instances when shipments have not been handled properly or where shipments have been delivered late; that frequently there is an urgent need for automotive parts, which he deals in, and when he orders them out of Denver it is essential they be delivered the following day; that on several occasions Denver-Limon-Burlington Transfer Company has overlooked some of his shipments out of Denver and, as a consequence, he was greatly inconvenienced; that he does not feel the Denver-Limon-Burlington Transfer Company gives dependable service; and that he was supporting the within application because he felt the applicant could provide dependable service; and that if there were two common carriers available for transportation service between Denver and Limon he would undoubtedly patronize both carriers.

David Jones, Limon, stated that he has been engaged in excavating and trenching business in the area; that he also, at the present time, owns the Blue Star Restaurant and Motel; that he regularly ships and receives freight at Limon and that the existing common carrier has handled a major portion of this freight; that this common carrier has not afforded him adequate or satisfactory service; that he has experienced delays, damaged material, and rough handling of his freight; that heretofore, because of the undependable service provided by the existing common carrier, he made it a practice of going to Denver himself and picking up his own freight on many occasions; and that he was supporting the within application because he was of the opinion the existing common carrier did not provide adequate or satisfactory service at Limon.

Jack Grenawalt testified that he operates Gambles and Grenawalt Furniture Store at Limon and receives LCL shipments originating in Denver; that the existing common carrier has provided this service, which he described as unsatisfactory; that his principal complaint with this carrier was damaged merchandise; and that he was supporting the application because it was his opinion a locally based common carrier would provide more adequate and satisfactory service, particularly to the business community in Limon.

Harris Vermillion, owner and operator of H. L. Vermillion Supply and Hardware Company, Limon, stated that he receives a considerable volume of freight from Denver; that, because of unsatisfactory service provided by the existing common carrier, he has commenced using his own truck for the purpose of bringing freight shipments from Denver; that at the present time Denver-Limon-Burlington Transfer Company, the only common carrier servicing Limon, handles only interstate shipments; and that the Limon area required the services of an additional common carrier with authority to handle freight originating in Denver.

Gordon Campbell, operator of Electric Service and Supply Company, Limon, testified that he is engaged in the electrical contracting business which requires numerous LCL shipments from suppliers at Denver; that he has been very dissatisfied with the service afforded by the existing common carrier authorized to serve between Denver and Limon, and because of this he has been frequently required to take his own truck into Denver to pick up freight from his suppliers; that at one time the applicant had leased an authority for service in the Limon area and during this period he had used the services of the applicant and found them to be satisfactory and dependable; and that he was therefore supporting the within application. On cross-examination on the subject of unsatisfactory service by the existing carrier, Mr. Campbell stated that Denver-Limon-Burlington Transfer Company on one occasion handled a shipment of conduit very poorly; nevertheless, his major cause of complaint against this carrier was on the matter of

claims which had been handled by the carrier in a most unsatisfactory manner.

It was stipulated and agreed between counsel for applicant and counsel for the protestant that the following named witnesses would testify that at present there is no common carrier service available along Highway 24 from Falcon to Limon, Colorado, and that the public convenience and necessity required the establishment of such service: D. E. Ruby, Foster Lumber Company, Limon, Colorado; John Kucharik, Limon, Colorado; Bryon Gode, Limon, Colorado; Ethel Kocerha, City Park, Calhan, Colorado; George Kocerha, Calhan Electric Company, Calhan, Colorado; and John Peiper, Vice-President, Farmers State Bank, Calhan, Colorado. Counsel for the Protestant stated that its protest did not apply to common carrier service from Falcon to Limon and intermediate points. It was also stipulated and agreed by the counsel that applicant's Exhibit N consisted of 21 separate pages, each of which names a prospective witness for the Applicant and a summary of the testimony such witness would give. Witness Elizabeth Kosley was recalled and identified the above described Exhibit as a group of statements of witnesses who would testify in support of the within application.

Glen E. Courter, Calhan, Colorado, testified that he is in the hardware business and that at the present time there exists no common carrier who provides a transportation service between Falcon, Colorado, and Limon and the intermediate points, including Calhan, Colorado; that the residents of the various communities, particularly the businesses, need the services of a common carrier and that the public convenience and necessity requires such service.

Applicant's Exhibits A through G and Exhibit N were received in evidence.

Henry Orender, President of Denver-Limon-Burlington Transfer Company, Denver, Colorado, stated that he is also the general manager of this business which owns and operates under PUC 699 and I. This

witness identified Exhibit 1, as a statement of its authority in Colorado and testified that it serves, on schedule, between Denver, Limon, Burlington and intermediate points between Limon and Burlington; Exhibit 2, as an equipment list of the Protestant; Exhibit 3, as a Balance Sheet; and Exhibit 4, as a Statement of Income and Expense for the period January 1 through November 30, 1965 representing the revenue and expense from its entire system.

Mr. Orender stated that Denver-Limon-Burlington Transfer Company operates from an office and dock facility at Denver, Colorado, which is a little over a year old and in which the company has a \$68,000 investment; that at Limon, Colorado the Protestant has one delivery truck and employs one man to deliver freight at Limon; that with reference to a dock facility at Limon, a trailer is situated behind a service station and that freight is loaded onto this trailer for delivery in Limon; that his company does not have a phone listing at Limon, Colorado. He identified Exhibit 5 as a compilation of the Limon tonnage during the year 1965, showing seventy-five percent of this tonnage came through the Denver Gateway and a percentage of it originated from interline at Denver with other carriers and were interstate shipments.

Mr. Orender emphasized that although Exhibit 5 referred to tonnage, the figures however represented pounds. Mr. Orender said that Denver-Limon-Burlington Transfer Company is the only common carrier who has authority between Denver and Limon and that previously there had been two other common carriers with such authority, but that his company had purchased these authorities several years ago; that the granting of the within application would cut down on the business of the Protestant and the Protestant might therefore not be able to continue to afford five-day service between Denver and Limon; that if the within application was granted, it might require his company to lay off the man employed at Limon and pull out the delivery truck situated there; that he knew Mr. Gordon Campbell, one of the witnesses who testified in sup-

port of the application, and explained that claims of Mr. Campbell had been handled properly; that, however, on some occasions, with regard to shipments that had been interlined, a settlement of a claim was delayed because other carriers had to be contacted regarding the claim. He also explained in detail the method his company utilizes in handling claims; and that claims were handled as expeditiously as possible. On cross-examination Mr. Orender identified Exhibits J and H as photographs of the dock facility his company maintains at Limon - which is a trailer parked behind a service station; that the employee of the Protestant at Limon, Colorado, is Warren Hoffman, who is also employed at the service station depicted in Exhibit H; that with reference to Exhibit 5, the equipment used by this company for freight transportation between Denver and Limon has a capacity of 40,000 pounds and that therefore - as an example - for the month of November, 1965 the Protestant had in fact less than two trailer loads of freight with a Limon destination coming through the Denver Gateway and that a portion of this was interline freight from other carriers; that his company did not anticipate losing all of this freight if the within application was approved; that the authority under which his company operates includes Denver to Limon and east to Burlington with service to intermediate points and that shipments to Limon are sometimes tail-loaded on the truck going to Burlington. Exhibits 1, 2, 3, 4, 5 and J and H are received in evidence.

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

The Commission, having considered the record and exhibits and the written statement of the Examiner herein, states and finds that applicant will have sufficient equipment and experience with which to properly carry on proposed extended operation; that applicant's financial standing is established to the satisfaction of the Commission; that a definite need exists in the area as herein involved for applicant's proposed service; that present existing carrier service is inadequate; that

the applicant established the fact that available traffic would warrant additional proposed service; that the creation of the proposed new service would not seriously impair or endanger the operations of existing carriers in the area contrary to the public interest; and that the present and future public convenience and necessity requires and will require the proposed service of the applicant as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That L & E Freight Line, Inc., Ramah, Colorado, be, and hereby is, authorized to extend operations under PUC No. 4693 to include the transportation of general commodities from and to Limon, Colorado, and a three-mile radius of Limon, Colorado, on schedule, via U. S. Highway 40 and 287 and U. S. Highway 24, from and to points now authorized by PUC No. 4693, and this ORDER shall be deemed to be, and be, a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.



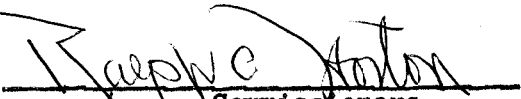
That Applicant shall file tariffs of rates, rules and regulations and time and distance schedules, as required by the rules and regulations of this Commission within twenty days from date.

That Applicant shall operate his carrier system according to the schedule filed except when prevented by Act of God, the public enemy, or extreme conditions.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 12th day of April, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT STEELE, JR., DOING BUSINESS AS)
G L B EXPRESS LINE," 5005 WEST 22ND)
STREET, GREELEY, COLORADO, FOR AUTHORITY)
TO TRANSFER A PORTION OF PUC NO. 301 TO)
ARNOLD REINHARD PROTHE, DOING BUSINESS)
AS "GREELEY-LONGMONT EXPRESS LINE,")
2330 6TH AVENUE, GREELEY, COLORADO.)

APPLICATION NO. 21844-Transfer-
Amended

April 13, 1966

Appearances: Ralph E. Waldo, Esq., Greeley,
Colorado, for Transferor and
Transferee.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Robert Steele, Jr., doing business as "G L B Ex-
press Line," Greeley, Colorado, was granted the following operating
rights:

PUC No. 301

"Transportation of passengers and their baggage, and
express, between Greeley, Colorado, and Longmont, Colo-
rado, and intermediate points via Milliken, Johnstown,
and Mead, Colorado, on schedule; transportation of
passengers, and their baggage and express between Long-
mont, Colorado, and Boulder, Colorado, via Niwot, on
State Highway No. 119."

By the above-styled application, as amended at the hearing,
said certificate-holder seeks authority to transfer a portion of said
PUC No. 301 to Arnold Reinhard Prothe, doing business as "Greeley-
Longmont Express Line," Greeley, Colorado. The portion of said opera-
ting rights to be transferred are:

"Transportation of passengers and their baggage and
express between Greeley, Colorado and Longmont,
Colorado, and intermediate points via Milliken,
Johnstown and Mead, Colorado, on schedule."

The remaining operating rights to be retained by the transferor under
said PUC No. 301, are as follows:

"Transportation of passengers and their baggage and express between Longmont, Colorado and Boulder, Colorado, via Niwot, on State Highway 119."

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.

Robert Steele, Jr., doing business as "G L B Express Line," testified that he owns and operates under PUC No. 301. He stated that he and the transferee Arnold Reinhard Prothe have entered into a written agreement providing for the sale and transfer of a portion of the operating rights under PUC No. 301, to-wit:

"Transportation of passengers and their baggage and express, between Greeley, Colorado, and Longmont, Colorado, and intermediate points via Milliken, Johnstown and Mead, Colorado on schedule."

for a consideration of \$10,000.00. In addition to the operating rights to be transferred, the consideration also covers a 1958 Travelette 6-Cyl. truck. The original of the written agreement was filed with the application herein.

Mr. Steele also testified that the transfer of part of the operating rights under PUC No. 301 would be on a debt free basis and such operating rights and the business conducted thereunder is not subject to any obligations, liens or encumbrances. In Mr. Steele's opinion the consideration is fair and reasonable.

Mr. Steele also explained that if the within application, as amended, is approved, he will continue to own and operate the remaining portion of the authority under PUC No. 301, to-wit:

"Transportation of passengers and their baggage and express between Longmont, Colorado and Boulder, Colorado, via Niwot, on State Highway 119."

and that, in his opinion, the operating rights under PUC No. 301 are readily severable inasmuch as it provides for two different and dis-

tinct routes and different types of transportation.

Arnold Reinhard Prothe, testified also as to the written agreement between the transferor and himself, which testimony confirmed the foregoing testimony of the transferor; that with the application there was filed his financial statement reflecting a net worth of \$11,450.00; that this statement dated December 22, 1965 substantially reflects his financial status as of the day of hearing; that in addition to the one vehicle to be transferred from the transferor, he also owns a 1965 Travelette which will be used by him to provide the transportation service under operating rights to be transferred; that, in his opinion, the equipment will be adequate and sufficient to fulfill the requirements under a portion of the operating rights to be transferred, and he has had much experience in the type of transportation provided under these operating rights.

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

The Commission, having considered the record and exhibits 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 operations; 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.

ORDER

THE COMMISSION ORDERS:

That Robert Steele, Jr., doing business as "G L B Express Line," Greeley, Colorado, be, and hereby is, authorized to transfer that portion of PUC No. 301 authorizing the following:

"Transportation of passengers and their baggage and express, between Greeley, Colorado, and Longmont, Colorado, and intermediate points via Milliken, Johnstown and Mead, Colorado, on schedule."

to Arnold Reinhard Prothe, doing business as "Greeley-Longmont Express Line," Greeley, Colorado, subject to encumbrances, if any, against said certificate, approved by this Commission; and that portion of PUC No. 301 transferred shall be assigned a new number by this Commission.

That the sole and only remaining authority under PUC No. 301, as not transferred by this Order, shall be as follows, to-wit:

"Transportation of passengers and their baggage and express between Longmont, Colorado and Boulder, Colorado, via Niwot, on State Highway 119."

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

Henry Szalunga
Harold Briller
Ralph C. Foster
Commissioners

Dated at Denver, Colorado,
this 13th day of April, 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JOHN BURNHAM, 2638 EAST YAMPA, COLORADO)	
SPRINGS, COLORADO, FOR AUTHORITY TO)	APPLICATION NO. 21655-PP-Extension
EXTEND OPERATIONS UNDER PERMIT NO.)	<u>SUPPLEMENTAL ORDER</u>
B-6347.)	

April 13, 1966

Appearances: John Burnham, Colorado Springs,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On January 7, 1966, the Commission entered its Decision No. 66544 in the above-styled application, granting to Applicant herein the right to extend operations under Permit No. B-6347.

Said Applicant has failed to comply with the requirements set forth in said Decision No. 66544, viz., has failed to file Tariff.

The Commission states and finds that inasmuch as Applicant has not fulfilled requirements set forth in Decision No. 66544, operating rights granted thereby should be revoked, as set forth in the Order following.

ORDER

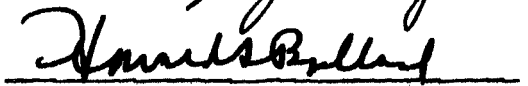
THE COMMISSION ORDERS:

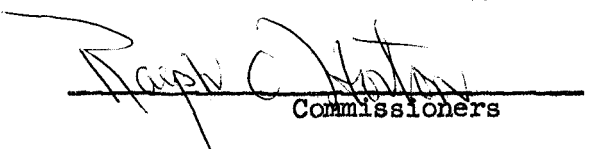
That operating rights granted to John Burnham, Colorado Springs, Colorado, by Decision No. 66544, dated January 7, 1966, be, and the same hereby are, revoked, for failure of applicant to comply with requirements set forth in said Decision No. 66544.

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 13th day of April, 1966
et

(Decision No. 67174)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DONALD E. WATSON, BOX 481, CHAMA, NEW)
MEXICO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 21672-PP
SUPPLEMENTAL ORDER

April 13, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On January 10, 1966, the Commission entered its Decision No. 66549 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 the requirements set forth in said Decision No. 66549, viz., has failed to file Customer List, and Tariff, and Certificate of PLPD Insurance.

The Commission states and finds that inasmuch as Applicant has not fulfilled requirements set forth in Decision No. 66549, operating rights granted thereby should be revoked, as set forth in the Order following.

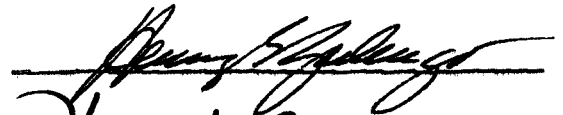
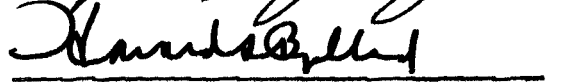
O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Donald E. Watson, Chama, New Mexico, by Decision No. 66549, dated January 10, 1966, be, and the same hereby are, revoked, for failure of applicant to comply with requirements set forth in said Decision No. 66549.

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 13th day of April, 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BURL BEEN, DOING BUSINESS AS "BEEN'S)
RUBBISH REMOVAL," 4175 WEST WALCH)
PLACE, DENVER, COLORADO, FOR AUTHORITY)
TO TRANSFER PUC NO. 3532 TO WAYNE R.)
GLENDENING, DOING BUSINESS AS "ELLIS)
DISPOSAL," 1808 SIMMS STREET, DENVER,)
COLORADO.)

APPLICATION NO. 21796-Transfer

April 12, 1966

Appearances: Burl Been, Denver, Colorado,
pro se;
Wayne R. Glendening, Denver,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Burl Been, doing business as "Been's Rubbish Removal," Denver, Colorado, was granted the following operating rights:

PUC No. 3532:

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

By the above-styled application, said certificate-holder seeks authority to transfer said operating rights to Wayne R. Glendening, doing business as "Ellis Disposal," Denver, 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.

Burl Been, Denver, Colorado, stated that he is the owner of PUC No. 3532 and has engaged in the ash and trash removal business under this authority using the trade name of "Been's Rubbish Removal;" that he has agreed to sell and transfer this authority to Wayne R. Glendening, doing business as "Ellis Disposal," as provided in the copy of the Agreement filed with the application; that there is no outstanding indebtedness against the authority or the business conducted thereunder; and that the transfer will be on a debt free basis.

Wayne R. Glendening, Denver, Colorado, testified that he is presently doing business under the trade name of "Ellis Disposal;" that he engages in this business by authority of PUC No. 3671; and that PUC No. 3532 which he proposes to purchase from Burl Been completely overlaps and duplicates his present authority; that he was not aware of Rule 5 of the Rules and Regulations of the Public Utilities Commission Governing Common Carriers pertaining to the operation of a duplicate authority; that he would not agree to the cancellation of any duplicating rights in the event the within transfer was approved; that he, therefore, did not wish to effect the transfer herein requested; and that as far as he was concerned, the application could be denied.

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

The Commission, having considered the record and exhibits and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that the transferee operates under PUC No. 3671 which duplicates in full the operating rights under PUC No. 3532 the authority herein sought to be transferred; that the transferee would not agree to the cancellation of any duplicating rights as provided in Rule 5 of the Rules and Regulations Governing Common Carriers as promulgated by this Commission; and that the transfer herein sought should be denied.


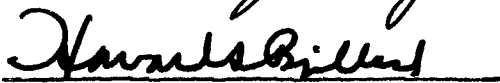

O R D E R

THE COMMISSION ORDERS:

That Application No. 21796-Transfer be, and the same hereby
is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 12th day of April, 1966.
et

(Decision No. 67176)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RUSSELL S. STOUT, 822 CROWN RIDGE)
DRIVE, COLORADO SPRINGS, COLORADO, FOR)
A CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 21669-PP
SUPPLEMENTAL ORDER

April 13, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On January 10, 1966, the Commission entered its Decision No. 66550 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 the requirements set forth in said Decision No. 66550, viz., has failed to file tariff.

The Commission states and finds that inasmuch as applicant has not fulfilled requirements set forth in Decision No. 66550, 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 Russell S. Stout, Colorado Springs, Colorado, by Decision No. 66550, dated January 10, 1966, be, and the same hereby are, revoked, for failure of applicant to comply with requirements set forth in said Decision No. 66550.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Samuel J. Galt
Harold Byler

Ralph C. Hutton
Commissioners

Dated at Denver, Colorado,
this 13th day of April, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE THE PRESCRIPTION OF RATES IN)	
DECISION NO. 66980, CASE NO. 1585,)	
APPLICABLE TO BURIAL CASES, CAS-)	INVESTIGATION & SUSPENSION
KETS, ETC., ITEM NO. 1385, *CMCA,)	DOCKET NO. 561
AGENT, TARIFF NO. 12-A, COLORADO)	
PUC NO. 11)	
- - - - -	

- - - - -
April 12, 1966
- - - - -

APPEARANCES:

Marion F. Jones, Esq.
Denver Club Building
Denver, Colorado for
Bethke Truck Lines &
Red Ball Motor Freight, Inc., Respondents

Charles L. Thomson, for the
Pueblo Chamber of Commerce
P. O. Box 697
Pueblo, Colorado 81001, Protestant

Alvin C. Lane
Royal Gorge Casket Company
Canon City, Colorado, Protestant

Irven T. Burke and
Lloyd C. Espinosa for the
Staff of the Commission

STATEMENT & FINDINGS

BY THE COMMISSION:

On March 9, 1966, the Commission by Decision No. 66980 prescribed the elimination of commodity rates on burial cases, caskets, etc., named in Item 1385, 10th Revised Page No. 195-A *CMCA, Agent, Tariff No. 12-A, Colorado PUC No. 11, scheduled to become effective March 16, 1966, transported from Pueblo, Colorado to Brighton, Fort Lupton and Greeley, Colorado, applicable over the lines of Red Ball Motor Freight, Inc., to Denver, Colorado, thence via Bethke Truck Lines.

*Colorado Motor Carriers' Association, Agent (The Motor Truck Common Carriers' Association, Agent, Series)

Upon consideration of the said schedules and a letter from Charles Thomson, Manager, Pueblo Chamber of Commerce, Pueblo, Colorado, the Commission withdrew its order, Decision No. 66980, dated March 9, 1966, and suspended the protested schedules.

The owner of Bethke Truck Lines, a respondent herein, appeared and testified that the suspended rates from Pueblo, Colorado are paper rates; that none of the traffic here concerned has been shipped in the last five (5) years; that no shipper of caskets and related articles is located in Pueblo, Colorado; that the rates are non-compensatory for joint line service; that caskets move in interstate commerce at Class 200 and from Denver, Colorado there are various commodity rates, based on 125 percent of the 1st class rate, on caskets and related articles to named intrastate destinations; that when the present rates, (now increased,) from Pueblo, Colorado to Brighton, Fort Lupton and Greeley were established in 1958 for joint line movement, operating costs and conditions were more favorable to the lower commodity rates; that caskets require expedited service; that the high density weight factor requires at least a Class 125 rate to be compensatory; and that he would be agreeable to a Class 125 rate to apply from Pueblo, Colorado to Brighton, Fort Lupton and Greeley, Colorado if expiration period of one (1) year, were to apply to commodity rates established, in the future, on burial cases, caskets, etc., as named in Item 1385, 9th Revised Page No. 195-A, Colorado Motor Carriers' Association, Agent, Tariff No. 12-A, Colorado PUC No. 11 (The Motor Truck Common Carriers' Association, Agent, Series).

Although no one testified for Red Ball Motor Freight, Inc., a respondent herein, counsel for the respondents assured the Commission that Red Ball would concur in the joint route and rates as proposed by the owner of Bethke Truck Lines.

A comparison of the rates based on 125 percent of 1st class with the present commodity rates as shown in Item 1385, Tariff No. 12-A and the rates proposed to become effective based on Class 150 and Class

200 shows the following:

FROM PUEBLO, COLORADO		to	BRIGHTON	FORT LUPTON	GREELEY
				COLO.	
Burial Cases, Caskets	Present*		1.74	1.79	1.90
etc., as shown in Item	Class 125*		2.61	2.65	2.88
1385, Tariff No. 12-A	Class 150*				
	vaults		3.12	3.16	3.43
	Class 200*				
	caskets		4.12	4.18	4.54

*Item 600, Tariff No. 12-A - add 10 cents per cwt. under 2000 pounds, subject to a minimum increase of 10 cents per shipment.

The president of Royal Gorge Casket Company, Canon City, Colorado, testified that his Company will move to Pueblo, Colorado; that the proposed rates will be utilized by his Company in competition with Denver shippers; that a Class 200 rate would place his Company at a competitive disadvantage; that a Class 125 rate as proposed by respondent Bethke would allow his Company to compete with the Denver shippers; that his business has doubled since last year and that if accorded rates based on Class 125, the same base as applies in various instances from Denver, he will be able to market his product in the State of Colorado.

The proposal of respondent Bethke and the acceptance thereof of protestant Royal Gorge Casket Company appears to represent an equitable basis upon which to establish commodity rates from Pueblo to the destinations here referred to and we therefore approve such basis in this instance.

We conclude that the respondents have not justified the cancellation of the commodity rates hereunder suspension. Our conclusion, however, is without prejudice to the respondents establishing commodity rates from Pueblo, Colorado to Brighton, Fort Lupton and Greeley based on Class 125 applicable over the lines of Red Ball Motor Freight, Inc. and Bethke Truck Lines, such rates to apply to caskets, vaults and related articles as described in Item 1385 of Colorado Motor Carriers' Association, Agent, Tariff No. 12-A, Colorado PUC No. 11 (The Motor Truck Common Carriers' Association, Agent, Series). The schedule shall provide for an expiration date of one year.

We find that proposed schedules, as they pertain to commodity rates applicable to the transportation of caskets, vaults, etc., as herein above referred to, are not shown to be just and reasonable without prejudice

to the filing of new schedules in conformity with the views expressed herein.

O R D E R

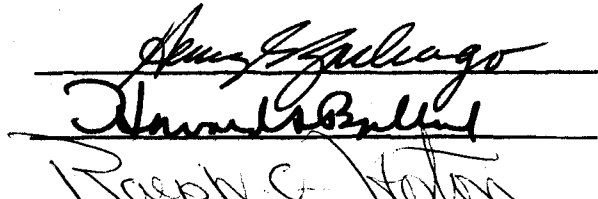
THE COMMISSION ORDERS, That:

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

2. The respondents are hereby notified and required to cancel Item No. 1385, 10th Revised Page No. 195-A to Colorado Motor Carriers' Association, Agent, Tariff No. 12-A, Colorado PUC No. 11 (The Motor Truck Common Carriers' Association, Agent, Series) on or before May 14, 1966 upon notice to this Commission and the general public by not less than one (1) days' filing and posting in the manner prescribed by law and the rules and regulations of the Commission, without prejudice to the filing, upon not less than 10 days' notice, of new schedules in conformity with the findings herein, and that this proceeding, relative thereto, be discontinued.

3. This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 12th day of April, 1966.
dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ALBERT M. OXFORD, DOING BUSINESS AS)
"OXFORD TRANSFER," ROUTE 2, BOX 65H4,)
FORT COLLINS, COLORADO, FOR AUTHORITY) APPLICATION NO.21787-PP-Extension
TO EXTEND OPERATIONS UNDER PERMIT NO.)
B-1960.)

April 14, 1966

Appearances: Albert M. Oxford, Fort Collins,
Colorado, pro se.

S T A T E M E N T

BY THE COMMISSION:

On January 31, 1966, Albert M. Oxford, doing business as "Oxford Transfer," Route 2, Box 65H4, Fort Collins, Colorado, filed an application with this Commission requesting an extension of Permit No. B-1960. The existing authority under Permit No. B-1960 is as follows:

"Transportation of merchandise for Montgomery Ward & Company only from its store in Fort Collins to its customers who reside within a radius of twenty-five miles of Fort Collins, and the transportation of "trade-ins," "repossessed," "returned" merchandise from the residences of said customers and merchandise from the Colorado and Southern and Union Pacific freight houses in Fort Collins to its store; without authority to aid of his customers.

"Decision No. 64663 extended to include the right to transport merchandise for Montgomery Ward & Company, only, from its store in Fort Collins, Colorado, to its customers who reside within a radius of thirty-five miles of Fort Collins, Colorado, and the transportation of trade-ins, repossessed, returned merchandise, from the residences of said customers, and merchandise from the Colorado and Southern and Union Pacific freight houses in Fort Collins, Colorado, to its store, without the right to add to the customers to be served, without permission from this Commission first had and obtained."

The application filed herein requests that Permit No. B-1960 be extended to include:

"Transportation of merchandise from Montgomery Ward & Company, only, from its store in Fort Collins, Colorado, to its customers who reside within a radius of 100 miles of Fort Collins, Colorado, and the transportation of trade-ins, repossessed and returned merchandise, from the residences of said customers, and merchandise from the Colorado and Southern and Union Pacific freight houses, in Fort Collins, Colorado, to its store, without the right to add to the customers to be served, without permission from this Commission first had and obtained."

The Commission designated and assigned the hearing of this application to a Hearing Examiner pursuant to authority vested in the Commission by 1963, Colorado Revised Statutes, 115-2-6 and 115-6-9. Accordingly, the hearing was held before the Examiner on March 14, 1966 at Fort Collins, Colorado, and thereafter, the Examiner transmitted to the Commission a record and exhibits of said proceeding together with the Examiner's summary of evidence, findings of fact and recommendation as follows:

SUMMARY OF EVIDENCE

Albert M. Oxford, doing business as "Oxford Transfer," Route 2, Box 65H4, Fort Collins, Colorado, testified that he presently transports merchandise from the Fort Collins store of Montgomery Ward & Company by authority of Permit No. B-1960. He stated at the present time he is authorized to serve a radius of 35 miles of Fort Collins, Colorado according to the testimony of this witness requested that this application be made inasmuch as Montgomery Ward & Company now has a considerable number of customers residing within a radius of 100 miles of Fort Collins, Colorado. Mr. Oxford testified that in order to fully accommodate the transportation needs of this company, it will be necessary that he be given authority to transport merchandise within a 100-mile radius of Fort Collins, Colorado. The Applicant, who does business as "Oxford Transfer," testified that he has sufficient equipment to provide for the additional transportation needs of Montgomery Ward & Company at Fort Collins, Colorado; that he is experienced in this type of transportation and is financially able to

fully provide for the extended service requested in his application; and that Permit No. B-1960 is in good standing before the Commission. Mr. Oxford also stated that as far as he knows the granting of the extension herein requested will not impair the efficient public service of any common carrier.

No one appeared to protest the within application.

FINDINGS OF FACT

From the testimony and file herein, your Examiner finds that the Applicant has sufficient equipment and net worth to effectively provide additional transportation service within a 100-mile radius of Fort Collins, Colorado for one customer only, to-wit: the Fort Collins, Colorado store of Montgomery Ward & Company, and that the Applicant has adequate experience to provide such additional service.

Your Examiner further finds that the evidence fails to reflect that the granting of the within application would impair the efficient public service of any common carrier and that based upon these findings, the within application should be approved.

CONCLUSIONS

That Application No. 21787-PP-Extension be approved and that authority under Permit No. B-1960 be extended to a 100-mile radius of Fort Collins, Colorado.

It is further recommended, in view of the nature of the extension herein requested, that the authority as presently described under Permit No. B-1960 be eliminated entirely and that the authority under Permit No. B-1960 be defined as follows:

"Transportation of merchandise for Montgomery Ward & Company, only, from its store in Fort Collins, Colorado, to its customers who reside within a radius of 100 miles of Fort Collins, Colorado; and the transportation of trade-ins, repossessed and returned merchandise, from the residences of said customers, and merchandise from the Colorado and Southern and Union Pacific freight houses, in Fort Collins, Colorado, to its store, without the right to add to the customers to be served, without permission from this Commission first had and obtained."

FINDINGS OF THE COMMISSION

The Commission has now considered the record and exhibits of such proceeding transmitted to it by the Hearing Examiner and has considered the Report of the Examiner as heretofore set forth. Pursuant to the provisions of 1963, Colorado Revised Statutes, 115-9-6, the Commission hereby adopts as its own the findings of fact and conclusions of said Examiner as hereinabove set forth and enters the following orders pursuant thereto.

ORDER

THE COMMISSION ORDERS:

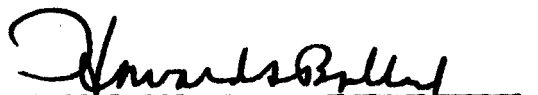

That Albert M. Oxford, doing business as "Oxford Transfer," Route 2, Box 65H4, Fort Collins, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-1960 to include the transportation of merchandise within a radius of 100 miles of Fort Collins, Colorado; and that the existing authority of the Applicant shall be eliminated and the following authority shall be in effect henceforth:

"Transportation of merchandise for Montgomery Ward & Company, only, from its store in Fort Collins, Colorado, to its customers who reside within a radius of 100 miles of Fort Collins, Colorado, and the transportation of trade-ins, repossessed and returned merchandise, from the residences of said customers, and merchandise from the Colorado and Southern and Union Pacific freight houses, in Fort Collins, Colorado, to its store, without the right to add to the customers to be served, without permission from this Commission first had and obtained."

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

CHAIRMAN HENRY E. ZARLENGO NECESSARILY
ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 14th day of April, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
C & W TRUCKING, INC., 2017 EAST COLFAX)
AVENUE, DENVER, COLORADO, FOR A CLASS) APPLICATION NO. 21813-PP
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

April 14, 1966

Appearances: Raymond B. Danks, Esq., Denver,
Colorado, for Applicant;
Royce D. Sickler, Esq., Denver,
Colorado, for Rio Grande Motor
Way, Inc. and Larson Transporta-
tion Company, Protestants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-styled application, Applicant herein seeks auth-
ority to operate as a Class "B" private carrier by motor vehicle for hire,
for the transportation of food snacks and potato chips and their containers
between Denver, Colorado, and all points in Colorado for Red Seal, Inc.,
Denver, Colorado, in intrastate and interstate commerce.

Said application was regularly set for hearing before the Commis-
sion, 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 Thomas J.
Connors, President of C & W Trucking, testified the company was recently
incorporated for the purpose of applying for a Class "B" permit to operate
as a private carrier by motor vehicle for hire. He identified Exhibit
No. 1 as a copy of Articles of Incorporation of the applicant corporation.

Mr. Connors further stated that if the within application is approved, the company will have available \$20,000.00 to initiate operations and that additional finances are available if required; that, as President of the applicant company, he will also be its General Manager, and although he has had limited experience in the transportation field, nevertheless his company has an understanding with Red Seal, Inc. to handle its special transportation needs to various points in the State of Colorado; that if this application is approved, the Applicant will immediately acquire the necessary equipment which will include high volume trailers; that the applicant was granted temporary authority to provide the transportation requested in this application and emergency authority has also been granted by the Interstate Commerce Commission to transport the products of Red Seal, Inc. to Cheyenne, Wyoming; that Red Seal, Inc., Denver, Colorado, produces an assortment of food snacks and potato chips which require after production prompt delivery to various distributors and warehouses in the principal communities of the State of Colorado; that this customer requires that the carrier possess keys to these various warehouses so that delivery may be made when the warehouses are closed; that the customer also requires that stock be rotated at these various warehouses; that stale merchandise and empty cartons be picked up and returned to the plant in Denver; that if this application is approved, his company will provide for these special needs and requirements of the customer; and that as far as he knows, no common carrier is in a position to provide this special service.

Walter Lynch, Jr., Traffic Supervisor, Red Seal, Inc., testified this company produces an assortment of food snacks and potato chips at its plant in Denver located at 4300 Oneida Street; that these products are transported in cases to distributors at various points in Colorado and to company owned warehouses also located in several points in Colorado; that Red Seal, Inc. requires the services of a private carrier which will dedicate all its equipment for the use of Red Seal, Inc., and

also a carrier which will, in addition to the transportation, rotate stock at the various company owned warehouses and warehouses of distributors and return stale merchandise and empty containers to the plant; that the company needs the services of a carrier which will possess keys to all the warehouses so that delivery and rotation of stock may be performed during times when the warehouses are otherwise closed; that Red Seal, Inc. also desires the services of one carrier who can serve all of the various distribution points in Colorado, and will also have authority to transport to Cheyenne, Wyoming; that conditional upon the approval of the within application, arrangements have been made with the Applicant to provide the type of service as described above; and that based upon his knowledge, he believes that the Applicant can meet these special requirements and adequately provide the special service.

Mr. Lynch stated that he is unaware of any common carrier who can provide the complete transportation service and fulfill the special needs of Red Seal, Inc; that on a recent occasion he spoke with a representative of Rio Grande Motor Way, Inc. but that the transportation service which this common carrier could provide did not meet the needs of Red Seal, Inc; that heretofore Red Seal, Inc. has been using the services of Thomas & Son to provide its transportation needs but that since this carrier is unable to provide the complete transportation service required, Red Seal, Inc. wishes to engage the Applicant for this service; that Red Seal, Inc. will transport approximately 7,500 cases of merchandise per week and that in certain emergency situations common carriers will probably be called to handle such transportation; that if the within application is not granted, Red Seal, Inc. would then be required to transport its own merchandise in its own vehicles; that in the past Red Seal, Inc. has had a major problem with stale merchandise which is caused in most part by the failure to rotate stock at the various warehouses in the State of Colorado from which the merchandise

is delivered to local grocery stores and retail outlets; that for this reason Red Seal, Inc. was in urgent need of a carrier which could provide this type of special service in addition to the other special requirements. Exhibit 1 was received into evidence.

Ralph H. Knull, General Traffic Manager for Rio Grande Motor Way, Inc. and Larson Transportation Company, testified that the authorities under which these carriers operate provide for transportation services from Denver to all points on the Western Slope of Colorado and that in addition, Rio Grande has an "A" Permit authorizing service to Colorado Springs and Pueblo. Exhibit A identified by this witness is a statement of the various shipments received from Red Seal, Inc. at Denver, Colorado by Rio Grande Motor Way, Inc. for the last three months of 1965. The total revenue for this period for the shipments listed was \$1,827.31. Mr. Knull also estimated that the 1965 gross revenue for both common carriers is \$7,000,000 and that the revenue from Red Seal, Inc. shipments did not therefor seriously reduce the revenue nor did it have much effect on the operating ratio of these carriers.

Mr. Knull stated that he also understands that even if the within application is granted, Rio Grande Motor Way, Inc. and Larson Transportation Company will receive some freight from Red Seal, Inc. Mr. Knull stated that he also understands that even if the within application is granted, Rio Grande Motor Way, Inc. and Larson Transportation Company will receive some freight from Red Seal, Inc. Mr. Knull also testified these carriers were not in a position to have drivers possess keys to various warehouses nor to rotate stock. Exhibit A was received in evidence.

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

The Commission, having considered the record and exhibits and the written statement of the Examiner herein, states and finds 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 C & W Trucking, Inc., Denver, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of food snacks and potato chips and their containers between Denver, Colorado, and all points in Colorado, for Red Seal, Inc., Denver, Colorado, and this ORDER shall be deemed to be, and be, a PERMIT therefor.

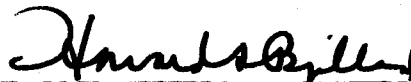
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

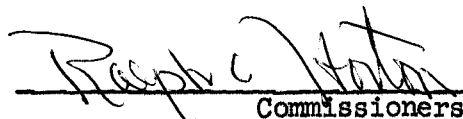
That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING

Dated at Denver, Colorado,
this 14th day of April, 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PUBLIC SERVICE COMPANY OF COLORADO,)
550 15TH STREET, DENVER, COLORADO,)
FOR AN ORDER AUTHORIZING THE ISSUANCE)
OF \$35,000,000 PRINCIPAL AMOUNT OF)
ITS FIRST MORTGAGE BONDS.)

APPLICATION NO. 21892-Securities

April 12, 1966

Appearances: Lee, Bryans, Kelly & Stansfield,
Esqs., Denver, Colorado, by
E. A. Stansfield, Esq., for
Applicant;
Joseph M. McNulty, Denver, Colorado
and
E. R. Thompson, Denver, Colorado,
for the Commission.

S T A T E M E N T

BY THE COMMISSION:

Pursuant to Colorado Revised Statutes, 1963, 115-1-4, Public Service Company of Colorado, a Colorado corporation, herein called "Applicant," filed with this Commission on March 24, 1966, its application for an order of this Commission authorizing it to issue and sell at a price and at an interest rate to be determined by competitive bidding \$35,000,000 principal amount of First Mortgage Bonds, to be dated May 1, 1966 and to mature May 1, 1996. The proposed bonds are to be issued as a new series under and to be secured by Applicant's Indenture of Mortgage to Guaranty Trust Company of New York (now Morgan Guaranty Trust Company of New York), as Trustee, dated as of December 1, 1939, and the indentures supplemental thereto, including a proposed new Supplemental Indenture to be dated as of May 1, 1966.

By Decision No. 67091 dated March 25, 1966, this Commission ordered that a public hearing be held on the aforesaid

application on April 5, 1966 at 10:00 o'clock A.M., at 532 State Services Building, Denver, Colorado. Interested municipalities, representatives of interested consumers or security holders of Applicant, and other persons whose participation in the matter is in the public interest, were invited to intervene in the proceedings. Petitions of intervention were to be filed with this Commission on or before March 30, 1966.

The hearing on the aforesaid application was held on April 5, 1966 at the above designated time and place, after due notice to all interested parties, and the matter was heard and taken under advisement by the Commission. No petitions of intervention were filed with the Commission prior to the hearing and no one appeared at the hearing in opposition to the authority sought by Applicant in this matter.

Witness for Applicant, Mr. R. C. Gude, Vice President-Finance and Secretary, testified to the following matters summarily set forth below.

Applicant is a corporation organized and existing under the laws of the State of Colorado and is a public utility operating company, subject to the jurisdiction of this Commission, engaged principally in the generation, purchase, transmission, distribution and sale of electricity and in the purchase, distribution and sale of natural gas. Applicant's operations are wholly within the State of Colorado, the principal center for distribution and sale of electricity and gas being in the City and County of Denver and immediate vicinity.

Applicant is the owner of all the capital stock of Cheyenne Light, Fuel and Power Company, a Wyoming corporation, Western Slope Gas Company, a Colorado corporation, Green and Clear Lakes Company, a New York corporation, The Pueblo Gas and Fuel Company, a Colorado corporation, and 1480 Welton, Inc., a Colorado corporation. Applicant also holds a controlling interest in two other relatively small companies whose operations are not significant and are not consolidated

in Applicant's financial and statistical statements.

Applicant's Exhibit E, received in evidence at the hearing in this matter, showed that for the year ended December 31, 1965 Applicant had operating revenues of \$142,774,528 and net income, that is the amount available for dividends and surplus, of \$22,691,143. Earnings in prior years have been satisfactory. Applicant's Exhibit E showed that during the year ended December 31, 1965 the amount of \$2,933,650 was appropriated for dividends on its Cumulative Preferred Stock and the amount of \$12,569,499 for dividends on its Common Stock. A schedule setting forth the amount of interest charges of Applicant for the year ended December 31, 1965 was received in evidence as Exhibit B. Applicant's Balance Sheet at December 31, 1965 was received in evidence as Exhibit D.

Under Applicant's Composite Articles of Incorporation, dated June 14, 1962 as amended by Articles of Amendment filed with the Office of the Secretary of State of Colorado on March 1, 1966, copies of which are on file with the Commission, the authorized capital stock of Applicant consists of \$200,000,000 divided into 20,000,000 shares of Common stock of the par value of \$5 each, and 1,000,000 shares of Cumulative Preferred Stock of the par value of \$100 each. At February 28, 1966 there were issued and outstanding 14,447,700 shares of Common Stock. The Cumulative Preferred Stock is authorized to be issuable in series, and there were issued and outstanding on February 28, 1966, 175,000 shares of $4\frac{1}{4}\%$ Cumulative Preferred Stock, 100,000 shares of 4.20% Cumulative Preferred Stock, 65,000 shares of $4\frac{1}{2}\%$ Cumulative Preferred Stock, 160,000 shares of 4.64% Cumulative Preferred Stock, and 150,000 shares of 4.90% Cumulative Preferred Stock. On March 15, 1966 Applicant issued and sold 150,000 shares of its 4.90% Cumulative Preferred Stock, 2nd Series, as authorized by Commission Decision No. 66903 dated February 28, 1966. As of the date of the hearing, Applicant had issued and outstanding in the aggregate 800,000 shares of its Cumulative Preferred Stock.

At February 28, 1966 the funded indebtedness of Applicant was \$208,800,000 consisting of the following First Mortgage Bonds issued in series pursuant to that certain Indenture of Mortgage and Deed of Trust dated as of December 1, 1939, between Applicant and Guaranty Trust Company of New York (now Morgan Guaranty Trust Company of New York), as Trustee, as supplemented:

<u>Series</u>	<u>Principal Amount</u>
2 7/8% Series due 1977	\$40,000,000
3 1/8% Series due 1978	10,000,000
3 1/4% Series due 1981	15,000,000
3 1/8% Series due 1984	20,000,000
4 3/8% Series due 1987	30,000,000
4 5/8% Series due 1989	20,000,000
4 1/2% Series due 1991	30,000,000
4 5/8% Series due 1992	8,800,000
4 1/2% Series due 1994	35,000,000

A condensed description of said Indenture of Mortgage and Deed of Trust and of the outstanding First Mortgage Bonds issued thereunder was received in evidence as Exhibit A. Conformed copies of the original indenture and of the various supplemental indentures under which the respective series of bonds have been issued from time to time are on file with the Commission.

By the proposed issuance and sale of \$35,000,000 of its First Mortgage Bonds at competitive bidding, Applicant expects to receive approximately \$35,000,000 (before expenses) which will be added to Applicant's general funds and used to retire approximately \$3,000,000 of short term notes, to assist in its construction program, and to reimburse its treasury for funds heretofore expended for additional plant facilities and improvements.

The estimated aggregate amount to be spent by Applicant in its construction program during the years 1966, 1967 and 1968, as set forth in Exhibit F, is \$176,371,000. Of this amount, according to the testimony of Applicant's witness, approximately \$9,675,000 had been expended as of March 1, 1966. The witness estimated that the net proceeds from the proposed sale of the new bonds, together with funds from internal sources would finance

Applicant's construction program until mid-1967.

After giving effect to the issuance and sale on March 15, 1966 of 150,000 shares of Applicant's 4.90% Cumulative Preferred Stock, 2nd Series, and to the proposed issuance and sale of the new bonds for which authorization is herein sought, the pro forma capital structure of Applicant as of December 31, 1965 as shown by Exhibit G received in evidence at the hearing, will be as follows, with the percentages of each item to total capitalization being shown in the right-hand column:

First Mortgage Bonds	\$243,800,000	49.0%
Preferred Stock, Incl. Premium	80,007,500	16.1%
Common Stock	72,238,500)	
Premium on Common Stock	64,876,420)	34.9%
Earned Surplus	21,477,038)	
Earned Surplus Restricted	14,776,030)	
 Total Capitalization	 \$497,175,488	 100%

Applicant's witness testified that based upon the present bond market, Applicant should be able to sell the proposed bonds at an interest rate of between 5 1/4% and 5 1/2% and not in excess of 5 3/4% per annum. The bonds are to be offered to underwriters at competitive bidding pursuant to a public invitation for bids. Applicant proposes to accept the bid which will provide it with the lowest annual cost of money. Each bid will be required to specify the interest rate and the price (exclusive of accrued interest) to be paid therefor, which price shall not be less than 99% of the principal amount. In the bid invitation Applicant will reserve the right to revoke the same before the bid opening, and also to reject all bids received. The interest rate, price and the redemption premiums will be determined by the bid Applicant accepts at the bid opening. The Supplemental Indenture to be dated as of May 1, 1966 will contain the terms and provisions applicable to the new series of First Mortgage Bonds to be issued, including a provision that none of the new bonds may be redeemed prior to May 1, 1971,

directly or indirectly from the proceeds of any refunding operation involving the incurring of indebtedness having an interest cost to Applicant of less than the annual rate to be borne by the new bonds. A March 30, 1966 proof copy of the proposed Supplemental Indenture was received in evidence as Exhibit H. A copy of Applicant's Registration Statement on Form S-9, in respect of the proposed issuance of the new series of First Mortgage Bonds which was filed with the Securities and Exchange Commission, Washington, D. C., on March 31, 1966 and which it is anticipated will become effective on or about May 5, 1966, was received in evidence as Exhibit I.

The Commission has carefully reviewed all the evidence presented at the hearing held in this matter and is of the opinion the authority sought by the Applicant should be granted.

F I N D I N G S

THE COMMISSION FINDS:

That Applicant, Public Service Company of Colorado, a Colorado corporation, is a public utility, as defined by Colorado Revised Statutes, 1963, 115-1-3;

That this Commission has jurisdiction of Applicant, and the subject matter of this application;

That this Commission is fully advised in the premises;

That the foregoing Statement be, and it hereby is, adopted as part of the Findings herein;

That the proposed issuance and sale by Applicant of \$35,000,000 principal amount of its First Mortgage Bonds, as hereinabove set forth, is reasonably required and necessary for its proper corporate financing;

That the proposed securities transaction is not inconsistent with the public interest; that the purpose or purposes thereof are permitted by, and are consistent with, the provisions of Chapter 115, Colorado Revised Statutes, 1963; and

That the Order sought should be issued, and should be made effective forthwith.

O R D E R

THE COMMISSION ORDERS:

That Applicant, Public Service Company of Colorado, be, and it hereby is, authorized and empowered to issue and sell a new series of its First Mortgage Bonds in the principal amount of \$35,000,000 at the best price obtainable through competitive bidding but not less than 99% of the principal amount thereof, to be dated May 1, 1966, to mature May 1, 1996, and to bear interest at a rate not in excess of 5 3/4% per annum. The First Mortgage Bonds authorized to be issued and sold hereunder are to be issued as a new series under and to be secured by the Indenture of Applicant to Guaranty Trust Company of New York (now Morgan Guaranty Company of New York), as Trustee, dated as of December 1, 1939 and the indentures supplemental thereto, including a Supplemental Indenture to be dated as of May 1, 1966 substantially in the form of Exhibit H received in evidence at the hearing in this matter, but with such modifications as Applicant or its counsel may deem necessary or proper or find desirable in arranging for the issuance and sale of said bonds. The Supplemental Indenture to be dated as of May 1, 1966 shall contain the interest rate, the redemption premiums, and other provisions applicable to such bonds, including a provision that none of said bonds may be redeemed prior to May 1, 1971, directly or indirectly from the proceeds of or in anticipation of any refunding operation involving the incurring of indebtedness having an interest rate or cost to Applicant (calculated in accordance with the accepted financial practice) of less than the annual rate to be borne by the First Mortgage Bonds;

That Applicant be, and it hereby is, authorized to use and apply the net proceeds derived from the issuance and sale of the

\$35,000,000 principal amount of its First Mortgage Bonds to retire short term notes aggregating approximately \$3,000,000; for the acquisition of property and for the construction, completion, extension and improvement of its facilities, including its proposed construction program for the years 1966, 1967 and 1968; and for the reimbursement of moneys actually expended by Applicant for said purposes from income, or from other moneys in Applicant's treasury not secured by or obtained from the issuance of securities within five years next prior to March 24, 1966, the date of the filing of the instant application with the Commission;

That the First Mortgage Bonds authorized to be issued and sold hereunder shall bear on their face a serial number for proper and easy identification; and within ninety (90) days from the issuance and delivery of said bonds, Applicant shall make a verified report to this Commission of such serial numbers placed on such bonds as are initially issued;

That Applicant shall offer the First Mortgage Bonds authorized hereunder for sale at competitive bidding pursuant to a public invitation for bids, and as soon as possible after the conclusion of the bidding and the acceptance by Applicant of the bid that in Applicant's judgment will provide it with the lowest annual cost of money, Applicant shall file a statement with the Commission, showing all bids received and which bid was accepted, the coupon interest rate, the price to Applicant, and the cost of money to Applicant;

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 Revised Uniform System of Accounts for Electric and Gas Utilities prescribed by the National Association of Railroad and Utilities Commissioners, and adopted as revised by this Commission;

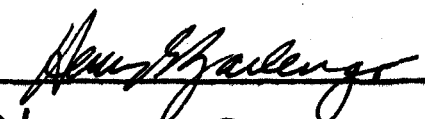
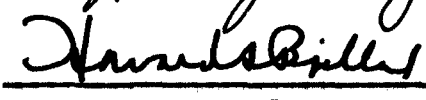
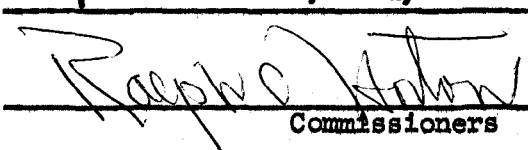
That nothing herein shall be construed to imply any recommendation or guaranty of, or any obligation with respect to the First Mortgage Bonds authorized hereunder, or the interest thereon, on the part of the State of Colorado;

That within ninety (90) days after the issuance and sale of such bonds, Applicant shall file with this Commission a copy of all amendments to its Registration Statement on Form S-9 (Exhibit I) filed on March 31, 1966 with the Securities and Exchange Commission, and a conformed copy of the Supplemental Indenture to be dated as of May 1, 1966 covering the issue of bonds to be sold hereunder; and 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 and supporting journal entries as entered on the books of Applicant reflecting the consummation of the issuance and sale of said bonds in accordance with the authority granted herein;

That the Commission retain jurisdiction of these proceedings to the end that it may make such further Order, or Orders, in the premises as it may deem proper or 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 12th day of April, 1966.
ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES S. MARTIN, 3303 HANCOCK #42 }
COLORADO SPRINGS, COLORADO, FOR A } APPLICATION NO. 21851-PP
CLASS "B" PERMIT TO OPERATE AS A }
PRIVATE CARRIER BY MOTOR VEHICLE }
FOR HIRE. }

April 14, 1966

Appearances: Dorothy Martin, Colorado Springs,
Colorado, for the Applicant;
Ray W. Dutch, Esq., Colorado Springs,
Colorado, for El Paso Dump Truckers'
Association, 231 East Vermijo, Colo-
rado Springs, Colorado, Protestant.

PROCEDURE AND RECORD

On March 4, 1966, Charles S. Martin, 3303 Hancock #42, Colorado Springs, Colorado, 80900, filed with the Commission the instant application (No. 21851) for a Class "B" permit to operate as a private carrier by motor vehicle for hire in intrastate commerce under the provisions of Article 11, Chapter 115 of 1963 Colorado Revised Statutes. On March 15, 1966, the Commission set the application for hearing in the Auditorium of the County Building, 27 East Vermijo Street, Colorado Springs, Colorado, at 10:00 o'clock A.M. on Monday, April 11, 1966. After due and proper notice to all parties in interest, the application was heard at said time and place by Commissioner Howard S. Bjelland.

When the application was called for hearing, Ray Dutch, Esq., entered an appearance on behalf of El Paso Dump Truckers' Association, 231 East Vermijo, Colorado Springs, Colorado, as a Protestant. Mr. Dutch stated for the record that such association is composed entirely of private carriers, and that none of the members of the association are common carriers. Upon such statement,

the Presiding Commissioner ruled that the El Paso Dump Truckers' Association had no standing to protest the granting of the instant application. The application then proceeded as a non-contested matter.

Dorothy Martin testified in support of the application.

FINDINGS OF FACT

After due and careful consideration of the record in this application, including the application and the testimony of the Applicant, the Commission finds as fact that:

Charles S. Martin, the Applicant herein, by the instant application seeks authority from this Commission to operate as a private carrier by motor vehicle for hire in intrastate commerce for:

"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, to homes 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; provided, however, that the transportation of road-surfacing materials shall be restricted against the use of tank vehicles."

Dorothy Martin is the wife of the Applicant, Charles S. Martin, and was authorized and directed to appear at the instant hearing on behalf of her husband. Charles S. Martin has had over twelve years of experience in dump truck operation and has a net financial worth in excess of \$15,000. He owns a Ford tandem dump truck. If the authority sought herein is granted, Martin plans to enter into contracts for the rendition of service with various contractors and individuals. 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.

Charles S. Martin has adequate experience, equipment and financial resources to render the transportation service for which he seeks authority. The Commission is not of the opinion that the proposed operation of Charles S. Martin will impair the efficient public service of any authorized motor vehicle common carrier.

O R D E R

THE COMMISSION ORDERS:

That Charles S. Martin, 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, to homes 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; provided, however, that the transportation of road-surfacing materials shall be 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

COMMISSIONER HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Harold Byler

Ralph C. Hutton
Commissioners

Dated at Denver, Colorado,
this 14th day of April, 1966.
ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JOHN W. GRAHAM, DOING BUSINESS AS)	
"JOHNNY GRAHAM," 2937 TREMONT, COLO-)	APPLICATION NO. 21848-PP
RADO SPRINGS, COLORADO, FOR A CLASS)	
"B" PERMIT TO OPERATE AS A PRIVATE)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	

April 14, 1966

Appearances: John W. Graham, 2937 Tremont,
Colorado Springs, Colorado, pro se;
Ray W. Dutich, Esq., Colorado Springs,
Colorado, for El Paso Dump Truckers'
Association, 231 East Vermijo, Colo-
rado Springs, Colorado, Protestant.

PROCEDURE AND RECORD

On March 3, 1966, John W. Graham of 2937 Tremont, Colorado Springs, Colorado, 80900, filed with the Commission the instant application (No. 21848) for a Class "B" permit to operate as a private carrier by motor vehicle for hire in intrastate commerce under the provisions of Article 11, Chapter 115 of 1963 Colorado Revised Statutes. On March 15, 1966, the Commission set the application for hearing in the Auditorium of the County Building, 27 East Vermijo Street, Colorado Springs, Colorado, at 10:00 o'clock A.M. on Monday, April 11, 1966. After due and proper notice to all parties in interest, the application was heard at said time and place by Commissioner Howard S. Bjelland.

When the application was called for hearing, Ray Dutich, Esq., entered an appearance on behalf of El Paso Dump Truckers' Association, 231 East Vermijo, Colorado Springs, Colorado, as a Protestant. Mr. Dutich stated for the record that such association is composed entirely of private carriers, and that none of the members of the association are common carriers. Upon such statement,

the Presiding Commissioner ruled that the El Paso Dump Truckers' Association had no standing to protest the granting of the instant application. The application then proceeded as a non-contested matter.

John W. Graham testified in support of the application.

FINDINGS OF FACT

After due and careful consideration of the record in this application, including the application and the testimony of the Applicant, the Commission finds as fact that:

John W. Graham, the Applicant herein, by the instant application seeks authority from this Commission to operate as a private carrier by motor vehicle for hire in intrastate commerce 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, to homes 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; provided, however, that transportation of road-surfacing materials shall be restricted against the use of tank vehicles. Also: coal, from coal mines located near Florence, Colorado, to all points within a radius of 50 miles thereof."

John W. Graham has had ten years of experience in dump truck operation and has a net financial worth of about \$40,000. He owns a GMC tandem dump truck. If the authority sought herein is granted, Graham plans to enter into contracts for the rendition of service with various contractors and individuals. Temporary authority to so operate was issued by the Commission to Applicant on March 28, 1966, and Applicant has been operating under such authority. 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 the authority is granted, Graham would

like to be able to use his previous permit number, B-5032.

John W. Graham has adequate experience, equipment and financial resources to render the transportation service for which he seeks authority. The Commission is not of the opinion that the proposed operation of John W. Graham will impair the efficient public service of any authorized motor vehicle common carrier.

O R D E R

THE COMMISSION ORDERS:

That John W. Graham, doing business as "Johnny Graham," 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, to homes 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; provided, however, that transportation of road-surfacing materials shall be restricted against the use of tank vehicles. Also: coal, from coal mines located near Florence, Colorado, to all points within a radius of 50 miles thereof.

The operating rights herein granted shall be known as
"Permit No. B-5032."

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

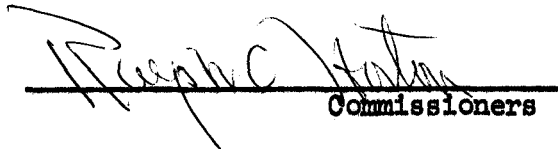
That this Order is the permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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 HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 14th day of April, 1966.
ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
STEVE GLORIOSO, 834 ATCHISON, TRINIDAD,)
COLORADO.)

PERMIT NO. A-968 and
A-968-I

April 14, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

A written request from the above carrier has been received for a waiver from the Commission of its Rule relating to the filing of cash, or a surety bond, concerning C.O.D. shipments.



Upon full consideration of the matter, the Commission states and finds that to grant the request will not be in the public interest and should be denied.

ORDER

THE COMMISSION ORDERS:

That the request above referred to be, and the same hereby is, denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

CHAIRMAN HENRY E. ZARLENGO NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 14th day of April, 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MARVIN D. VOIGHT, 3930 SOUTH PEARL,)
ENGLEWOOD, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CARRIER)
BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 21807-PP

April 14, 1966

Appearances: Marvin D. Voight, Englewood,
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 Marvin D. Voight, Englewood, 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 right of Applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of this Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING

Dated at Denver, Colorado,
this 14th day of April, 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ELMER F. CUSTER, 1295 DAYTON, AURORA,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 21808-PP

April 14, 1966

Appearances: Elmer F. Custer, 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 eggs, between points within a radius of 40 miles of Aurora, 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 the 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 Elmer F. Custer, Aurora, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of eggs, between points within a radius of 40 miles of Aurora, 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 right of Applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of this Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Harold B. Miller

Ralph C. Hutton
Commissioners

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING

Dated at Denver, Colorado,
this 14th day of April, 1966.
et

(Decision No. 67186)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRANK O. WASHAM, 2005 PARKVIEW BOULE-)
VARD, COLORADO SPRINGS, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE AS)
A PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 21884-PP

April 14, 1966

S T A T E M E N T

BY THE COMMISSION:

On March 21, 1966 Frank O. Washam, Colorado Springs, Colorado, filed an application with this Commission seeking a Class "B" permit to operate as a private carrier by motor vehicle for hire in intrastate commerce. The application was set for hearing in the Auditorium of the County Building, 27 East Vermijo Street, Colorado Springs, Colorado, at 10:00 o'clock A.M. on Monday, April 11, 1966. At said time and place, the Applicant failed to appear.

The matter should be re-set for hearing by the Commission at a later date.


O R D E R

THE COMMISSION ORDERS:

That the instant application be set for re-hearing on Thursday, April 28, 1966 at 10:00 o'clock A.M. in Room 428, County Office Building, 27 East Vermijo Street, Colorado Springs, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

COMMISSIONER HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 14th day of April, 1966.

ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
COLORADO MILK TRANSPORT, INC., ROUTE 1,)
BOX 141, BROOMFIELD, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY AUTHORIZING EXTENSION OF)
OPERATIONS UNDER PUC NO. 375 TO INCLUDE)
TRANSPORTATION, OVER IRREGULAR ROUTES,)
OF MILK, IN BULK, IN TANK VEHICLES,)
FROM POINTS IN EL PASO COUNTY, COLORADO,)
(EXCEPT THE CITY OF COLORADO SPRINGS,)
COLORADO) TO DENVER, COLORADO, AND POINTS)
WITHIN TEN MILES OF DENVER, COLORADO.)

APPLICATION NO. 21726
EXTENSION

April 14, 1966

Appearances: Marion F. Jones, Esq., Denver,
Colorado, for Colorado Milk
Transport, Inc., Applicant;
William F. Reynard, Esq., Denver,
Colorado, for Brewer Milk Line
and Kucerik Brothers Milk Line,
Protestants.

PROCEDURE AND RECORD

On December 28, 1965, Colorado Milk Transport, Inc., hereinafter referred to either by its full corporate name or as "Applicant", filed with the Commission an application (No. 21726) requesting the Commission to extend its authority under PUC No. 375 to include generally the transportation of milk from points in El Paso County, Colorado (except the City of Colorado Springs, Colorado) to Denver, Colorado, and points within ten miles of Denver, Colorado.

The matter was originally set for hearing on Monday, February 21, 1966. The Commission, on January 18, 1966 entered a further order, at the request of the Applicant, vacating the February 21st setting, and re-setting the matter for hearing before the Commission at 532 State Services Building, Denver, Colorado,

at 10 o'clock A.M. on Monday, March 28, 1966. Temporary authority to operate under the proposed extended authority was issued by the staff of the Commission to the Applicant on January 11, 1966. On January 10, 1966, the Commission received a communication from Robert D. Means, the attorney for Pueblo Milk Transport, Inc. indicating that Pueblo Milk Transport, Inc. intended to protest the instant application. At the time of the hearing, Brewer Milk Line and Kucerik Brothers Milk Line entered formal written appearances giving notice that each of said milk haulers protested the granting of the application.

After due and proper notice of the hearing had been given to all interested parties, the matter was heard by Commissioner Howard S. Bjelland at the Hearing Room of the Commission in Denver, Colorado, at 10 o'clock A.M. on Monday, March 28, 1966. As a preliminary matter, the Applicant moved to strike the intended protest of Pueblo Milk Transport, Inc. for the reason that such corporation made no appearance at the hearing. The motion was taken under advisement by the Presiding Commissioner and such motion is now granted. The Applicant also moved, as a preliminary matter, to amend its application by expanding the original exception which read as follows:

"(except the City of Colorado Springs, Colorado)"

to read:

"except the City of Colorado Springs, Colorado, and except points on and within one mile of either side of U. S. Highway No. 24 between Calhan and Limon, Colorado."

The proposed amendment being restrictive in nature, the Presiding Commissioner granted the motion. The Protestants, as a preliminary matter, moved to consolidate Application No. 21726 with Applications No. 21875 and No. 21876. Applications No. 21875 and No. 21876 are applications wherein the Protestants seek authority similar to the authority sought in the instant application by Applicant.

After a conference between the presiding Commissioner and the attorneys, the attorneys for the Applicant and the Protestants stipulated that the hearing on the instant application should proceed, and that the motion to consolidate be withdrawn by Protestants, provided that the Commission in orders in Applications No. 21726, 21875 and 21876 be issued simultaneously. This stipulation was accepted by the Presiding Commissioner, and pursuant thereto, the motion to withdraw the consolidation motion was granted.

Edward Martin, the President of Colorado Milk Transport, Inc., testified in support of the application. He identified Exhibit No. 1 as a financial statement of the Applicant, and Exhibit No. 2 as the equipment list of the Applicant and these exhibits were admitted in evidence. Robert Girard, Marketing Representative for Denver Milk Producers, Inc., testified in support of the application.

Andrew Kucerik, a partner in Kucerik Brothers Milk Line, testified as a Protestant to the granting of the application. He identified Exhibit No. A as a copy of Commission Decision No. 66668, and this exhibit was admitted in evidence. William Brewer, the owner of Brewer Milk Line, testified as a Protestant to the granting of the application. He identified Exhibit No. B as a copy of Commission Decision No. 66713, and this exhibit was admitted in evidence. Dwight Hull, the Manager of Intermountain Dairymen Incorporated, testified in support of the protests of Kucerik Brothers Milk Line and Brewer Milk Line.

The Commission on its own motion now takes official notice of the Letter of Authority issued by the Commission to Colorado Milk Transport, Inc. which sets forth the prima facie operating rights of such corporation under PUC No. 375 & I.

Upon conclusion of the hearing, the presiding Commissioner took the matter under advisement.

At the hearing on Applications No. 21875 and 21876 held in Colorado Springs on Monday, April 11, 1966, Kucerik Brothers

Milk Line and Brewer Milk Line, by their attorney of record, William F. Reynard, requested permission of the Commission to withdraw their respective protests to the granting of the instant application (No. 21726-Extension). Permission to so withdraw said protest was granted by the Presiding Commissioner.

FINDINGS OF FACT

After due and careful consideration of the entire record in this proceeding, including the application, the testimony, the exhibits, and the document of which official notice was taken, the Commission finds as fact that:

Colorado Milk Transport, Inc., the Applicant herein, is a corporation engaged in the business of transporting milk for hire. In 1953, eleven milk haulers organized this corporation, and transferred to the corporation their respective operating authorities issued by this Commission. Certain of these haulers had been engaged in the business of transporting milk for hire since 1922. Colorado Milk provides a milk transportation service on the eastern slope of the State of Colorado, primarily in the northeastern part of the State, and in a five-county area in southeastern Colorado, namely, Fremont, Custer, Pueblo (except the City of Pueblo), Crowley and Otero Counties. About 95% of the total volume of milk hauled by Colorado Milk Transport, Inc. is hauled for Denver Milk Producers, Inc. Colorado Milk Transport, Inc. is the owner and operator of a certificate of public convenience and necessity issued by this Commission, PUC No. 375 & I, which generally authorizes:

"Transportation of milk, cream and dairy products in bulk or in cans, with return of empty cans, rejected supplies and farm supplies incidental to the preparation of milk and cream for transportation, after the milk and cream are produced, between all points in the following-described territory, and from all points in said territory, to Denver and a five-mile radius thereof, said territory being described as follows: Beginning at the intersection of Alameda Avenue and Yosemite Street on the City limits of Denver; thence east along said Alameda Avenue approximately 8 miles to the SE

corner of Section 11 T 4 S R 66 W; thence north approximately 13 miles to the SE corner of Section 2 T 2 S R 66 W; thence east approximately 12 miles to the SE corner of Section 2 T 2 S R 64 W; thence north approximately 22 miles to the NE corner of Section 23 T 3 N R 64 W; thence west approximately 5 miles to the SW corner of Section 18 T 3 N R 64 W; thence north approximately 11 miles to the SE corner of Section 24 T 5 N R 65 W; thence west approximately 10 miles to the SW corner of Section 21 T 5 N R 66 W; thence north approximately 3 miles to the NE corner of Section 8 T 5 N R 66 W; thence west approximately 5 miles to the NW corner of Section 10 T 5 N R 67 W; thence north approximately 20 miles to the NE corner of Section 33 T 9 N R 67 W; thence west approximately 15 miles to the NW corner of Section 31 T 9 N R 69 W; thence south approximately 20 miles to the SW corner of Section 6 T 5 N R 69 W; thence west 1 mile to the NW corner of Section 12 T 5 N R 70 W; thence south approximately 11 miles to the SW corner of Section 36 T 4 N R 70 W; thence west approximately 6 miles to the NW corner of Section 1 T 3 N R 71 W; thence south approximately 24 miles to the NW corner of Section 1 T 2 S R 71 W; thence east approximately 2 miles to the NW corner of Section 5 T 2 S R 70 W; thence south approximately 17 miles to the SW corner of Section 29 T 4 S R 70 W; thence east approximately 13½ miles to the Denver City Limits; thence along the Denver City Limits to the point of beginning; PROVIDED, HOWEVER, that as to service which predecessors of Colorado Milk Transport, Inc., were not authorized to perform prior to July 29, 1953, any grant of new authority contained herein shall be restricted against transportation which would be competitive with the authority issued in PUC No. 1425, 1595, 2346, 1722, or 557, owned by Bethke Milk Lines a co-partnership, on January 15, 1954. DECISION No. 52420: EXTENDED TO INCLUDE: Transportation of milk, cream, and dairy products, in bulk or in cans, from all origin territory authorized in PUC No. 375, with return of empty cans, rejected supplies, and farm supplies incidental to the preparation of milk and cream for transportation after the milk and cream are produced, to Colorado Springs, Colorado, and a five-mile radius thereof, restricted to pick-ups from farms. DECISION No. 52505: Restricted from transporting milk, cream, and dairy products to Boulder, Colorado, in competition with Certificates of Public Convenience and Necessity Nos. 2319, and 616, owned by Croley Truck Lines and Pioneer Trucking Company, respectively. INTERSTATE AUTHORITY: Between all points in Colorado and the Colorado state boundary lines where all highways cross same in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended."

On August 11, 1965, in Decision No. 65553 , this Commission authorized Colorado Milk Transport, Inc. to extend its operating rights:

"To include the right to transport milk, in bulk, in tank vehicles, from points in Fremont, Custer, Pueblo (except the City of Pueblo), Crowley and Otero Counties, Colorado, to Denver, Colorado, and points within 10 miles of Denver, Colorado."

This decision was appealed as provided by law. Apparently, however, no stay was obtained, as Colorado Milk is presently rendering service under such extended authority.

In the instant application as amended, Colorado Milk Transport, Inc. seeks a further extension of its authority under PUC No. 375 & I to authorize transporting,

"Milk, in bulk, in tank vehicles, from points in El Paso County, Colorado (except the City of Colorado Springs, Colorado, and except points on and within one mile of either side of United States Highway No. 24 between Calhan and Limon) to Denver, Colorado, and points within ten miles of Denver, Colorado."

Edward Martin is the President of Colorado Milk Transport, Inc., and is also the President of Rocky Mountain Truck Leasing Company. The Rocky Mountain Truck Leasing Company is owned by the same individuals who own Colorado Milk Transport, Inc. This truck leasing company leases to the transportation company the trucks, trailers, and tanks utilized by the transportation company to render service. The combined companies have assets in the total amount of \$882,665.11, and a total net worth of \$686,430.66, all as of December 31, 1965. Colorado Milk Transport, Inc. has leased 32 tractor power units and 25 tank trailer units from Rocky Mountain Truck Leasing Company. The tank trailer units range in capacity from 550 gallons to 6620 gallons.

Denver Milk Producers, Inc. is a marketing cooperative organized and existing under the laws of the State of Colorado. The cooperative markets milk for its member milk producers. It has been in business since 1942. It has been using the services of Colorado Milk Transport, Inc. to transport the milk of its producer members for many years, and is well satisfied with the services rendered by Colorado Milk Transport, Inc. It does not use the services of Kucerik Brothers Milk Line or Brewer Milk Line. Most of the milk marketed by this cooperative comes from the northeastern part of the state. However, Denver Milk Producers, Inc. now has eleven producer

members, with two additional members as of April 1, 1966, in the five-county area of Fremont, Custer, Pueblo, Crowley, and Otero Counties. This cooperative supplies raw milk to 16 or 17 Denver dairies, and furnishes about 80% of the milk consumed in the Denver area. It utilizes the services of for-hire carriers, but also owns and operates a number of trucks and tank trailers, which it utilizes to haul the milk produced by some of its members to market. Colorado Milk Transport, Inc. hauls about one-third of the total volume of milk handled by Denver Milk Producers, Inc. Denver Milk Producers, Inc. is presently using the milk transportation services of Colorado Milk Transport, Inc. to transport the milk of its eleven producer members in Fremont, Custer, Pueblo, Crowley and Otero Counties to Denver. Colorado Milk Transport, Inc. is using a 1960 White S-4400-TD power unit and a 1957 Cert. 2800 gallon tank unit to transport this milk to the Denver market. When production from the two additional producers is added to the existing production of the eleven producers, it may be necessary for Colorado Milk Transport, Inc. to use one of its larger tank units to furnish the transportation service. Denver Milk Producers, Inc. requested the Applicant herein to file its instant application for extension of authority.

Colorado Milk Transport, Inc. is well qualified to render milk transportation service for hire. It has adequate finances, adequate equipment, and is experienced in the business. It now has extra equipment on hand and available for immediate use. If additional equipment is needed in the future, it is financially able to and is ready and willing to purchase such additional equipment as might be needed to render service.

Andrew Kucerik is a partner in Kucerik Brothers Milk Line. Kucerik Brothers Milk Line is the owner and operator of a certificate of public convenience and necessity issued by this Commission, PUC No. 3019, which generally authorizes:

PUC No. 3019:

"Transportation of milk and dairy products in the following territory:

- a. All of that portion of El Paso County lying South of U.S. Highway No. 24, and East of Highway No. 85-87.
- b. That portion of Elbert County described as beginning at the Town of Simla, thence south to the El Paso County boundary line, thence west to U. S. Highway No. 24, thence along said U.S. Highway No. 24 to the Town of Simla.
- c. Those portions of El Paso and Elbert Counties included in an area described as beginning at the town of Ramah, thence 5 miles north, thence 14 miles west, then south to U.S. Highway No. 24, thence along U.S. Highway No. 24 to the Town of Ramah,

and transportation of milk and dairy products from the territory hereinabove described to receiving plants in and around the Colorado Springs area."

This authority covers the major portion of the eastern two-thirds of El Paso County. The partnership has an investment of approximately \$30,000, indebtedness of about \$25,000, and operates a 1964 3½ ton Mack Diesel with a 3500 gallon stainless steel tank. The partnership renders a for-hire milk transportation service to twenty producers. Milk is picked up from producers on an every other day basis, nine producers being picked up on one day, and eleven on the next day. The milk is transported from the farms of the producers to the Colorado Springs area.

Kucerik Brothers Milk Line is well-qualified to render milk transportation service for hire. The partnership is adequately financed, has adequate equipment, and is experienced in the business.

William Brewer is the owner and operator of Brewer Milk Line and of the certificate of public convenience and necessity issued by this Commission under which such milk line renders service, namely, PUC No. 1570, which authorizes generally:

PUC No. 1570:

"Transportation of milk and cream with the return of empty cans in the territory described as: Beginning at

a point 10 miles west of Peyton; north along the center of Range 65-West a distance of 18 miles; east a distance of 30 miles; south along center line of Range 60-West to State Highway No. 94; west on Highway No. 94 to center of Range 65; north to point of beginning, to points within said area and points outside thereof. The towns located within the described area being Calhan, Eastonville, Elbert, Ellicott, Falcon, Fondis, Kuhn's Crossing, Peyton, Ramah, Shirley and Yoder. Decision No. 30760, dated 6-28-48, said Decision No. 30531, was amended by eliminating from PUC 1570 authority to transport: milk and cream from points in the described area to points outside thereof, with back-haul of empty cans. Decision No. 41573 extended to: Call and demand transportation of milk and cream from points within his presently authorized area to the City of Colorado Springs, Colorado, and immediate environs, with back-haul of empty cans. Decision No. 54696: The right to transport bulk milk, in tank trucks, as well as cans, within his presently authorized territory."

This authority covers generally the northeastern quarter of El Paso County, and overlaps to a considerable degree the authority owned and operated by Kucerik Brothers Milk Line. Brewer owns a 1965 Mack Diesel and a 2700 gallon stainless steel tank which he uses to render milk transportation service to 14 producers, on an every other day pick-up basis. He picks up five producers on one day, and twelve (three producers being on an every day pick-up schedule) the next. The milk of such producers is transported to the Colorado Springs area.

William Brewer is well qualified to render milk transportation service for hire. He is adequately financed, has adequate equipment, and is experienced in the business.

Intermountain Dairymen Incorporated is also a milk marketing cooperative organized and existing under the laws of the State of Colorado, with its offices located at Colorado Springs, Colorado. It has about 200 producer members, located primarily in Southeastern Colorado and Western Kansas. Intermountain uses the services of for-hire milk haulers, including Kucerik Brothers Milk Line and Brewer Milk Line, but not including Colorado Milk Transport, Inc. The producers served by Kucerik and Brewer are members of Intermountain Dairymen Incorporated. This cooperative also owns and operates milk hauling equipment, which it utilizes to haul the milk of some of its

members to market. Intermountain Dairymen Incorporated delivers milk to several dairies in the Denver area. Kucerik Brothers Milk Line and Brewer Milk Line are good haulers and Intermountain Dairymen Incorporated is satisfied with their services.

Both Denver Milk Producers, Inc. and Intermountain Dairymen Incorporated market the milk of their producer members under the terms of a federal milk marketing order. Under the terms of this order, milk of the two cooperative marketing associations may not be commingled.

At the present time, no common carrier milk hauler has a certificate of public convenience and necessity issued by this Commission to transport milk for hire from El Paso County (except the City of Colorado Springs) to the Denver area. This is the authority which Applicant seeks in the instant application (No. 21726) and which Kucerik Brothers Milk Line and Brewer Milk Line seek, in part, in Applications No. 21876 and No. 21875 respectively. Temporary authority to render such service has been granted to all three carriers by the Commission. However, neither Kucerik Brothers Milk Line nor Brewer Milk Line have hauled any milk from El Paso County to the Denver area under such temporary authorities. Intermountain Dairymen Incorporated requested Kucerik Brothers Milk Line and Brewer Milk Line to file their respective applications for extended authority.

Steve Zajac, a milk producer situated in El Paso County, is a new member of Denver Milk Producers, Inc. Zajac produces 600 to 800 pounds (about 100 gallons) of milk every other day. During the latter part of March of 1966, Colorado Milk Transport, Inc. started picking up the milk produced by Steve Zajac, and transporting such milk to the City Park Dairy in Denver. The milk was picked up by the same truck and tank picking up the milk of the eleven Denver Milk Producers, Inc. members located in the five-county area of Fremont, Custer, Pueblo, Crowley, and Otero Counties. In effect, Colorado Milk Transport, Inc. simply added one additional stop to

to its existing service rendered to the eleven producers in the five-county area. Denver Milk Producers, Inc. antitipates the possibility that it may have five or six new milk producer members in El Paso County in the future. If such anticipated possibility should occur, Colorado Milk Transport, Inc. would render transportation service to such additional milk producers by simply expanding its present pick-up route and utilizing a larger tank. Steve Zajac is now charged 40 to 42 cents a hundredweight for the transporation of his milk to the Denver market. Milk on the Denver market has a value of in excess of \$5.00 per hundredweight. Zajac's total hauling charge to the Denver market for 800 pounds of milk is now from \$3.20 to \$3.36, and the market value of such 800 pounds of milk is now in excess of \$40.00. If Zajac's milk were hauled to Denver separately, not commingled as part of a load with other producers' milk, the transportation charge for such 800 pounds of milk assessed by any of the milk haulers who are parties to this proceeding would be based on a per mile charge of 67 cents to 70 cents and would be in excess of \$40.00.

If the authority sought by Kucerik Brothers Milk Line in Application No. 21876 and by Brewer Milk Line in Application No. 21875 should be granted by this Commission, Intermountain Dairymen Incorporated plans to use the service of these carriers to transport milk from El Paso County to the Denver area, perhaps on a once-a-week basis.

Both Kucerik Brothers Milk Line and Brewer Milk Line are small haulers, one serving 20 producers and the other serving 14 producers. If either of these milk haulers should lose some of such milk producer customers, they would sustain an economic loss. All of the 34 producers served by these two milk lines are members of Intermountain Dairymen Incorporated, and the milk of such producers is presently transported by these two milk haulers from the farms of the producers to the Colorado Springs area. The prospective new

members who may join Denver Milk Producers, Inc. apparently are now members of Intermountain Dairymen Incorporated. Approximately 50 milk producers are located in that portion of El Paso County wherein Kucerik Brothers Milk Line and Brewer Milk Line are authorized to render transportation services.

In the event the authority sought herein is not granted to Colorado Milk Transport, Inc., Denver Milk Producers, Inc. plans to utilize its own hauling equipment to transport Steve Zajac's milk to market. This cooperative has the necessary financial resources, equipment, and experience to furnish such transportation.

The Commission specifically finds that there is a need for the proposed transportation service, and that the Applicant has sufficient finances, equipment and experience to properly render the proposed services. The Commission further finds that existing service is not only not adequate but is non-existent, in that no common carrier has heretofore been granted a certificate of public convenience and necessity by this Commission to render the specific transportation service hereunder consideration. The Commission specifically finds that public convenience and necessity requires the extended motor vehicle common carrier service of Applicant herein and that certificate of public convenience and necessity should issue therefor as set forth in the Order following. The application as amended should be granted.

DISCUSSION

We note that authority is sought in the instant application to transport milk from points in El Paso County, other than Colorado Springs, to the Denver area. The amendment proposed by Applicant and accepted by the Commission provides for a further exception as to points in or within one mile of United States Highway No. 24 between Calhan and Limon. Limon, however, is located in Lincoln County. Order provisions to follow will therefore limit

this exception to the designated portion of said Highway No. 24 located in El Paso County.

In view of the fact that the protests of Kucerik Brothers Milk Line and Brewer Milk Line have now been withdrawn, no ruling of the Commission is necessary as to the validity of such protests.

ORDER

THE COMMISSION ORDERS:

That Colorado Milk Transport, Inc. be and hereby is, authorized to extend operations under PUC No. 375 & I to include the right to transport milk, in bulk, in tank vehicles, from points in El Paso County, Colorado (except the City of Colorado Springs, Colorado, and except points on and within one mile of either side of United States Highway No. 24 between Calhan and the northern boundary line of El Paso County) to Denver, Colorado and points within ten miles of Denver, Colorado, and this Order shall be deemed to be, and shall be, a certificate of public convenience and necessity therefor.

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

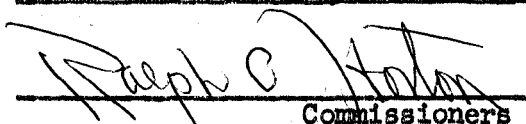
That applicant shall operate its carrier system in accordance with the Order of the Commission, except when prevented by Act of God, the public enemy or extreme conditions.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

COMMISSIONER HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 14th day of April, 1966.

ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE : MOTOR VEHICLE OPERATIONS OF

JULIUS MAURIN JR. DAN AND ELIZABETH
MAURIN DBA
MID-WEST OIL COMPANY
60 So. James Street
Kansas City, Kansas 66110

AUTHORITY NO. M 13581

CASE NO. 4526-Ins.

April 14, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 5, 1966 , 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.

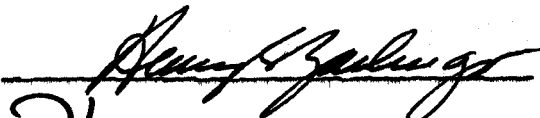
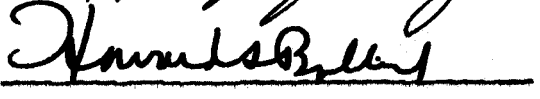

The Commission finds that said Authority should be restored to active status.

ORDER

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




Commissioners

Dated at Denver, Colorado,
this 14th day of April, 1966

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
ANDREW KUCERIK AND JOHN KUCERIK, DOING
BUSINESS AS "KUCERIK BROTHERS MILK
LINE," RURAL ROUTE 3, CALHAN, COLORADO,
FOR A CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY, AUTHORIZING EXTENSION OF
OPERATIONS UNDER PUC NO. 3019 TO INCLUDE
THE TRANSPORTATION, OVER IRREGULAR ROUTES
OF MILK, IN BULK, IN TANK VEHICLES, FROM
POINTS WITHIN THE AUTHORIZED AREA NOW
SERVED BY APPLICANT, TO DENVER, COLORADO,
AND POINTS WITHIN 10 MILES OF DENVER,
COLORADO.

APPLICATION NO. 21876-
EXTENSION

April 15, 1966

Appearances: William F. Reynard, Esq., Denver,
Colorado, for Kucerik Brothers
Milk Line, the Applicant;
Marion F. Jones, Esq., Denver,
Colorado, for Colorado Milk
Transport, Inc., the Protestant.

PROCEDURE AND RECORD

On March 15, 1966, Andrew L. Kucerik and John L. Kucerik,
doing business as "Kucerik Brothers Milk Line" filed an application
with the Commission seeking an extension of operating authority under
PUC No. 3019. On March 21, 1966, the Commission issued temporary
authority to so operate to the Applicant. On March 28, 1966, Colo-
rado Milk Transport, Inc. filed a written protest to the application.
On March 16, 1966, the Commission set the application for hearing in
the Auditorium of the County Building, 27 East Vermijo Street, Colo-
rado Springs, Colorado, for 11:00 o'clock A.M. on Monday, April 11,
1966. After due and proper notice to all parties in interest, the
application was heard at said time and place by Commissioner Howard
S. Bjelland.

As a preliminary matter, the Presiding Commissioner ordered
that Applications No. 21876 and No. 21875 be consolidated for

hearing. Kucerik Brothers Milk Line and Brewer Milk Line requested permission to withdraw their respective protests in Application No. 21726 and such permission was granted by the Presiding Commissioner. Colorado Milk Transport, Inc. requested permission to withdraw its protest to the instant application, and such permission was granted by the Presiding Commissioner. The matter then proceeded to hearing as a non-contested application.

As a further preliminary matter, the Applicant moved to amend its application by deleting therefrom the words "in El Paso County," as said words are contained in the caption of the application and in the paragraph numbered 2 of the application. The proposed amendment was for the purpose of clarification. The Presiding Commissioner granted such motion to amend the application.

Andrew Kucerik, William C. Brewer, Dwight Hull, and Harry MacFarland testified in support of the application. Alvin Henderson, David Brewer, Charles Saladay, and Clifford Meiklejohn, all being milk producers, were present in the hearing room in support of the application, and had they been called would have testified generally the same as Clifford Meiklejohn.

FINDINGS OF FACT

After due and careful consideration of the record in this proceeding, the Commission finds as fact that:

Andrew L. Kucerik and John L. Kucerik, the Applicants herein, doing business as "Kucerik Brothers Milk Line," are the owners and operators of a certificate of public convenience and necessity (No. 3019) issued by this Commission, which authorizes the:

"Transportation of milk and dairy products in the following territory: a. All of that portion of El Paso County lying South of U.S. Highway No. 24 and East of Highway No. 85-87. b. That portion of Elbert County described as beginning at the Town of Simla, thence south to the El Paso County boundary line,

thence west to U.S. Highway No. 24, thence along said U.S. Highway No. 24 to the Town of Simla.
c. Those portions of El Paso and Elbert Counties included in an area described as beginning at the Town of Ramah, thence 5 miles north, thence 14 miles west, then south to U.S. Highway No. 24, thence along U.S. Highway No. 24 to the Town of Ramah, and transportation of milk and dairy products from the territory hereinabove described to receiving plants in and around the Colorado Springs area."

In the present application, Kucerik Brothers Milk Line seeks to extend such operating authority to include the transportation of:

"Milk, in bulk, in tank vehicles, from points within the authorized area now served by Applicant to Denver, Colorado, and points within ten miles of Denver, Colorado."

Kucerik Brothers Milk Line has an investment of \$30,000 and indebtedness of \$25,000. The net financial worth of the two partners is about \$180,000. The partnership now owns a 1964 Mack diesel truck with a 3500 gallon stainless steel tank mounted thereon which is used to transport the milk of twenty milk producers from the farms to the Colorado Springs market. All of the producers served by Applicant are members of Intermountain Dairymen Incorporated. The Applicant is presently hauling the milk of these twenty producers, on occasion, to the Denver market, under the temporary authority heretofore issued by the Commission.

Intermountain Dairymen Incorporated is a milk marketing cooperative association, with approximately 200 milk producer members located in Eastern Colorado and Western Kansas. This association markets the milk of its member producers. For many years, the milk of its producers was marketed almost entirely in the Colorado Springs area. Marketing patterns have now changed, and substantial amounts of the milk produced by the members of the association are now marketed in the Denver area. The association wishes to utilize the service of the Applicant to transport milk to Denver, as well as to Colorado Springs, and requested the Applicant to file the instant application for extension of operating authority.

There is a clear need for the extended services which Applicant seeks authority to render. It would be economically detrimental to the milk producers if it were necessary to haul their milk to the Colorado Springs area, pump the milk into another tanker, and then transport it to Denver. It is cheaper and more efficient for the milk to move directly from the farms to the Denver market area.

The Commission specifically finds that there is a need for the proposed transportation service, and that the Applicant has sufficient finances, equipment, and experience to render the proposed service. The Commission further finds that existing service is not adequate. The Commission specifically finds that public convenience and necessity requires the extended motor vehicle common carrier service of Applicant herein, and that certificate of public convenience and necessity should issue therefor as set forth in the Order following. The application as amended should be granted.

DISCUSSION

The effect of the granting of the instant application does not change the basic territory served by Applicant, but simply adds another destination area. Order provisions to follow will so show.

ORDER

THE COMMISSION ORDERS:

That Andrew L. Kucerik and John L. Kucerik, doing business as "Kucerik Brothers Milk Line," are hereby authorized to extend operations under PUC No. 3019 to include the transportation, over irregular routes, of milk, in bulk, in tank vehicles, from points within the authorized area now served by Applicant, to Denver, Colorado, and points within ten miles of Denver, Colorado.

That PUC No. 3019, as amended, shall now read as follows:

"Transportation of milk and dairy products in the following territory:

- a. All of that portion of El Paso County lying South of U.S. Highway No. 24, and East of Highway No. 85-87.

- b. That portion of Elbert County described as beginning at the Town of Simla, thence south to the El Paso County boundary line, thence west to U.S. Highway No. 24, thence along said U.S. Highway No. 24 to the Town of Simla.
- c. Those portions of El Paso and Elbert Counties included in an area described as beginning at the Town of Ramah, thence 5 miles north, thence 14 miles west, then south to U.S. Highway No. 24, thence along U.S. Highway No. 24 to the Town of Ramah, and transportation of milk and dairy products from the territory hereinabove described to receiving plants in and around the Colorado Springs area or to Denver, Colorado and points within ten miles of Denver, Colorado."

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

COMMISSIONER HENRY E. ZARLENOO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 15th day of April, 1966.

ls

Original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE UTILIZATION OF EQUIPMENT ON
OTHER THAN REGULARLY SCHEDULED
TRIPS

CASE NO. 1585

April 12, 1966

STATEMENT AND FINDINGS

BY THE COMMISSION:

On March 9, 1966, The Colorado Motor Carriers' Association, Agent, J. R. Smith, Chief of Tariff Bureau, filed 2nd Revised Page No. 98-A to its Local and Joint Freight Tariff No. 12-A, Colorado PUC No. 11* (*The Motor Truck Common Carriers' Association, Agent, Series) scheduled to become effective April 14, 1966, naming additional charges for overtime work performed and designated as in Item No. 1070 thereto, and which reads as follows:

Special Trip

(Will not apply via Larson Transportation Company, North Eastern Motor Freight, Inc., Ringsby Truck Lines, Inc., or Rio Grande Motor Way, Inc.)

In the event consignor or consignee requests that carrier transport shipments on other than regularly scheduled trips, or requests exclusive use of the vehicle, such service will be performed and will be charged for at the applicable rate per 100 pounds or the following hourly charges, whichever results in the greater total charges:

<u>Use of Equipment and one Man</u>	<u>Hourly Charges</u>	
	<u>Straight Time</u>	<u>Overtime/ A</u>
Truck with rated capacity of 1/2-ton	\$ 6.18	\$ 8.18
Truck with rated capacity exceeding 1/2-ton	7.73	9.73
Truck and Trailer Combination	E A (\$10.30)	
Tractor with single or tandem axle semi-trailer	15.45	17.45

/ A Overtime shall be charged for all time worked on order of the customer in excess of 8 hours per day, for all time worked before 8:00 a.m., and/or after 5:00 p.m., on week days and for all time worked on Saturdays, Sundays, or legal holidays, subject to a minimum of 8 hours on Saturdays,

Sundays or legal holidays.

Time charges shall include driving time to and from the carrier's dock. Special trips between Denver and Rocky Flats, Colorado, on Saturdays, Sundays or Holidays, will be charged for at the weight times the applicable rate or rates, but not less than \$25.00 per trip.

- Ⓔ denotes elimination
- Ⓐ denotes increase
- / denotes addition

In support of this publication, Mr. M. A. Chance, Boulder-Denver Truck Line states, in a letter dated April 4, 1966, addressed to the association and forwarded to the Commission, "we wish to advise that justification for these increased charges are as follows: all time worked on order of the customer in excess of 8 hours per day, also all time worked on Saturdays, Sundays or legal holidays, the driver must be paid at the overtime rate of pay. Justification for a minimum of 8 hours on Saturdays, Sundays or legal holidays is because the carrier must guarantee a minimum of 8 hours pay for all work performed on Saturdays, Sundays or legal holidays." The elimination of the hourly charges, straight time, applicable to truck and trailer combination, results from no requests for this type of equipment.

Since the foregoing hourly charges for overtime and the governing provisions appear to represent just, fair and reasonable rates and charges, an order should be entered prescribing the said changes under the provisions of Rule 18, Paragraph C - (1), (a) of the Rules of Procedure as an order is required following the protest deadline (ten days prior to the proposed effective date).

ORDER

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 the statement and findings hereof 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 April 14, 1966, 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 April 14, 1966, 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.

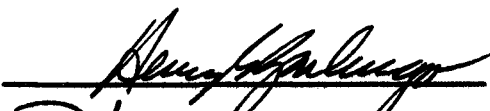

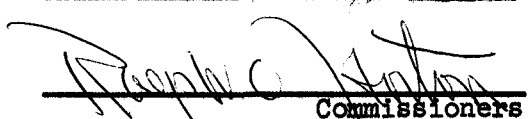
7. This order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

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




Commissioners

Dated at Denver, Colorado this
12th day of April, 1966 av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
KENNETH E. BROWNER, DOING BUSINESS AS)
"K RUBBISH REMOVAL," 1007 SOUTH GROVE)
STREET, DENVER, COLORADO, FOR AUTHOR-)
ITY TO TRANSFER PUC NO. 3388 TO ROBERT) APPLICATION NO. 21863-Transfer
A. LEECH, DOING BUSINESS AS "K RUB-)
BISH REMOVAL," 210 IRVING STREET,)
DENVER, COLORADO.)

April 12, 1966

Appearances: Kenneth E. Browner, Denver,
Colorado, pro se;
Robert A. Leech, Denver,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Kenneth E. Browner, doing business as "K Rubbish Removal," Denver, Colorado, was granted the following operating rights:

PUC No. 3388:

DEC #65918: Transportation of ashes, trash, and other waste materials, from point to point within the City and County of Denver, and from points in the City and County of Denver to regularly-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

By the above-styled application, said certificate-holder seeks authority to transfer said PUC No. 3388 to Robert A. Leech, doing business as "K Rubbish Removal," Denver, 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.

Kenneth E. Browner testified that he owns PUC No. 3388 and has heretofore operated a trash removal business under the name of "K Rubbish Removal;" that he has entered into a contract with Robert A. Leech for the sale of this certificate, a 1952 Dodge dump truck, the trade name "K Rubbish Removal," and customer lists for a total consideration of \$1,500.00 which he stated, in his opinion, is a fair and reasonable sum; that on the effective day of transfer there will be no obligations, liens or encumbrances against the certificate to be transferred or the business conducted thereunder.

Robert A. Leech testified relative to the agreement stating that in his opinion, the consideration of \$1,500.00 is fair and reasonable; that filed herein was a financial statement of Robert A. Leech indicating an approximate net worth of \$8,150.00 which he stated was sufficient, in his opinion, to effectively carry on operations under PUC No. 3388; that he will continue to use the 1952 Dodge dump truck to carry on this business; that it will be adequate; that if additional equipment becomes necessary or that existing equipment must be replaced, he is financially able to provide for these eventualities; that he has experience in the ash and trash removal business; and that he knows the rules, regulations and laws of the State of Colorado pertaining to Common carriers and will carefully observe the same if the within application is approved.

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

The Commission, having considered the record and exhibits and the written statement of the Examiner herein, states and finds that no one protests the granting of the instand application; that transferee 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 transfer is compatible with the public interest and should be auth-

orized, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Kenneth E. Browner, doing business as "K Rubbish Removal," Denver, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 3388 -- with authority as set forth in the Statement preceding which is made a part hereof, by reference -- to Robert A. Leech, doing business as "K Rubbish Removal," Denver, Colorado, subject to encumbrances against said operating rights, if any, 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 this 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 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

Henry E. Ziegler

Harold R. Bell

Raymond C. Horton
Commissioners

Dated at Denver, Colorado,
this 12th day of April, 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DONALD E. RIGGLE, 261 29 ROAD, GRAND)
JUNCTION, COLORADO, FOR AUTHORITY TO)
TRANSFER PUC NO. 5924 TO J. A. ROSE,)
618 PARKER DRIVE, GRAND JUNCTION,)
COLORADO.)

APPLICATION NO. 21742-Transfer

April 12, 1966

Appearances: John P. Thompson, Esq., Denver,
Colorado, for Transferor and
Transferee;
John H. Lewis, Esq., Denver,
Colorado, for Estes Trucking
Company, Pollard Contracting
Company, B & M Service, Inc.,
R. W. Johnson Trucking Company;
Prichard Transfer, Inc., and
W. R. Hall Transportation and
Storage, Protestants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Donald E. Riggle, Grand Junction, Colorado, was
granted the following operating rights:

PUC No. 5924:

Transportation of machinery, equipment, materials, and
supplies used in, or in connection with, the discovery,
development, production, refining, manufacturing, pro-
cessing, storage, transmission, and distribution of
natural gas and petroleum and their products and by-
products, and machinery, materials, equipment or supplies
used in, or in connection with, the construction, opera-
tion, repair, servicing, maintenance and dismantling of
pipeline, including the stringing and picking up thereof,
restricted against the transportation of any such commod-
ities to be used in, or in connection with, main or trunk
pipe lines, and restricted against transportation of
liquid commodities in bulk in tank trucks, between points
in Mesa County, Colorado.

By the above-styled application, said certificate-holder seeks
authority to transfer said PUC No. 5924 to J. A. Rose, Grand Junction,
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.

Donald E. Riggle testified that he is the owner of PUC No. 5924 which he has owned for approximately two years and under which he has conducted operations on a call and demand basis. Mr. Riggle identified Exhibit 2 as an executed copy of the Agreement to sell PUC No. 5924 to J. A. Rose, which Agreement provides for a total consideration of \$2,000.00 which the witness stated was a fair and reasonable price for the operating rights under this authority; that, if approved, the transfer will be on a debt free basis, and there are no liens, encumbrances or other obligations against the authority.

Mr. Riggle testified he also owns Permit No. B-5926, which, however, in no way duplicates any of the authority sought to be transferred under PUC No. 5924.

On cross-examination, Mr. Riggle testified concerning several shipments under PUC No. 5924 and stated that he has never refused to provide a transportation service under this authority.

J. A. Rose, testified with respect to the Agreement of Purchase and Sale identified as Exhibit 2 and added, that since February 10, 1966, he has had Temporary Authority under PUC No. 5924 but has made no shipments as yet. Mr. Rose itemized the equipment which he intends to use if the within transfer is approved as follows:

1962 Model Autocar, Tandem with Float and several flatbed trucks

According to this witness, this equipment will be sufficient to provide the transportation service required at the present time but that if additional equipment is needed, he is able and will acquire such equipment.

Mr. Rose identified Exhibit 1 as a Balance Sheet reflecting his financial status, which reflects the net worth of Mr. Rose at \$37,660.00. Mr. Rose also stated that he and the drivers he expects to utilize are experienced in the type of transportation provided under PUC No. 5924; that he knows the rules, regulations and laws of the State of Colorado pertaining to common carriers and will carefully observe the same. Exhibits 1 and 2 were received in evidence.

Mr. Lewis, on behalf of the Protestants herein named, stated that the Protestants would offer no evidence.

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

The Commission, having considered the record and exhibits and the written statement of the Examiner herein, states and finds that no evidence was offered in protest to the granting of the instant application; that transferee 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 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 Donald E. Riggle, Grand Junction, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 5924 -- with authority as set forth in the Statement preceding which is made a part hereof, by reference -- to J. A. Rose, Grand Junction, Colorado, subject to encumbrances against said operating rights, if any, 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

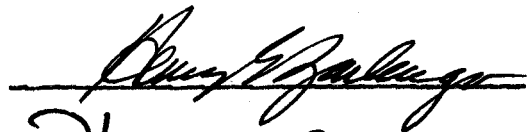
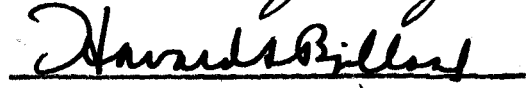

with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order, shall automatically revoke the authority herein granted to make 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 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 12th day of April, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MARCUS AMICK AND WALLACE AMICK, OTIS,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 1628 TO WALLACE AMICK, DOING) APPLICATION NO. 21836-Transfer
BUSINESS AS "AMICK TRUCK LINE," BOX)
266, OTIS, COLORADO.)

April 12, 1966

Appearances: Wallace Amick, Otis, Colorado,
for Transferor and Transferee.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Marcus Amick and Wallace Amick, Otis, Colorado,
were granted the following operating rights:

PUC NO. 1628:

Transferred from PUC 577 authority acquired from PUC
1377 in DEC #20104 by DEC #24611:

Transportation of farm products and livestock, only, on
call and demand, (1) from point to point within the
following described territory surrounding and including
Otis, Colorado, to-wit: Extending thirty (30) miles
south of said town, nine (9) miles east, twenty-two (22)
miles north and five (5) miles west thereof; and (2)
between said territory and Otis, Colorado, and Denver,
Colorado, but not to or from any intermediate points,
and not on schedule;

farm products and livestock, from point to point within
the area extending twenty (20) miles north, twenty (20)
miles south, five (5) miles west of Yuma and east to a
point five (5) miles east of Eckley, and from and to
points in said area to and from points in the State of
Colorado;

DEC #24611 EXTENDED TO: Transportation of farm equipment
and supplies, household goods, livestock, and poultry feeds,
between points within the area around Otis and Yuma de-
scribed above, locally only, without any service outside
of said areas.

By the above-styled application, said certificate-holders seek authority to transfer said PUC No. 1628 to Wallace Amick, doing business as "Amick Truck Line," Otis, 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.

Wallace Amick, testified that in partnership with his father Marcus Amick he now owns a 50% interest in PUC No. 1628 under which he and his father have carried on a transportation business; that because of illness, his father Marcus Amick is withdrawing from the business and desires to transfer his interest to the witness as reflected in the Sales Agreement filed with the application; that he is now owner of all the equipment used in this transportation business; that his net worth is in excess of \$20,000.00 as reflected on a financial report also filed with the application; that by the agreement with his father, he will become the full owner of PUC No. 1628 and the business conducted thereunder; that he will continue the transportation business under this authority and will do business under the trade name of "Amick Truck Line;" that he has adequate equipment, sufficient experience and net worth to effectively continue operations under the authority; that he knows the rules, regulations and laws of the State of Colorado pertaining to common carriers and will carefully observe the same; and that on the effective day of Transfer, there will be no debts, obligations or encumbrances against PUC No. 1628 or the business conducted thereunder.

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

The Commission, having considered the record and exhibits 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 operations; 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 Marcus Amick and Wallace Amick, Otis, Colorado, be, and hereby are, authorized to transfer all right, title and interest in and to PUC No. 1628 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Wallace Amick, doing business as "Amick Truck Line," Otis, Colorado, said Marcus Amick being hereby authorized to withdraw from said partnership.

That transfer of operating rights herein authorized is 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

Henry E. Gailings
Donald B. Miller
Rueph C. Hutton
Commissioners

Dated at Denver, Colorado,
this 12th day of April, 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
B. A. HOLDEN AND B. L. HOLDEN, DOING)
BUSINESS AS "HOLDEN & HOLDEN," HUDSON,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PERMIT NO. B-5204 TO B. L. HOLDEN,)
DOING BUSINESS AS "HOLDEN & HOLDEN,")
P. O. BOX 188, HUDSON, COLORADO.)

APPLICATION NO. 21879-PP-Transfer

April 12, 1966

Appearances: B. L. Holden, Hudson, Colo-
rado, for Transferor and
Transferee.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, B. A. Holden and B. L. Holden, doing business as
"Holden & Holden," Hudson, Colorado, were granted the following opera-
ting rights:

PERMIT NO. B-5204:

Transportation of turbine well pumps, and machinery
connected with the water well industry, from point
to point within a radius of 150 miles of Hudson,
Colorado.

By the above-styled application, said permit-holders seek auth-
ority to transfer Permit No. B-5204 to B. L. Holden, doing business as
"Holden & Holden," Hudson, 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 trans-
mitted to the Commission the record of said proceeding, together with
a written statement of his findings of fact and conclusions.

B. L. Holden, testified that heretofore he and his father,
B. A. Holden, conducted a transportation business under the name of
"Holden & Holden," and by authority of Permit No. B-5204; that at the

present time, there are no liens, encumbrances or obligations against this Permit or the business conducted thereunder.

B. L. Holden testified that his father, B. A. Holden, died January 14, 1966 and that his estate is presently being administered in the County Court of Weld County, Colorado; that the Administratrix is Violet C. Holden, the widow of B. A. Holden, and this witness testified that he has agreed with the Administratrix to purchase the 50% interest of B. A. Holden for 1/2 of the book value of the business including Permit No. B-5204; that a determination of this amount will be made if, and as soon as, the Commission approves the within application; that the approximate consideration will be \$40,193.00; that if the within application is approved, he will then continue as sole owner of Permit No. B-5204 to conduct the transportation business under the name of "Holden & Holden;" that his estimated net worth is \$55,000.00; that he has adequate and suitable equipment and is sufficiently experienced to continue operations under this Permit; that he is familiar with the rules, regulations and laws of the State of Colorado pertaining to private carriers and will carefully observe the same.

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

The Commission, having considered the record and exhibits 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 Violet C. Holden, Administratrix of the Estate of B. A. Holden, Deceased, and B. L. Holden, doing business as "Holden & Holden," Hudson, Colorado, be, and hereby are, authorized to transfer all right, title and interest in and to Permit No. B-5204 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to B. L. Holden, doing business as "Holden & Holden," Hudson, Colorado, subject to encumbrances against said Permit, if any, approved by this Commission.

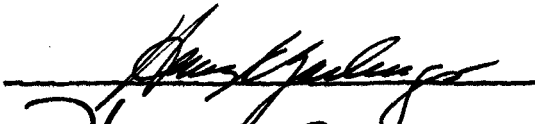
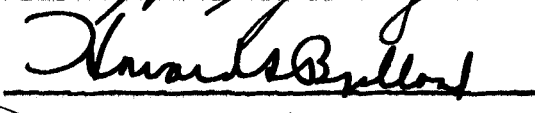

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned, and that said parties have accepted, and will in the future comply with, the conditions and requirements of 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 said 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 12th day of April, 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
L. E. WHITLOCK TRUCK SERVICE, INC.,)
STAFFORD, KANSAS, FOR AUTHORITY TO)
TRANSFER PUC NO. 2407 TO J. & M.)
TRUCKING, INC., P. O. BOX 11, SIDNEY,)
NEBRASKA.)

APPLICATION NO. 21818-Transfer

April 12, 1966

Appearances: Robert P. Grueter, Esq., Denver,
Colorado, for Transferor and
Transferee.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, L. E. Whitlock Truck Service, Inc., Stafford,
Kansas, was granted the following operating rights:

PUC No. 2407:

Transportation, over irregular routes in the State of
Colorado, of machinery, equipment, material supplies
used in, or in connection with, the discovery, de-
velopment, production, refining, manufacture, processing,
storage, transmission, and distribution of natural gas
and petroleum and their products, and machinery, equip-
ment, materials and supplies used in, or in connection
with, the construction, operation, repair, servicing,
maintenance, and dismantling of pipe lines, including
the stringing and picking up thereof.

By the above-styled application, said certificate-holder seeks
authority to transfer said PUC No. 2407 to J. & M. Trucking, Inc., Sid-
ney, Nebraska.

Said application was regularly set for hearing before the
Commission, and was heard by an Examiner fully 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 trans-
mitted to the Commission the record of said proceeding, together with a
written statement of his findings of fact and conclusions.

John Edsell, Vice President and Managing Director of L. E. Whitlock Truck Service, Inc., Stafford, Kansas testified his company owns and has heretofore conducted operations under PUC No. 2407; that this company has entered into an agreement with J & M Trucking, Inc., Sidney, Nebraska for the purchase of PUC No. 2407 for a consideration of \$15,000.00; that the agreement he refers to provides also for the sale of other authorities and assets of the transferor corporation; that there are no liens, obligations or encumbrances against PUC No. 2407 or the operation conducted thereunder.

Carl E. Johnson, Secretary and Treasurer of J. & M. Trucking, Inc., Sidney, Nebraska also testified relative to the Sales Agreement and stated that in his opinion the consideration of \$15,000.00 for PUC No. 2407 was a fair and reasonable price.

Mr. Johnson identified Exhibit A as a financial statement representing the status of Carl E. Johnson and Loren E. Moss, doing business as J & M Trucking, Inc., Sidney, Nebraska. With respect to this exhibit, Mr. Johnson stated that J. & M. Trucking, Inc. is a Nebraska corporation qualified to do business in the State of Colorado. He identified Exhibit C as a copy of a certificate of authority issued to J. & M. Trucking, Inc. by the Secretary of State of the State of Colorado. He also stated that the Articles of Incorporation of the transferee company certified by the Secretary of the State of Nebraska would be filed with the Public Utilities Commission forthwith and would be considered as a late filed exhibit. On March 21, 1966, this exhibit was filed with the Commission.

Mr. Johnson also identified Exhibit B as an equipment list of J. & M. Trucking, Inc. Mr. Johnson testified that the transferee company has extensive experience in the transportation business and that it possesses adequate equipment and net worth to continue to provide the transportation service in the State of Colorado as author-

ized under PUC No. 2407; that he and other personnel of the transferee company are acquainted with the rules, regulations and laws of the State of Colorado pertaining to common carriers and that they will be carefully observed; that the Colorado office for the transferee corporation shall be at 420 Denver Club Building, Denver, Colorado. Exhibit A, B, C and the Articles of Incorporation of J. & M. Trucking, Inc. certified by the Secretary of State of the State of Nebraska were received in evidence.

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

The Commission, having considered the record and exhibits and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that transferee corporation will have sufficient equipment and experienced personnel to properly carry on the operations; 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 L. E. Whitlock Truck Service, Inc., Stafford, Kansas, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 2047 -- with authority as set forth in the Statement preceding which is made a part hereof, by reference -- to J. & M. Trucking, Inc., Sidney, Nebraska, subject to encumbrances against said operating rights, if any, 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,

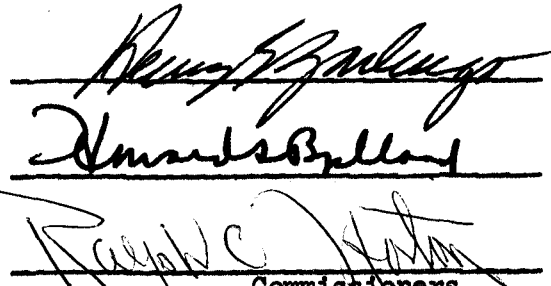
kept and performed. Failure to File said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall 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 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 the 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 12th day of April, 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ADAM SMITH, DOING BUSINESS AS "A & G)
ASH & TRASH REMOVAL," 4746 CLAYTON)
STREET, DENVER, COLORADO, FOR AUTHORITY)
TO TRANSFER PUC NO. 3262 TO WILLIAM A.)
HOBBS, DOING BUSINESS AS "A & G ASH &)
TRASH REMOVAL," 1400 EAST QUINCY,)
ENGLEWOOD, COLORADO.)

APPLICATION NO. 21834-Transfer
Amended

April 12, 1966

Appearances: Adam Smith, Denver, Colorado,
pro se;
William A. Hobbs, Englewood,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Adam Smith, doing business as "A & G Ash & Trash Removal," Denver, Colorado, was granted the following operating rights:

PUC No. 3262:

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

By the above-styled application said certificate-holder seeks authority to transfer said PUC No. 3262 to William A. Hobbs, doing business as "A & G Ash & Trash Removal," Englewood, 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.

Adam Smith, testified he is the owner of PUC No. 3262 and has heretofore done business under the trade name of "A & G Ash & Trash Removal;" that he is going out of business entirely and has entered into a contract with William A. Hobbs for the purchase of PUC No. 3262 for a consideration of \$3,152.00 which includes the customers, good will and the trade name of "A & G Ash & Trash Removal;" and that on the effective date of transfer, there will be no debts, liens or encumbrances against either the authority or the business he conducted under this authority.

William A. Hobbs, also testified as to the Sales Contract which has been identified and received in evidence as Exhibit A; that he owns adequate equipment to continue operations under this authority; that he is experienced in this type of transportation; that with the application there was filed a financial statement which reflects a net worth in excess of \$20,000.00 which, in his opinion, is sufficient to finance and carry on the business conducted under this authority; that he is familiar with the rules, regulations and laws pertaining to common carriers and will carefully observe the same; and that he has arranged for insurance as required by the Commission.

Mr. Hobbs asked that the application be amended to reflect the transfer to William A. Hobbs, doing business as "A & G Ash & Trash Removal," inasmuch as he, by the written agreement, is purchasing this trade name and intends to carry on the business under this name. The amendment was allowed and the application was considered as so amended.

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

The Commission, having considered the record and exhibits 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 operations; that transferee's financial standing is established

to the satisfaction of the Commission; that transferee should be authorized to do business as "A & G Ash & Trash Removal;" that the proposed transfer is compatible with the public interest and should be authorized as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

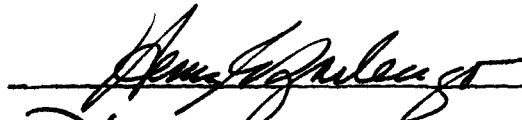
That Adam Smith, doing business as "A & G Ash & Trash Removal," Denver, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 3262 -- with authority as set forth in the Statement preceding which is made a part hereof, by reference -- to William A. Hobbs, doing business as "A & G Ash & Trash Removal," Englewood, Colorado, subject to encumbrances against said operating rights, if any, approved by this Commission.

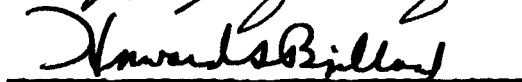
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements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

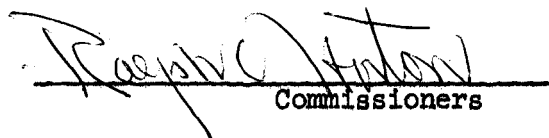
The right of transferee to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificate, up to the time of transfer of said certificate.

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 12th day of April, 1966
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
INTERSTATE MOVING AND STORAGE COMPANY
OF COLORADO, 795 SOUTH JASON STREET,
DENVER, COLORADO, FOR AUTHORITY TO
TRANSFER PUC NO. 3398 TO MERCHANTS
TRANSFER & STORAGE CO., INC., 795
SOUTH JASON STREET, DENVER, COLORADO.
.....

APPLICATION NO. 21845-Transfer

.....
April 12, 1966
.....

Appearances: Joseph F. Nigro, Esq., Denver,
Colorado, for Transferor and
Transferee.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Interstate Moving and Storage Company of Colorado,
Denver, Colorado, was granted the following operating rights:

PUC No. 3398:

Transportation of general commodities, including any
and all commodities generally transported by express-
men, excepting therefrom commodities which, because of
size or weight, require special equipment, and except-
ing package delivery as such, between points in the
City and County of Denver, State of Colorado.

By the above-styled application, said certificate-holder seeks
authority to transfer said PUC No. 3398 to Merchants Transfer & Storage
Co. Inc., Denver, 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 trans-
mitted to the Commission the record of said proceeding, together with
a written statement of his findings of fact and conclusions.

John Solis, President of Merchants Transfer & Storage Co. Inc., testified his company has entered into an agreement with the Interstate Moving and Storage Company of Colorado for the purchase of PUC No. 3398 for a consideration of \$2,500.00; that the consideration for this certificate is fair and reasonable. Mr. Solis identified Exhibit C as an excerpt from the agreement as signed by John J. Rooney, President of the transferor corporation, and Exhibit B identified as a statement of the outstanding indebtedness of Interstate Moving and Storage Company as of February 19, 1966. The amount of indebtedness as of that date is \$3,014.00. However, with respect to this matter, Mr. Solis testified that arrangements have been completed so that on the effective date of transfer, said indebtedness will be paid in full and that the transfer will actually be on a debt free basis.

The transferee, Merchants Transfer & Storage Co. Inc., is a Nebraska corporation as reflected from Exhibit A, a copy of the Articles of Incorporation of Merchants Transfer and Storage Co. Inc., as filed in the office of the Secretary of the State for Nebraska. Mr. Solis stated that Merchants Transfer & Storage Co. Inc., is qualified to do business in the State of Colorado, however, he was unable to produce at this time the certificate of authority issued by the Secretary of State for the State of Colorado.

Mr. Nigro on behalf of this witness asked leave to file a copy of the certificate of authority as a late-filed exhibit. This request was granted and subsequent to the date of hearing, a copy of the transferee's certificate of authority to conduct business in the State of Colorado was received and is included in the file herein.

Mr. Solis identified Exhibit D as a statement of the assets and liabilities of the transferee company which reflects a net worth of approximately \$85,000.00. Mr. Solis also testified that Merchants Transfer & Storage Co., Inc. is engaged in the transportation business in the State of Nebraska and is therefore experienced in the type of

transportation authorized under PUC No. 3398; that the transferee corporation possesses adequate and sufficient equipment to continue operations under PUC No. 3398; that he and other personnel of the transferee company are acquainted with the rules, regulations and laws of the State of Colorado pertaining to common carriers and will carefully observe the same if the within application is approved. Exhibits A, B, C and D received in evidence.

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

The Commission, having considered the record and exhibits and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that transferee corporation will have sufficient equipment and experienced personnel to properly carry on the operations; 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.

ORDER

THE COMMISSION ORDERS:

That Interstate Moving and Storage Company of Colorado, Denver, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 3398 -- with authority as set forth in the Statement preceding which is made a part hereof, by reference -- to Merchants Transfer & Storage Co., Inc., Denver, Colorado, subject to encumbrances against said operating rights, if any, 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


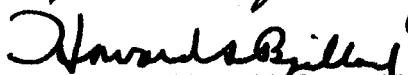

either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless 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 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 12th day of April, 1966.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE : MOTOR VEHICLE OPERATIONS OF)
DECKER AND MATTISON COMPANY INC.)
500 West Second Street)
Hutchinson, Kansas 67501)

AUTHORITY NO. M 10768
CASE NO. 4503-Ins.

April 15, 1966

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 5, 1966 , 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.

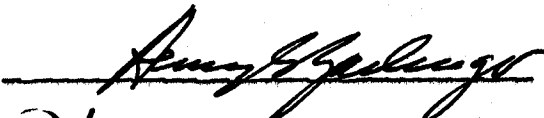
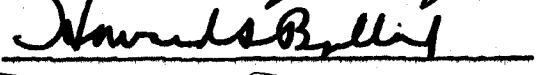

The Commission finds that said Authority should be restored to active status.

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




Commissioners

Dated at Denver, Colorado,
this 15th day of April, 1966

Original

(Decision No. 67199)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

IN THE MATTER OF THE APPLICATION OF)
PACKAGE DELIVERY SERVICE CO., 2127)
ARAPAHOE STREET, DENVER, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CON-)
VENIENCE AND NECESSITY, AUTHORIZING)
EXTENSION OF OPERATIONS UNDER PUC)
NO. 572.)
-----)

APPLICATION NO. 20885-Extension
SUPPLEMENTAL ORDER

April 15, 1966

Appearances: Hans Johnson, Esq., Denver, Colo-
rado, for Package Delivery Service
Co., Applicant;
David Butler, Esq., Denver, Colo-
rado, for Colorado Motor Way, Inc.,
and Colorado Transportation Co.,
Protestants;
Leslie R. Kehl, Esq., Denver, Colo-
rado, for Bethke Truck Lines and
North Eastern Motor Freight, Inc.,
Protestants;
John Lewis, Esq., Denver, Colorado,
for Greyhound Lines, Inc., and
Colorado Cartage Company, Inc.,
Protestants;
John Thompson, Esq., Denver, Colorado,
for Denver-Laramie-Walden Truck Line,
and Denver-Loveland Transportation,
Inc., Protestants;
Herbert Boyle and John Barry, Esqs.,
Denver, Colorado, for American
Bus Lines, Inc., Protestant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

This matter comes before the Commission on the Petition of
Package Delivery Service Co. to amend Decision No. 64485 in cer-
tain respects, as hereinafter set forth. Hearing on the matter

has heretofore been held before this Commission on January 25 and 26, 1965, which hearing resulted in the issuance by the Commission of Decision No. 64485, providing for the amendment of authority held by the Applicant pursuant to prior Decision No. 58714 to set forth the authority therein in the following language:

"The transportation of commodities sold by retail and department stores, except perishable goods and articles which might cause damage to other property or to delivery equipment, in units, packages or parcels weighing not in excess of 70 pounds each, from department and retail stores only, located within the City Limits of the City and County of Denver, for their customers, to all cities and incorporated towns in the Counties of Larimer, Weld, Morgan, and Logan, State of Colorado, over all highways, shipments to be restricted to 70 pounds for each consignor to each consignee, each day."

The Petition presently filed seeks a revision of said amendment to provide for service in the following language:

"That the weight limitation of 25 pounds as contained in Decision No. 58714 of this Commission should be, and hereby is, increased to 70 pounds, and that the authority granted to Applicant in such Decision No. 58714 be, and hereby is, amended to read, as follows:

"The transportation of commodities sold by retail and department stores, except perishable goods and articles which might cause damage to other property or to delivery equipment, in units, packages or parcels weighing not in excess of 70 pounds each, from department and retail stores only, located within the City Limits of the City and County of Denver, for their customers, to all cities and incorporated towns in the Counties of Larimer and Weld, State of Colorado, over all highways, shipments to be restricted to 70 pounds for each consignor to each consignee, each day. That the weight limitation of 25 pounds shall continue in the Counties of Morgan and Logan."

It is determined by the Commission that the amendment now sought is restrictive in nature, that the incorporation of such amendment is in the public interest and is within the jurisdiction of the Commission, and it is found that the following Order should be entered amending the Order contained in Decision No. 64485.

O R D E R

THE COMMISSION ORDERS:

1. That the Order set forth and contained in Decision No. 64485 be, and hereby is, amended to restrict the weight limitation to the original 25 pounds in the Counties of Morgan and Logan but that the increase in weight allowance to 70 pounds as otherwise ordered in Decision No. 64485 be, and hereby is, reaffirmed.

2. That the authority granted to Applicant in Decision No. 57814 as amended by Decision No. 64485 be, and hereby is, amended to read as follows:

"The transportation of commodities sold by retail and department stores, except perishable goods and articles which might cause damage to other property or to delivery equipment, in units, packages or parcels weighing not in excess of 70 pounds each, from department and retail stores only, located within the City Limits of the City and County of Denver, for their customers, to all cities and incorporated towns in the Counties of Larimer and Weld, State of Colorado, over all highways, shipments to be restricted to 70 pounds for each consignor to each consignee, each day. That the weight limitation of 25 pounds shall continue in the Counties of Morgan and Logan."


3. The above amendment to the Commission's Decision No. 64485 is at the request of the Applicant and shall not be considered to in any way prejudice Applicant's right to, in the

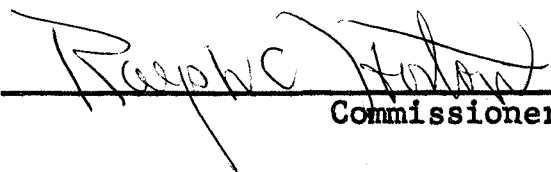
future, apply for authority coextensive with that as contained in original Decision No. 64485.

4. That except as hereinabove provided, the application herein should be, and hereby is, denied.

5. This Order shall become 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 15th day of April, 1966.