

(Decision No.72970)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ALBERT URQUIDEZ, JR., DOING BUSINESS AS)
ALKIRTS SUPER RACK SERVICE CO.)
6525 NORTH FEDERAL BOULEVARD)
DENVER, COLORADO)

PERMIT NO. M-8941

May 6, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

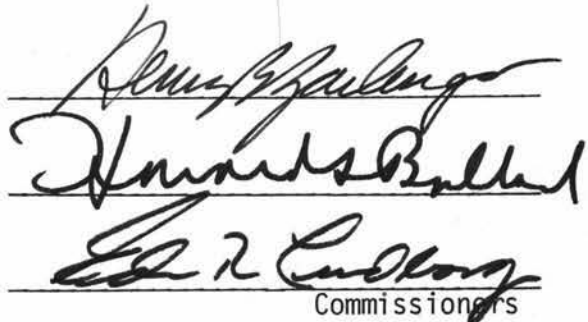
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective April 25, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 6th day of May, 1969.
1s

(Decision No. 72971)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
DENNIS M. PRATHER
6820 WEST 52ND PLACE
ARVADA, COLORADO 80002

PERMIT NO. M-12446

May 6, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

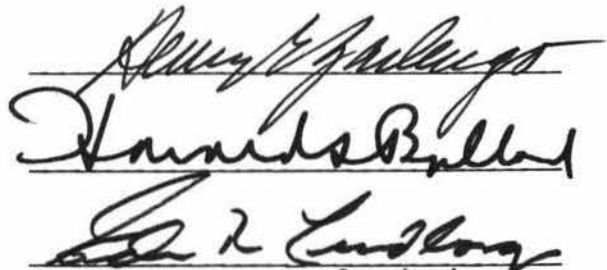
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 5, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 6th day of May, 1969.
15

(Decision No. 72972)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JAMES C. & JAMES S. HUNT, DOING BUSINESS)
AS "HUNT'S RENDERING SERVICE")
P. O. BOX 132)
CORTEZ, COLORADO 81321)

PERMIT NO. M-13199

May 6, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

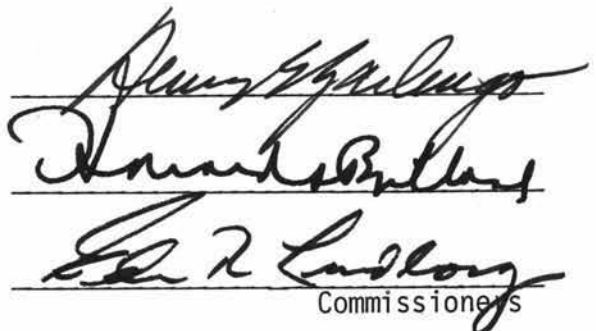
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective April 29, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 6th day of May, 1969.
1s

(Decision No. 72973)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JAMES C. & JAMES S. HUNT, DOING BUSINESS)
AS "HUNT'S RENDERING SERVICE")
P. O. BOX 132)
CORTEZ, COLORADO 81321)

PUC NO. 6764-I

May 6, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

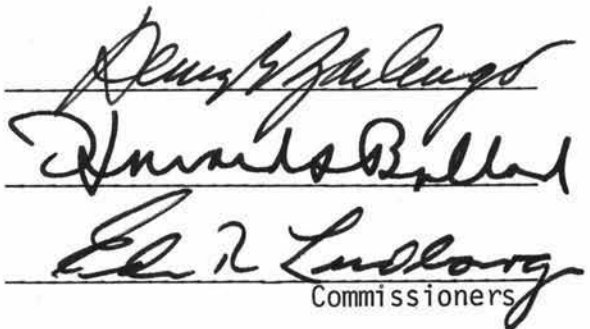
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective April 29, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 6th day of May, 1969.
ls

(Decision No. 72974)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
JOHN F. GILLIS, DOING BUSINESS AS
MESA VIEW WELDING
P. O. BOX 83
OLATHE, COLORADO 81425

PERMIT NO. B-7234

May 6, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

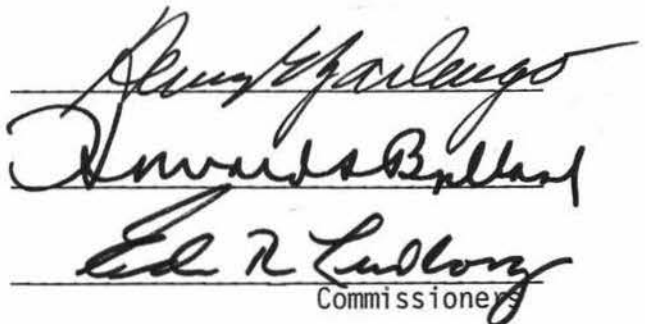
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective March 30, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 6th day of May, 1969.
1s

(Decision No. 72975)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
SECURITY MILLING COMPANY, INC., DOING
BUSINESS AS "NATURICH MILLS"
412 WEST FIRST
ABILENE, KANSAS 67410

PERMIT NO. B-5189-I

May 6, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

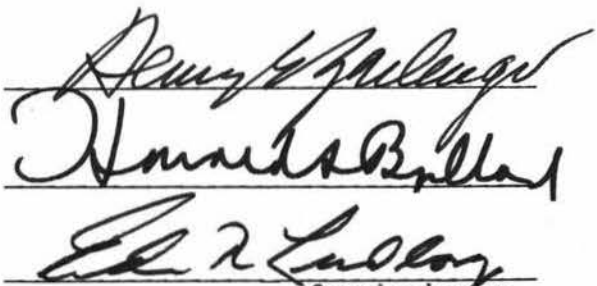
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 1, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 6th day of May, 1969.
1s

(Decision No. 72976)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
R. D. TRANSFER, INC.
801 LIVESTOCK EXCHANGE BUILDING
OMAHA, NEBRASKA 68107

PUC NO. 2449-I

May 6, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

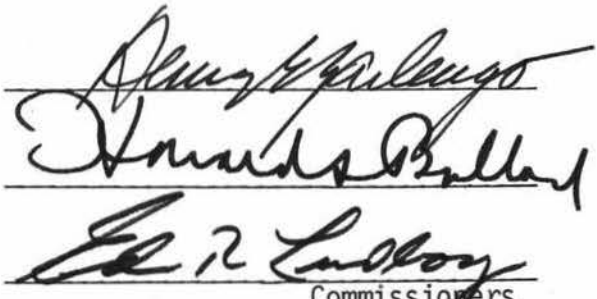
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective April 24, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 6th day of May, 1969.
1s

(Decision No. 72977)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ALVY & MIKE PORTER, DOING BUSINESS AS)
"PORTER & SON")
CRAWFORD, COLORADO 81415)

PERMIT NO. B-6932 and B-6932-I
SUPPLEMENTAL ORDER

May 6, 1969

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 files and records of the Commission disclose that said carrier has failed to request in writing reinstatement of said authority as provided in the suspension Order, and that said carrier has been previously duly notified by the Commission of such failure.

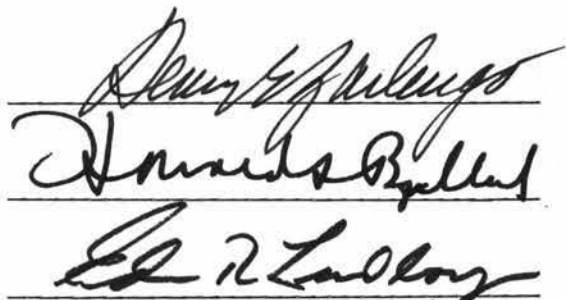
The Commission states and finds that said above-entitled authority should be cancelled and revoked as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled and revoked as of April 4, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 6th day of May, 1969.
1s

(Decision No. 72978)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ALFRED H. FIELD)
1138 ADAMS STREET)
DENVER, COLORADO 80206)

PERMIT NO. B-6294
SUPPLEMENTAL ORDER

May 6, 1969

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 files and records of the Commission disclose that said carrier has failed to request in writing reinstatement of said authority as provided in the suspension Order, and that said carrier has been previously duly notified by the Commission of such failure.

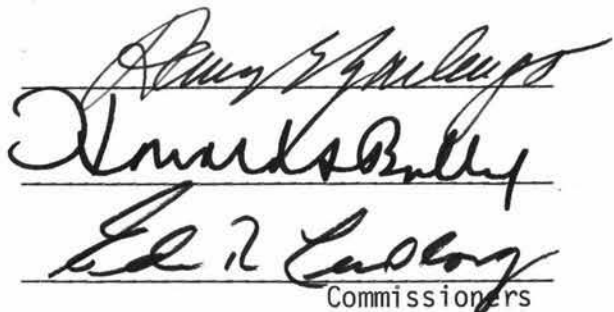
The Commission states and finds that said above-entitled authority should be cancelled and revoked as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled and revoked as of April 14, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 6th day of May, 1969.
1s

(Decision No. 72979)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
DONALD D. FRESH, DOING BUSINESS AS)
"DON FRESH CONSTRUCTION COMPANY,")
BOX 4716)
SILVERTHORNE, COLORADO 80435)

PERMIT NO. B-6060
SUPPLEMENTAL ORDER

May 6, 1969

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 files and records of the Commission disclose that said carrier has failed to request in writing reinstatement of said authority as provided in the suspension Order, and that said carrier has been previously duly notified by the Commission of such failure.

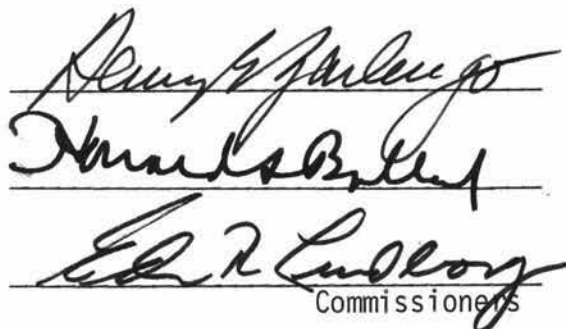
The Commission states and finds that said above-entitled authority should be cancelled and revoked as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled and revoked as of May 1, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 6th day of May, 1969.
1s

(Decision No. 72980)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
RAYMOND FLYNN)
7650 LOWELL BOULEVARD)
WESTMINSTER, COLORADO 80030)

PERMIT NO. B-3867
SUPPLEMENTAL ORDER

May 6, 1969

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 files and records of the Commission disclose that said carrier has failed to request in writing reinstatement of said authority as provided in the suspension Order, and that said carrier has been previously duly notified by the Commission of such failure.

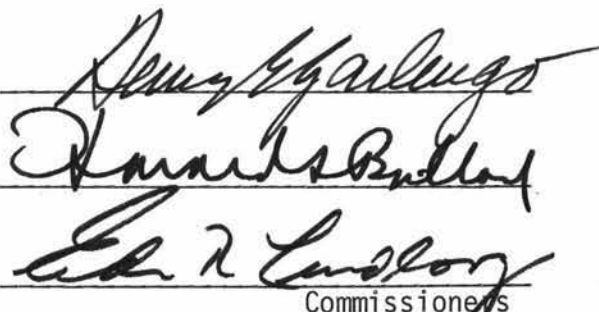
The Commission states and finds that said above-entitled authority should be cancelled and revoked as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled and revoked as of March 23, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 6th day of May, 1969.
ls

(Decision No. 72981)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
SAN JUAN TOURS INC.)
EL POMAR BUILDING, BROADMOOR)
COLORADO SPRINGS, COLORADO 80900)

PUC No. 2462
SUPPLEMENTAL ORDER

May 6, 1969

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 files and records of the Commission disclose that said carrier has failed to request in writing reinstatement of said authority as provided in the suspension Order, and that said carrier has been previously duly notified by the Commission of such failure.

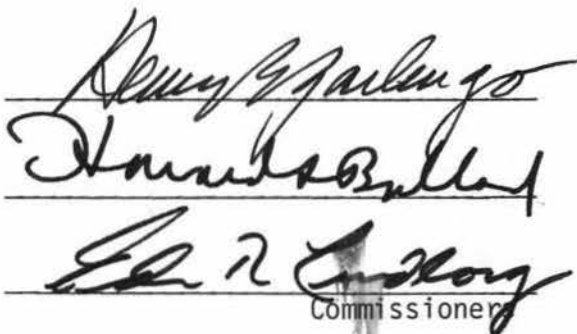
The Commission states and finds that said above-entitled authority should be cancelled and revoked as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled and revoked as of April 15, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioner

Dated at Denver, Colorado,
this 6th day of May, 1969.
1s

(Decision No. 72982)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
EDGAR P. CAMPBELL
2894 NORTH AVENUE
GRAND JUNCTION, COLORADO 81501

PERMIT NO. B-5597

May 6, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

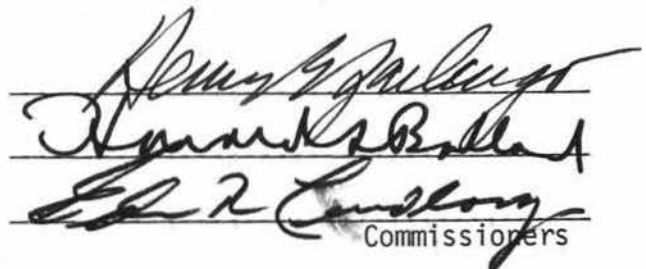
O R D E R

THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from April 21, 1969 to and including October 21, 1969.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, 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 6th day of May, 1969
1s

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
SANTA'S WORK SHOP, A COLORADO CORPORATION)
NORTH POLE, COLORADO 80901)

PUC NO. 7198

May 6, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

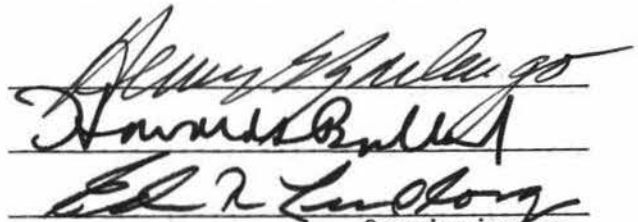
O R D E R

THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from April 28, 1969 to and including October 28, 1969.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, 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 6th day of May, 1969.
1s

* * *

CASE NO. 4167-M-Ins.

May 6, 1969

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CASE NO. 4202-M-Ins.

May 7, 1969

b6

(Decision No. 72986)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
HERBERT AND ILDA M. RICKER, DOING
BUSINESS AS "RICKER BROTHERS",
212 LA PORTE AVENUE
FORT COLLINS, COLORADO 80521

PERMIT NO. M-1671

May 7, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

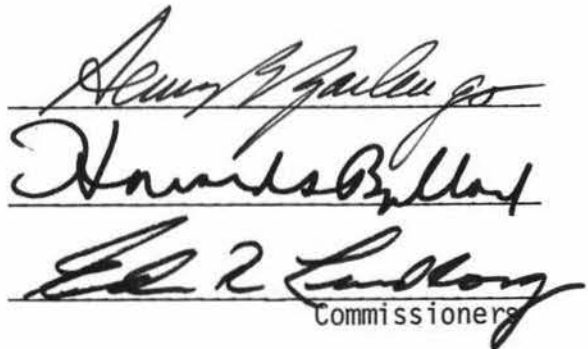
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective April 26, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 7th day of May, 1969.

(Decision No. 72987)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
PURE GAS & CHEMICAL COMPANY
234 COLUMBINE STREET
DENVER, COLORADO 80206

PERMIT NO. M-2574

May 7, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

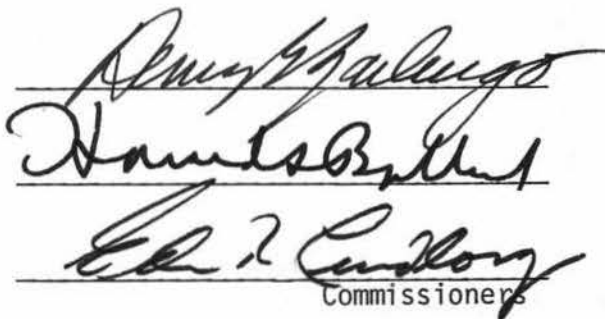
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 2, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 7th day of May, 1969.
ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
PURE GAS & CHEMICAL COMPANY
234 COLUMBINE STREET
DENVER, COLORADO 80206

PERMIT NO. M-3984

May 7, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

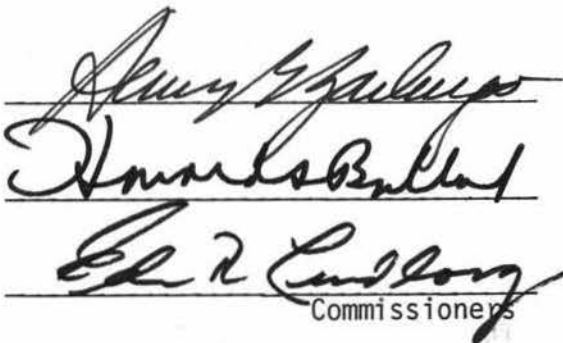
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 2, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 7th day of May, 1969.
ls

(Decision No. 7298⁹)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
ROY C. NELSON
WEST PARK STREET
DODGE CITY, KANSAS 67801

PERMIT NO. M-7073

May 7, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

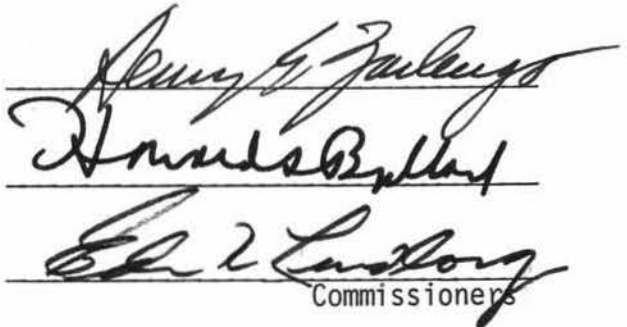
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective April 3, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 7th day of May, 1969.
ls

(Decision No. 72990)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
PURE GAS & CHEMICAL COMPANY
234 COLUMBINE STREET
DENVER, COLORADO 80206

PERMIT NO. M-7385

May 7, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is,
cancelled effective May 2, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Alvin E. Paulsen
Howard B. Butler
Ed R. Lindberg
Commissioners

Dated at Denver, Colorado,
this 7th day of May, 1969.

(Decision No. 72991)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
PURE GAS & CHEMICAL COMPANY
234 COLUMBINE STREET
DENVER, COLORADO 80206

PERMIT NO. M-7954

May 7, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

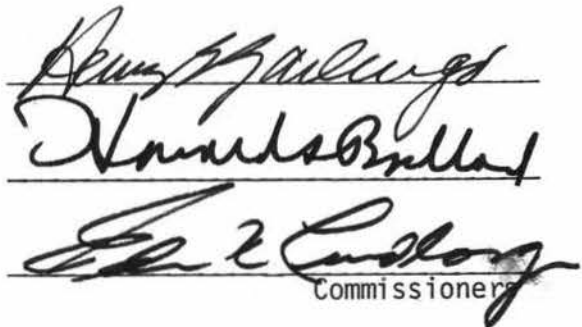
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 2, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 7th day of May, 1969.
ls

(Decision No. 72992)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
PURE GAS & CHEMICAL COMPANY
234 COLUMBINE STREET
DENVER, COLORADO 80206

PERMIT NO. M-9943

May 7, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

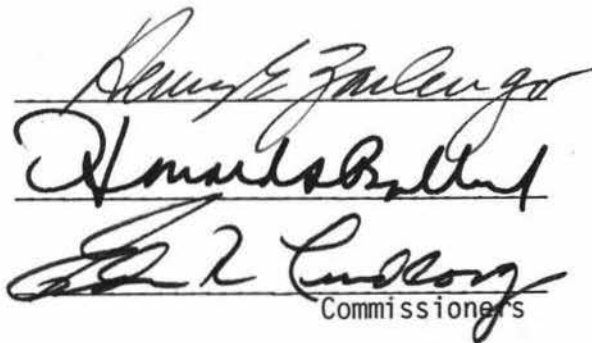
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 2, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 7th day of May, 1969.
ls

(Decision No. 72993)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
PURE GAS & CHEMICAL COMPANY
234 COLUMBINE STREET
DENVER, COLORADO 80206

PERMIT NO. M-14617

May 7, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

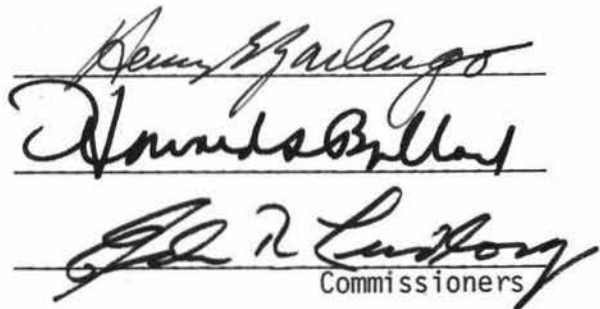
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 2, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 7th day of May, 1969.
ls

(Decision No. 72994)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JOE F. HARTLEY)
6545 BURGESS ROAD)
COLORADO SPRINGS, COLORADO 80908)

PERMIT NO. B-5462

May 7, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

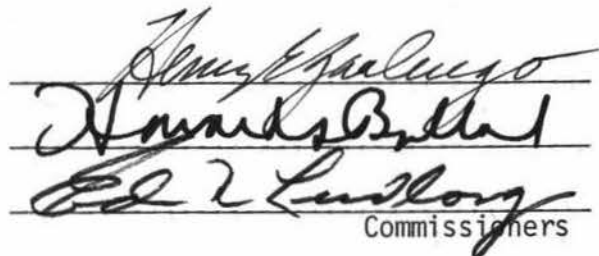
O R D E R

THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from April 17, 1969 to and including October 17, 1969.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, 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 May, 1969.
ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

North Denver Storage Co. dba)
Weicker Transport Co.)
1700 Fifteenth Street)
Denver, Colorado 80202)

AUTHORITY NO. B-802

CASE NO. 1452-H-Ins.

- May 9, 1969 - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 29, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

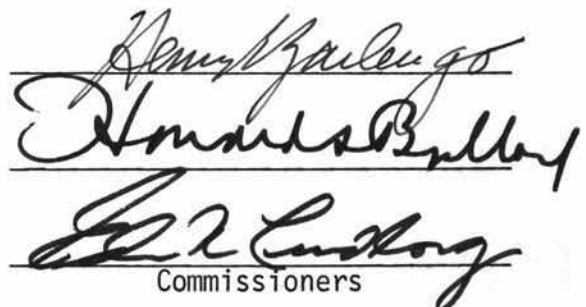
O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
9th day of May, 1969 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
Weicker Transfer & Storage Co.
P.O. Box 945
2545 29th Street
Boulder, Colorado 80302

AUTHORITY NO. B-1114

CASE NO. 1480-H-Ins.

May 9, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 29, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.




ORDER

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




 Commissioners

Dated at Denver, Colorado, this
9th day of May, 1969 .

* * *

RE: MOTOR VEHICLE OPERATIONS OF
Weicker Transfer & Stge Co. dba
Reyher Trucking Co.
2900 Brighton Blvd.
Denver, Colorado 80216

AUTHORITY NO. 480 & I
CASE NO. 1458-H-Ins.

- May 9, 1969 - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 29, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

ORDER

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry G. Fairbanks
Amos B. Butler
Edw. A. Cushman
Commissioners

Dated at Denver, Colorado, this
9th day of May, 1969 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
RICHARD F. THOMAS)
2006 SOUTH COLUMBINE)
DENVER, COLORADO 80210)

PUC NO. 3671

May 9, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from April 13, 1969 to and including October 13, 1969.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, 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 9th day of May, 1969.
gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
BERNARD J. BEYER)
FRANCES BEYER)
ROUTE 1, BOX 35)
SIDNEY, NEBRASKA 69162)

PUC NO. 6004-I

May 9, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

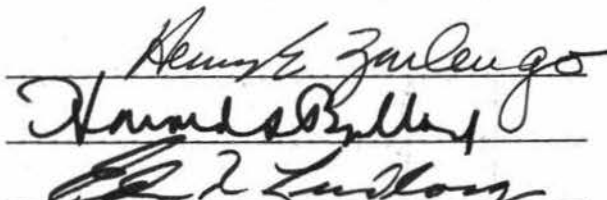
O R D E R

THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from April 28, 1969 to and including October 28, 1969.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, 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 9th day of May, 1969.

gf

(Decision No. 73000)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
LORIMER W. SMITH)
2219 DOWNING DRIVE)
COLORADO SPRINGS, COLORADO 80909)

PERMIT NO. B-5234

May 9, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

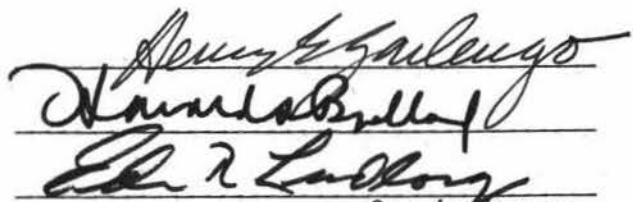
O R D E R

THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from May 8, 1969 to and including November 8, 1969.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, 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 9th day of May, 1969.
gf

(Decision No. 73001)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
AUGUST HAAS)
734 WEST IOWA DRIVE)
DENVER, COLORADO 80226)

PERMIT NO. B-2746

May 9, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

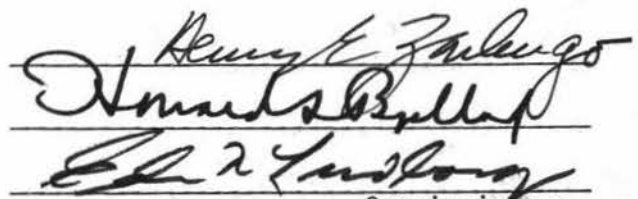
O R D E R

THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from May 11, 1969 to and including November 11, 1969.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, 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 9th day of May, 1969.
gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
LEO D. ARY)
BOX 602 (RURAL))
WALDEN, COLORADO 80480)

PERMIT NO. B-5145

May 9, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

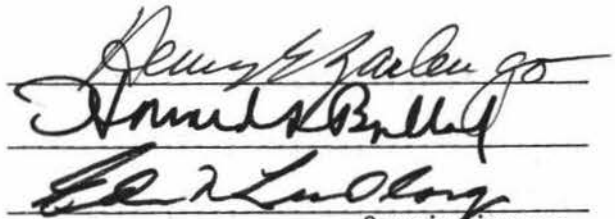
O R D E R

THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from June 4, 1969 to and including December 4, 1969.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, 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 9th day of May, 1969.
gf

(Decision No. 73003)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
LARRY SWENDENER)
BOX 277)
LA PORTE, COLORADO 80535)

PERMIT NO. B-6286
SUPPLEMENTAL ORDER

May 9, 1969

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 files and records of the Commission disclose that said carrier has failed to request in writing reinstatement of said authority as provided in the suspension Order, and that said carrier has been previously duly notified by the Commission of such failure.

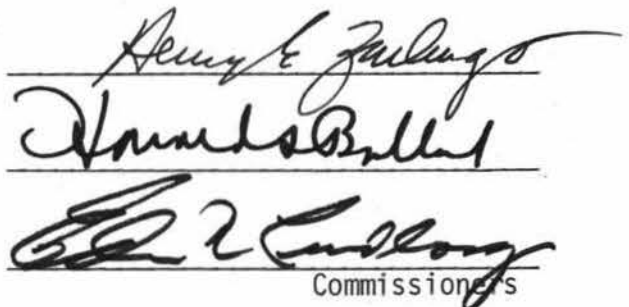
The Commission states and finds that said above-entitled authority should be cancelled and revoked as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled and revoked as of July 18, 1968.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 9th day of May, 1969.
gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DONALD D. DARLING, DOING BUSINESS AS)
"DARLING TRUCKING," SILVER CREEK,)
NEBRASKA, FOR AUTHORITY TO TRANSFER)
INTERSTATE OPERATING RIGHTS TO)
DARLING & CARLSON, INC., SILVER CREEK,)
NEBRASKA.)

PUC NO. 7367-I - Transfer

May 13, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore Donald D. Darling, doing business as "Darling Trucking," Silver Creek, Nebraska, was granted a certificate of public convenience and necessity, being PUC No. 7367-I, authorizing operation as a common carrier by motor vehicle for hire:

Authority to use equipment in the State of Colorado as a common interstate carrier between all points in the State of 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. 7367-I to Darling & Carlson, Inc., Silver Creek, 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

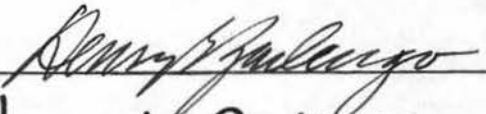
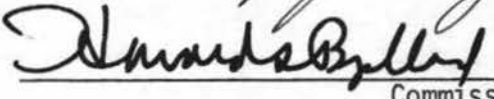
THE COMMISSION ORDERS:

That Donald D. Darling, doing business as "Darling Trucking," Silver Creek, Nebraska, be, and hereby is, authorized to transfer PUC No. 7367-I -- with authority as set forth in the Statement preceding,

which is made a part hereof by reference -- to Darling & Carlson, Inc., Silver Creek, Nebraska, subject to encumbrances against said operating rights, if any, approved by this Commission, and subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 13th day of May, 1969.
gf

(Decision No. 73005)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
V. V. MINIMUM, MORLAND, KANSAS, FOR)
AUTHORITY TO TRANSFER INTERSTATE)
OPERATING RIGHTS TO ROBERT H. JONES,)
LENORA, KANSAS.)

PUC NO. 6183-I - Transfer

May 13, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore V. V. Minimum, Morland, Kansas, was granted a certificate of public convenience and necessity, being PUC No. 6183-I, authorizing operation as a common carrier by motor vehicle for hire:

Authority to use equipment in the State of Colorado as a common interstate carrier between all points in the State of 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. 6183-I to Robert H. Jones, Lenora, Kansas.

Inasmuch as the records and files of the Commission fail to disclose any reason why said transfer should be authorized, as set forth in the Order following.

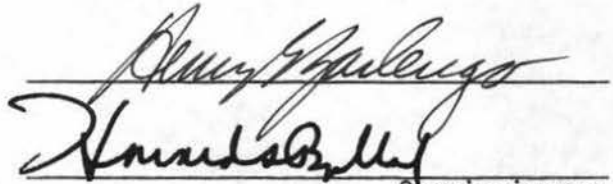
O R D E R

THE COMMISSION ORDERS:

That V. V. Minimum, Morland, Kansas, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 6183-I -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Robert H. Jones, Lenora, Kansas, subject to encumbrances against said operating rights, if any, approved by this Commission, and subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 13th day of May, 1969.
gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF UNIFORMITY OF RULES)
APPLICABLE TO: - "INABILITY TO ACCOMPLISH)
DELIVERY" AND "STORAGE;" CANCELLATION OF)
"GOVERNING CLASSIFICATION" AND CEMENT RATE)
FOR ACCOUNT OF MARTIN WILSHUSEN)
-----)

CASE NO. 1585

May 13, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 22, 1969, J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, as Agent, filed revised pages as designated in Appendix "A" attached hereto, to its Motor Freight Tariff No. 13, Colorado PUC No. 12*, and Motor Freight Tariff No. 14, Colorado PUC No. 13* (*The Motor Truck Common Carriers' Association, Agent, Series) which schedules were published to become effective May 23, 1969.

The Chief of Tariff Bureau, in support of these adjustments, in a memorandum to the Commission dated April 29, 1969, states: -

Item No. 10: --

"Inasmuch as this is strictly a commodity rate tariff, it appears that reference to a governing classification is superfluous. Also, the present reference to the classification, (National Motor Freight Classification No. A-10, Colorado PUC No. 7) requires the carriers to become parties to the classification and to pay the annual participation fee of \$20.00 when, if this is their only tariff, such participation serves no useful purpose." (underscoring supplied.)

Item No. 80:-

"Charges in this item are changed to the same as those in National Motor Freight Classification A-10, so that carriers parties to this tariff and to other tariffs subject to the classification rules will assess uniform charges for collecting and remitting the amount of C.O.D. bills."

In Decision No. 72686, dated March 24, 1969, the Commission prescribed and found these charges to be just, fair and reasonable for

line haul regular route operations. There appears to be no reason why same should not also be applicable here for call and demand common carriers.

Item No. 330: -

"Item revised so that the rate of 29¢ per 100 pounds from Boettcher to Wray will not apply via Martin Wilshusen. We are advised by the carrier that service between these points is beyond the scope of its authority."

By the changes proposed in Items 160, 290, 140 and 180 herein, the provisions of said items will be identical to the provisions previously prescribed by the Commission in Decisions No. 72646, dated March 7, 1969, and No. 72660, dated March 13, 1969. Uniformity will now exist in those items entitled "Inability to Accomplish Delivery" and "Storage" in the Colorado Motor Carriers' Association tariffs No. 12-B, Colorado PUC No. 19; No. 13[#], Colorado PUC No. 12; and No. 14, Colorado PUC No. 13.

Since the published changes appearing in Appendix "A" attached hereto appear to represent just, fair and reasonable rates and charges, the Commission states and finds that an Order should be entered prescribing the same, under the provisions of Rule 18 C (1) (a) of the Commission's Rules of Practice and Procedure.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings and Appendix "A" attached hereto, be, and they are hereby, made a part hereof.
2. That the rates and charges, rules and regulations, as set forth in Appendix "A" attached hereto, should be the prescribed rates, rules, regulations and provisions of the Commission.
3. That 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, to be effective May 23, 1969.
4. That all private carriers by motor vehicle, to the extent they are affected by the changes herein, shall publish, or cause to be

Section No. 4, thereto, excepted.

published, tariffs reflecting the changes prescribed herein, which shall not be less than those herein prescribed for motor vehicle common carriers, to be effective May 23, 1969.

5. That this Order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

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

7. That this Order shall become effective forthwith.

8. That jurisdiction is retained to make such further Orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Commissioner Edwin R. Lundborg
necessarily absent and not
participating.

Dated at Denver, Colorado, this
13th day of May, 1969.

APPENDIX "A"

Colorado Motor Carriers' Association, Agent
Motor Freight Tariff No. 13
Colorado PUC No. 12*

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

Item
No.

Rules and Regulations

5th Revised Page No. 19

INABILITY TO ACCOMPLISH DELIVERY:

160

(A)

If a shipment is once tendered for delivery at the billed address between the hours of 7:00 a.m., and 5:30 p.m., and such delivery cannot be accomplished, through no fault of the carrier, no further efforts will be made to effect delivery except on request and at an additional charge of 30 cents for each one hundred pounds or fraction thereof for each tender, minimum charge of \$2.00 per shipment and maximum charge of \$25.00 per shipment will be made for each additional tender. Should the transportation carrier be unable after arrival of the shipment and after the exercise of due diligence, to make delivery at the billed, or correct (if known) address, during reasonable business hours, notice of the arrival and failure to make delivery shall at once be mailed to the consignee, and the property shall be stored at the cost of the consignee, consignor, or owner after free time in the carrier's depot has expired, without liability on the part of the transportation carrier except that of warehouseman and subject to a lien for all transportation and other lawful charges.

In the event carrier is unable to deliver a collect-on-delivery shipment of perishable freight, shipper shall be notified immediately by telephone or telegraph, at his expense.

3rd Revised Page No. 25

STORAGE:

290

- (A) Forty-eight hours' free time will be allowed, which free time will be computed from the first 7:00 a.m., after arrival of shipment at destination (excluding Sundays and Holidays).
- (B) Shipments held on the premises of the carrier in excess of free time allowed when having been given or afforded the proper storage by the carrier, will be subject to the following storage charges per day, or on option of carrier may be sent to public warehouse. (See Note.)
- (C) (A) When freight is stored in the carrier's possession, a charge of 7 cents per 100 pounds, or fraction thereof, per calendar day subject to a minimum charge of 25 cents per shipment per calendar day will be made, but not less than 250 cents per shipment. In computing time, Sundays and Legal Holidays (National, State and Municipal) but not half holidays will be excluded. Fractions of a day are to be considered as one day.

NOTE: In addition to rate named for storage, a charge of 15 cents per 100 pounds will be made for extra handling of a shipment sent to the public warehouse, / minimum charge 77 cents per shipment.

ISSUED APRIL 22, 1969

EFFECTIVE MAY 23, 1969

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

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

Item

No.

General Rules and Regulations

3rd Revised Page No. 25

10 Classification:

(C) (E)

1st Revised Page No. 29

Collect-on-delivery shipments:

(A) The letters "C.O.D." and amount to be collected and the name and address of the shipper must be plainly marked on each package with which a bill is sent to be collected on delivery, and a similar entry must be made on the bill of lading and waybill accompanying the shipment.

(B) When two or more packages are sent by one shipper to the same consignee at the same time and with separate C.O.D.'s, or when one of the packages is C.O.D. and the other or others are not, they must not be aggregated; but if one C.O.D. covers two or more packages, they must be aggregated and considered one shipment. When one C.O.D. covers two or more packages, the amount of the C.O.D. must be marked on each thus: "C.O.D. \$ _____ on two, or "C.O.D. \$ _____ on three," as the case may be.

(C) If a C.O.D. shipment is refused or cannot be delivered within 24 hours after the first 7:00 a.m., following arrival at destination, the shipper must be immediately notified by United States mail.

(D) The charges for collecting and remitting the amount of C.O.D. bills collected on C.O.D. shipments will be as follows:

80

(A)

WHERE THE AMOUNT COLLECTED IS:

WHERE THE AMOUNT COLLECTED IS:		CHARGE FOR COLLECTING AND REMITTING WILL BE:
NOT OVER \$350.00		\$ 4.40
OVER \$ 350.00 NOT OVER \$ 400.00		4.68
OVER 400.00 NOT OVER 450.00		5.12
OVER 450.00 NOT OVER 500.00		5.56
OVER 500.00 NOT OVER 550.00		6.00
OVER 550.00 NOT OVER 600.00		6.44
OVER 600.00 NOT OVER 650.00		6.88
OVER 650.00 NOT OVER 700.00		7.32
OVER 700.00 NOT OVER 750.00		7.76
OVER 750.00 NOT OVER 800.00		8.20
OVER 800.00 NOT OVER 850.00		8.64
OVER 850.00 NOT OVER 900.00		9.08
OVER 900.00 NOT OVER 950.00		9.52
OVER 950.00 NOT OVER 1,000.00		9.96
OVER 1,000.00 AT RATE OF \$9.96 (SEE NOTE)		

NOTE: CHARGES FOR AMOUNTS IN EXCESS OF \$1,000.00 SHOULD BE COMPUTED AT THE RATIO THAT \$9.96 BEARS TO \$1,000.00.

(E) The charge for collecting and remitting the amount of C.O.D. bills on C.O.D. shipments must be collected from the consignees unless the shipper instructs otherwise in writing. When the shipper desires to pay the charge for collecting and remitting the amount of the C.O.D. bill, the charge must be deducted from the amount of the C.O.D. collected from the consignee and remittance made for the difference as provided in Paragraph "G".

(F) Carriers' employees are forbidden to deliver or relinquish possession of any portion of a C.O.D. shipment until the amount of the C.O.D. bill and all transportation charges on said shipment have been paid in full, either with cash or by certified check.

(G) Upon collection of a C.O.D. bill, carrier's agent collecting same will immediately remit such amount to the general office of the carrier, which, in turn, will remit to the consignor within thirty-six hours after the receipt of said remittance.

Item

No.

General Rules and Regulations

1st Revised Page No. 32-A

Inability to Accomplish Delivery:

140

(A)

If a shipment is once tendered for delivery at the billed address between the hours of 7:00 a.m., and 5:30 p.m., and such delivery cannot be accomplished, through no fault of the carrier, no further efforts will be made to effect delivery except on request and at an additional charge of 30 cents for each one hundred pounds or fraction thereof for each tender, minimum charge of \$2.00 per shipment and maximum charge of \$25.00 per shipment will be made for each additional tender. Should the transportation carrier be unable after arrival of the shipment and after the exercise of due diligence, to make delivery at the billed, or correct (if known) address, during reasonable business hours, notice of the arrival and failure to make delivery shall at once be mailed to the consignee, and the property shall be stored at the cost of the consignee, consignor, or owner after free time in the carrier's depot has expired, without liability on the part of the transportation carrier except that of warehouseman and subject to a lien for all transportation and other lawful charges.

In the event carrier is unable to deliver a collect-on delivery shipment of perishable freight, shipper shall be notified immediately by telephone or telegraph, at his expense.

3rd Revised Page No. 34

Storage:

180

(A)

(A) Forty-eight hours' free time will be allowed, which free time will be computed from the first 7:00 a.m., after arrival of shipment at destination (excluding Sundays and Holidays).

(B) Shipments held on the premises of the carrier in excess of free time allowed when having been given or afforded the proper storage by the carrier, will be subject to the following storage charges per day, or on option of carrier may be sent to public warehouse. (See Note).

(C) When freight is stored in the carrier's possession, a charge of 7 cents per 100 pounds, or fraction thereof, per calendar day subject to a minimum charge of 25 cents per shipment per calendar day will be made, but not less than 250 cents per shipment. In computing time, Sundays and Legal Holidays (National, State and Municipal) but not half holidays will be excluded. Fractions of a day are to be considered as one day.

NOTE: In addition to rate named for storage, a charge of 15 cents per 100 pounds will be made for extra handling of a shipment sent to the Public Warehouse, minimum charge 77 cents per shipment.

21st Revised Page No. 44

330

	From	To:	Rate
		Wray, Colo.	/ (4) 29
Cement, in bags, minimum weight 35,000 pounds	Boettcher, Colo.		
	(SEE (3) & (4) BELOW.)	Yuma, Colo.	/ (3) (4) 27
Cement, in bulk in tank vehicles, minimum weight 35,000 pounds.	Boettcher, Colo.	Wray, Colo.	29
(Raymond Neff)			

ISSUED APRIL 22, 1969

EFFECTIVE MAY 23, 1969

/ DENOTES ADDITION.

/ (A) DENOTES INCREASE

/ (C) DENOTES CHANGE, RESULTING IN NEITHER INCREASE NOR REDUCTION

/ (E) DENOTES ELIMINATION

/ (3) APPLIES VIA MARTIN WILSHUSEN

/ (4) APPLIES VIA YUMA COUNTY TRANSPORTATION CO.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
YELLOW CAB, INC. AND AIRPORT LIMOUSINE)
SERVICE, INC. FOR APPROVAL OF A PROPOSED)
TRANSFER OF 100% OF THE OUTSTANDING CAP-)
ITAL STOCK OF ROCKY MOUNTAIN MOTOR COM-)
PANY, INC., FROM YELLOW CAB, INC., TO)
AIRPORT LIMOUSINE SERVICE, INC., 3455)
RINGSBY COURT, DENVER, COLORADO.)

APPLICATION NO. 23733-Stock Transfer

May 13, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-styled application authority is sought for approval of a proposed transfer of 100% of the outstanding capital stock of Rocky Mountain Motor Company, Inc. from Yellow Cab, Inc., to Airport Limousine Service, Inc.

The Commission has now been advised by Walter M. Simon, Attorney for the Applicants, that Applicants no longer desire authority herein sought and requests that said application be dismissed.

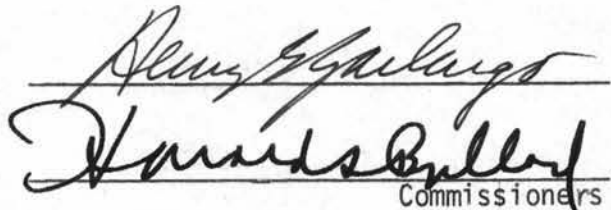
The Commission states and finds that said request is compatible with the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Application No. 23733-Stock Transfer be, and the same hereby is, dismissed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 13th day of May, 1969.
gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
LARRY E. FERRIS, 1974 SOUTH CAPE)
WAY, DENVER, COLORADO.)

PERMIT NO. B-7240

May 13, 1969

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 of Larry E. Ferris, doing business as "Ferris Trucking and Excavating," in lieu of Larry E. Ferris, in the conduct of operations under Permit No. B-7240.

The Commission states and finds that said request is compatible with the public interest and should be granted as set forth in the Order following.

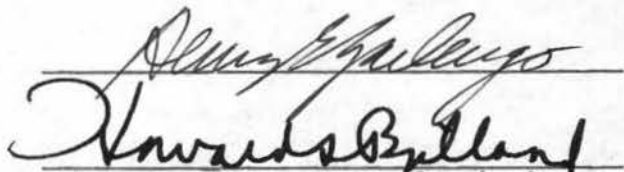
O R D E R

THE COMMISSION ORDERS:

That Larry E. Ferris be, and hereby is, authorized to conduct operations under the trade name and style Larry E. Ferris, doing business as "Ferris Trucking and Excavating," in the conduct of operations under Permit No. B-7240, and that the Secretary of the Commission be, and hereby is, directed to change the records of the Commission to reflect the same.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 13th day of May, 1969.

gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
REVELL TRANSIT LINES, INC., 911)
WEST SHERIDAN, SHENANDOAH, IOWA.)

PUC NO. 1547-I

May 13, 1969

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 its corporate name to Heartland Express, Inc. from Revell Transit Lines, Inc., in the conduct of operations under PUC No. 1547-I.

The Commission states and finds that said request is compatible with the public interest and should be granted as set forth in the Order following.

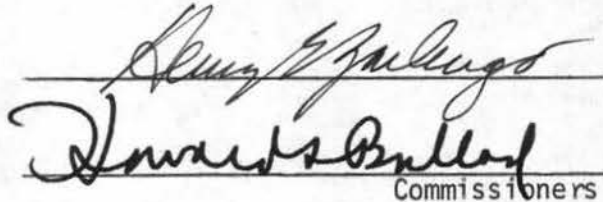
O R D E R

THE COMMISSION ORDERS:

That Revell Transit Lines, Inc. be, and hereby is, authorized to change its corporate name to Heartland Express, Inc., in the conduct of operations under PUC No. 1547-I, and that the Secretary of the Commission be, and hereby is, directed to change the records of the Commission to reflect the same.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 13th day of May, 1969.
gf

(Decision No. 73010)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILBUR D. MARVEL AND WILLIAM F. MARVEL,)
DOING BUSINESS AS "MARVEL TRUCK & DOZER)
SERVICE," BOX 925, CASPER, WYOMING, FOR)
AUTHORITY TO TRANSFER INTERSTATE OPERA-)
TING RIGHTS TO MARVEL TRUCK & DOZER)
SERVICE INC., P. O. BOX 3191, CHEYENNE,)
WYOMING.)

PUC NO. 6686-I - Transfer

May 14, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Wilbur D. Marvel and William F. Marvel, doing business as "Marvel Truck & Dozer Service," Casper, Wyoming, were granted a certificate of public convenience and necessity, being PUC No. 6686-I, authorizing operation as a common carrier by motor vehicle for hire:

Authority to use equipment in the State of Colorado as a common interstate carrier between points in the State of 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-holders now seek authority to transfer said PUC No. 6686-I to Marvel Truck & Dozer Service Inc., Cheyenne, Wyoming.

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

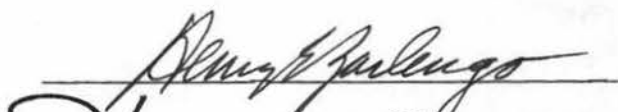
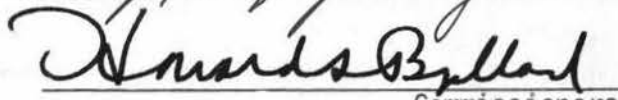
THE COMMISSION ORDERS:

That Wilbur D. Marvel and William F. Marvel, doing business as "Marvel Truck & Dozer Service," Casper, Wyoming, be, and hereby are, authorized to transfer all right, title and interest in and to PUC No. 6686-I -- with

authority as set forth in the Statement preceding which is made a part hereof by reference -- to Marvel Truck & Dozer Service Inc., Cheyenne, Wyoming, subject to encumbrances against said operating rights, if any, approved by this Commission, and subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 14th day of May, 1969.
gf

(Decision No. 73011)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN WILSON ROBERTS, DOING BUSINESS)
AS "JOHN ROBERTS," 4535 PERRY STREET,)
DENVER, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 23612-PP

May 14, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-styled application, Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of trash from building construction jobs in Jefferson County, State of Colorado, to dumps and disposal sites in Jefferson County, State of Colorado.

Said application is presently set for hearing at 10:00 A.M., June 12, 1969, at Denver, Colorado.

The Commission is in receipt of a communication from John R. Barry, Attorney for the Applicant requesting dismissal of said application.

The Commission states and finds that said request is compatible with the public interest and should be granted as set forth in the Order following.

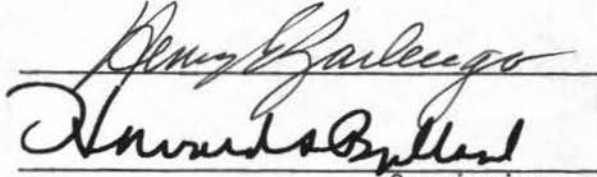
O R D E R

THE COMMISSION ORDERS:

That the hearing on Application No. 23612-PP, presently set for 10:00 A.M., June 12, 1969, at Denver, Colorado, be, and the same hereby is, vacated.

That Application No. 23612-PP be, and the same hereby is,
dismissed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 14th day of May, 1969.
gf

(Decision No. 73012)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE DENVER AND RIO GRANDE WESTERN)
RAILROAD COMPANY TO WITHDRAW ITS)
AGENCY AT LA JARA, COLORADO.)

APPLICATION NO. 23580

May 14, 1969

S T A T E M E N T

BY THE COMMISSION:

Pursuant to Rule No. 6 of this Commission's Rules and Regulations Pertaining to Railroads and Express Companies operating in the State of Colorado, The Denver and Rio Grande Western Railroad Company (Rio Grande) did on February 5, 1969, file an application seeking authority to close and withdraw the agency station maintained for rail service at La Jara, Conejos County, Colorado.

La Jara (Population 724) is located on the Rio Grande Antonito Branch line extending between Alamosa and Antonito, Colorado. Open agency stations are maintained at Alamosa -- 14 miles north, and at Antonito which is 14 miles to the south from La Jara. It is also situated at the junction of U.S. Highway No. 285 and Colorado No. 136.

La Jara is served by an Agent between 12:01 P.M. and 9:00 P.M. on Mondays through Fridays. Normal rail service consists of a local switch train operated daily, except Sunday, from Alamosa to Antonito and return; with Saturday service being provided as required for shipping needs. There are no passenger trains operated over this line. Train movements are controlled by the Yardmaster at Alamosa so that no train orders are required at the La Jara office.

Applicant states that Agency Station at La Jara is not necessary for operational purposes of the railroad; that there is no active personal shipping business handled at the station, but rather by telephone; and that

the current freight business can be handled by the Agent at Alamosa in a similar manner; hence, proposal for closing the station is made on the basis that only minor public convenience and necessity is involved and that non-productive station expense may be eliminated. Supporting explanatory information was offered for Commission consideration. Proposed effective date for requested station closing is March 8, 1969.

In conformance with the Commission rules herein, public notice of the requested change was posted at the La Jara Station on January 31, 1969. Said notice included the further directions that any public objections should be forwarded to the Public Utilities Commission. No protest to the proposed change has been received by the Commission.

In Commission review of the instant matter it has been determined that rail service for spotting and picking up cars will be continued; that only carload traffic is directly involved, since Less than Carload (LCL) traffic is handled in both truckload and less-than-truckload shipments by Rio Grande Motorway, Inc.; that REA Express business is now subject to an embargo on intra-state traffic, and inter-state shipments are handled by Railway Express Agency in Alamosa, Colorado. It appears also that procedures have been developed by Rio Grande for simplification of paper work for local customers at La Jara. Also submitted with the instant application were shipper statements to indicate 'no objection' to the requested station closing. In the proposed handling, the car loading information will be taken to the Alamosa office by the Train crew for billing preparation, copies of the completed bills will then be returned by mail on the following day to the shipper.

Meanwhile, in our further review of the year-around station operation there is the following summary:

<u>Item</u>	<u>1967</u>	<u>1968</u>
<u>Forwarded (Carloads)</u>		
Potatoes (Oct. - Jan.)	240	291
Barley	50	69
Straw	0	1
Calves	<u>0</u>	<u>2</u>
Total	290	363

<u>Item</u>	<u>1967</u>	<u>1968</u>
<u>Received</u>		
Coal	22	21
Fertilizer	39	45
Grain	0	7
Lumber	0	5
Wallboard	<u>0</u>	<u>1</u>
Total	61	79
Station Totals	451	442
Average per month	<u>38</u>	<u>37</u>
Station Expenses	\$8,390	\$8,884
Average per month	<u>700</u>	<u>737</u>

Hence, it becomes apparent that major activity at the station occurs on a seasonal basis for fall crop movement; thereby leaving only a minor volume of work to be performed by the Agent during the larger portion of the year.

Further, it is noted that the crop movement is marketed through Cooperative associations for grain and potato distribution; thus public need for the agent services is greatly reduced.

In considering the fundamentals of public convenience and necessity, we note the provisions for alternate service from the nearby agency office of Alamosa; that essential functions of freight haulage and switching movements will not be changed; that telephone toll calls for handling of railroad business will be accepted at the Alamosa Agency office which is open seven days per week to handle the needs of the public; and that Motorway truck operations will continue for the handling of less than carload needs at La Jara.

It is therefore the belief of the Commission that the proposed station closing is compatible with the public interest, and on the basis of exhibits to show 'no objection' by affected patrons, the Commission determined to hear, and without further notice has heard said matter forthwith, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the 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 La Jara station, Conejos County, Colorado.

That there will be a continuation of rail service, local switching movements and trackage facilities.

That alternate agency service will be available according to customer needs through the agency station of Alamosa, Colorado.

That motor carrier services of Rio Grande Motorway, Inc., for movement of L.C.L. traffic will be continued.

That R.E.A. Express business will be handled through the REA Express Agent at Alamosa, Colorado.

That the expenses involved in maintaining an Agent at La Jara are not justified in view of the proposed change; which with only minor inconvenience on the whole, will meet public requirements of the local area.

That the public convenience and necessity no longer requires the continued operation of an agency station at La Jara, Colorado, by Applicant, The Denver and Rio Grande Western Railroad Company, and authority for Agency discontinuance should be granted.

O R D E R

THE COMMISSION ORDERS:

That Applicant herein, The Denver and Rio Grande Western Railroad Company, be, and is hereby authorized to discontinue its Agency service at La Jara, Conejos County, Colorado, effective March 8, 1969, and to henceforth maintain same as a non-agency prepay station served through the Agency office at Alamosa, Colorado.

That during times of seasonal rush, or unforeseen demand for station service, necessary personnel on a temporary basis may be brought in and withdrawn in order to meet the public needs.

That continued handling of Railway Express business shall be provided through the R.E.A. Express Agency at Alamosa, Colorado.

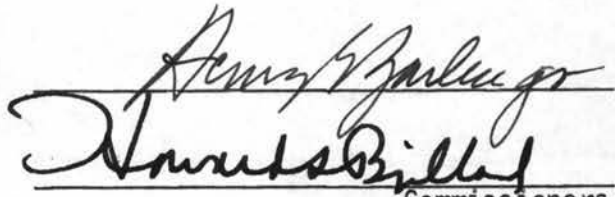
That charges for telephone calls by La Jara patrons relative to railroad business shall be accepted by the Agency station of Applicant at Alamosa, Colorado.

That reference shall be made to this Decision in the respective agency tariff schedules to show closing of the La Jara railroad office and as authority for the alternate station service.

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

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 14th day of May, 1969.
gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
COUNTY OF LARIMER FOR AUTHORITY TO)
INSTALL GRADE CROSSING PROTECTION)
DEVICES AT HORSETOOTH ROAD, LARIMER)
COUNTY, NEAR OMEGA, COLORADO, AND)
MILEPOST 70.78 OF THE COLORADO AND)
SOUTHERN RAILWAY COMPANY.)

APPLICATION NO. 23568

May 14, 1969

Appearances: Ralph B. Harden, Larimer County
Attorney, Fort Collins, Colorado,
for Applicant;
W. L. Peck, Esq., Denver, Colorado,
for Colorado and Southern Railway
Company;
J. L. McNeill, Denver, Colorado, of
the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

On January 17, 1969, the County of Larimer, Colorado (Applicant), filed the instant application. After due and proper notice, including the owners of adjacent property, the application was heard by the Commission in the Auditorium, Larimer County Court House, Fort Collins, Colorado, at 10:30 A.M. on April 15, 1969. At the conclusion of the hearing the matter was taken under advisement by the Commission.

Purpose of the application is to secure Commission approval for proposed safety improvement at the grade crossing of Horsetooth Road, a County Road near the City of Fort Collins, Colorado, over the mainline track of The Colorado and Southern Railway Company (C&S) by the installation of two automatic railroad flasher signals with cantilever signal arms and a bell, all under the provisions of 1963 CRS 115-4-6 (2)(b).

At the hearing John Michie, Larimer County Commissioner, stated that Horsetooth Road is an important east to west thoroughfare at generally one mile south from the Drake Road City Limits of Fort Collins; that the new road

is used by autos, camper trucks and other delivery vehicles for direct access to new residential developments in the area; to the growing recreational facilities of Horsetooth Dam and the new Athletic Stadium of Colorado State University. Much of this traffic comes from the nearby U. S. Highway No. 287 (College Avenue) and from the new Interstate Route 25 at some five miles to the east.

Mr. Michie identified location and described the crossing situation by means of the following exhibits:

Exhibit No. 1 - Larimer County Map

Shows location of Horsetooth Road in relation to business area of Fort Collins.

Exhibit No. 2 - Larimer County Map

Shows location of Horsetooth Road and Railroad crossing in relation to nearby Taft Hill Road, Drake Road and College Avenue.

Exhibits Nos. 3, 4, 5 and 6

Series of photographs from Horsetooth Road toward the rail line.

He noted that general visibility of the trackage is obscured by old vegetation and farm buildings near the highway and some later industry construction near the rail line in the southwest quadrant. He cited a history of accidents occurring in 1944, 1963 and 1965 and resulting in six fatalities.

The originally proposed widening of Horsetooth Road has been postponed by the present Board of County Commissioners. Mr. Michie explained that desire of the County is to now secure crossing protection of automatic signals as soon as possible. Hence, an amount of \$1,570 as estimated to rebuild and widen the highway crossing will not be spent. However, according to Mr. Michie, it is the desire of Larimer County to participate to the amount of 10% in the signal protection expense as was proposed in the original cost estimate and agreement contract of December 31, 1968 with Colorado and Southern Railway Company. Mr. Michie stated that Horsetooth Road is not a part of the

Federal or State Highway system and therefore no Federal funds are available for the County road protection. Meanwhile, based on the trend of annexation growth, it appeared to the County Commissioners that Horsetooth Road would become a part of the Fort Collins city street system. Hence, it appeared proper that there should be no change in the original proposal to install the curbside flasher signals with overhead cantilever arms which would be a standard installation for a wider street or four-lane roadway as initially planned.

Supporting testimony for installation of the signal protection was also given by Mrs. Julia Eychner and Mr. G. G. Stewart, who are adjacent property owners living on the south side of Horsetooth Road.

Mr. E. A. Graham, Chief Engineer for Colorado and Southern, stated he knows the terms of Railroad Agreement-Contract dated December 31, 1968, with Larimer County and attached as a part of the instant application for proposed signal protection. Included as a part of the contract are the following:

Exhibit A - Railroad Map Sketch showing proposed grade crossing protection and railroad property lines at M.P. 70.78, Omega, Colorado.

Note: Installation will be two standard signals with two lights on Post and two lights on each cantilever arm.

Exhibit B - Type of Standard Cantilever arm with two signals.

Note: Two lights will be included on post.

Exhibit C - Cost estimate for Crossing and Signal work.
(Two pages).

He stated that present protection of crossbuck signing was becoming inadequate due to increased highway use and engineering had been completed for automatic signal installation. Rail traffic consists of only freight movements--amounting to scheduled service of two trains daily and local service of one switching

train per day. Extra trains may also be operated to meet seasonal needs of sugar beet movement or other freight traffic.

In addition to roadway changes described by Commissioner Michie, Mr. Graham described a change in railroad planning that involved the Omega passing track extending for one mile north from the Horsetooth Road. Original railroad plans were for removal of the side track, but recent management changes now require the trackage remain in service. In this regard additional circuits will be required to enlarge the signal protection for movements to and from the passing track.

Mr. M. M. Schultz, Superintendent of Signals for C & S Railway described proposed protection devices. He stated the separate units to be placed at each side of the roadway would consist of a standard curbside mast and cantilever arm--each with two flasher signals. A bell would also be placed on one signal mast. The wiring circuits are designed on the basis of a train speed of 45 miles per hour and will provide a minimum warning time of 25 seconds in advance of train movement in either direction over the crossing.

In connection with continued use of the Omega passing track, additional circuiting and time out controls will be required for warning protection of the side track movements. Estimated cost for the additional work and materials is \$1,825.

In a summation of the protection changes there was the following at the hearing:

Placement of proposed flashers with Cantilever arms	\$13,239
Additional Circuiting for Passing track	<u>1,825</u>
Total Estimated Cost	\$15,064

Omit widening at Crossing by Larimer County \$1,570.

The above summation was accepted in behalf of Larimer County by County Commissioners--William C. Manuel, Chairman of the Board and John Michie, Commissioner--and there was mutual acceptance that the original contract agreement continue on cost division of:

10% Colorado & Southern Railway Company

10% Larimer County

80% Highway Crossing Protection Fund.

In his other testimony, Mr. Schultz explained that maintenance of the crossing signals, estimated at \$700 per year, would be paid by the railroad; that some materials were ordered on January 20, 1969 and on April 10, 1969 for the siding controls. Installation work is estimated to start by August 15 to September 1, 1969.

Following the hearing, the Commission has also received the added late-filed exhibit material:

Motion - Board of Larimer County Commissioners,

Meeting of January 2, 1969.

Estimate Revisions (Cost Exhibit C) and Drawing Corrections

(Map Sketch A and Signal Drawing B).

F I N D I N G S

THE COMMISSION FINDS:

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

That the public safety, convenience, and necessity require the installation of automatic railroad flasher light signals with bell and cantilever signals at the grade crossing of Horsetooth Road, Larimer County, Colorado, over the main line track of The Colorado and Southern Railway Company at its Milepost 70.78, Omega, Colorado.

That the circumstances surrounding the use of such crossing, present and future, are such as to require the installation of highway-railroad crossing protection devices as provided by 1963 CRS 115-4-6 (2)(b), and that the cost of installation and maintenance and the expense of such signals shall be allocated as hereinafter set forth.

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

That no funds are available under the Federal or Federal-aid Highway Act for payment of the costs of the installation of railroad flasher light signals or devices at the Horsetooth Road grade crossing south of Fort Collins, Colorado.

O R D E R

THE COMMISSION ORDERS:

That the Applicant, County of Larimer, State of Colorado, be, and hereby is, granted a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY to authorize and approve the installation and operation of standard automatic railroad flasher light signals with bell and cantilever signals at the grade crossing of Horsetooth Road (a Larimer County road) over the main line track of The Colorado and Southern Railway Company at its Milepost 70.78, (Omega siding) south of Fort Collins, Colorado.

That the work to be done, installation, and maintenance of the proposed signal devices shall be done by the Railway Company as set forth in the Agreement between the Railway Company and Larimer County, as indicated in the preceding Statement, which Statement, the Hearing Exhibits and Late-Filed Motion and Estimate revisions, are by reference made a part hereof.

That it is fair, just and equitable for the County of Larimer to pay ten percent (10%) of the cost of the installation of such automatic railroad flasher light signals, bell and cantilever signals to cover its share of benefits received from such installation, and upon completion of the proposed work, an itemized statement of the actual costs and a bill covering said ten percent (10%) thereof shall be forwarded by the Railway Company to the County of Larimer, which bill shall be paid by Larimer County to the Railway Company within thirty (30) days of receipt thereof.

That the Railway Company shall contribute out of its own funds ten percent (10%) of the cost of said installation and shall thereafter maintain said installation as its share of the benefits.

That the remainder, or eighty percent (80%) of the cost of the installation shall be contributed out of the Highway Crossing Protection Fund,

and upon completion of the proposed work, an itemized statement of the actual cost, and a bill covering said 80% thereof shall be forwarded by the Railway Company to the Public Utilities Commission, which bill shall be paid within thirty (30) days after receipt thereof.

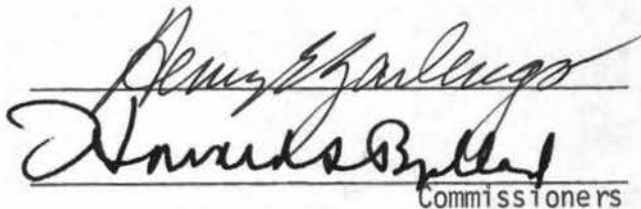
That the proposed signal devices and installation shall all be in accordance with the current bulletin of the Association of American Railroads' Joint Committee on Railroad Protection.

That the Railway Company, upon completion of the proposed work, shall furnish to the Commission a detailed report showing the dates of the significant transactions occurring after the entry of this Order, including the dates of the requisitions for the material needed for installation, the receipt of said materials, the commencement of installation, and completion of installation.

That the Commission hereby retains jurisdiction to make such further order or orders as may be required in the instant matter.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 14th day of May, 1969.
gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: THE FAILURE OF CERTAIN CORPORATIONS,)
PARTNERSHIPS, AND/OR PERSONS TO COMPLETE)
ACTIONS INSTITUTED BEFORE THE COMMISSION)
FOR AUTHORITY TO OPERATE AS COMMERCIAL)
CARRIERS BY MOTOR VEHICLE (NOT FOR HIRE))
OVER THE PUBLIC HIGHWAYS OF THE STATE OF)
COLORADO.)

May 14, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The files and records of the Commission disclose that the herein-after stated corporations, partnerships, and/or persons as specifically set forth in the Order part of this Decision have paid to the Commission the required filing fee for authority to operate as a Commercial Carrier by Motor Vehicle (not for hire) over the public highways of the State of Colorado but have either (1) failed to file an application requesting such authority or (2) have failed, after filing an application for such authority, to file either a request for identification cards or the required certificate of insurance -- all of which is required by law and the Commission's Rules and Regulations Governing Commercial Carriers by Motor Vehicle.

The files and records of the Commission -- in addition to the above -- further disclose that all of said corporations, partnerships, and/or persons have previously been duly notified by the Commission of their failure to comply with one or more of the above specifically stated items.

The Commission states and finds that all actions heretofore instituted before the Commission by the corporations, partnerships, and/or persons as listed in the Order part of this Decision should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That all actions heretofore instituted by the following corporations, partnerships, and/or persons before this Commission to obtain authority to operate as a Commercial Carrier by Motor Vehicle (not for hire) over the public highways of the State of Colorado, be, and the same hereby are, dismissed.

Ala Vista Farm Center, Inc.	P. O. Box 637 Alamosa, Colorado 81101
James R. Chinn, dba Alpine Cabinet Co.	P. O. Box 119 Timnath, Colorado 80547
Carl W. Anderson, dba Arapahoe Acres Nursery	345 East Costilla Littleton, Colorado 80120
Bert Griefenberg, dba Arrow Tile Company	145 River View Drive E. Great Falls, Montana 59401
Big Sky Farmers & Ranchers Co-op of Montana, dba Big Sky Co-op	P. O. Box 566 Artesia, California 90701
Johnny G. Blanco, dba Johnny G. Blanco & Son Trucking	237 South 12th Avenue Brighton, Colorado 80601
Jack Brauhn	Chivington, Colorado 81031
Eddie Brown, dba Eddie Brown Used Cars	316 East Main Street Cordell, Oklahoma 73632
C & W Trucking, Inc.	P. O. Box 367 Osborne, Kansas 67473
Central Homes, Inc., Division of U.S. Industries, Inc.	237 - 22nd Street Greeley, Colorado 80631
Burney Krasner, dba Cheyenne Iron & Metal Co.	2222 Snyder Street Cheyenne, Wyoming 82001
George Edward King, dba Coast to Coast Sport Boggies	P. O. Box 62 Canham, Missouri
Comet Gas Company, Inc.	18360 East Colfax Avenue Aurora, Colorado 80010
Harry Davis & Adolph Fleming, dba D & F Grinding	607 Ellsworth Brush, Colorado 80723
DeLong's Inc.	Dix Road & Industrial Drive Jefferson City, Missouri 65101
Diamond Re-Serv-All Company	8000 West 14th Avenue Lakewood, Colorado 80215
Carl Comyford	Route 1 Bayfield, Colorado 81122

Clifford D. Dilts, dba Dilts Trucking	Crescent, Iowa 51526
Gibson Lumber Co. Inc.	4100 - 4th Street N.W. Albuquerque, New Mexico 87107
Gulf Oil Corporation	702 Main Street Houston, Texas 77001
H & W Produce Company	315 West Elm Street Gainesville, Texas 76240
Howard H. Hall, dba H. H. Hall Company	P. O. Box 3020 Aspen, Colorado 81611
Woodrow M. Hedlund, dba Hedlund Trucking	Route 2 Chappell, Nebraska 69129
W. D. Herring	2904½ Blake Road SW Albuquerque, New Mexico 87105
Hickenbottom Well Service	P. O. Box 1588 Sterling, Colorado 80751
Roy L. Howerton	516 Walnut Fountain, Colorado 80817
Donald G., Albert F. & Joseph J. Hrdlicka, dba Hrdlicka Brothers	Route 1 Jim Falls, Wisconsin 54758
Arthur W. Husband, dba Husband's Used Cars	1315 North Cook Street Cordell, Oklahoma 73632
Hutchison Inc. of Iowa	1009 East Butler Street Manchester, Iowa 52057
Jack Equipment Company	100 East 24th Street Plainview, Texas 79072
Jackson Sawmill, Inc.	P. O. Box 588 Espanola, New Mexico 87532
Laura L. Johnston	111 South Ash Street Yuma, Colorado 80759
San Miguel Investment Company, dba Lathrop Hardware	P. O. Box 951 Montrose, Colorado 81401
Lonergan Corporation	110 South Elkhart Avenue Elkhart, Indiana 46514
Loveland Excavating Company	300 Madison Avenue Loveland, Colorado 80537
Lyles Frontier Service	321 East 8th Avenue Yuma, Colorado 80759
W. L. & Tommy Morriss, dba M & M Trucking Company	P. O. Box 1147 Sonora, Texas 76950
Mile Hi Boneless Beef Company	1538 Wazee Street Denver, Colorado 80202

Glen E. & Ann J. Miller, dba Miller Seed Company	Atkinson, Nebraska 68713
Gene Milligan	1301 Southwest 28th Oklahoma City, Oklahoma 73108
Mobile Tops Inc.	Rural Route 3 Junction City, Kansas 66441
Loyd Neal	Antonito, Colorado 81120
Odds & Ends Ltd.	5801 Federal Boulevard Denver, Colorado 80221
Park Chapman Industries, Inc.	11705 Shiawassee Street Lennon, Michigan 48449
Wesley James Pierce	Box 591 Pagosa Springs, Colorado 81147
Polar Power Battery Inc.	27 South Sierra Madre Colorado Springs, Colorado 80902
Earl L. Anderson, dba Pro-Vi-Tal	Prairie Flower Motel Anton, Colorado 80801
Bruce Robison, dba Robison Elevator	1543 - 1st Avenue Greeley, Colorado 80631
Seymour Foods, Inc.	115 West Crane Street Topeka, Kansas 66601
William D. Shoffstall	South Route 3, Box 119L Farmington, New Mexico 87401
James A. Peck, Jr., dba Sinton Dairy Distributor	1729 East Jackson Street Colorado Springs, Colorado 80907
Raymond A. Hesselberg, dba Sinton Distributor Dairy Products	3304 North Institute Colorado Springs, Colorado 80907
Landon & Jake Skiles, dba Skiles Tire Company	2390 South Knox Court Denver, Colorado 80219
E. L. Skov	Rembrandt, Iowa 50576
Snyder's Wholesale Liquors Inc.	3935 Blake Street Denver, Colorado 80205
South West Mobile Homes Inc.	4710 North Nevada Colorado Springs, Colorado 80907
Roland K. Cochran, dba Speedway Auto Wrecking	Route 1, Box 116 Erie, Colorado 80516
Taff & Slaybaugh	King City, Missouri 64464
Toledo Scale Division of Reliance Electric Company	4001 Fox Street Denver, Colorado 80216
William D. Shoffstall, dba Tom's Toasted Peanuts	South Route 3, Box 119L Farmington, New Mexico 87401

C. W. Naugle, dba
Tower Super Service

P. O. Box 1459
Sterling, Colorado 80751

Donald D. Smith, dba
Valley Laundry Rental Supply

219 North 10th Avenue
Sterling, Colorado 80751

Charles A. Waiter

Route 3, Box 525
Fort Collins, Colorado 80521

Walker Implement

Route 1, Box 217
Loveland, Colorado 80537

Willmar Cookie Company

P. O. Box 88
Willmar, Minnesota 56201

Elvyn Dean Woolhether

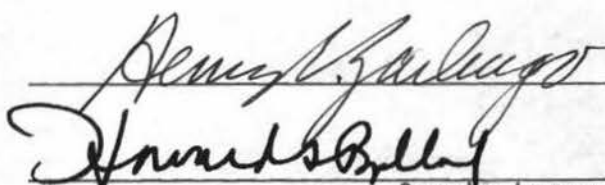
801 West Mountain
Fort Collins, Colorado 80521

Charles Zacek

924 North Arthur
Amarillo, Texas 79107

This Order shall become effective ten days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 14th day of May, 1969.
gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

L. C. Waller dba)
L. C. W. Trucking Co.)
Box 718)
Edinburg, Texas 78539)

AUTHORITY NO. 6740-I
CASE NO. 1531-H-Ins.

May 14, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 13, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

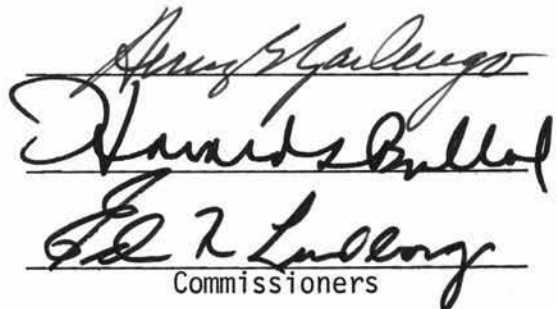
O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this

14th day of May 1969 .

pt

(Decision No. 73016)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
TRAILER EXPRESS INC.)
12427 RUSH STREET)
EL MONTE, CALIFORNIA 91733)

PUC NO. 7231-I
SUPPLEMENTAL ORDER

May 15, 1969

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 files and records of the Commission disclose that said carrier has failed to request in writing reinstatement of said authority as provided in the suspension Order, and that said carrier has been previously duly notified by the Commission of such failure.

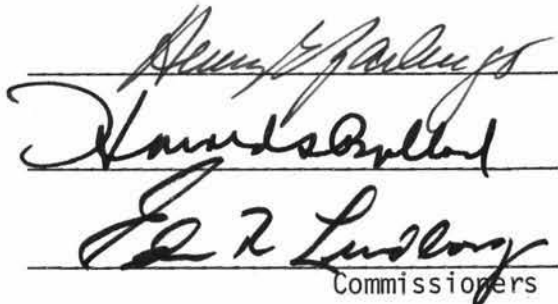
The Commission states and finds that said above-entitled authority should be cancelled and revoked as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled and revoked as of May 14, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 15th day of May, 1969.
gf

(Decision No.73017)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
KENNETH L. OWENS)
PARTCH'S TRAILER COURT 2)
GUNNISON, COLORADO 81230)

PERMIT NO. B-7083
SUPPLEMENTAL ORDER

May 15, 1969

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 files and records of the Commission disclose that said carrier has failed to request in writing reinstatement of said authority as provided in the suspension Order, and that said carrier has been previously duly notified by the Commission of such failure.

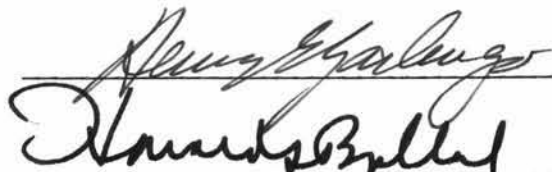
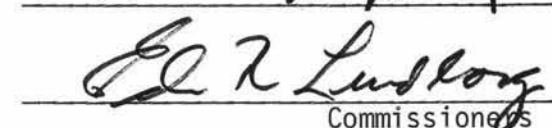
The Commission states and finds that said above-entitled authority should be cancelled and revoked as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled and revoked as of May 14, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 15th day of May, 1969.
gf

(Decision No. 73018)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JOSEPH A. LUCIUS)
9250 NORTH WADSWORTH)
BROOMFIELD, COLORADO 80020)

PERMIT NO. B-4969

May 15, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

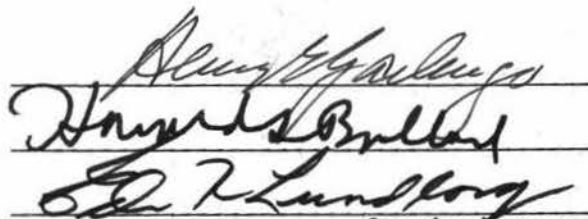
O R D E R

THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from May 9, 1969 to and including November 9, 1969.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, 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 15th day of May, 1969.
gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
HARRY H. HARP, JR.
MEEKER, COLORADO 81641

PERMIT NO. M-12036

May 15, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

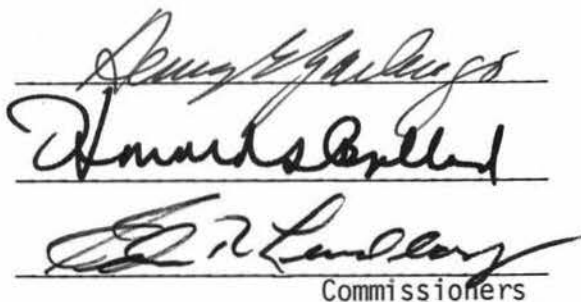
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 6, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 15th day of May, 1969.
gf

(Decision No. 73020)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
HARRY H. HARP, JR.
MEEKER, COLORADO 81641

PUC NO. 5102-I

May 15, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

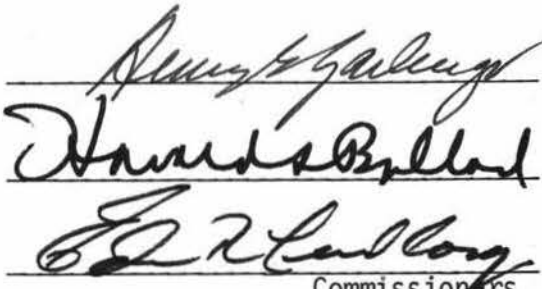
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 6, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 15th day of May, 1969.
gf

(Decision No. 73021)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HIGH MOUNTAIN WATERLINE COMPANY)
FOR A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO SUPPLY WATER FACILITIES)
TO A CERTAIN PORTION OF EASTERN BOULDER)
COUNTY.)

APPLICATION NO. 23465
SUPPLEMENTAL ORDER

May 16, 1969

Appearances: Herbert A. Shatz, Esq., Denver, Colorado
for Applicant, High Mountain Waterline
Company;
Raphael J. Moses, Esq., Boulder, Colorado,
for PLAN-Boulder, Protestant;
Marvin B. Woolf, Esq., Boulder, Colorado,
for David Mayhoffer, Protestant;
George Pomainville, Esq., Longmont, Colorado,
for City of Lafayette, Protestant;
John S. Hough, Esq., Longmont, Colorado,
and
Raphael J. Moses, Esq., Boulder, Colorado,
for Boulder Valley Water Users Association,
Protestant;
Paul A. Morris, Esq., Boulder, Colorado, for
City of Louisville, Protestant;
Walter L. Wagenhals, Esq., Boulder, Colorado,
and
Raphael J. Moses, Esq., Boulder, Colorado,
for City of Boulder, Protestant;
Forrest E. Cook, Esq., Boulder, Colorado,
for Left-Hand Ditch Company, Protestant;
Harry A. Galligan, Jr., Esq., Denver, Colorado,
for the Staff of the Commission.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 21, 1969, the Commission entered Decision No. 72862
in the above-entitled matter.

On May 8, 1969, "Petition for Rehearing," was filed with the
Commission by the Applicant, High Mountain Water Company, by and through
its Attorney, Herbert A. Shatz. On May 12, 1969, "Petition for Rehearing,"
was filed with the Commission by 24th Floor Investment Company, by and
through its Attorney, J. Albert Sebald.

The Commission has carefully considered said Petitions for Rehearing, and each and every allegation thereof, and is of the opinion, and finds that said Petitions should be granted, as set forth in the Order following.

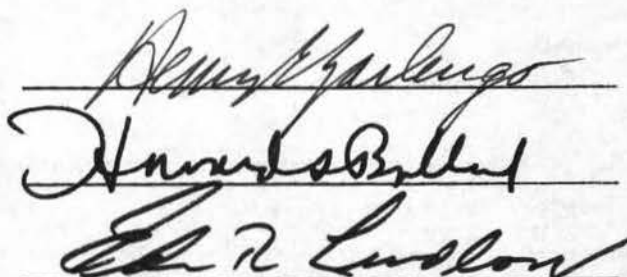
O R D E R

THE COMMISSION ORDERS:

That Petitions for Rehearing filed with the Commission herein be, and the same hereby are, granted, and that said matter be, and hereby is, set for rehearing before the Commission commencing at 10:00 A.M., July 7, 1969, at 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, and that July 8, 9, 10 and 11, 1969, be reserved on the calendar of the Commission in the event additional hearing days are required.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 16th day of May, 1969.
ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Robert W. Ralston)
Steamboat Springs, Colorado 80477)
-----)

AUTHORITY NO. M-4708
CASE NO. 4291-M-Ins

May 15, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 13, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.


O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
15th day of May, 1969 .

(Decision No. 73023)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
RESPONDENT, TEN-ELEVEN COMPANY,)
1011 WEST 45TH AVENUE, DENVER,)
COLORADO, UNDER PERMIT NO. B-6156)
- - - - -

CASE NO. T-4
PERMIT NO. B-6156
NOTICE OF HEARING AND
ORDER TO SHOW CAUSE

- - - - -
May 16, 1969
- - - - -

Appearances: Irven T. Burke, of the
Staff of the Commission

PROCEDURE AND RECORD

BY THE COMMISSION:

Heretofore, the above-named Respondent was issued Permit No. B-6156 to engage in the business of a Private Carrier by Motor Vehicle for hire.

The files and records of the Commission disclose that the Respondent has violated the law and the rules and regulations of the Commission by failing to file the required tariff, and that the Respondent is conducting motor vehicle operation, pursuant to the above stated operating authority, in violation of said law, rules and regulations.

Pursuant to the above, in order to obtain proper compliance by the Respondent, by Decision No. 72747, dated March 26, 1969, the Commission set the matter for hearing at the Hearing Room of the Commission, 1845 Sherman Street, Denver, Colorado, at 10:00 A.M., on April 15, 1969.

After due and proper notice, the above-entitled matter was called for hearing by Ralph H. Knull -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said case -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER'S FINDINGS OF FACT

From the testimony, records and file, your Examiner finds as fact, that:

1. On November 26, 1968, Respondent was notified by certified mail that its classification tariff would expire on February 25, 1969 and that further participation would be required as set forth in Decision No. 68180 dated September 14, 1966.
2. By Decision No. 72747, dated March 26, 1969, Case No. T-4, Notice of Hearing and Order to Show Cause was issued to Respondent by Certified Mail No. 939376.
3. On April 12, 1969, by letter addressed to the National Motor Freight Traffic Association, Inc., Respondent forwarded its check for participation fees.
4. The Staff of the Commission recommended that Respondent be reprimanded and warned concerning these matters and that the Show Cause Order be dismissed.
5. Respondent should be reprimanded as hereinafter set forth under "Conclusions" and the Show Cause Order should be dismissed.

EXAMINER'S CONCLUSIONS

That the Commission make and enter its Order dismissing the above-entitled case and that Respondent, Ten-Eleven Company, be reprimanded and warned that all and any future tariffs, including the classification, must be filed with the Commission within the time limits prescribed, and that failure to file the necessary tariffs as ordered may result in the revocation of the Respondent's Authority or, in the alternative, a severe financial penalty may be assessed as provided by the Public Utilities Act, and further, that the Show Cause Order heretofore entered be dismissed.

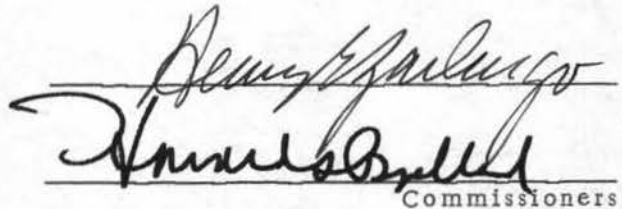
The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding, and to the Findings of Fact and Conclusions submitted by the Examiner. Now therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as herein -- above set forth, and -- in addition -- also the submitted Conclusions of the Examiner as hereinafter modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

1. That Case No. T-4 be, and the same hereby is, dismissed.
2. That henceforth the Respondent shall file all and any future tariffs, including the classification tariff, as required by and in accordance with the rules and regulations as promulgated by the Commission.
3. That any future failure by the Respondent to comply with the rules and regulations of the Commission, in any respect, may cause its Motor Vehicle Operating Rights to be revoked and cancelled.
4. This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Commissioner Edwin R. Lundborg
necessarily absent and not
participating.

Dated at Denver, Colorado, this
16th day of May, 1969.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
RESPONDENT, HERBERT GILDER, 219)
MONROE, MONTE VISTA, COLORADO,)
UNDER PERMIT NO. B-6328)
- - - - -

CASE NO. T-5
PERMIT NO. B-6328
NOTICE OF HEARING AND
ORDER TO SHOW CAUSE

- - - - -
May 16, 1969
- - - - -

Appearances: Irven T. Burke, of the
Staff of the Commission

PROCEDURE AND RECORD

BY THE COMMISSION:

Heretofore, the above-named Respondent was issued Permit No. B-6328 to engage in the business of a Private Carrier by Motor Vehicle for hire.

The files and records of the Commission disclose that the Respondent has violated the law and the rules and regulations of the Commission by failing to file the required tariff, and that the Respondent is conducting motor vehicle operation, pursuant to the above stated operating authority, in violation of said law, rules and regulations.

Pursuant to the above, in order to obtain proper compliance by the Respondent, by Decision No. 72748, dated March 26, 1969, the Commission set the matter for hearing at the Hearing Room of the Commission, 1845 Sherman Street, Denver, Colorado, at 10:00 A.M., on April 15, 1969.

After due and proper notice, the above-entitled matter was called for hearing by Ralph H. Knull -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said case -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER'S FINDINGS OF FACT

From the testimony, records and file, your Examiner finds as fact, that:

1. On November 26, 1968, Respondent was notified by certified mail that its classification tariff would expire on February 25, 1969 and that further participation would be required as set forth in Decision No. 68180 dated September 14, 1966.
2. By Decision No. 72748, dated March 26, 1969, Case No. T-5, Notice of Hearing and Order to Show Cause, was issued to Respondent by Certified Mail No. 939353.
3. On March 28, 1969, by letter addressed to the National Motor Freight Traffic Association, Inc., Respondent forwarded its check for participation fees.
4. The Staff of the Commission recommended that Respondent be reprimanded and warned concerning these matters and that the Show Cause Order be dismissed.
5. Respondent should be reprimanded as hereinafter set forth under "Conclusions" and the Show Cause Order should be dismissed.

EXAMINER'S CONCLUSIONS

That the Commission make and enter its Order dismissing the above-entitled case and that Respondent, Herbert Gilder, be reprimanded and warned that all and any future tariffs, including the classification, must be filed with the Commission within the time limits prescribed, and that failure to file the necessary tariffs as ordered may result in the revocation of the Respondent's Authority or, in the alternative, a severe financial penalty may be assessed as provided by the Public Utilities Act, and further, that the Show Cause Order heretofore entered be dismissed.

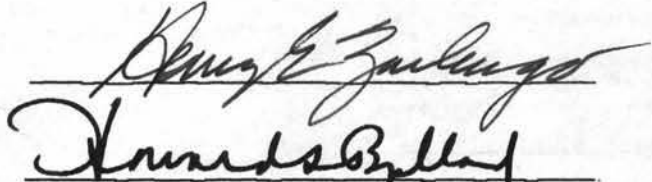
The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding, and to the Findings of Fact and Conclusions submitted by the Examiner. Now therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as herein -- above set forth, and -- in addition -- also the submitted Conclusions of the Examiner as hereinafter modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

1. That Case No. T-5 be, and the same hereby is, dismissed.
2. That henceforth the Respondent shall file all and any future tariffs, including the classification tariff, as required by and in accordance with the rules and regulations as promulgated by the Commission.
3. That any future failure by the Respondent to comply with the rules and regulations of the Commission, in any respect, may cause its Motor Vehicle Operating Rights to be revoked and cancelled.
4. This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Commissioner Edwin R. Lundborg
necessarily absent and not
participating.

Dated at Denver, Colorado, this
16th day of May, 1969.

dh

(Decision No. 73025)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
RESPONDENT, LOUIS A. MAES, 536)
OAKLAND AVENUE, LAS ANIMAS,)
COLORADO 81054. UNDER PERMIT NO.)
B-6698)
- - - - -

CASE NO. T-6
PERMIT NO. B-6698
NOTICE OF HEARING AND
ORDER TO SHOW CAUSE

- - - - -
May 16, 1969
- - - - -

Appearances: Irven T. Burke, of the
Staff of the Commission

PROCEDURE AND RECORD

BY THE COMMISSION:

Heretofore, the above-named Respondent was issued Permit No. B-6698 to engage in the business of a Private Carrier by Motor Vehicle for hire.

The files and records of the Commission disclose that the Respondent has violated the law and the rules and regulations of the Commission by failing to file the required tariff, and that the Respondent is conducting motor vehicle operations, pursuant to the above stated operating authority, in violation of said law, rules and regulations.

Pursuant to the above, in order to obtain proper compliance by the Respondent, by Decision No. 72749, dated March 26, 1969, the Commission set the matter for hearing at the Hearing Room of the Commission, 1845 Sherman Street, Denver, Colorado, at 10:00 A.M., on April 15, 1969.

After due and proper notice, the above-entitled matter was called for hearing by Ralph H. Knull -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said case -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER'S FINDINGS OF FACT

From the testimony, records and file, your Examiner finds as fact, that:

1. On November 26, 1968, Respondent was notified by certified mail that its classification tariff would expire on February 25, 1969 and that further participation would be required as set forth in Decision No. 68180 dated September 14, 1966.
2. By Decision No. 72749, dated March 26, 1969, Case No. T-6, Notice of Hearing and Order to Show Cause was issued to Respondent by Certified Mail No. 939365.
3. Respondent failed to reply to the certified letter of November 26, 1968, failed to communicate with the Staff and failed to appear at the Hearing set in Denver on April 15, 1969 as required by Decision No. 72749 dated March 26, 1969.
4. The Staff of the Commission recommended that Permit No. B-6698 be revoked.

EXAMINER'S CONCLUSIONS

That the Commission make and enter its Order cancelling the authority granted to Respondent, Louis A. Maes, by Permit No. B-6698 for failure of Respondent to file and maintain the necessary tariff as required by law.

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding, and to the Findings of Fact and Conclusions submitted by the Examiner. Now therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner as hereinafter modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That the above captioned and numbered operating rights be, and

the same hereby are, revoked and canceled, effective twenty days from the date of this Order.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Commissioner Edwin R. Lundborg
necessarily absent and not
participating.

Dated at Denver, Colorado, this
16th day of May, 1969.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
RESPONDENT, NORWOOD TRUCK LINES,)
INC., P. O. BOX 455, NORWOOD,)
COLORADO 81423, UNDER CERTIFICATES)
NOS. 934 and 943)
- - - - -

CASE NO. T-7
CERTIFICATES NOS. 934 AND 943
NOTICE OF HEARING AND
ORDER TO SHOW CAUSE

- - - - -
May 16, 1969
- - - - -

Appearances: Irven T. Burke, of the
Staff of the Commission

PROCEDURE AND RECORDS

BY THE COMMISSION:

Heretofore, the above-named Respondent was issued Certificates of Public Convenience and Necessity PUC No. 934 and No. 943 to engage in the business of a Common Carrier by Motor Vehicle for hire.

The files and records of the Commission disclose that the Respondent has violated the law and the rules and regulations of the Commission by failing to file the required tariff, and that the Respondent is conducting motor vehicle operation, pursuant to the above stated operating authority, in violation of said law, rules and regulations.

Pursuant to the above, in order to obtain proper compliance by the Respondent, by Decision No. 72750, dated March 26, 1969, the Commission set the matter for hearing at the Hearing Room of the Commission, 1845 Sherman Street, Denver, Colorado, at 10:00 A.M., on April 15, 1969.

After due and proper notice, the above-entitled matter was called for hearing by Ralph H. Knull -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said case -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER'S FINDINGS OF FACT

From the testimony, records and file, your Examiner finds as fact, that:

1. On November 26, 1968, Respondent was notified by certified mail that its classification tariff would expire on February 25, 1969 and that further participation would be required as set forth in Decision No. 68180 dated September 14, 1966.
2. By Decision No. 72750, dated March 26, 1969, Case No. T-7, Notice of Hearing and Order to Show Cause was issued to Respondent by Certified Mail No. 939369.
3. On March 27, 1969, by letter addressed to the National Motor Freight Traffic Association, Inc., Respondent forwarded its check for participation fees.
4. The Staff of the Commission recommended that Respondent be reprimanded and warned concerning these matters and that the Show Cause Order be dismissed.
5. Respondent should be reprimanded as hereinafter set forth under "Conclusions" and the Show Cause Order should be dismissed.

EXAMINER'S CONCLUSIONS

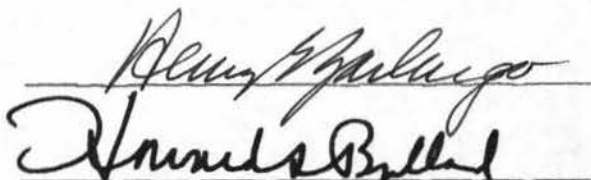
That the Commission make and enter its Order dismissing the above-entitled case and that Respondent, Norwood Truck Line, Inc., be reprimanded and warned that all and any future tariffs, including the classification, must be filed with the Commission within the time limits prescribed, and that failure to file the necessary tariffs as ordered may result in the revocation of the Respondent's Authority or, in the alternative, a severe financial penalty may be assessed as provided by the Public Utilities Act, and further, that the Show Cause Order heretofore entered be dismissed.

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding, and to the Findings of Fact and Conclusions submitted by the Examiner. Now therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner as hereinafter modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

THE COMMISSION ORDERS:

1. That Case No. T-7 be, and the same hereby is, dismissed.
2. That henceforth the Respondent shall file all and any future tariffs, including the classification tariff, as required by and in accordance with the rules and regulations as promulgated by the Commission.
3. That any future failure by the Respondent to comply with the rules and regulations of the Commission, in any respect, may cause its Motor Vehicle Operating Rights to be revoked and cancelled.
4. This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Commissioner Edwin R. Lundborg
necessarily absent and not
participating.

Dated at Denver, Colorado, this
16th day of May, 1969.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
RESPONDENT, PHILLIPS TRUCKING, 95)
STATE STREET, ALAMOSA, COLORADO)
81101, UNDER PERMIT NO. B-3016,)
CERTIFICATES NOS. 801 AND 1818)
- - - - -

CASE NO. T-8
PERMIT NO. B-3016
CERTIFICATES NOS. 801 AND 1818
NOTICE OF HEARING AND
ORDER TO SHOW CAUSE

- - - - -
May 16, 1969
- - - - -

Appearances: Irven T. Burke, of the
Staff of the Commission

PROCEDURE AND RECORDS

BY THE COMMISSION:

Heretofore, the above-named Respondent was issued Permit No. B-3016, Certificates No. 801 and No. 1818 to engage in the business of a Common and Private Carrier by Motor Vehicle for hire.

The files and records of the Commission disclose that the Respondent has violated the law and the rules and regulations of the Commission by failing to file the required tariff, and that the Respondent is conducting motor vehicle operations, pursuant to the above stated operating authority, in violation of said law, rules and regulations.

Pursuant to the above, in order to obtain proper compliance by the Respondent, by Decision No. 72751, dated March 26, 1969, the Commission set the matter for hearing at the Hearing Room of the Commission, 1845 Sherman Street, Denver, Colorado, at 10:00 A.M., on April 15, 1969.

After due and proper notice, the above-entitled matter was called for hearing by Ralph H. Knull -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said case -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER'S FINDINGS OF FACT

From the testimony, records and file, your Examiner finds as fact, that:

1. On November 26, 1968, Respondent was notified by certified mail that its classification tariff would expire on February 25, 1969 and that further participation would be required as set forth in Decision No. 68180 dated September 14, 1966.
2. By Decision No. 72751, dated March 26, 1969, Case No. T-8, Notice of Hearing and Order to Show Cause was issued to Respondent.
3. Respondent paid the classification dues on October 4, 1968 and through inadvertance was cancelled by the National Freight Traffic Association.
4. The Staff of the Commission, therefore, recommended that the Show Cause Order be dismissed.

EXAMINER'S CONCLUSIONS

That the Commission make and enter its Order dismissing the above-entitled case.

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding, and to the Findings of Fact and Conclusions submitted by the Examiner. Now therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner as hereinafter modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

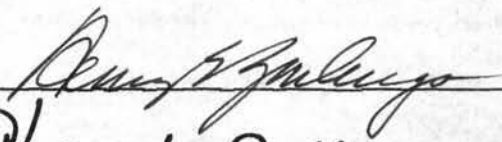
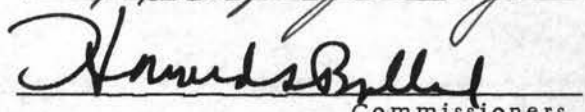
O R D E R

THE COMMISSION ORDERS:

1. That Case No. T-8 be, and the same hereby is, dismissed.

2. This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Commissioner Edwin R. Lundborg
necessarily absent and not
participating.

Dated at Denver, Colorado, this
16th day of May, 1969.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
RESPONDENTS, CLIFTON L. CLARK &)
ERNEST L. PETERSON, DBA GOLDEN)
WEST TRANSPORTATION COMPANY,)
P. O. BOX 328, FREDERICK, COLORADO)
80530)
- - - - -

CASE NO. T-9
CERTIFICATE NO. 1012
NOTICE OF HEARING AND
ORDER TO SHOW CAUSE

- - - - -
May 16, 1969
- - - - -

Appearances: Irven T. Burke, of the
Staff of the Commission

PROCEDURE AND RECORDS

BY THE COMMISSION:

Heretofore, the above-named Respondent was issued Certificate of Public Convenience and Necessity PUC No. 1012 to engage in the business of a Common Carrier by Motor Vehicle for hire.

The files and records of the Commission disclose that the Respondent has violated the law and the rules and regulations of the Commission by failing to file the required tariff, and that the Respondent is conducting motor vehicle operations, pursuant to the above stated operating authority, in violation of said law, rules and regulations.

Pursuant to the above, in order to obtain proper compliance by the Respondent, by Decision No. 72842, dated April 14, 1969, the Commission set the matter for hearing at the Hearing Room of the Commission, 1845 Sherman Street, Denver, Colorado, at 10:00 A.M., on May 5, 1969.

After due and proper notice, the above-entitled matter was called for hearing by Ralph H. Knull -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said case -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER'S FINDINGS OF FACT

From the testimony, records and file, your Examiner finds as fact, that:

1. On January 2, 1969, Respondent was notified by certified mail that its tariff would expire on January 24, 1969 and that further participation would be required.
2. By Decision No. 72842, dated April 14, 1969, Case No. T-9, Notice of Hearing and Order to Show Cause, was issued to Respondent by Certified Mail No. 939354.
3. The Staff of the Commission recommended that the authority granted Respondent under Certificate No. 1012 be revoked.
4. Respondent has not complied by filing the necessary tariff and therefore, the authority under Certificate No. 1012 should be revoked.

EXAMINER'S CONCLUSIONS

That the Commission make and enter its Order cancelling the authority granted to Respondents Clifton L. Clark & Ernest L. Peterson, d/b/a Golden West Transportation Company, P. O. Box 328, Frederick, Colorado, by Certificate of Public Convenience and Necessity PUC No. 1012 for failure of Respondents to file the necessary tariff as required by law.

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding, and to the Findings of Fact and Conclusions submitted by the Examiner. Now therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner as hereinafter modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

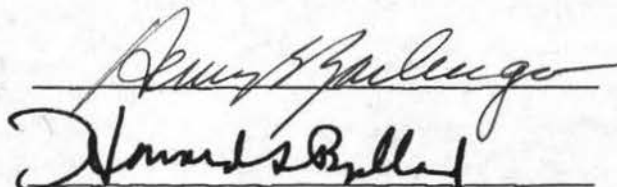
O R D E R

THE COMMISSION ORDERS:

That the above captioned and numbered operating rights be,

and the same hereby are, revoked and cancelled, effective twenty days
from the date of this Order.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Commissioner Edwin R. Lundborg
necessarily absent and not
participating.

Dated at Denver, Colorado, this
16th day of May, 1969.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

NEELY L. BROOKS)
P.O. Box 66)
Tahoka, Texas 79373)

AUTHORITY NO. M 10608

CASE NO. 4316-M-Ins.

May 16, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 13, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

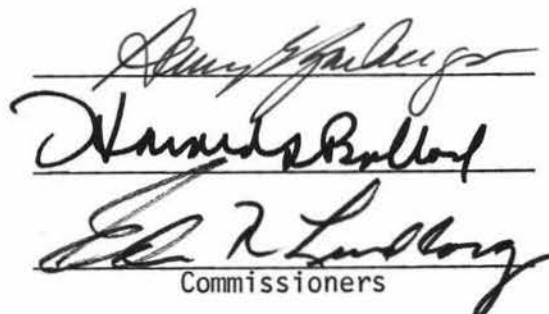
O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
16th day of May, 1969 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

KEN GARFF SALES INC.)
531 South State Street)
Salt Lake City, Utah 84111)

AUTHORITY NO. M 1614

CASE NO. 4282-M-Ins.

May 16, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 13, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.


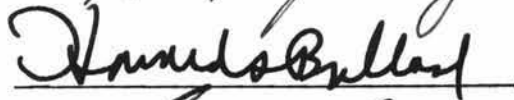

O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
16th day of May, 1969 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CENTRAL TELEPHONE & UTILITIES)
CORPORATION, A CORPORATION, FOR)
AUTHORITY TO ISSUE UP TO 67,726)
SHARES OF ITS COMMON STOCK OF THE)
PAR VALUE OF \$2.50 PER SHARE.)

APPLICATION NO. 23666-Securities

May 16, 1969

Appearances: Harry S. Petersen, Esq., Pueblo,
Colorado, and
Melvin A. Hardies, Esq., Chicago,
Illinois, for Applicant;
Harry A. Galligan, Jr., Esq.,
Denver, Colorado, for the Staff
of the Commission; and
James A. VanderWal, Denver, Colorado,
of the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

Central Telephone & Utilities Corporation (Applicant) filed Application No. 23666-Securities with this Commission on April 8, 1969. By such application, Applicant seeks authority of this Commission to issue up to 67,726 shares of its common stock of the par value of \$2.50 per share.

Said application was set for hearing, after due notice to all interested parties at 10:00 o'clock A.M., on May 14, 1969, in Room 507, Columbine Building, 1845 Sherman Street, Denver, Colorado, and was then and there heard in a consolidated hearing by the Commission with Application No. 23665 for which a separate order and decision has been rendered and taken under advisement. C.R.S. 1963, 115-1-4(5) provides for hearings on the issuance of securities to be held within thirty days of the filing of the application therefor unless an order setting forth a continuance for good cause shown is duly entered by the Commission. The purpose of this statute is to afford prompt relief in such matters to the Applicant. This

Commission set the within matter for hearing at a time exceeding the required thirty-day period because of conflicts in its docket, which setting was agreed to by Applicant herein.

No protests were filed in opposition to the application, and no one appeared at the hearing opposing the authority sought by the application.

Applicant is a Kansas corporation authorized to do business in the State of Colorado as a foreign corporation. Its principal office in Colorado is at 115 West Second Street, Pueblo; its general offices are at 233 South 10th Street, Lincoln, Nebraska 68508.

Applicant is engaged in the business of owning and operating electric utility properties in Colorado in the Counties of Pueblo, Fremont, Teller, Custer, Otero, Crowley and El Paso. Applicant also is engaged in the business of owning and operating electric utility properties in Kansas; gas utility properties in Nebraska and South Dakota; and telephone and water properties in Kansas. Applicant owns a majority of the common stock of Central Telephone Company and Lee Telephone Company (Lee). Central Telephone Company, in turn, owns a majority of the common stock of Central Telephone Company of Illinois, La Crosse Telephone Corporation, Southeastern Telephone Company, Virginia Telephone & Telegraph Company and Western Telephone Company. These subsidiaries are all engaged in the business of providing telephone service in various parts of the states of Nevada, Minnesota, Iowa, Missouri, Illinois, Wisconsin, Virginia, North Carolina and Florida.

Applicant's witness, Mr. Melvin A. Hardies, Assistant Secretary and Assistant Treasurer of Central Telephone & Utilities Corporation, testified in summary, as follows:

Applicant owns 217,266 shares or approximately 86% of the common shares of Lee. It is deemed advantageous by the Finance Committee of the board of directors of Applicant that Applicant acquire all or as nearly all as possible of the remaining 33,863 common shares of Lee, which are held by approximately 200 minority stockholders. This will facilitate financing Lee's capital requirements. A sound program for financing Lee will benefit the Applicant as Lee's majority stockholder.

Accordingly, Applicant proposes to offer to exchange two of its authorized and unissued common shares for each common share (other than those already held by the Applicant) of Lee. A 100% acceptance of the exchange offer would involve the issuance of 67,726 shares of the Applicant's common stock.

The board of directors of Applicant has ratified the action of the Finance Committee in approving the proposed transaction. No formal action of the stockholders of Applicant or of Lee is required. The Applicant is advised by its counsel that the exchange will be tax-free to the exchanging shareholders of Lee, to Lee and to the Applicant.

The offering of shares of common stock of Applicant in exchange for common shares of Lee must be registered with the Securities and Exchange Commission under the Securities Act of 1933 and a registration statement for this purpose has been filed. A copy of such registration statement as filed was identified as Exhibit C and admitted into evidence.

The book value of two shares of Applicant's common stock at December 31, 1968, based on the consolidated balance sheet of the Applicant and subsidiaries at that date included in Exhibit C was \$16.46. The book value per share of the common stock of Lee at the same date, based on its balance sheet at that date included in Exhibit C, was \$26.91. The earnings on two shares of Applicant's common stock for the year ended December 31, 1968, as shown in Exhibit C, based on the average number of shares outstanding during the period, were \$2.48 on a consolidated basis. The earnings per share on Lee's common stock for the year ended December 31, 1968, as shown in Exhibit C, based on the average number of shares outstanding during the period, were \$2.31. Lee's earnings should improve as the result of rate increases granted to Lee by the North Carolina Utilities Commission in June, 1968, and the Virginia State Corporation Commission in March, 1969.

The quarterly cash dividend rate on Applicant's common stock has been 20¢ per share since the first quarter of 1968 and until the second quarter of 1969 when it was raised to 22¢. The quarterly cash dividend rate

on Lee's common stock has been 40¢ per share. The Applicant has customarily, in recent years, also paid a 1% dividend in common stock on its common stock, while Lee has not paid dividends in common stock.

The common stock of Applicant is listed on the New York Stock Exchange and closed on May 13, 1969, at \$24.50. There is no ready market for the common stock of Lee.

The exchange ratio of 2 shares of common stock of the Applicant for each share of common stock of Lee was arrived at upon the basis of the respective book values, earnings, market values and such other factors as the managements of Applicant and Lee considered relevant.

Applicant will pay the expenses incurred in carrying out the proposed transaction, such as the costs of registration of Applicant's shares, Exchange Agent's fees, Transfer Agent's and Registrar's fees, attorneys' fees, accountant's charges, etc. Such expenses are estimated at approximately \$30,000. No commissions will be paid to brokers for inducing exchanges.

In accordance with Chapter 115-1-4, Colorado Revised Statutes 1963, a serial number must be placed upon securities for proper and easy identification. Applicant, for administrative reasons, wishes to use "C.P.U.C. Identification No. 20828."

F I N D I N G S

THE COMMISSION FINDS:

That Central Telephone & Utilities Corporation is a public utility as defined in Chapter 115-1-3, CRS, 1963.

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 by Central Telephone & Utilities Corporation of up to 67,726 shares of its common stock of the par value of \$2.50 per share, for the purposes and on the terms hereinabove described, is not

inconsistent with the public interest; that such issue is permitted by law and is consistent with the provisions of Chapter 115-1-4, CRS, 1963; and that the Order sought should be issued and made effective forthwith.

O R D E R

THE COMMISSION ORDERS:

That the issue by Central Telephone & Utilities Corporation of up to 67,726 shares of its common stock of the par value of \$2.50 per share, for the purposes and on the terms hereinabove described, be, and the same is 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. 20828

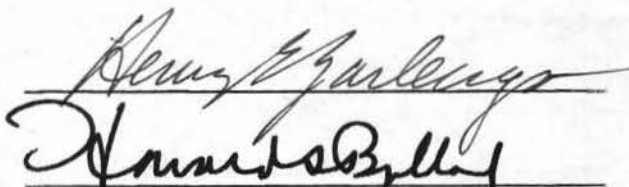
That within ninety (90) days after the final delivery of the shares of Applicant's common stock to be issued in exchange for shares of common stock of Lee Telephone Company and Applicant's receipt of shares of common stock of Lee Telephone Company in consideration thereof, Applicant shall file with the Commission a verified report showing the issue of such securities and the costs and expenses incurred by the Applicant incident to such issue and the journal entries reflecting such transactions on the books of Central Telephone & Utilities Corporation.

That nothing herein shall be construed to imply any recommendation or guarantee of or any obligation with respect of 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.

That this Order shall become effective as of the day and date hereof. The authorization hereby granted shall, however, expire if not exercised prior to September 1, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 16th day of May, 1969.
gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE PETITION OF)
CENTRAL TELEPHONE & UTILITIES)
CORPORATION, A CORPORATION, FOR)
AUTHORITY TO ISSUE UP TO 110,000)
SHARES OF ITS COMMON STOCK OF THE)
PAR VALUE OF \$2.50 PER SHARE.)

APPLICATION NO. 23665-Securities

May 16, 1969

Appearances: Harry S. Petersen, Esq., Pueblo,
Colorado, and
Melvin A. Hardies, Esq., Chicago,
Illinois, for Applicant;
Harry A. Galligan, Jr., Esq., Denver,
Colorado, for the Staff of the
Commission, and
James A. VanderWal, Denver, Colorado,
of the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

Central Telephone & Utilities Corporation (Applicant) filed Application No. 23665-Securities with this Commission on April 8, 1969. By such application, Applicant seeks authority of this Commission to issue up to 110,000 shares of its common stock of the par value of \$2.50 per share.

Said application was set for hearing, after due notice to all interested parties, at 10:00 o'clock A.M., on May 14, 1969, in Room 507, Columbine Building, 1845 Sherman Street, Denver, Colorado, and was there heard by the Commission in a consolidated hearing with Application No. 23666, for which a separate order and decision has been rendered and taken under advisement. C.R.S. 1963, 115-1-4(5) provides for hearings on the issuance of securities to be held within thirty days of the filing of the application therefor unless an order setting forth a continuance for good cause shown is duly entered by the Commission. The purpose of this statute is to afford prompt relief in such matters to the Applicant. This Commission set the within

matter for hearing at a time exceeding the required thirty-day period because of conflicts in its docket, which setting was agreed to by Applicant herein.

No petitions were filed in opposition to the application, and no one appeared at the hearing opposing the authority sought by the application.

Applicant is a Kansas corporation authorized to do business in the State of Colorado as a foreign corporation. Its principal office in Colorado is at 115 West Second Street, Pueblo, Colorado; 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 in the Counties of Pueblo, Fremont, Teller, Custer, Otero, Crowley and El Paso. Applicant is also engaged in the business of owning and operating electric utility properties in Kansas; gas utility properties in Nebraska and South Dakota; and telephone and water properties in Kansas. Applicant owns a majority of the common stock of Central Telephone Company and Lee Telephone Company. Central Telephone Company, in turn, owns a majority of the common stock of Central Telephone Company of Illinois, LaCrosse Telephone Corporation, Southeastern Telephone Company, Virginia Telephone & Telegraph Company and Western Telephone Company. These subsidiaries are all engaged in the business of providing telephone service in various parts of the States of Nevada, Minnesota, Iowa, Missouri, Illinois, Wisconsin, Virginia, North Carolina and Florida.

Applicant's witness, Melvin A. Hardies, Assistant Secretary and Assistant Treasurer of Central Telephone & Utilities Corporation, testified in summary, as follows:

Action was taken by Applicant's Board of Directors on January 28, 1969, to establish a Tenth Employees' Stock Purchase Program (Program), covering 35,000 shares and a Second Qualified Stock Option Plan (Plan) covering 75,000 shares of the Company's unissued common stock. Copies, in proof form, of the Tenth Employees' Stock Purchase Program, the Plan and the Registration Statement, Form S-8, and a copy of the Company's annual

report to stockholders for 1968 were filed in the proceeding as Exhibits A, B, C and D, respectively.

The Program will follow the pattern of Applicant's and its predecessor's previous Employees' Stock Purchase Programs, including the Ninth Employees' Stock Purchase Program which was authorized by this Commission on December 20, 1966, by Decision No. 68749, in Application No. 22323-Securities. The principal feature of the Program is that employees of the Applicant and its subsidiaries may purchase a limited amount of common stock of Applicant at a price discounted from the average market price per share in the month payment therefor is completed (by monthly payroll deductions at \$1.00 per share per month), subject to certain maximum and minimum prices and other limiting provisions.

Applicant represents that employees' participation in the stock purchase programs promotes good employee relations and thus tends to insure better and more efficient service to the public, and that the funds derived from payments made to purchase shares under the Program will be used for construction and extension of the Applicant's facilities.

Under the Plan which was approved by vote of the Applicant's stockholders at their annual meeting on May 8, 1969, up to 75,000 shares of common stock of Applicant may be optioned to all or some of the key employees and executives of the Applicant and its above mentioned subsidiaries. Under the Plan, a committee (none of whom is eligible to receive an option) is authorized to designate the grantees of options, to fix the number of shares of common stock optioned to any grantee and to fix the terms of each option (but only within the requirements of the Internal Revenue Code, as amended, for qualified stock options as therein defined). The option price under each option will be 100% of the fair market value of the shares covered by such option at the date of grant of such option.

Under the Plan, an option may not be exercised more than five years from the date of grant. The options are not assignable and terminate upon termination of employment, except that upon retirement or death an option may

be exercised by the optionee or by a legatee or his personal representatives within such period as the option may permit, not exceeding 3 months in the case of retirement or 18 months in the case of death. Options may not be granted under the Plan after May 7, 1979.

The Plan provides that in the event of changes in the outstanding common stock of the Applicant by reason of stock dividends (exceeding 2% in any year), split-ups and other capital changes, the number of shares optioned shall be appropriately adjusted.

By Decision No. 63232, issued July 8, 1964, this Commission authorized the Applicant to issue options for up to 54,100 shares and to issue up to that number of shares (subject to anti-dilution protection) upon the exercise of such options, pursuant to a qualified stock option plan, which the Applicant's stockholders had approved. Applicant's shares were split 2 for 1 in June, 1967. Only 13,000 of the shares covered by this plan remained unoptioned at May 8, 1969.

Applicant represents that the Plan will help Applicant retain and encourage its most competent management personnel and, by reason of the prospect of similar opportunities for them, will be of assistance in recruiting of capable new employees, who may constitute the future management of the Applicant.

Applicant represents that the funds derived from shares sold upon the exercise of options under the Plan will be used for the construction and extension of the Applicant's facilities.

F I N D I N G S

THE COMMISSION FINDS:

That Central Telephone & Utilities Corporation is a public utility as defined in Chapter 115-1-3, CRS, 1963.

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 Central Telephone & Utilities Corporation of up to 110,000 shares (subject to anti-dilution protection) of its common stock of the par value of \$2.50 per share for the purposes, on the terms and within the limitations, hereinabove described, are not inconsistent with the public interest; that such issue is permitted by law and is 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 Central Telephone & Utilities Corporation of up to 35,000 shares (subject to anti-dilution protection) of its common stock of the par value of \$2.50 per share in connection with its Tenth Employees' Stock Purchase Program for the purposes, on the terms and within the limitations, hereinabove described, be, and they are, authorized and approved.

That the issue by Central Telephone & Utilities Corporation of options for up to 75,000 shares (subject to anti-dilution protection) of its common stock of the par value of \$2.50 per share pursuant to its Second Qualified Stock Option Plan and the issue and sale of such optioned shares upon the exercise of such options, for the purposes, on the terms, and within the limitations hereinabove described, be, and they are, 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. 20828

That within ninety (90) days after the expiration of the subscription period under the Tenth Employees' Stock Purchase Program, Applicant shall file with the Commission a report of the shares subscribed, the presumptive purchase price thereof and the minimum and maximum limits of such purchase price.

That within ninety (90) days after the end of each calendar year, beginning December 31, 1969, Applicant shall file with this Commission a

report signed and certified as to the facts by an executive officer, the following information with respect to the Second Qualified Stock Option Plan authorized in this order.

1. Options granted during the year by stock option contract with employees: Name and position title of employee, price, dates stock options were granted, total number of options granted by Applicant.

2. Options exercised during the year for the purchase of common shares: Name and position title of employee, price, dates of purchase, total number of shares issued by Applicant.

That within ninety (90) days from the date of this order, Applicant shall file with this Commission a report signed and certified as to the facts by an executive officer, the following information with respect to the stock option plan authorized by Application No. 20502, Decision No. 63232 dated July 8, 1964.

1. Options granted up to May 14, 1969 by stock option contract with employees: Name and position title of employee, total number of options granted by Applicant.

2. Options exercised up to May 14, 1969 for the purchase of common shares: Name and position title of employee, total number of shares issued by Applicant.

3. Any shares remaining unoptioned or unissued under such plan shall be reported upon to this Commission as specified under the Second Qualified Stock Option Plan authorized in this Order.

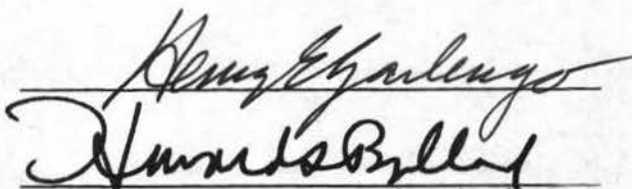
That nothing herein shall be construed to imply any recommendation or guaranty of or any obligation with respect to said issue of the aforementioned securities on the part of the State of Colorado.

That this Commission shall 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 as to the 35,000 shares of

common stock which may be issued and sold pursuant to the Tenth Employees' Stock Purchase Program if such shares shall not have been issued and sold by December 31, 1972, and shall expire as to the 75,000 shares of common stock which may be issued and sold pursuant to the Second Qualified Stock Option Plan if such shares shall not have been issued and sold by May 8, 1984 (subject as to the number of shares in both cases to anti-dilution provisions).

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 16th day of May, 1969.
gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
Marvel W. Palmer)
)
P. O. Box 167)
)
Byers, Colorado 80103)

AUTHORITY NO. M-12778

CASE NO. 4258-M-Ins

May 16, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 13, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

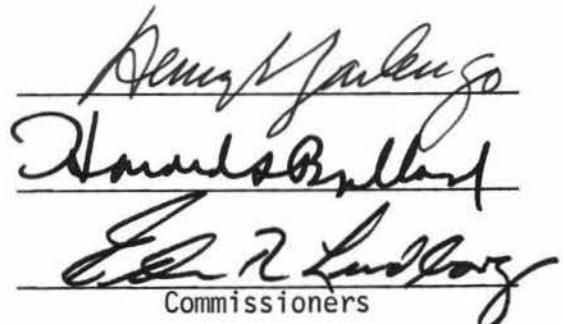
O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
16th day of May, 1969 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

DIEHL LUMBER PRODUCTS INC.)
1756 So. 6th, West)
Salt Lake City, Utah 84100)

AUTHORITY NO. M 1086

CASE NO. 4278-M-Ins.

May 19, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 13, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

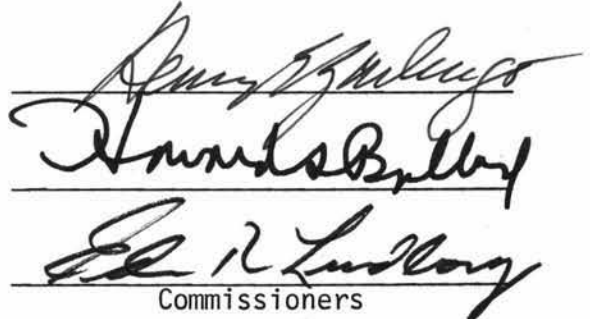
O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
19th day of May, 1969 .

(Decision No. 72035)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
HOWARD ROBERTS
201 WEST THIRD STREET
PALISADE, COLORADO 81526

PERMIT NO. M-14872

May 20, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

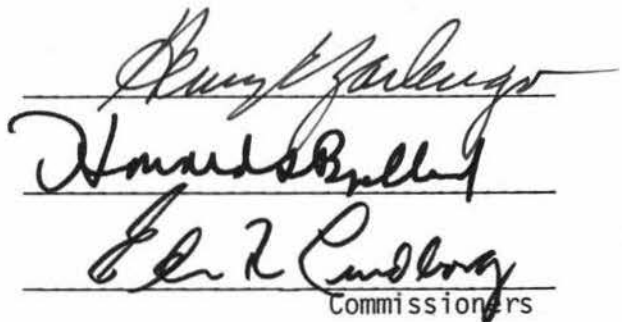
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 1, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 20th day of May, 1969.
1s

(Decision No. 73036)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
J. E. HOWARD, DOING BUSINESS AS
"WESTERN AUTO ASSOCIATE STORE"
418 MAIN STREET
CANON CITY, COLORADO 81212

PERMIT NO. M-9981

May 20, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.




The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 20, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 20th day of May, 1969.
1s

(Decision No. 73037)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
LESTER L. PATTON, DOING BUSINESS AS
"PATTON'S COAL & ICE COMPANY"
217 NORTH TOWNSEND
MONTROSE, COLORADO 81401

PERMIT NO. M-10039

May 20, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

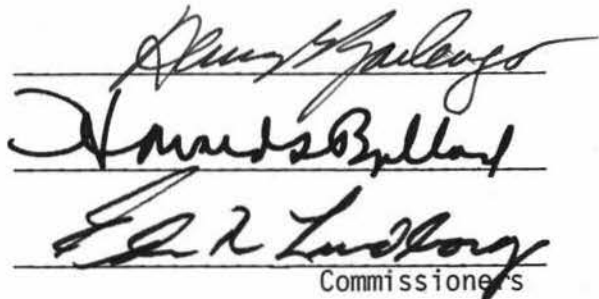
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 8, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 20th day of May, 1969.
15

(Decision No. 73038)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
C. F. FIELDEN, JR., DOING BUSINESS AS
"THE COUNTRY STORE"
P. O. BOX FF
BUENA VISTA, COLORADO 81211

PERMIT NO. M-2824

May 20, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

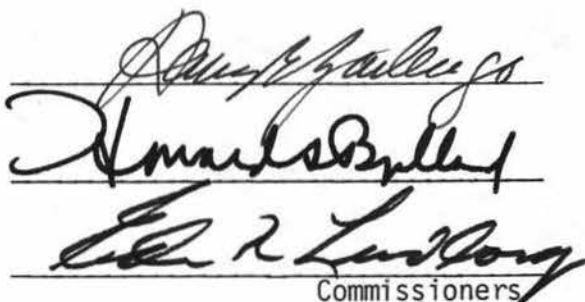
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective April 21, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 20th day of May, 1969.
1s

(Decision No. 73039)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

DAVID F. ARMSTRONG)
P. O. BOX 64)
DEBEQUE, COLORADO 81630)
-----)

PERMIT NO. M-3140

May 20, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

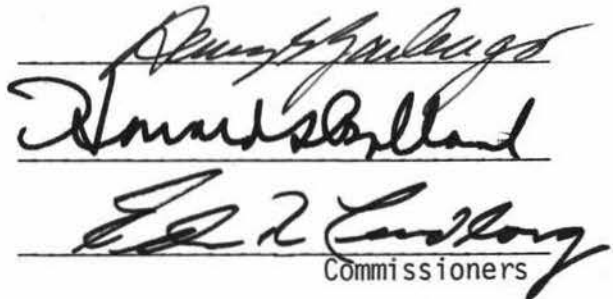
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 3, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 20th day of May, 1969.
1s

(Decision No. 73040)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JAMES W. RICHARDS AND D. R. FISHER)
DOING BUSINESS AS "BILL AND JIM'S)
AUTO CLINIC")
330 NORTH FIRST)
MONTROSE, COLORADO 81401)

PERMIT NO. M-11167

May 20, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

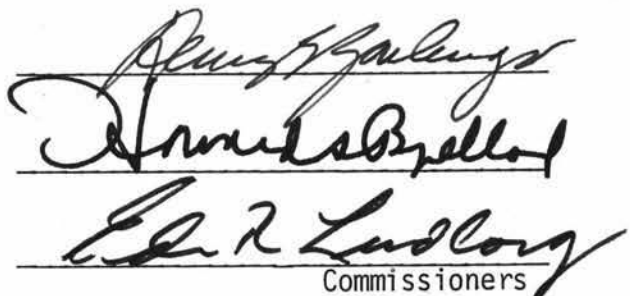
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 1, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 20th day of May, 1969.
1s

(Decision No. 73041.)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
EVERETT J. KNIGHT)
832 SUMNER STREET)
LONGMONT, COLORADO 80501)

PERMIT NO. B-6881

May 20, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

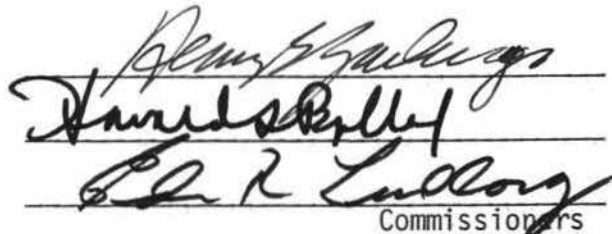
O R D E R

THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from March 4, 1969 to and including September 4, 1969.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, 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 20th day of May, 1969.

(Decision No. 73042)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
SPIKE TRUCK SERVICE, INC.)
2165 SOUTH ST. PAUL STREET)
DENVER, COLORADO 80210)

PERMIT NO. B-6275

May 20, 1969

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.

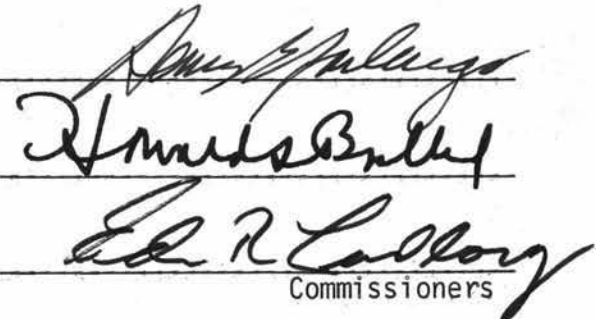
The Commission finds that the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, reinstated as of May 2, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 20th day of May, 1969.

1s

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

POSEY SCHNEIDER DBA)

HARLAN CONSTRUCTORS)

P.O. Box 26)

Brighton, Colorado 80601)

AUTHORITY NO. M 14791

CASE NO. 4270-M-Ins.

May 20, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 29, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
20th day of May, 1969 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS OF)
RESPONDENT, GUNNISON TRUCKING,)
INC., 10TH & TOMICHI, GUNNISON,)
COLORADO 81230)

CASE NO. T-10
CERTIFICATE NO. 797
NOTICE OF HEARING AND
ORDER TO SHOW CAUSE

May 21, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above-named Respondent was issued the above-captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said Respondent has violated the law and the rules and regulations of the Commission by failing and neglecting to file a classification tariff as required, and that said respondent is now conducting motor vehicle operations under said operating rights in violation of said law, rules and regulations.

The Commission states and finds that unless the named Respondent files with the Commission the above-stated matter or shows cause why the captioned and numbered operating rights should not be revoked for failure to comply therewith on or before the date set for hearing of this Case, the Commission will (1) enter and order without further notice, revoking said Respondents operating rights for this violation and (2) determine what other appropriate orders and penalties should be entered.



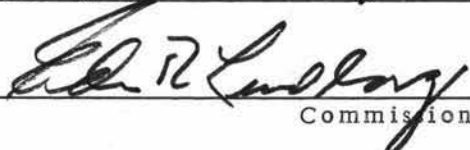
O R D E R

THE COMMISSION ORDERS:

That this Case be, and the same hereby is, set for hearing

before the Commission on June 13, 1969, at 10:00 o'clock A.M., in the
Hearing Room of the Commission, 507 Columbine Building, 1845 Sherman
Street, Denver, Colorado 80203.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
21st day of May, 1969.

dh

(Decision No. 73045)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HELEN WALL, DOING BUSINESS AS "WALL)
TRUCKING," 5800 HUMBOLDT, DENVER,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 23570-PP
SUPPLEMENTAL ORDER

May 21, 1969

Appearances: Helen Wall, Denver, Colorado,
pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 6, 1969, the Commission entered Decision No. 72627 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. 72627, viz., has failed to file a Tariff.

The Commission states and finds that inasmuch as Applicant has not fulfilled requirements set forth in Decision No. 72627, operating rights granted thereby should be revoked, as set forth in the Order following.

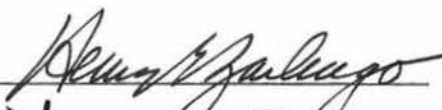
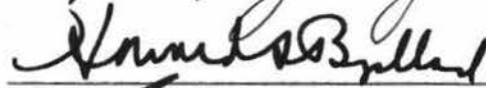
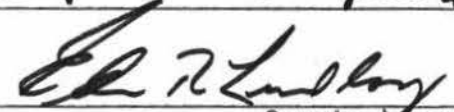
O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Helen Wall, Denver, Colorado, by Decision No. 72627, dated March 6, 1969, be, and the same hereby are, revoked, for failure of Applicant to comply with requirements set forth in said Decision No. 72627.

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 21st day of May, 1969.
s1

(Decision No. 73046)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GARY R. GATES, 442-3RD STREET,)
STEAMBOAT SPRINGS, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 23415-PP
SUPPLEMENTAL ORDER

May 21, 1969

Appearances: Gary R. Gates, Steamboat Springs,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On February 20, 1969, the Commission entered Decision No. 72566 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. 72566, viz., has failed to file Tariff, Customer List, certificate of insurance.

The Commission states and finds that inasmuch as Applicant has not fulfilled requirements set forth in Decision No. 72566, operating rights granted thereby should be revoked, as set forth in the Order following.


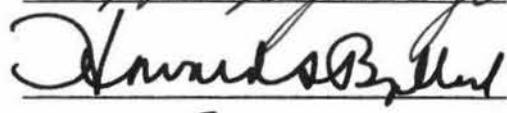

O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Gary R. Gates, Steamboat Springs, Colorado, by Decision No. 72566, dated February 20, 1969, be, and the same hereby are, revoked, for failure of Applicant to comply with requirements set forth in said Decision No. 72566.

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 21st day of May, 1969.
sl

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MELVIN L. HUFFSMITH, 7330 DEXTER)
STREET, COMMERCE CITY, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 23671-PP

May 21, 1969

Appearances: Melvin L. Huffsmith, Commerce
City, Colorado, pro se.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On April 8, 1969, the above-entitled application was filed requesting authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant is an individual.
2. Applicant does not hold previously granted authority from this Commission.
3. Applicant has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority applied for herein.
4. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
5. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
6. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
7. The authority will be in the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order granting the application and authorizing Applicant to operate as a private carrier by motor vehicle for hire with authority as follows:

"Transportation of

- (1) 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;

- (2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of 50 miles of said pits and supply points;

(3) 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;

(4) 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;

RESTRICTION:

This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as hereinafter modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Melvin L. Huffsmith, Commerce City, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the following:

Transportation of

(1) 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;

(2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of 50 miles of said pits and supply points;

(3) 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;

(4) 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;

RESTRICTION:

This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials,

and this ORDER shall be deemed to be, and be, a PERMIT therefor.

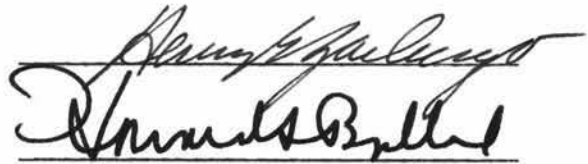

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, 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 21st day of May, 1969.

sl

(Decision No. 73048)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MAX ADAMS, 16790 WEST 63RD PLACE,)
GOLDEN, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 23676-PP

May 21, 1969

Appearances: Max Adams, Golden,
Colorado, pro se.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On April 8, 1969, the above-entitled application was filed requesting authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant is an individual.
2. Applicant does not hold previously granted authority from this Commission other than an "M" permit.
3. Applicant requests that, in the event this application is granted, said operating rights be known as "Permit No. B-5533", being the number of a Permit formerly held by him.
4. Applicant has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority applied for herein.
5. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
6. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
7. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
8. The authority will be in the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

1. That the Commission make and enter its Order granting the application and authorizing Applicant to operate as a private carrier by motor vehicle for hire with authority as follows:

"Transportation of

(1) 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;

(2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of 100 miles of said pits and supply points;

(3) 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;

(4) 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;

RESTRICTION:

This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials."

2. That said operating rights be known as Permit No. B-5533", being the number of a Permit formerly held by him.

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as herein-after modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Max Adams, Golden, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the following:

Transportation of

- (1) 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;

- (2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of 100 miles of said pits and supply points;

- (3) 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;

(4) 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;

RESTRICTION:

This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials.

That the above Class "B" motor vehicle private carrier operations shall be designated and be assigned the number "B-5533", and this ORDER shall be deemed to be and be a PERMIT therefor.

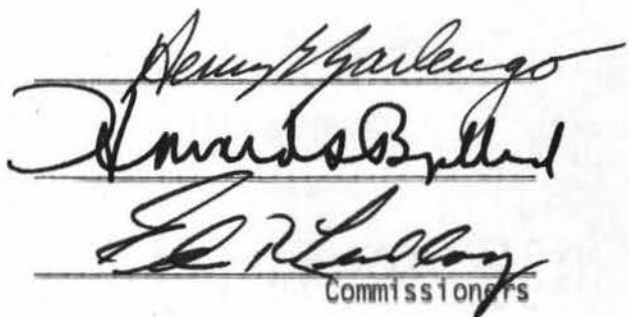
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, 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 21st day of May, 1969.
ls

(Decision No. 73049)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MAURICE J. DE LOYED, 7701 BRIGHTON)
BOULEVARD, HENDERSON, COLORADO, FOR)
A CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 23654-PP

May 21, 1969

Appearances: Maurice J. DeLoyed, Henderson,
Colorado, pro se.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On March 24, 1969, the above-entitled application was filed requesting authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant is an individual.
2. Applicant does not hold previously granted authority from this Commission.
3. Applicant has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority applied for herein.
4. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
5. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
6. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
7. The authority will be in the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order granting the application and authorizing Applicant to operate as a private carrier by motor vehicle for hire with authority as follows:

"Transportation of

- (1) 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 (50) miles of said pits and supply points;

- (2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of fifty (50) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of fifty (50) miles of said jobs;

(4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of fifty (50) miles of said pits and supply points;

RESTRICTION:

This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as herein-after modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Maurice J. DeLoyed, Henderson, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the following:

Transportation of

- (1) 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;

- (2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of 50 miles of said pits and supply points;

- (3) 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;

- (4) 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;

RESTRICTION:

This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials;

and this ORDER shall be deemed to be, and be, a PERMIT therefor.

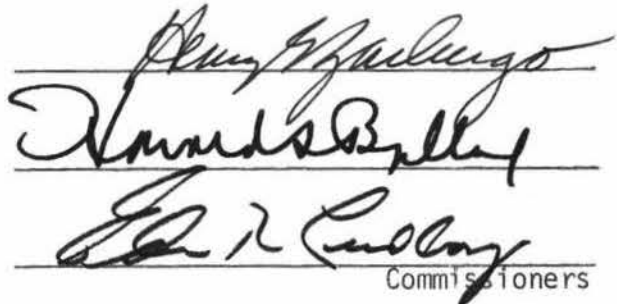
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, 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 21st day of May, 1969.
gf

(Decision No. 73050)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
TOM J. BEGHTOL, 6410 ESTES STREET,)
ARVADA, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 23680-PP

May 21, 1969

Appearances: Tom J. Beghtol, Arvada,
Colorado, pro se.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On April 9, 1969, the above-entitled application was filed requesting authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant is an individual.
2. Applicant does not hold previously granted authority from this Commission.
3. Applicant has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority applied for herein.
4. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
5. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
6. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
7. The authority will be in the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order granting the application and authorizing Applicant to operate as a private carrier by motor vehicle for hire with authority as follows:

"Transportation of

- (1) 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;

- (2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of 100 miles of said pits and supply points;

- (3) 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;

(4) 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;

RESTRICTION:

This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as herein-after modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Tom J. Beghtol, Arvada, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the following:

Transportation of

- (1) 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;

- (2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of 100 miles of said pits and supply points;

- (3) 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;

- (4) 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;

RESTRICTION:

This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials;

and this ORDER shall be deemed to be, and be, a PERMIT therefor.

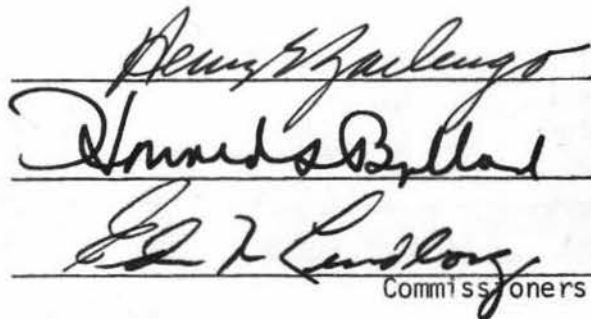
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, 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 21st day of May, 1969.
gf

(Decision No. 73051)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
LARRY D. SATTERFIELD, BOX 344, EAGLE,)	
COLORADO, FOR A CLASS "B" PERMIT TO)	<u>APPLICATION NO. 23662-PP</u>
OPERATE AS A PRIVATE CARRIER BY MOTOR)	
VEHICLE FOR HIRE.)	

May 21, 1969

Appearances: Larry D. Satterfield, Eagle,
Colorado, pro se.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On April 2, 1969, the above-entitled application was filed requesting authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant is an individual.
2. Applicant does not hold previously granted authority from this Commission.
3. Applicant has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority applied for herein.
4. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
5. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
6. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
7. The authority will be in the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order granting the application and authorizing Applicant to operate as a private carrier by motor vehicle for hire with authority as follows:

"Transportation of

(1) Logs, poles and timber products

From forests to sawmills, places of storage and loading points within a radius of 50 miles of said forests;

(2) Rough lumber

From sawmills in said 50-mile radius to markets in the State of Colorado.

RESTRICTION:

This Permit is restricted against town-to-town service."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and

-- in addition -- also the submitted Conclusions of the Examiner, as herein-
after modified, if such be the situation or fact, and, in accordance there-
with, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Larry D. Satterfield, Eagle, Colorado, be, and hereby is,
authorized to operate as a Class "B" private carrier by motor vehicle for
hire for the following:

Transportation of

(1) Logs, poles and timber products

From forests to sawmills, places of storage and loading
points within a radius of 50 miles of said forests;

(2) Rough lumber

From sawmills in said 50 mile radius to markets in the
State of Colorado.

RESTRICTION:

This Permit is restricted against the rendering of any
town-to-town service;

and this ORDER shall be deemed to be, and be, a PERMIT therefor.

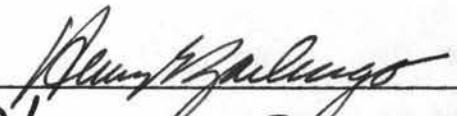
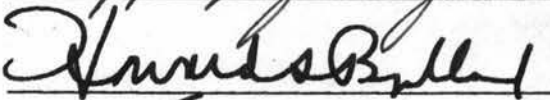

That all operations hereunder shall be strictly contract operations,
the Commission retaining jurisdiction to make such amendments to this permit
deemed advisable.

That this Order is the permit herein provided for, but it shall
not become effective until applicant has filed a statement of his customers,
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 21st day of May, 1969.
1s

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRANCIS JOHN CIELOHA, BOX 12,)
ROLLINSVILLE, COLORADO, FOR A CLASS)
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 23669-PP

May 21, 1969

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On April 3, 1969, the above-entitled application was filed requesting authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was called for hearing -- by Commission Examiner Robert L. Pyle -- at the time and place as set forth in the Notice of Hearing, duly sent by the Commission to the Applicant, who, without regard to such notice, failed to appear in person or by representative.

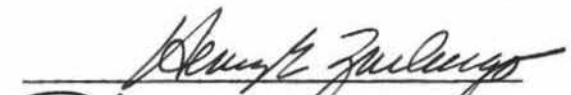
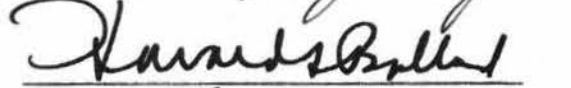

The Examiner, in his filed report with the Commission, has recommended, in view of the above, that the herein instant application be dismissed for failure to prosecute.

O R D E R

THE COMMISSION ORDERS:

That Application No. 23669-PP be, and the same is hereby, dismissed forthwith

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 21st day of May, 1969.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
UNITED AIRLINES, STAPLETON INTER-)
NATIONAL AIRPORT, DENVER, COLORADO,)
FOR AUTHORITY TO TRANSFER ACS-24 TO)
UNITED AIR LINES, INC., STAPLETON)
INTERNATIONAL AIRPORT, DENVER,)
COLORADO.)

APPLICATION NO. 23692-Transfer

May 21, 1969

Appearances: Macon M. Arthur, Esq., of Mayer,
Friedlich, Spiess, Tierney, Brown
& Platt, 231 South LaSalle Street,
Chicago, Illinois 60604, and
John P. Akolt, Jr., Esq., of Akolt,
Shepherd, Dick & Rovira, Denver,
Colorado, for Applicant.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On April 11, 1969, the above-entitled application was filed requesting authority to transfer Certificate of Public Convenience and Necessity PUC No. ACS-24.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. United Air Lines, Inc. (hereinafter referred to as "United") is a corporation organized and existing under the laws of the State of Delaware. It is qualified to do business in the State of Colorado and has its principal office at 1200 Algonquin Road, Elk Grove Township, Illinois with a mailing address at P. O. Box 66100, O'Hare International Airport, Chicago, Illinois, 60666.
2. United is an air carrier within the meaning of the Federal Aviation Act of 1958, as amended (49 U.S.C. §§ 1301 et seq.) and, pursuant to authority conferred by Certificates of Public Convenience and Necessity issued to it by the Civil Aeronautics Board pursuant to the Federal Aviation Act, United is engaged in the transportation of persons, property and mail by aircraft over a transcontinental route which connects major Atlantic Coast cities with major Pacific Coast cities via numerous intermediate points including Denver and Grand Junction, Colorado. United also operates extensive north-south routes east of the Mississippi River and north-south routes along the Pacific Coast. United also has routes from San Francisco and Los Angeles to Hawaii and a transborder route connecting its air transportation system with cities in Canada. As of January 1, 1969, United was certificated to serve an aggregate of 105 cities in 32 states plus the District of Columbia, and the Provinces of British Columbia and Ontario in Canada. In addition to the authority conferred upon it by the Civil Aeronautics Board, United holds, among other certificates, a Certificate of Convenience and Necessity issued by the Colorado Public Utilities Commission authorizing United to provide scheduled intrastate transportation of persons and property by aircraft between Denver and Grand Junction, Colorado (Decision No. 30089 dated March 20, 1948, as amended by Decision No. 31041 dated August 14, 1948), identified as Certificate of Authority ACS-24.
3. Pursuant to the Plan of Reorganization, United will merge into UalCo Corporation (hereinafter called "United (New)"), a Delaware corporation, organized by, and a wholly-owned shell subsidiary of, UAL, Inc. a Delaware corporation, organized by, and a wholly-owned shell subsidiary of, United. Upon consummation of the merger, the corporate existence of United will cease and the business of United will thereafter be conducted by United (New) under the corporate name "United Air Lines, Inc." United (New) shall succeed, insofar as permitted by law, to all the rights, assets, liabilities and obligations of United and the directors, officers and other personnel

of United (New) will be the same as those of United immediately prior to consummation of the merger. Upon consummation of the merger, each outstanding share of United Preferred Stock will be converted into the exchanged for one share of Prior Preferred Stock of UAL, Inc., and each outstanding share of United Common Stock will be converted into the exchanged for one share of Common Stock of UAL, Inc. In addition, the shares of UAL, Inc. held by United will be cancelled and the former stockholders of United will thereupon own all of the outstanding shares of UAL, Inc.

4. An appropriate application has been filed by United with the Civil Aeronautics Board requesting that the Board approve, where necessary, those portions of the Plan of Reorganization subject to the Board's jurisdiction and that the Board approve the transfer of the Federal Certificates of Public Convenience and Necessity to United (New). In accordance with the terms of the Plan of Reorganization, the merger of United into United (New) will not be consummated until such time as the Civil Aeronautics Board issues an appropriate order in response to the application filed with it.
5. The Effective Date of the merger will be 12:01 A.M. local time, at Chicago, Illinois, on the first day of the month following the month in which the Plan of Reorganization shall have been filed with the Secretary of State of the State of Delaware. Such filing will be made as soon as practicable after all acts and things required for accomplishing the merger under the laws of Delaware and the provisions of the Plan of Reorganization shall have been done.
6. Upon the completion of the Plan of Reorganization, it is contemplated that United (New) will continue the air carrier operations of United in substantially the same manner as if the reorganization had not occurred. As previously indicated, United (New) will have the same officers, directors and, indirectly, the same shareholders as it had prior to the reorganization. Apart from the formal changes in corporate structure, United (New) will in all significant respects be the same air carrier entity which is now constituted by United. Accordingly, the Commission's approval of the transfer of United's intrastate certificate to United (New) will have no adverse effect upon the air service now being provided between Denver and Grand Junction by United.
7. If this transfer is approved, Transferee intends to and will engage in bona fide air carrier operations under the operating rights set forth herein.
8. The transfer is compatible with the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order authorizing Transferor to transfer all of its right, title and interest in and to Certificate of Authority ACS-24 to United Air Lines, Inc.,

and that henceforth the full and complete authority under said Certificate of Authority ACS-24 shall read as follows, to-wit:

"Transportation -- on schedule -- by airplane -- of

(1) Persons and property

Between Denver, Colorado, and Grand Junction, Colorado."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Transferor herein, be, and hereby is, authorized to transfer all right, title and interest in and to Certificate of Public Convenience and Necessity PUC No. ACS-24 to Transferee herein, subject to encumbrances, if any, against said authority approved by this Commission.

That henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. ACS-24 shall read and be as follows, to-wit:

Transportation -- on schedule -- by airplane -- of

Persons and property

Between Denver, Colorado, and Grand Junction, Colorado.


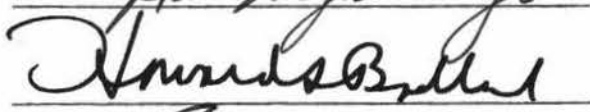
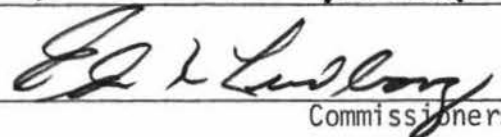
That said transfer shall become effective only if and when, but not before, said Transferor and Transferee, in writing, have advised the Commission that said Certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to by by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within twenty (20)

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

That the tariff of rates, rules and regulations of Transferor shall, upon proper adoption notice, become and remain those of Transferee until changed according to law and the rules and regulations of this 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 21st day of May, 1969.
gf

(Decision No. 73054)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN F. NEUHAUSER AND IMA J.)
NEUHAUSER, DOING BUSINESS AS "J & I)
DISPOSAL," 1862 STILLWATER WAY,)
LAFAYETTE, COLORADO, FOR AUTHORITY)
TO LEASE PUC NO. 5623 TO ALL-WHITE)
CORPORATION, 3526 NEWLAND, WHEAT)
RIDGE, COLORADO.)

APPLICATION NO. 23690-Lease

May 22, 1969

Appearances: R. Jerry Russell, Esq., Broomfield,
Colorado, for Applicants.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On April 9, 1969, the above-entitled application was filed requesting authority to lease Certificate of Public Convenience and Necessity PUC No. 5623 from John F. Neuhauser and Ima J. Neuhauser, doing business as "J & I Disposal," to All-White Corporation.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Lessors are the present owners and operators of Certificate of Authority PUC No. 5623, which is the subject of this proceeding.
2. By this application, the parties seek to lease Certificate of Authority PUC No. 5623 from John F. Neuhauser and Ima J. Neuhauser, doing business as "J & I Disposal," to All-White Corporation.
3. The authority is presently in good standing with the Commission.
4. Lessee corporation also holds authority from this Commission under Certificate of Authority PUC No. 3430 and Permit No. B-7265, which are as follows:

CERTIFICATE OF AUTHORITY PUC NO. 3430:

"UNDER: Decision No. 72489:

Transportation of

Ashes, trash and other refuse

From the City of Boulder, Colorado, and a five (5) mile radius thereto to any designated and approved dumps and disposal sites."

PERMIT NO. B-7265:

"UNDER: Decision No. 72231:

Transportation of

(1) Ashes, trash and other refuse

From the IBM Plant at Niwot, Colorado, to designated and approved dumps and disposal sites in the following Counties of the State of Colorado: Boulder, Adams, Weld, Denver and Larimer.

(2) Ashes, trash and other refuse

From the Beech Aircraft Plant, Boulder, Colorado, to designated and approved dumps and disposal sites in the following Counties of the State of Colorado: Boulder, Adams, Weld, Denver and Larimer."

5. The parties have entered into a Lease Agreement and the consideration, as set forth therein, is fair and reasonable.
6. The authority is presently encumbered and that encumbrance will continue under the proposed Lease.
7. Lessee corporation has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority sought herein.

8. The chief corporate officers as well as the employees of the Lessee corporation are familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission and have or will make adequate provision for insurance.
9. If this lease is approved, Lessee corporation intends to and will engage in bona fide motor carrier operations under the operating rights set forth herein.
10. The lease is compatible with the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order authorizing Lessors, John F. Neuhauser and Ima J. Neuhauser, doing business as "J & I Disposal," to lease all of their right, title and interest in and to Certificate of Authority PUC No. 5623 to Lessee corporation, All-White Corporation, a Colorado corporation,

AND, FURTHER,

That the Commission make and enter its Order authorizing the present encumbrance on said authority to continue under the proposed Lease.

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as herein-after modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

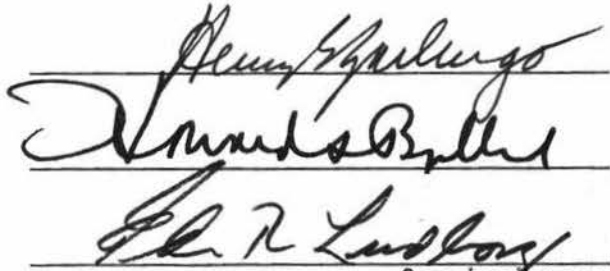
That John F. Neuhauser and Ima J. Neuhauser, doing business as "J & I Disposal," Lafayette, Colorado, be, and hereby are, authorized to lease Certificate of Public Convenience and Necessity PUC No. 5623 to All-White Corporation, Wheat Ridge, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

That said lease of authority shall be effective only from the day and date of this Order to and including December 1, 1973, unless otherwise terminated by Order of the Commission.

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

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 22nd day of May, 1969.
gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LA PLATA RIVER CORPORATION, BOX 66,)
HESPERUS, COLORADO, FOR AUTHORITY) APPLICATION NO. 23656-Lease
TO LEASE PUC NO. 5966 TO MOUNTAIN)
SHADOWS CAR RENTAL, INC., 3255)
MAIN AVENUE, DURANGO, COLORADO.)

May 22, 1969

Appearances: Irvin L. Mason, Esq., Durango,
Colorado, for Applicants.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On March 25, 1969, the above-entitled application was filed requesting authority to lease Certificate of Public Convenience and Necessity PUC No. 5966 from La Plata River Corporation to Mountain Shadows Car Rental, Inc.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Lessor corporation herein is the present owner and operator of Certificate of Authority PUC No. 5966, which is the subject of this proceeding.
2. By this application, the parties seek to lease Certificate of Authority PUC No. 5966 from La Plata River Corporation to Mountain Shadows Car Rental, Inc.
3. The authority is presently in good standing with the Commission.
4. Lessee corporation holds no previously granted authority from this Commission.
5. The parties have entered into a Lease Agreement and the consideration, as set forth therein, is fair and reasonable.
6. The Certificate is free and clear of any debts, encumbrances or obligations.
7. Lessee corporation has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority sought herein.
8. The chief corporate officers as well as the employees of the Lessee corporation are familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission and have or will make adequate provision for insurance.
9. If this lease is approved, Lessee corporation intends to and will engage in bona fide motor carrier operations under the operating rights set forth herein.
10. The lease is compatible with the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order authorizing Lessor corporation, La Plata River Corporation, a Colorado corporation, to lease all of its right, title and interest in and to Certificate of Authority PUC No. 5966 to Lessee, Mountain Shadows Car Rental, Inc., a Colorado corporation.

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as hereinafter

modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

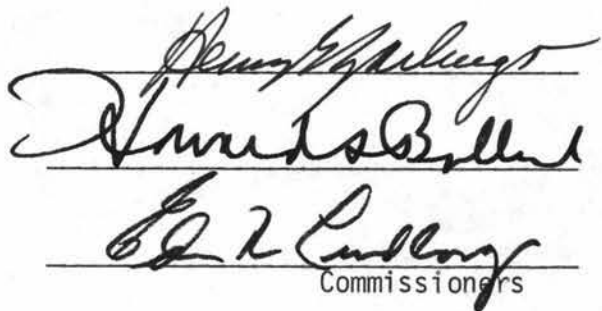
That La Plata River Corporation, Hesperus, Colorado, be, and hereby is, authorized to lease Certificate of Public Convenience and Necessity PUC No. 5966 to Mountain Shadows Car Rental, Inc., Durango, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

That said lease of authority shall be effective only from the day and date of this Order to and including February 7, 1970, unless otherwise terminated by Order of the Commission.

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

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 22nd day of May, 1969.

1s

(Decision 73056)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RYBERG-WALDORF HOUSEMOVERS CO., A)
CORPORATION, 6112 EATON STREET,)
ARVADA, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 23678-PP

May 22, 1969

Appearances: Bernerd E. Schilt, Esq., Denver,
Colorado, for Applicant;
Joseph F. Nigro, Esq., Denver,
Colorado, for Weicker Transfer &
Storage Co., Duffy Storage & Moving
and Hoffman Transfer, Protestants.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On March 28, 1969, the above-entitled application was filed requesting authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that -- at the hearing -- the herein application was protested by the carriers as indicated in the Appearance section of this Decision.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant is a Colorado corporation, the president and sole stockholder being Mr. Robert L. Waldorf. The Articles of Incorporation were admitted as Exhibit No. 2. Applicant holds Certificate of Authority PUC No. 3141, which provides for the transportation of buildings in a prescribed area and has no bearing in this proceeding.
2. The application was protested by the Protestants indicated above, all of whom hold certificated authority which could be considered to be conflicting with the authority requested in this application; however, none of the protesting carriers would be adversely affected by the granting of this authority inasmuch as the Stearns-Roger Corp. would not use them for such cartage and, further, said carriers would not be able to economically perform the services required by the shipper.
3. The Stearns-Roger Corp., who is the customer sought to be served in this application, among other things, carries on a considerable manufacturing business and a great many of the items produced are of such size and weight that ordinary carriers such as the Protestants who appeared herein, are not equipped nor do they have sufficiently trained personnel to perform the services required.
4. In one particular instance, the aforementioned Stearns-Roger Corp. required transportation of a particular item for which Protestant, Weicker Transfer & Storage Co., would have had to build a special piece of equipment to move it and charge approximately \$13,000.00 in addition to the transportation charges merely for the special equipment.
5. Applicant, in the operation of its Certificate of Authority PUC No. 3141 which, as indicated above, provides for the transportation of buildings, is equipped to meet the needs of Stearns-Roger Corp. in transporting those manufactured structures which, because of size and weight, require special equipment and, further, said Applicant has specifically trained personnel to perform the services required.
6. The Stearns-Roger Corp., in order to transport those special items to customers, requires the services that Applicant would provide if this application is granted and, in fact, there is a present and special need for the service.

7. Applicant has sufficient net worth, as set forth in Exhibit No. 1, which is ample and suitable for operation of the authority applied for herein.
8. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
9. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
10. The authority will be in the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order granting the application and authorizing Applicant to operate as a private carrier by motor vehicle for hire with authority as follows:

"Transportation of

(1) Fabricated structures

Between all points within the State of Colorado.

RESTRICTIONS:

- A. Restricted to serving one customer, only, viz: Stearns-Roger Corp.
- B. All transportation performed under this Permit shall be structures manufactured by Stearns-Roger Corp. which, because of size and weight, require special equipment."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as hereinafter modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Ryberg-Waldorf Housemovers Co., a corporation, Arvada, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the following:

Transportation of

Fabricated structures

Between all points within the State of Colorado.

RESTRICTION:

This Permit is restricted as follows:

- a. To the rendering of transportation service for only the Stearns-Roger Corp.
- b. All transportation service to be rendered under this Permit is specifically restricted to structures manufactured by only the Stearns-Roger Corp. which structures, because of size and weight, require the use of special equipment.

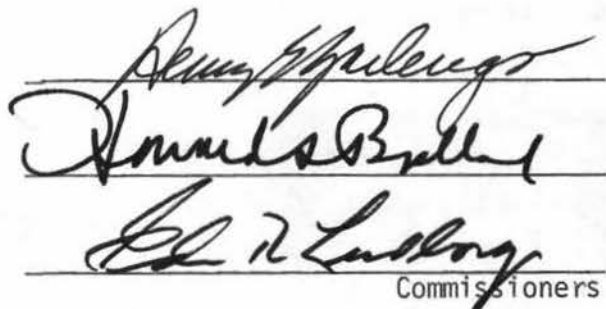
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, 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 22nd day of May, 1969.
gf

(Decision No. 73057)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT BURUSE, ROUTE 2, HOTCHKISS,)
COLORADO, FOR AUTHORITY TO EXTEND)
OPERATIONS UNDER PERMIT NO. B-7295.)

APPLICATION NO. 23657-PP-Extension

May 22, 1969

Appearances: Robert Buruse, Hotchkiss,
Colorado, pro se.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On March 28, 1969, the above-entitled application was filed requesting authority to extend operations under Private Carrier Permit No. B-7295 in the precise manner as fully set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant is an individual.
2. Applicant presently holds authority from this Commission granted under Commission Decision No. 72826, dated April 11, 1969, being Permit No. B-7295, which reads as follows:

"Transportation of

(1) Logs, poles and timber products

From forests to sawmills, places of storage and loading points within a radius of 100 miles of said forests;

(2) Rough lumber

From sawmills in said 100-mile radius to markets in the State of Colorado.

RESTRICTION:

This Permit is restricted against the rendering of any town-to-town service."

3. The authority to which extension is hereby sought, Permit No. B-7295, has been continually operated in the past and is presently in good standing with the Commission.
4. By this application, Applicant seeks to extend the authority under Permit No. B-7295 to include the following:

"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, to homes 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; PROVIDED, HOWEVER, THAT THE TRANSPORTATION OF ROAD-SURFACING MATERIALS SHALL BE RESTRICTED AGAINST THE USE OF TANK VEHICLES."

5. The extension applied for herein is compatible with and does not conflict with or duplicate the authority held by Applicant.
6. Applicant has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority applied for herein.

7. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
8. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
9. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
10. The granting of the authority will be in the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order authorizing Applicant to extend operations under Permit No. B-7295 to include:

"Transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, 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, to homes 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; PROVIDED, HOWEVER, THAT THE TRANSPORTATION OF ROAD-SURFACING MATERIALS SHALL BE RESTRICTED AGAINST THE USE OF TANK VEHICLES."

That henceforth the full and complete authority under Permit No. B-7295 shall be as follows:

"Transportation of

- (1) Logs, poles and timber products

From forests to sawmills, places of storage and loading points within a radius of 100 miles of said forests;

- (2) Rough lumber

From sawmills in said 100-mile radius to markets in the State of Colorado.

RESTRICTION:

Items 1 and 2 of this Permit are restricted against the rendering of any town-to-town service.

- (3) 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.

- (4) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of 100 miles of said pits and supply points.

- (5) 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.

- (6) 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.

RESTRICTION:

Items 3, 4, 5 and 6 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as hereinafter modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Robert Buruse, Hotchkiss, Colorado, be, and hereby is, authorized to extend operations under Private Carrier Permit No. B-7295 to include the following:

Transportation of

- (1) 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;

- (2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of 100 miles of said pits and supply points;

- (3) 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;

- (4) 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;

RESTRICTION:

This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials.

That henceforth the full and complete authority under Private Carrier Permit No. B-7295, as extended, shall read and be as follows, to-wit:

Transportation of

- (1) Logs, poles and timber products

From forests to sawmills, places of storage and loading points within a radius of 100 miles of said forests;

- (2) Rough lumber

From sawmills in said 100 mile radius to markets in the State of Colorado.

RESTRICTION:

Items 1 and 2 of this Permit are restricted against the rendering of any town-to-town service.

- (3) 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;

(4) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of 100 miles of said pits and supply points;

(5) 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;

(6) 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;

RESTRICTION:

Items 3, 4, 5 and 6 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials.

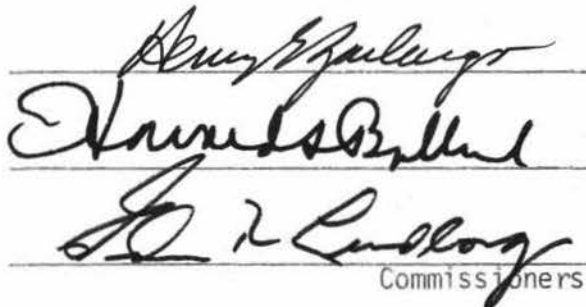
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

That this Order shall not become effective until Applicant has filed a statement of his customers, the necessary tariffs, required insurance and has secured authority sheets.

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 22nd day of May, 1969.
gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

VAUGHN AND ADA BYRD)
503 East 11th Street)
Pueblo, Colorado 81001)

AUTHORITY NO. M 13464

CASE NO. 4263-M-Ins.

May 22, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 13, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

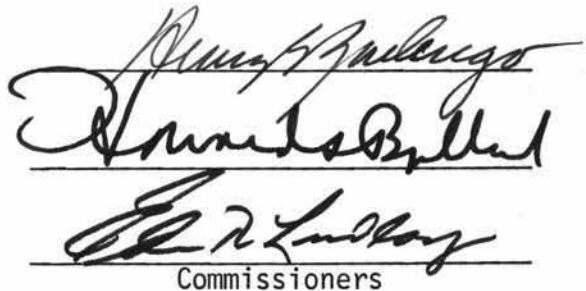
O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
22nd day of May, 1969 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

ROCKY MOUNTAIN AIRWAYS, INC. AND)
ROCKY MOUNTAIN AIRWAYS, INC., dba)
ROCKY MOUNTAIN AVIATION, INC.)
515 MAJESTIC BUILDING)
DENVER, COLORADO,)
Complainants,)
vs.)
AIR CHARTERS OF DENVER, INC.)
STAPLETON INTERNATIONAL AIRPORT)
DENVER, COLORADO,)
Respondent.)

CASE NO. 5388

May 23, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On January 31, 1969, formal complaint was filed with the Commission by the above-named Respondents against Air Charters of Denver, Inc.

On February 10, 1969, an Order to Satisfy or Answer was issued by the Commission directed to the Respondent.

On February 27, 1969, the Respondent filed with the Commission its Answer to said Complaint.

On February 28, 1969, "Motion to Strike the Complaint" was filed with the Commission by the Respondent, stating that the Complaint filed January 31, 1969, was defective in that the same was not verified under oath.

On March 6, 1969, a properly verified new Complaint was filed with the Commission by the Respondents. (Case No. 5391)



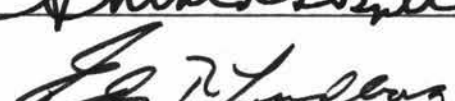
In view of the above and foregoing, the Commission states and finds that the matters herein have become moot and that Case No. 5388 should be dismissed as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Case No. 5388 be, and the same hereby is, dismissed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 23rd day of May, 1969.
gf

(Decision No. 73060)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CADWELL TRUCKING CO., INC., A COLORADO)
CORPORATION, 2119 HIGHWAY 50 EAST,)
PUEBLO, COLORADO, FOR AUTHORITY TO)
TRANSFER PUC NO. 351 TO BRADLEY S. HUFF)
AND RUTH E. HUFF, AS JOINT TENANTS,)
DOING BUSINESS AS "BRADLEY/HUFF TRUCK-)
ING CO.," U.S. 85-87 NORTH OF WALSENBURG,)
WALSENBURG, COLORADO.)

APPLICATION NO. 23603-Transfer
SUPPLEMENTAL ORDER

May 23, 1969

Appearances: John R. Naylor, II, Esq., Pueblo,
Colorado, for Applicants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 1, 1969, the Commission entered Decision No. 72952 in the above-entitled application, authorizing Cadwell Trucking Co., Inc., a Colorado corporation, to transfer PUC No. 351 to Bradley S. Huff and Ruth E. Huff, as joint tenants, doing business as "Bradley/Huff Trucking Co."

The Commission is now in receipt of duly executed Security Agreement and Financing Statement requesting approval by the Commission of the encumbrance against said PUC No. 351.

The Commission states and finds that the authority herein sought is compatible with the public interest and should be granted as set forth in the Order following.

O R D E R


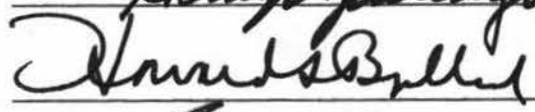
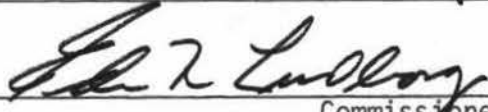
THE COMMISSION ORDERS:

That Bradley S. Huff and Ruth E. Huff, doing business as "Bradley Huff Trucking Co.," be, and hereby are, authorized to encumber all right, title and interest in and to PUC No. 351 to the First National Bank in Walsenburg, Colorado, to secure payment of the indebtedness in the amount

of \$60,000.00 in accordance with the certain terms and conditions as set forth in copy of Security Agreement and Financing Statement, dated May 20, 1969, properly filed with the Commission, as executed by and between said parties in accordance with the statutory provisions of the Uniform Commercial Code.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 23rd day of May, 1969.
gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILMER LOGAN BOOMERSHINE, RIO GRANDE)
TRAILER COURT, NO. 7, GUNNISON,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 22949-PP

May 23, 1969

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.

On May 22, 1969, a Petition to Withdraw Application was filed with the Commission by William F. Schenkein, Attorney for Applicant.

The Commission states and finds that said request is compatible with the public interest and that said application should be dismissed as set forth in the Order following.

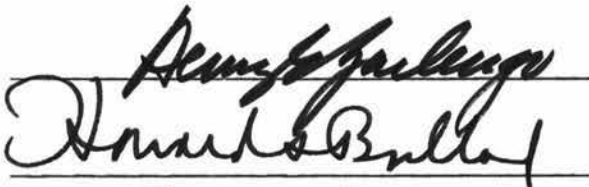

O R D E R

THE COMMISSION ORDERS:

That Application No. 22949-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



Commissioners

Dated at Denver, Colorado,
this 23rd day of May, 1969.
gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DONALD HICKS, RIFLE, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 22645-PP

May 23, 1969

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.

On May 22, 1969, a Petition to Withdraw Application was filed with the Commission by William F. Schenkein, Attorney for Applicant.

The Commission states and finds that said request is compatible with the public interest and that said application should be dismissed as set forth in the Order following.



O R D E R

THE COMMISSION ORDERS:

That Application No. 22645-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



Commissioners

Dated at Denver, Colorado,
this 23rd day of May, 1969.

gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HARRY B. HAWKS, 912 HILLCREST DRIVE,)
MONTROSE, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CARRIER)
BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 22504-PP

May 23, 1969

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.

On May 22, 1969, a Petition to Withdraw Application was filed with the Commission by William F. Schenkein, Attorney for Applicant.

The Commission states and finds that said request is compatible with the public interest and that said application should be dismissed as set forth in the Order following.

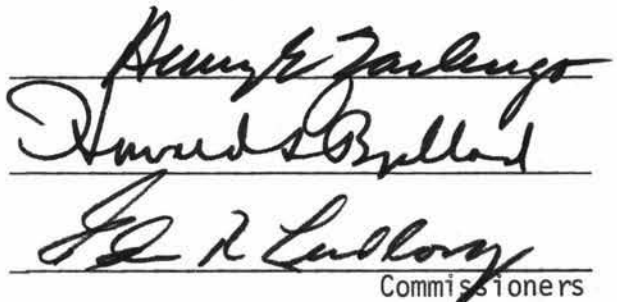
O R D E R

THE COMMISSION ORDERS:

That Application No. 22504-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


Commissioners

Dated at Denver, Colorado,
this 23rd day of May, 1969.
gf

(Decision No. 73064)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EARL L. OWENS, 5855 WEST 56TH AVENUE,)
ARVADA, COLORADO, FOR AUTHORITY TO)
EXTEND OPERATIONS UNDER PERMIT NO.)
B-5964.)

APPLICATION NO. 23661-PP-Extension

May 23, 1969

Appearances: Earl L. Owens, Arvada,
Colorado, pro se.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On March 26, 1969, the above-entitled application was filed requesting authority to extend operations under Private Carrier Permit No. B-5964 in the precise manner as fully set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant is an individual.
2. Applicant presently holds authority from this Commission under Permit No. B-5964, which reads as follows:

"Transportation of Ready-Mix concrete, from concrete-mixing plants in Denver and a five-mile radius thereof, to construction jobs within Denver and a fifty-mile radius thereof."
3. The authority to which extension is hereby sought, Permit No. B-5964, has been continually operated in the past and is presently in good standing with the Commission.
4. By this application, Applicant seeks to extend the authority under Permit No. B-5964 to include the following:

"Transportation of sand, gravel, and other road-surfacing materials 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 (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 fifty (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 fifty (50) miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty (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."
5. The extension applied for herein is compatible with and does not conflict with or duplicate the authority held by Applicant.
6. Applicant has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority applied for herein.
7. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
8. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
9. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.

10. The granting of the authority will be in the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order authorizing Applicant to extend operations under Permit No. B-5964 to include:

"Transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty (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 fifty (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 fifty (50) miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty (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 henceforth the entire authority under Permit No. B-5964 shall be as follows:

"Transportation of

(1) Ready Mix Concrete

From concrete mixing plants located within the City and County of Denver, State of Colorado, and a five (5) mile radius thereof, to points within the City and County of Denver, State of Colorado, and a fifty (50) mile radius thereof.

(2) 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 (50) miles of said pits and supply points;

(3) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of fifty (50) miles of said pits and supply points;

(4) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of fifty (50) miles of said jobs;

(5) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of fifty (50) miles of said pits and supply points.

RESTRICTION:

Items 2, 3, 4 and 5 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as herein-after modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Earl L. Owens, Arvada, Colorado, be, and hereby is, authorized to extend operations under Private Carrier Permit No. B-5964 to include the following:

Transportation of

- (1) 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;

- (2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of 50 miles of said pits and supply points;

- (3) 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;

- (4) 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;

RESTRICTION:

This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials.

That henceforth the full and complete authority under Private Carrier Permit No. B-5964, as extended, shall read and be as follows, to-wit:

Transportation of

(1) Ready Mix Concrete

From concrete mixing plants located within the City and County of Denver, State of Colorado, and a five (5) mile radius thereof, to points within the City and County of Denver, State of Colorado, and a fifty (50) mile radius thereof;

(2) 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 (50) miles of said pits and supply points;

(3) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of fifty (50) miles of said pits and supply points;

(4) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of fifty (50) miles of said jobs;

(5) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of fifty (50) miles of said pits and supply points;

RESTRICTION:

Items 2, 3, 4 and 5 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials.

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 made a part of the permit granted to Applicant.

That this Order shall not become effective until Applicant has filed a statement of his customers, the necessary tariffs, required insurance, and has secured authority sheets.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry J. Gulego
Donald Butler
Ed. L. Long
Commissioners

Dated at Denver, Colorado,
this 23rd day of May, 1969.
gf

(Decision No. 73065)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MONTEZUMA TRUCK LINES, INC., 873)
EAST THIRD (P. O. BOX 637), DURANGO,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 360 AND PUC NO. 360-I TO)
DON WARD, INC., 241 WEST 56TH AVENUE,)
DENVER, COLORADO.)

APPLICATION NO. 23479-Transfer

IN THE MATTER OF THE APPLICATION OF)
MONTEZUMA TRUCK LINES, INC., 873)
EAST THIRD (P. O. BOX 637), DURANGO,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 848 TO DON WARD, INC., 241)
WEST 56TH AVENUE, DENVER, COLORADO.)

APPLICATION NO. 23480-Transfer

IN THE MATTER OF THE APPLICATION OF)
MONTEZUMA TRUCK LINES, INC., 873)
EAST THIRD (P. O. BOX 637), DURANGO,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 889 TO DON WARD, INC., 241)
WEST 56TH AVENUE, DENVER, COLORADO.)

APPLICATION NO. 23481-Transfer

SUPPLEMENTAL ORDER

May 23, 1969

Appearances: Leslie R. Kehl, Esq., Denver,
Colorado, for Transferor;
Peter J. Crouse, Esq., Denver,
Colorado, for Transferee;
Braucher and Walker, Esqs., Denver,
Colorado, for Rio Grande Motor
Way, Inc., Protestant.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 31, 1969, the Commission entered Decision No. 72779 in the above-entitled matters, authorizing Don Ward, Inc. to encumber all right, title and interest in and to PUC No. 360, PUC No. 360-I, PUC No. 848 and PUC No. 889 to Montezuma Truck Lines, Inc. to secure payment of the indebtedness in the principal amount of \$15,000 as set forth in said Order.

That through inadvertence the principal amount of the indebtedness was shown, as above set forth, to be \$15,000, when, in fact, the correct figure should have been \$75,000.

In view of the above and foregoing, the Commission states and finds that Decision No. 72779 should be amended and corrected as set forth in the Order following.

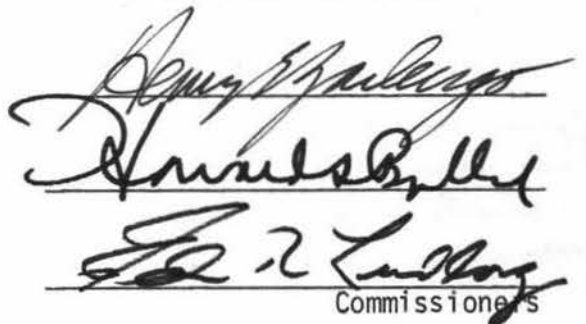
O R D E R

THE COMMISSION ORDERS:

That Decision No. 72779 be, and the same hereby is, amended and corrected, nunc pro tunc, as of March 31, 1969, by striking therefrom the principal amount of \$15,000, appearing in the fifth line of the Order therein contained on Page 2, and inserting in lieu thereof the principal amount of \$75,000.

That, except as herein amended, Decision No. 72779 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 23rd day of May, 1969.
gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

ORDER DENYING PETITION FOR
REHEARING

May 23, 1969

Appearances: John H. Lewis, Esq., Denver, Colorado,
and
William S. Schenkein, Esq., Denver, Colorado,
for Ephraim Freightways, Inc.
Warren D. Braucher, Esq., Denver, Colorado,
and
Ernest Porter, Esq., Denver, Colorado,
for Rio Grande Motor Way, Inc.;
Lloyd C. Espinosa, Denver, Colorado,
of the Staff of The Public Utilities
Commission.

Ephraim Freightways, Inc. filed a formal Complaint on June 24, 1968 with the Commission against the Respondent Rio Grande Motor Way, Inc. alleging that the said Rio Grande Motor Way, Inc. was performing acts of transportation not authorized by its certificate of public convenience and necessity. Thereafter an amended Complaint was filed by Ephraim Freightways, Inc. on January 16, 1969 and on February 27, 1969 Rio Grande Motor Way, Inc. filed an Answer to the Complaint. After due and proper notice to all interested parties the Complaint was called for hearing by Commissioners Howard S. Bjelland and Edwin R. Lundborg at 10:00 A.M. on Wednesday, April 23, 1969, in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado. As a result of such proceeding the Commission on May 1, 1969

entered Decision No. 72949 sustaining the motions made by attorneys for the Respondent to strike the appearances of John H. Lewis and William S. Schenkein on behalf of Ephraim Freightways, Inc. and to strike the Subpoena to Testify served on R. E. Turano, and dismissing the Complaint. On May 15, 1969, Ephraim Freightways, Inc. filed a Petition for Rehearing and on May 12, 1969 the Contract Carriers' Conference filed a Petition for Leave to Appear as an Amicus Curiae. After careful consideration of these petitions, the Commission has decided that the petition of the Contract Carriers' Conference for Leave to Appear as an Amicus Curiae and the petition of the Complainant for rehearing should be denied.

DISCUSSION

The basic issue involved in the present proceeding is the legal standing of the Complainant Ephraim Freightways, Inc. to file a complaint, to prosecute the complaint, and to challenge in court the determination of this Commission. In our opinion all three of these questions are simply different aspects of the same problem, namely, legal standing.

Ephraim Freightways, Inc., in the first instance, relies on the statutory provisions contained in the Public Utilities Law of the State of Colorado, arguing that such provisions do not require that a Complainant have any "interest" or be "affected" or "directly affected". This argument in our opinion is simply not valid. In fact the basic statutory provision relied upon by Complainant (1963 CRS 115-6-9) specifically refers to "parties in interest."

We think it is clear that Ephraim Freightways, Inc. must have an interest in the complaint. We have considered this matter in some detail in our Decision No. 69731 which is presently pending before the Colorado Supreme Court. The question of standing is discussed in Chapters 8 and 22 of Davis' Administrative Law Treatise. In section 22.18 of such work the following statement is made:

"A careful examination of the federal and state law of standing leads to the conclusion that a very simple and natural proposition is entirely sound: One who is in fact adversely affected by governmental action should have standing to challenge that action if it is judicially reviewable."

We cannot see how Ephraim Freightways, Inc. is adversely affected or affected in any way by the actions of Rio Grande Motor Way, Inc. of which Ephraim Freightways, Inc. complains.

It is probably true that if the Commission should grant the relief requested by Ephraim Freightways, Inc., to-wit:

"Wherefore Ephraim Freightways, Inc. respectfully prays that the described authority of Respondent be revoked forthwith and Respondent be forced to cease and desist this operation and that P.U.C. Certificate No. 149 be cancelled, and for such other and further relief as may be proper in the premises."

that Ephraim Freightways, Inc., if it should elect to so do, might obtain some additional business in its operation as a private carrier. Ephraim Freightways, Inc., however, does not have common carrier authority to render service in the areas complained of and certainly could not provide common carrier service without Commission authority. We cannot see how the common carrier service rendered by Rio Grande Motor Way, Inc. adversely affects the private carrier operations of Ephraim Freightways, Inc.

It also is true that Ephraim Freightways, Inc. has on file with the Commission certain applications for common carrier authority, which if granted would in effect authorize Ephraim Freightways, Inc. to compete in certain of these areas against Rio Grande Motor Way, Inc. as a common carrier. However, until and unless such applications are granted, we cannot see how Ephraim Freightways, Inc. is adversely affected in this respect.

Considering all of these matters we cannot see where Ephraim Freightways, Inc. has any interest in the instant proceeding which would be sufficient to base legal standing thereon. Under such circumstances the Petition for Rehearing must be denied.

We are not entirely sure of the propriety of the remedy utilized by the attorneys for the Respondent to attack the standing of the Complainant. It may well be that a motion to strike or dismiss the complaint might have been more appropriate. The end result, however, is the same, in that it raises the issue of the standing of the Complainant.

We have considered the petition of the Contract Carriers' Conference to appear as an amicus curiae and are of the opinion that such petition should be denied.

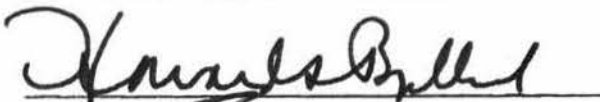
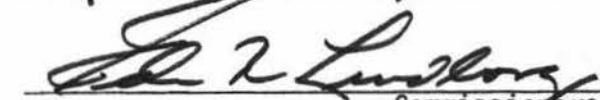
O R D E R

THE COMMISSION ORDERS:

That the Petition for Rehearing filed by Ephraim Freightways, Inc. be, and the same hereby is, denied.

That the Petition of the Contract Carriers' Conference For Leave to Appear as an Amicus Curiae should, and hereby is, denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

CHAIRMAN HENRY E. ZARLENGO DISSENTING.

Dated at Denver, Colorado,
this 23rd day of May, 1969.
gf

CHAIRMAN HENRY E. ZARLENGO DISSENTING:

I respectfully dissent.

Ephraim Freightways, Inc., as Complainant, filed pursuant to authorization of the Commission an Amended Complaint with the Commission on January 16, 1969. In said Complaint, Ephraim alleges, in substance, among other things, that the Respondent, Rio Grande is conducting transportation services as a common carrier without authority between certain points and is engaged in such transportation "by tacking two or more authorities" all in violation of the statutes of the State of Colorado and thus impairing effective administration and regulation by the Commission of the common carrier motor vehicle industry in Colorado. Rio Grande in its Answer denies such allegations. Thus, an issue of fact is raised to be determined after a hearing on the evidence.

The law provides "115-6-8. Complaints--service--notice of hearing. (1) Complaint may be made. . . by any corporation, person. . . setting forth any act or thing done or omitted to be done by any public utility,. . . in violation, or claimed to be in violation, of any provision of law or of any order or rule of the commission." It is clear that the law provides that "any person" may file a Complaint and become a Complainant and be a party to the proceeding without necessarily being a common carrier, private carrier, or of any other particular character. Any member of the public has the right to make a Complaint and need not necessarily show that such member individually will be adversely affected as the public interest is involved.

The law further provides:

"115-6-9. Hearings--orders--record--review. At the time fixed for any hearing before the commission, any commissioner, or an examiner, or at the time to which the same may have been continued, the applicant, petitioner, complainant, the person, firm, or corporation complained of, such persons, firms, or corporations as the commission may allow to intervene, AND such persons, firms, or corporations as will be interested in or affected by any order that may be made by the commission in such proceeding, shall be entitled to be heard, examine and cross-examine witnesses, and introduce evidence. . ."

It is obvious from the express wording of the statute that the condition precedent to entitle certain persons to be heard, examine and cross-examine witnesses and introduce evidence "as will be interested in or affected by any order of the Commission," is not applicable to an applicant, a petitioner, a complainant, or person, firm, or corporation complained of, or persons, firms, or corporations as the commission may allow to intervene but is applicable only to persons not in said classifications.

To dismiss the Complaint as is being here done ignores controversial issues of fact raised by the pleadings which for purposes of dismissal should be considered as true. The majority decision without evidence is depriving Ephraim of its statutory right to proceed.

With regard to the "standing" of Ephraim (a) it has a "standing" as a member of the public taking action in the public interest in the regulation of common carrier transportation, and (b) it has a "standing" insofar as it itself is concerned until such time as the facts based upon the evidence have been presented to, and considered by, the Commission and a ruling made thereon.

The original Order of the Commission sustains a Motion to Strike the appearance of John H. Lewis and William F. Schenkein, Attorneys for Ephraim, and also a Motion to Strike Subpoena to Testify served on R. E. Turano. No evidence, or even any allegation, is in the record that said attorneys are not authorized, or are not qualified, in any manner to appear on behalf of Ephraim.

The original Order, in my judgment, is erroneous in many respects and the Petition for Rehearing filed by Ephraim should be granted.


Chairman

Dated at Denver, Colorado,
this 23rd day of May, 1969.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

William Z. Getz, Inc.)
2454 Harrisburg Pike)
Lancaster, Penn. 17601)

AUTHORITY NO. B-6956-I

CASE NO. 1519-H-Ins.

- May 23, 1969 -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 29, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

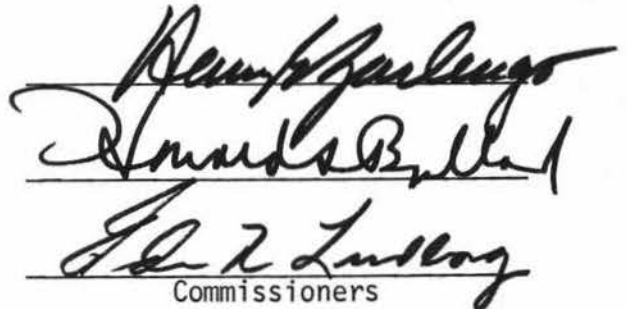
O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
23rd day of May 1969 .

(Decision No. 73068)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF INCREASED RATES)
AND CHARGES APPLICABLE TO MINIMUM) INVESTIGATION AND SUSPENSION
CHARGE SHIPMENTS.) DOCKET NO. 632

May 26, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Mountain States Commerce & Traffic Services, Inc. by Gerald T. Boyle filed an Application for Leave to Intervene as its interest may appear in the above-captioned proceeding and cause copies of said Application to be served by mail upon parties of record in this proceeding.

The Commission states and finds that applicant for intervention, Mountain States Commerce & Traffic Services, 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.

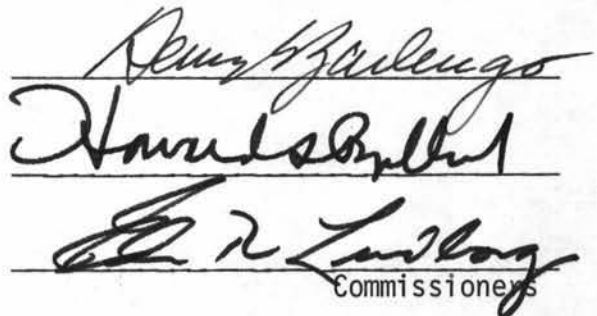
O R D E R

THE COMMISSION ORDERS:

That Application for Leave to Intervene of Mountain States Commerce & Traffic Services, Inc., as its interest may appear, 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 26th day of May, 1969.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
OUR OWN HARDWARE COMPANY)
P.O. Box 720)
Minneapolis, Minnesota 55401)

AUTHORITY NO. M 7527
CASE NO. 4242-M-Ins.

May 26, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 13, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

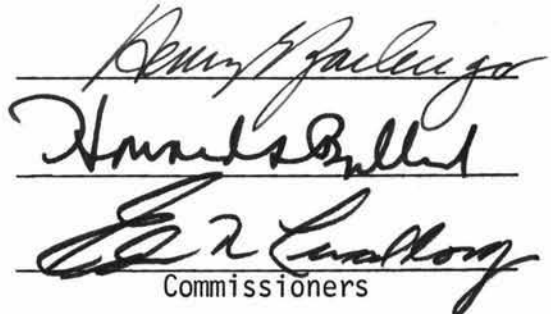
O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
26th day of May, 1969 .

(Decision No. 73070)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
C. B. JOHNSON, INC., P. O. DRAWER S,)
CORTEZ, COLORADO, FOR AUTHORITY TO)
EXTEND OPERATIONS UNDER PERMIT)
NO. B-2985.)

APPLICATION NO. 23677-PP-Extension

May 27, 1969

Appearances: Leslie R. Kehl, Esq., Denver,
Colorado, for Applicant.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On March 20, 1969, the above-entitled application was filed requesting authority to extend operations under Private Carrier Permit No. B-2985 in the precise manner as fully set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant is a Colorado corporation duly organized and existing under the laws of the State of Colorado.
2. Applicant presently holds authority from this Commission under Permit No. B-2985 and Permit No. B-2985-I as follows:

"Dec. # 69832:

1. Transportation of uranium and vanadium ore between points within a 100-mile radius of either Cameo or Egnar, Colorado.
2. Transportation of uranium and vanadium concentrates between points within a radius of 100 miles of Cameo, Colorado.

All of the above authority subject to the following restrictions:

A. No service shall be performed under this permit which duplicates service which the carrier is authorized to perform under Certificate No. 1081.

B. No service shall be performed from San Juan County to smelters at Leadville, Colorado and railheads at Durango and Ridgeway, Colorado.

3. Mine and mill supplies and all ores used in the hardening of steel between points within a radius of 100 miles of Egnar, Colorado, subject to the following restrictions:

A. No service shall be performed under this permit which duplicates service which the carrier is authorized to perform under Certificate Number 1081.

B. Restricted against mining and milling supplies from Ridgeway, Colorado, to mines and mills in San Juan County, Colorado.

C. Restricted against steel hardening ores from points in San Juan County, Colorado, to smelters at Leadville, Colorado and railheads at Durango and Ridgeway, Colorado.

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

5. Transportation of sand, gravel and other road-surfacing materials from pits and supply points in the State of Colorado to road construction jobs within a radius of 100 miles of Grand Junction, White Water, Delta and Montrose, Colorado, excluding service east of the Continental Divide. Operations hereunder to be restricted to the use of dump trucks.

6. Transportation of light-weight aggregate from points within a 30-mile radius of Basalt, Colorado to the Grand Junction plant for Rocket Ready Mix Company, only.

7. Transportation of concrete pipe from processing plants in Grand Junction, Colorado to points within a radius of 100 miles of Grand Junction, White Water, Delta and Montrose, Colorado, for one customer, only, viz., ComConstruction Company, excluding any service east of the Continental Divide for Corn Construction Company.

8. Transportation of ore and concentrates (except vanadium and uranium ore and ores or materials used in the hardening of steel), from mines and mills to mills and railroad loading points within a 20-mile radius of Ouray, Colorado.

9. Mining supplies, lumber equipment, building materials, machinery, mining timber and repairs from all points within a 20-mile radius to Ouray, Colorado, to said mines and mills, subject to the following restriction:

A. No service shall be performed under this permit which duplicates service which the carrier is authorized to perform under Certificate No. 1081."

3. Applicant also holds Certificate of Authority PUC No. 1081, which has no bearing on this application.
4. The authority to which extension is hereby sought, Permit No. B-2985, has been continually operated in the past and is presently in good standing with the Commission.
5. By this application, Applicant seeks to extend the authority under Permit No. B-2985 to include the following:

"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, to homes 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; provided, however, that the transportation of road-surfacing materials shall be restricted against the use of tank vehicles.

Logs, poles and timber products, from forests to saw mills, places of storage and loading points within a radius of 150 miles of said forests; rough lumber, from saw mills in said 150 mile radius to markets in the State of Colorado; provided, however, that no town-to-town service shall be rendered."

6. The extension duplicates a small portion of the existing authority, which duplication is removed in the rewrite hereinafter set forth. Specifically and with reference to the present "Letter of Authority" describing Permit No. B-2985, Paragraph No. 5 thereof would be superseded by the extension. However, since Paragraph No. 4 does not contain all of the restrictions, it would not be superseded by the extension and said Paragraph No. 4 should remain a part of the redrafted authority.
7. Applicant has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority applied for herein.
8. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
9. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
10. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
11. The granting of the authority will be in the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order authorizing Applicant to extend operations under Permit No. B-2985 to include:

"Transportation of sand, gravel and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, 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, to homes 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; provided, however, that the transportation of road-surfacing materials shall be restricted against the use of tank vehicles.

"Transportation of logs, poles and timber products, from forests to saw mills, places of storage and loading points within a radius of 150 miles of said forests; rough lumber,

from saw mills in said 150 mile radius to markets in the State of Colorado; provided, however, that no town-to-town service shall be rendered."

That henceforth the full and complete authority under Permit No. B-2985 and Permit No. B-2985-I shall be as follows:

"Transportation of

(1) Uranium and vanadium ore

Between all points lying within the State of Colorado within a radius of one-hundred (100) miles of Cameo and Egnar, Colorado.

(2) Uranium and vanadium concentrates

Between all points lying within the State of Colorado within a one-hundred (100) mile radius of Cameo, Colorado.

RESTRICTION:

- A. Items 1 and 2 are restricted against rendering service that duplicates service which owner and/or operator herein is authorized to perform under Certificate of Authority PUC No. 1081.
- B. Items 1 and 2 are restricted against rendering service from points in San Juan County to railheads at Durango and Ridgeway, Colorado.

(3) Mine and mill supplies and all ores used in the rendering of steel

Between all points within a one-hundred (100) mile radius of Egnar, Colorado.

RESTRICTION:

- A. Item 3 is restricted against rendering service that duplicates service which the owner and/or operator herein is authorized to perform under Certificate of Authority PUC No. 1081.
- B. Item 3 is restricted against transporting mining and milling supplies from Ridgeway, Colorado, to mines and mills located in San Juan County, Colorado.
- C. Item 3 is restricted against transportation of steel hardening ores from points in San Juan County, Colorado, to railheads at Durango and Ridgeway, Colorado.

(4) Light-weight aggregate

From all points within a thirty (30) mile radius of Basalt, Colorado, to Grand Junction, Colorado.

RESTRICTION:

- A. Item 4 is restricted to rendering service for one customer, only, viz: Rocket Ready Mix Company.

(5) Concrete pipe

From processing plants in Grand Junction, Colorado, to points within a one-hundred (100) mile radius of the following cities: (a) Grand Junction, (b) White Water, (c) Delta, (d) Montrose, Colorado.

RESTRICTION:

- A. Item 5 is restricted to rendering service for one customer, only, viz: Corn Construction Company.
- B. Item 5 is restricted against rendering transportation service east of the Continental Divide.

(6) Ore and concentrates

From mines and mills to within a twenty (20) mile radius of Ouray, Colorado, to mills and railroad loading points within said radius.

RESTRICTION:

- A. Item 6 is restricted against transporting vanadium ore, uranium ore and ores and materials used in the hardening of steel.

(7) Mining supplies, equipment, building materials and machinery

From all points within a twenty (20) mile radius of Ouray, Colorado, to mines and mills within said radius.

RESTRICTION:

- A. Item 7 is restricted against rendering service that duplicates service which the holder and/or operator herein is authorized to perform under Certificate of Authority PUC No. 1081.

(8) Sand, gravel and other road-surfacing materials

From pits and supply points in the State of Colorado to road and building construction jobs located within a radius of 50 miles of said pits and supply points.

RESTRICTION:

Item 8 is restricted against any service in the Counties of Boulder, Gilpin and Clear Creek, State of Colorado.

(9) 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 one-hundred (100) miles of said pits and supply points;

(10) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small

construction jobs within a radius of one-hundred (100) miles of said pits and supply points;

(11) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of one-hundred (100) miles of said jobs;

(12) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of one-hundred (100) miles of said pits and supply points;

RESTRICTION:

A. Items 9, 10, 11 and 12 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials.

(13) Logs, poles and timber products

From forests to sawmills, places of storage and loading points within a radius of one-hundred-fifty (150) miles of said forests;

(14) Rough lumber

From sawmills within a one-hundred-fifty (150) mile radius of forests to markets in the State of Colorado.

RESTRICTION:

A. Items 13 and 14 of this Permit are restricted against town-to-town service.

(15) Authority to use equipment in the State of Colorado as a private interstate carrier between all points in the State of 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."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as hereinafter modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That C. B. Johnson, Inc., Cortez, Colorado, be, and hereby is, authorized to extend operations under Private Carrier Permit No. B-2985 to include the following:

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, to homes 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; provided, however, that the transportation of road-surfacing materials shall be restricted against the use of tank vehicles.

Transportation of logs, poles and timber products, from forests to saw mills, places of storage and loading points within a radius of 150 miles of said forests; rough lumber, from saw mills in said 150 mile radius to markets in the State of Colorado; provided, however, that no town-to-town service shall be rendered.

That henceforth the full and complete authority under Private Carrier Permit No. B-2985, as extended, shall read and be as follows, to-wit:

Transportation of

(1) Uranium and vanadium ore

Between all points lying within the State of Colorado within a radius of one-hundred (100) miles of Cameo and Egnar, Colorado.

(2) Uranium and vanadium concentrates

Between all points lying within the State of Colorado within a one-hundred (100) mile radius of Cameo, Colorado.

RESTRICTION:

Items 1 and 2 of this Permit are restricted as follows:

- a. Against the rendering of any transportation service which duplicates the service that the holder or operator herein is authorized to perform under Certificate of Public Convenience and Necessity PUC No. 1081.

- b. Against the rendering of any transportation service from points in San Juan County to railheads at Durango and Ridgeway, Colorado.
- (3) Mine and mill supplies and all ores used in the hardening of steel

Between all points within a one-hundred (100) mile radius of Egnar, Colorado.

RESTRICTION:

Item 3 of this Permit is restricted as follows:

- a. Against the rendering of any transportation service which duplicates the service that the holder or operator herein is authorized to perform under Certificate of Public Convenience and Necessity PUC No. 1081.
- b. Against transporting mining and milling supplies from Ridgeway, Colorado, to mines and mills located in San Juan County, Colorado.
- c. Against the transportation of steel hardening ores from points in San Juan County, Colorado, to railheads at Durango and Ridgeway, Colorado.

- (4) Light-weight aggregate

From all points within a thirty (30) mile radius of Basalt, Colorado, to Grand Junction, Colorado.

RESTRICTION:

Item 4 of this Permit is restricted to the rendering of transportation service for only the Rocket Ready Mix Company.

- (5) Concrete pipe

From processing plants in Grand Junction, Colorado, to points within a one-hundred (100) mile radius of the following Cities of the State of Colorado: Grand Junction, White Water, Delta and Montrose.

RESTRICTION:

Item 5 of this Permit is restricted as follows:

- a. To the rendering of transportation service for only the Corn Construction Company.
- b. Against the rendering of any transportation service east of the Continental Divide.

- (6) Ore and concentrates

From mines and mills to within a twenty (20) mile radius of Ouray, Colorado, to mills and railroad loading points within said radius.

RESTRICTION:

Item 6 of this Permit is restricted against transporting vanadium ore, uranium ore and ores and materials used in the hardening of steel.

- (7) Mining supplies, equipment, building materials and machinery

From all points within a twenty (20) mile radius of Ouray, Colorado, to mines and mills within said radius.

RESTRICTION:

Item 7 of this Permit is restricted against the rendering of any transportation service which duplicates the service that the holder or operator herein is authorized to perform under Certificate of Public Convenience and Necessity PUC No. 1081.

- (8) Sand, gravel and other road-surfacing materials

From pits and supply points in the State of Colorado to road and building construction jobs located within a radius of fifty (50) miles of said pits and supply points.

RESTRICTION:

Item 8 of this Permit is restricted against the rendering of any transportation service in the following Counties of the State of Colorado: Boulder, Gilpin and Clear Creek.

- (9) 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 one-hundred (100) miles of said pits and supply points;

- (10) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of one-hundred (100) miles of said pits and supply points;

- (11) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of one-hundred (100) miles of said jobs;

- (12) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of one-hundred (100) miles of said pits and supply points;

RESTRICTION:

Items 9, 10, 11 and 12 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials.

(13) Logs, poles and timber products

From forests to sawmills, places of storage and loading points within a radius of one-hundred-fifty (150) miles of said forests;

(14) Rough lumber

From sawmills in said one-hundred-fifty (150) mile radius to markets in the State of Colorado.

RESTRICTION:

Items 13 and 14 of this Permit are restricted against the rendering of any town-to-town service.

(15) Authority to use equipment in the State of Colorado as a private interstate carrier between all points in the State of 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.

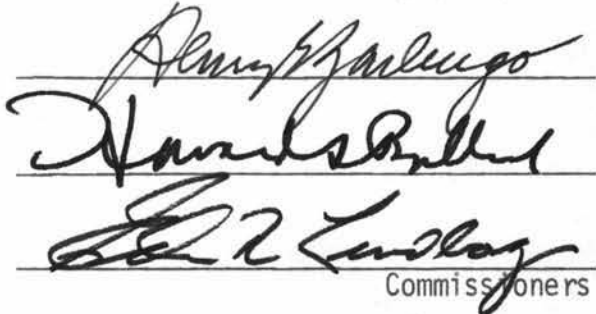
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

That this Order shall not become effective until Applicant has filed a statement of his customers, the necessary tariffs and has secured authority sheets.

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 27th day of May, 1969.
gf

(Decision No. 73071)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN D. HICKEY AND JOE F. ENRIGHT,)
FOR AUTHORITY TO TRANSFER ALL OF)
THEIR CAPITAL STOCK IN AND TO FITCH)
VAN & STORAGE, INC., DOING BUSINESS)
AS "BOULDER MOVING & STORAGE, INC.,")
RECORD OWNER OF PUC NO. 352 AND PUC)
NO. 352-I, TO THOMAS J. HILL AND)
VIRGIL H. PUGH.)

APPLICATION NO. 23648-Stock Transfer

IN THE MATTER OF THE APPLICATION OF)
JOHN D. HICKEY AND JOE F. ENRIGHT,)
FOR AUTHORITY TO TRANSFER ALL OF)
THEIR CAPITAL SOTCK IN AND TO FITCH)
VAN & STORAGE, INC., DOING BUSINESS)
AS "BOULDER MOVING & STORAGE, INC.,")
RECORD OWNER OF PUC NO. 6832, TO)
THOMAS J. HILL AND VIRGIL H. PUGH.)

APPLICATION NO. 23701-Stock Transfer

May 27, 1969

Appearances: John P. Thompson, Esq., Denver,
Colorado, for Applicants.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On March 17, 1969, the above-entitled Application No. 23648-Stock Transfer was filed requesting authority to transfer all of the outstanding capital stock of Fitch Van & Storage, Inc., doing business as "Boulder Moving & Storage, Inc.," record owner of Certificate of Public Convenience and Necessity PUC No. 352 and PUC No. 352-I to Thomas J. Hill and Virgil H. Pugh.

On April 22, 1969, the above-entitled Application No. 23701-Stock Transfer was filed requesting authority to transfer all of the outstanding capital stock of Fitch Van & Storage, Inc., doing business as "Boulder Moving & Storage, Inc.," record owner of Certificate of Public Convenience and Necessity PUC No. 6832 to Thomas J. Hill and Virgil H. Pugh.

After due and proper notice to all interested persons, firms or corporations, the applications were heard by Robert L. Pyle -- duly designated

by the Commission as an Examiner for the purpose of conducting the hearing on said applications -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

Matters which were considered by the Examiner, prior to the taking of evidence on the applications, have been submitted to the Commission in the following exact manner, to-wit:

"PRELIMINARY MATTERS, MOTIONS, ETC."

At the request of the parties, Application No. 23701-Stock Transfer is to be joined with the record on Application No. 23648-Stock Transfer and heard and determined in conjunction therewith."

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Transferors and Transferees each presently hold one-fourth ($\frac{1}{4}$) total issued and outstanding capital stock of Fitch Van & Storage, Inc., doing business as "Boulder Moving & Storage, Inc."
2. By this application, Transferors, John D. Hickey and Joe F. Enright, seek to transfer all of their interest or shares of stock to Transferees, Thomas J. Hill and Virgil H. Pugh, which would make the said Transferees owners of the entire issued and outstanding capital stock of Fitch Van & Storage, Inc., doing business as "Boulder Moving & Storage, Inc."
3. Fitch Van & Storage, Inc., doing business as "Boulder Moving & Storage, Inc.," is the present owner and operator of Certificate of Authority PUC No. 352 and PUC No. 352-I, which provides as follows:

"UNDER Decision No. 47188:

Conduct of a transfer, moving, and general cartage business
in the Counties of Boulder, Larimer, and Weld, in the
State of Colorado, and for occasional service through-
out the State of Colorado, and in each of the counties
thereof,

subject to the terms and conditions as follows:

Transportation of commodities other than household goods
between points served singly or in combination by scheduled
carriers, applicant shall charge rates which shall be as
much as twenty per cent higher in all cases than those
charged by scheduled carriers;

not to operate on schedule;

not to establish a branch office or to have an agent employed
in other towns or cities than Boulder for the purpose of
developing business;

Transportation of the commodities set forth in the pre-
ceding Statement, which is made a part hereof by reference,
from point to point within the City of Boulder, Colorado.

8/4/61 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."

4. Fitch Van & Storage, Inc., doing business as "Boulder
Moving & Storage, Inc.," also holds Certificate of
Authority PUC No. 6832, which was issued by Decision
No. 68622, providing as follows:

"Dec. # 68622: 'Transportation of

- (1) used office furniture and office equipment,
 - (2) uncrated and unpacked tabulating machines and
related parts when moving in mixed shipments
therewith, and
 - (3) uncrated and unpacked office machines between
points in Boulder County, Colorado, and from
and to points in Boulder County, to and from
points in Colorado, in irregular route, call
and demand service.'"
5. Certificates of Authority PUC No. 6832, PUC No. 352 and
PUC No. 352-I are separate and distinct from one another
and should be continued as two separate authorities.
6. In the event this Stock Transfer is granted, both Certifi-
cates should be continued in separate form.
7. The parties have entered into an Agreement for the transfer
of all of the outstanding and issued capital stock of Fitch
Van & Storage, Inc., doing business as "Boulder Moving &
Storage, Inc.," and the consideration to be paid is fair
and reasonable.

8. The Certificate is free and clear of any debts, encumbrances or obligations.
9. Transferees have sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority sought herein.
10. Transferees are familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission and have or will make adequate provision for insurance.
11. If this transfer is approved, Transferees intend to and will engage in bona fide motor carrier operations under the operating rights set forth herein.
12. The transfer is compatible with the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

1. That the Commission make and enter its Order authorizing Transferors, John D. Hickey and Joe F. Enright, to transfer all of their outstanding and issued capital stock of Fitch Van & Storage, Inc., doing business as "Boulder Moving & Storage, Inc.," to Thomas J. Hill and Virgil H. Pugh.

2. That henceforth the full and complete authority under Certificate of Authority PUC No. 352 and PUC No. 352-I shall be and appear as follows:

"Transportation -- on call and demand -- of

(1) General commodities

In the Counties of Boulder, Larimer, and Weld, State of Colorado, and for occasional service throughout the State of Colorado.

RESTRICTIONS:

- (a) Transportation of commodities other than household goods between points served singly or in combination by scheduled carriers shall require a rate to be charged that shall be as much as twenty percent (20%) higher in all cases than the rates charged by scheduled carriers.
 - (b) No office or branch shall be established in any other town or city than Boulder, Colorado, and, further, no agent or other person shall be employed for the purpose of developing or conducting business in any town or city other than Boulder, Colorado.
- (2) Authority to use equipment in the State of Colorado as a Common Interstate Carrier between all points in the State of 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."

3. That henceforth the full and complete authority under Certificate of Authority PUC No. 6832 shall be and appear as follows:

"Transportation -- on call and demand -- of

- (1) Used office furniture, office equipment, uncrated or unpacked tabulating machines and related parts when moving in mixed shipments thereof and uncrated and unpacked office machines

Between points in Boulder County, Colorado, and from and to points in said Boulder County, Colorado, to and from points in the State of Colorado."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as hereinafter modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That John D. Hickey and Joe F. Enright, be, and hereby are, authorized to transfer all of the outstanding capital stock of Fitch Van & Storage, Inc., doing business as "Boulder Moving & Storage, Inc.," record owner of Certificates of Public Convenience and Necessity PUC No. 352, PUC No. 352-I and PUC No. 6832 to Thomas J. Hill and Virgil H. Pugh, subject to encumbrances, if any, against said authority approved by this Commission.

That henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 352 and PUC No. 352-I shall read and be as follows, to-wit:

Transportation -- on call and demand -- of

- (1) General commodities

In the following Counties of the State of Colorado: Boulder, Larimer and Weld, and for occasional service throughout the State of Colorado.

RESTRICTION:

This Certificate is restricted as follows:

- a. The holder or operator herein, when transporting commodities other than household goods between points served singly or in combination by scheduled carriers, shall charge and collect rates and charges which shall not be less than 20% greater than the rates charged by such scheduled carriers.
 - b. The holder or operator herein is prohibited, without further order from this Commission, from establishing an office in any other city or town than Boulder, Colorado; and further is prohibited, without further order from this Commission, from having an Agent employed in any other city or town than Boulder, Colorado, for the purpose of developing or conducting business.
- (2) Authority to use equipment in the State of Colorado as a common interstate carrier between all points in the State of 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.

That henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 6832 shall read and be as follows, to-wit:

Transportation -- on call and demand -- of


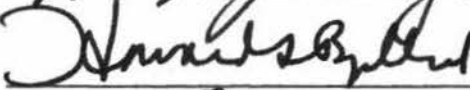
Used office furniture and office equipment; uncrated or unpacked tabulating machines and related parts when moving in mixed shipments thereof; and uncrated and unpacked office machines

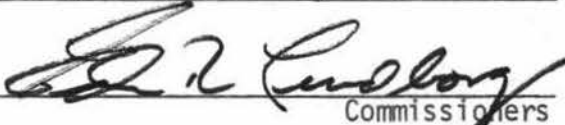
Between points in Boulder County, Colorado, and from and to points in said Boulder County, Colorado, to and from points in the State of Colorado.

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

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 27th day of May, 1969.
gf

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(Decision No. 73072)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEROLD J. SCHRAMEK, ROUTE 1, BOX 48A,)
FOUNTAIN, COLORADO, FOR AUTHORITY TO) APPLICATION NO. 23659-PP-Transfer
TRANSFER PERMIT NO. B-6422 TO ROY L.)
HOWERTON, 516 WALNUT, FOUNTAIN,)
COLORADO.)

May 26, 1969

Apperances: Gerold J. Schramek, Fountain,
Colorado, Transferor, pro se;
Roy L. Howerton, Fountain,
Colorado, Transferee, pro se.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On March 20, 1969, the above-entitled application was filed requesting authority to transfer Private Carrier Permit No. B-6422.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Transferor is an individual.
2. Transferor herein is the present owner and operator of Permit No. B-6422, which is the subject of this proceeding.
3. This authority has been continually operated in the past and is presently in good standing with the Commission.
4. Transferor has and will retain Certificate of Authority PUC No. 6315, which is an ash and trash authority in and around the Town of Fountain, Colorado, and which has no bearing whatsoever on the authority being transferred in this proceeding.
5. Transferee herein holds no previously granted authority from this Commission.
6. The parties have entered into an Agreement to transfer the operating authority and, pursuant to said Agreement, the consideration to be paid is fair and reasonable.
7. The Permit is free and clear of any debts, encumbrances or obligations.
8. Transferee has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority sought herein.
9. Transferee is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission and has or will make adequate provision for insurance.
10. If this transfer is approved, Transferee intends to and will engage in bona fide motor carrier operations under the operating rights set forth herein.
11. The transfer is compatible with the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order authorizing Transferor to transfer all of his right, title and interest in and to Permit No. B-6422 to Roy L. Howerton, and that henceforth the full and complete authority under said Permit No. B-6422 shall read as follows, to-wit:

"Transportation of

(1) Farm produce

From farms and ranches lying south of U.S. Highway No. 24 within a twenty-five (25) mile radius of Colorado Springs, Colorado, to points within the State of Colorado.

(2) Farm machinery

From farm machinery suppliers within a twenty-five (25) mile radius of Colorado Springs, Colorado, to farms and ranches within said radius.

(3) Farm machinery

Between farms and ranches within a twenty-five (25) mile radius of Colorado Springs, Colorado.

RESTRICTION:

(a) Items 1, 2 and 3 of this Permit are limited to the use of bob-tail equipment.

(4) 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.

(5) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of 100 miles of said pits and supply points.

(6) 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.

(7) 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.

RESTRICTION:

(a) Items 4, 5, 6, and 7 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as hereinafter modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Gerold J. Schramek, Fountain, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to Private Carrier Permit No. B-6422 to Roy L. Howerton, Fountain, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

That henceforth the full and complete authority under Private Carrier Permit No. B-6422 shall read and be as follows, to-wit:

Transportation of

(1) Farm produce

From farms and ranches lying south of U.S. Highway No. 24 within a twenty-five (25) mile radius of Colorado Springs, Colorado, to points within the State of Colorado.

(2) Farm machinery

From farm machinery suppliers within a twenty-five (25) mile radius of Colorado Springs, Colorado, to farms and ranches within said radius.

(3) Farm machinery

Between farms and ranches within a twenty-five (25) mile radius of Colorado Springs, Colorado.

RESTRICTION:

Items 1, 2 and 3 of this Permit are restricted to the use of only bob-tail equipment.

(4) 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;

(5) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of 100 miles of said pits and supply points;

(6) 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;

(7) 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;

RESTRICTION:

Items 4, 5, 6 and 7 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials.

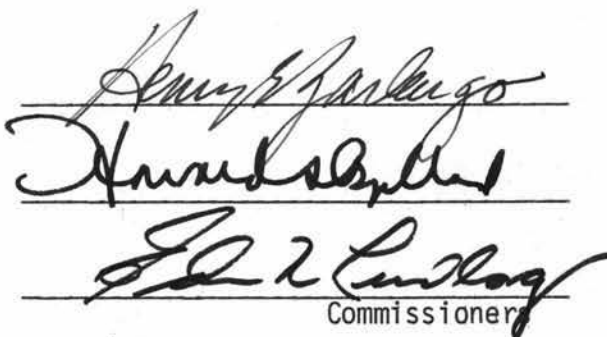
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioner

Dated at Denver, Colorado,
this 26th day of May, 1969.

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(Decision No. 73073)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROY L. HOWERTON, 516 WALNUT, FOUNTAIN,) APPLICATION NO. 23660-PP-Extension
COLORADO, FOR AUTHORITY TO EXTEND)
OPERATIONS UNDER PERMIT NO. B-6422.)
-----)

May 26, 1969

Appearances: Roy L. Howerton, Fountain,
Colorado, pro se.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On March 20, 1969, the above-entitled application was filed requesting authority to extend operations under Private Carrier Permit No. B-6422 in the precise manner as fully set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant is an individual.
2. Applicant presently has pending before the Commission an application to transfer Permit No. B-6422 to said Applicant, which authority reads as follows:

"Transportation of

- (1) Farm produce

From farms and ranches lying south of U.S. Highway No. 24 within a twenty-five (25) mile radius of Colorado Springs, Colorado, to points within the State of Colorado.

- (2) Farm machinery

From farm machinery suppliers within a twenty-five (25) mile radius of Colorado Springs, Colorado, to farms and ranches within said radius.

- (3) Farm machinery

Between farms and ranches within a twenty-five (25) mile radius of Colorado Springs, Colorado.

RESTRICTION:

- (a) Items 1, 2 and 3 of this permit are limited to the use of bob-tail equipment.

- (4) 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.

- (5) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of 100 miles of said pits and supply points.

- (6) 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.

- (7) 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.

RESTRICTION:

- (a) Items 4, 5, 6 and 7 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials."

3. The authority to which extension is hereby sought, Permit No. B-6422, has been continually operated in the past and is presently in good standing with the Commission.
4. By this application for extension, Applicant seeks to remove from the farm produce and farm machinery portion of the authority the restriction which "limits equipment to the use of bob-tail trucks".
5. The extension applied for herein is compatible with and does not conflict with or duplicate the authority held by applicant.
6. Applicant has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority applied for herein.
7. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
8. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
9. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
10. The granting of the authority will be in the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order authorizing Applicant to extend operations under Permit No. B-6422 so as to delete therefrom the restriction from the farm produce and farm machinery portion of the authority which "limits equipment to the use of bob-tail trucks, only".

That henceforth the entire authority under Permit No. B-6422 shall be as follows:

"Transportation of

(1) Farm produce

From farms and ranches lying south of U.S. Highway No. 24 within a twenty-five (25) mile radius of Colorado Springs, Colorado to points within the State of Colorado.

(2) Farm machinery

From farm machinery suppliers within a twenty-five (25) mile radius of Colorado Springs, Colorado, to farms and ranches within said radius.

(3) Farm machinery

Between farms and ranches within a twenty-five (25) mile radius of Colorado Springs, Colorado.

- (4) 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.

- (5) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of 100 miles of said pits and supply points.

- (6) 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.

- (7) 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.

RESTRICTION:

Items 4, 5, 6 and 7 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as hereinafter modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Roy L. Howerton, Fountain, Colorado, be, and hereby is, authorized to extend operations under Private Carrier Permit No. B-6422 by deleting therefrom the following equipment restriction: "the use of bob-tail trucks only when transporting farm products and farm machinery".

That henceforth the full and complete authority under Private

Carrier Permit No. B-6422, as extended, shall read and be as follows, to-wit:

Transportation of

(1) Farm produce

From farms and ranches lying south of U.S. Highway No. 24 within a twenty-five (25) mile radius of Colorado Springs, Colorado to points within the State of Colorado.

(2) Farm machinery

From farm machinery suppliers within a twenty-five (25) mile radius of Colorado Springs, Colorado, to farms and ranches within said radius.

(3) Farm machinery

Between farms and ranches within a twenty-five (25) mile radius of Colorado Springs, Colorado.

(4) 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;

(5) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of 100 miles of said pits and supply points;

(6) 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;

(7) 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;

RESTRICTION:

Items 4, 5, 6 and 7 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials.

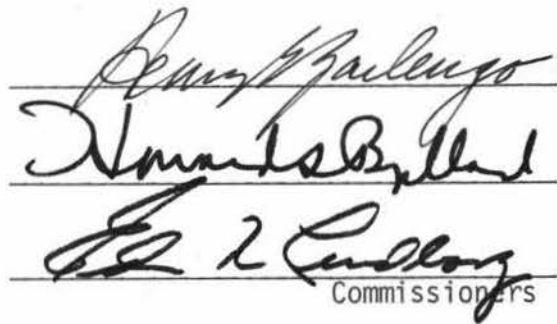
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

That this Order shall not become effective until Applicant has filed a statement of his customers, the necessary tariffs and has secured authority sheets.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 26th day of May, 1969.
ls

(Decision No. 73074)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EDGAR J. DAUGHERTY, DOING BUSINESS)
AS "DAUGHERTY TRUCKING," BOX 24,)
BAGGS, WYOMING, FOR AUTHORITY TO)
TRANSFER PERMIT NO. B-988 AND PERMIT)
NO. B-988-I TO GEORGE T. FOWLER AND)
JACK FOWLER, DOING BUSINESS AS "FOWLER)
& SONS TRUCKING," 413 COLORADO STREET,)
CRAIG, COLORADO, AND BOX 37, BAGGS,)
WYOMING.)

APPLICATION NO. 23691-PP-Transfer

May 27, 1969

Appearances: John H. Lewis, Esq., Denver,
Colorado, for Applicants;
Dalton O. Ford, Denver, Colorado,
of the Staff of the Commission.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On April 8, 1969, the above-entitled application was filed requesting authority to transfer Private Carrier Permit No. B-988 and Permit No. B-988-I.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Transferor is an individual, doing business as "Daugherty Trucking".
2. Transferor herein is the present owner and operator of Permit No. B-988 and Permit No. B-988-I, which is the subject of this proceeding.
3. This authority has been continually operated in the past and is presently in good standing with the Commission.
4. Transferees herein hold no previously granted authority from this Commission.
5. The parties have entered into an Agreement to transfer the operating authority and, pursuant to said Agreement, the consideration to be paid is fair and reasonable.
6. The Permit is free and clear of any debts, encumbrances or obligations.
7. For purposes of clarification and in the interest of all concerned, this authority should be redrafted as hereinafter set forth. The proposed redraft was presented to Transferees and said Transferees agreed thereto.
8. Transferees have sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority sought herein.
9. Transferees are familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission and have or will make adequate provision for insurance.
10. If this transfer is approved, Transferees intend to and will engage in bona fide motor carrier operations under the operating rights set forth herein.
11. The transfer is compatible with the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order authorizing Transferor to transfer all of his right, title and interest in and to Permit No. B-988 and Permit No. B-988-I to George T. Fowler and Jack Fowler, doing business as "Fowler & Sons Trucking", and that henceforth the full and complete authority under said Permit No. B-988 and Permit No. B-988-I shall read as follows, to-wit:

"Transportation of

(1) Sheep and grain

From farms and ranches located in the Counties of Routt and Moffat, State of Colorado, to forest reserves and leased lands within said Counties.

(2) Sheep and grain

From farms, ranches, forest reserves and leased lands located in the Counties of Routt and Moffat, State of Colorado, to railroad shipping points of the D & R G Railway, located within said Counties.

(3) Farm products (including livestock), lumber, and farm supplies

Between all points within that portion of the Counties of Routt and Moffat, State of Colorado, lying north of a line drawn east and west twenty (20) miles south of the Colorado-Wyoming State Line and parallel thereto, and from said points to railroad loading points within said Counties.

RESTRICTION:

Transportation of commodities under Item No. 3 between points served singly or in combination by scheduled carriers shall require a rate to be charged that shall be as much as twenty percent (20%) higher in all cases than the rates charged by scheduled carriers.

(4) Authority to use equipment in the State of Colorado as a Private Interstate Carrier between all points in the State of 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."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as herein-after modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Edgar J. Daugherty, doing business as "Daugherty Trucking," Baggs, Wyoming, be, and hereby is, authorized to transfer all right, title

and interest in and to Private Carrier Permit No. B-988 and Permit No. B-988-I to George T. Fowler and Jack Fowler, doing business as "Fowler & Sons Trucking," Craig, Colorado, and Baggs, Wyoming, subject to encumbrances, if any, against said authority approved by this Commission.

That henceforth the full and complete authority under Private Carrier Permit No. B-988 and Permit No. B-988-I shall read and be as follows, to-wit:

Transportation of

(1) Sheep and grain

From farms and ranches located in the following Counties of the State of Colorado: Routt and Moffat, to forest reserves and leased lands within said Counties.

(2) Sheep and grain

From farms, ranches, forest reserves and leased lands located in the following Counties of the State of Colorado: Routt and Moffat, to railroad shipping points of the Denver & Rio Grande Western Railroad Co., located within said Counties.

(3) Farm products (including livestock), lumber, and farm supplies

Between all points within that portion of the following Counties of the State of Colorado: Routt and Moffat, lying north of a line drawn east and west twenty (20) miles south of the Colorado-Wyoming state line and parallel thereto, and from said points to railroad loading points within said Counties.

RESTRICTION:

Item 3 of this Permit is restricted as follows:

The holder or operator herein, when transporting commodities other than household goods between points served singly or in combination by scheduled carriers, shall charge and collect rates and charges which shall not be less than 20% greater than the rates charged by such scheduled carriers.

(4) Authority to use equipment in the State of Colorado as a private interstate carrier between all points in the State of 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.

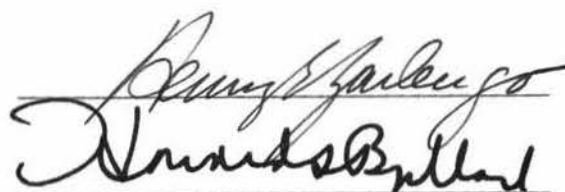

That said transfer shall become effective only if and when, but not before, said transferor and transferees, in writing, have advised the Commission that said permits have been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of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

The 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 permits up to the time of transfer of said permits.

This Order is made a part of the permits 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 27th day of May, 1969.

ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
IDARADO MINING COMPANY, OURAY,)
COLORADO, FOR AUTHORITY TO EXTEND)
OPERATIONS UNDER PUC NO. 1961.)

APPLICATION NO. 23694-Extension

May 27, 1969

Appearances: George A. Sissel, Esq., Denver,
Colorado, for Applicant.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On April 17, 1969, the above-entitled application was filed requesting authority to extend operations under Certificate of Public Convenience and Necessity PUC No. 1961 in the precise manner as fully set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant is a Delaware corporation and is duly authorized to do business in the State of Colorado.
2. Applicant presently holds authority from this Commission under PUC No. 1961, which reads as follows:

"Decision No. 71471: Transportation of

Passengers

Between Montrose, Colorado, and the Treasury Tunnel at Red Mountain, Colorado, over U.S. Highway 550 serving all intermediate points.

RESTRICTION:

This Certificate is restricted to the transportation of employees employed by The Idarado Mining Co., located at Treasury Tunnel, Red Mountain, Colorado, and persons conducting business with said Idarado Mining Co."

3. The authority to which extension is hereby sought, PUC No. 1961, has been continually operated in the past and is presently in good standing with the Commission.
4. By this application, Applicant seeks to extend the authority under PUC No. 1961 as follows:
"Transportation of passengers between Norwood, Colorado, and the Mill Level Tunnel at Pandora, Colorado, over Colorado Highway No. 145, serving all intermediate points, restricted to performing transportation of employees of the Idarado Mining Co. and persons conducting business with said Idarado Mining Co."
5. The extension applied for herein is compatible with and does not conflict with or duplicate the authority held by Applicant.
6. Applicant has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority applied for herein.
7. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
8. There is a present or special need for the proposed service and the granting of the extension, as hereinafter set forth, will be in the public interest.

9. There is presently no service available in the area to which extension is sought.
10. The present or future public convenience and necessity requires or will require the service as hereinafter set forth.
11. The authority will be in the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its ORDER authorizing that Applicant be and hereby is authorized to extend operations under PUC No. 1961 as follows:

"Transportation of passengers between Norwood, Colorado, and the Mill Level Tunnel at Pandora, Colorado, over Colorado Highway No. 145, serving all intermediate points, restricted to performing transportation of employees of the Idarado Mining Company and persons conducting business with said Idarado Mining Company."

That henceforth the full and complete authority under PUC No. 1961 shall read and be as follows, to-wit:

"Transportation of

(1) Passengers

Between Montrose, Colorado, and the Treasury Tunnel at Red Mountain, Colorado, over U.S. Highway No. 550, serving all intermediate points.

(2) Passengers

Between Norwood, Colorado, and the Mill Level Tunnel at Pandora, Colorado, over Colorado Highway No. 145, serving all intermediate points.

RESTRICTION:

Items 1 and 2 of this Certificate are restricted to performing transportation of employees of the Idarado Mining Company and persons conducting business with said Idarado Mining Company."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as hereinafter modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Idarado Mining Company, Ouray, Colorado, be, and hereby is, authorized to extend operations under Certificate of Public Convenience and Necessity PUC No. 1961 to include the following:

Transportation of passengers between Norwood, Colorado, and the Mill Level Tunnel at Pandora, Colorado, over Colorado Highway No. 145, serving all intermediate points, restricted to performing transportation of employees of the Idarado Mining Company and persons conducting business with said Idarado Mining Company.

That henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 1961, as extended, shall read and be as follows, to-wit:

Transportation of

(1) Passengers

Between Montrose, Colorado, and the Treasury Tunnel at Red Mountain, Colorado, over U.S. Highway No. 550, serving all intermediate points.

(2) Passengers

Between Norwood, Colorado, and the Mill Level Tunnel at Pandora, Colorado, over Colorado Highway No. 145, serving all intermediate points.

RESTRICTION:

This Certificate is restricted to the rendering of a transportation service for only (A) the employees of the Idarado Mining Company and (B) persons conducting business with the Idarado Mining Company.

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 27th day of May, 1969.
gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: FEED, ANIMAL OR POULTRY, IN)
BULK, COMMERCE CITY, COLORADO TO)
SNOWMASS, COLORADO)
-----)

INVESTIGATION AND SUSPENSION
Docket No. 630

May 27, 1969

Appearances: Thomas Mead
for Rio Grande Motor Way, Inc.,
Protestant

Ralph H. Knull
for the Staff of the Commission

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On February 13, 1969, the Colorado Motor Carriers' Association, Agent, by J. R. Smith, Chief of Tariff Bureau, filed Original Page No. 101-A to Motor Freight Tariff No. 14, Colorado PUC No. 13*(*The Motor Truck Common Carriers' Association, Agent, Series) scheduled to become effective March 15, 1969. Said publication established reduced rates on feed, animal or poultry, from Commerce City to Snowmass, Colorado, applying via Denver Climax Truck Line, Inc., and Don Ward, Inc. The Commission, upon receipt of a protest to said rates, suspended the rate item involved by Decision No. 72638, dated March 7, 1969, and set the matter for hearing in the Commission Hearing Room in Denver, on May 22, 1969, at 10 a.m.

The matter was called for hearing at the designated time and place; however, the Respondents, Denver Climax Truck Line, Inc., and Don Ward, Inc., failed to appear and justify the suspended matter. The Commission finds, therefore, that the tariff provisions referred to herein should be cancelled for lack of prosecution.


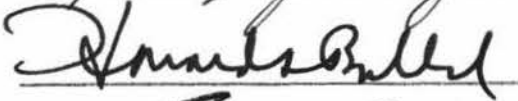

The Commission finds that the investigation instituted herein should be vacated and the proceeding discontinued.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings herein be, and they are hereby, made a part hereof.
2. That Respondents herein be, and they are hereby, notified and required to cancel the rates and charges as shown on Original Page 101-A to Motor Freight Tariff No. 14, Colorado PUC No. 13, on or before June 16, 1969, by not less than one (1) day's filing and posting in the manner prescribed by law and the rules and regulations of the Commission.
3. That this proceeding be, and it is hereby, discontinued.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
27th day of May, 1969. av

(Decision No. 73077)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EDWARD J. WHITAKER, P. O. BOX 814,)
BOULDER, COLORADO, FOR AUTHORITY TO)
TRANSFER ALL OF THE OUTSTANDING)
CAPITAL STOCK IN AND TO BURGER'S)
EXPRESS & TRANSFER, INC., RECORD)
OWNER OF PERMIT NO. B-532, TO ROSS)
F. ROBBINS, JAMESTOWN STAR ROUTE,)
BOULDER, COLORADO.)

APPLICATION NO. 23590-PP-Stock Transfer

May 29, 1969

Appearances: Charles A. Cowperthwaite, Esq.,
Denver, Colorado, and
Ira C. Rothgerber, Jr., Esq., Denver,
Colorado, for Transferor;
Alexander M. Hunter, Esq., Boulder,
Colorado, for Transferee;
John P. Thompson, Esq., Denver,
Colorado, for Edson Express, Boulder
Moving & Storage Co., Continental
Moving and Storage Co. and Overland
Motor Express, Inc., dba Boulder-
Denver Truck Line, Protestants;
Lloyd C. Espinosa, Denver, Colorado,
of the Staff of the Commission.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On February 11, 1969, the above-entitled application was filed requesting authority to transfer all of the outstanding capital stock of Burger's Express & Transfer, Inc., record owner of Private Carrier Permit No. B-532 to Ross F. Robbins, Boulder, Colorado.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that -- at the hearing -- the herein application was protested by the carriers as indicated in the Appearance section of this Decision.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Edward J. Whitaker is the present owner of all of the outstanding capital stock in and to Burger's Express & Transfer, Inc., a Colorado corporation, duly organized and existing under the laws of the State of Colorado.
2. Burger's Express & Transfer, Inc. is the present owner and operator of Permit No. B-532.
3. The present wording of said Permit is ambiguous, lends itself to misinterpretation and must therefore be redrafted.
4. Generally speaking, the Permit has in the past and is presently operated pursuant to a rather broad interpretation of the wording of the authority transporting general commodities in and around the City of Boulder, Colorado. A review of the Decisions affecting interpretation of the authority reveal the following:

The authority was originally issued as Permit A-532 under date of September 29, 1933, authorizing Otto Burger, doing business as "Burger's Transfer Co.", to operate as a private carrier by motor vehicle "between Boulder and Denver and Fort Collins and intermediate points and west of Boulder to the Continental Divide and such further routes as may be in writing hereafter described to the Commission."

Next by Decision No. 9804 dated April 15, 1937, pursuant to application of Otto Burger and Urban Mellecker, doing business as "Burger's Express", the Commission ordered that the Permit (A-532) hereafter shall be known and designated on the files of the Commission as Permit No. B-532 and directed that the holders thereof "shall be authorized to transport commodities for their regular Boulder customers from Boulder to points in the area described as follows:

'Commencing at Ault where highways U.S. 87 and Colo. 14 intersect; thence south along U.S. 87 to Denver; thence west along Colo. 58 to point of intersection with Colo. 119; thence north along Colo. 119 to Nederland and Colo. 160 to Raymonds; thence east along Colo. 7 and Colo. 66 to junction with U.S. 87; thence north along U.S. 87 to Fort Collins; thence east along Colo. 14 to Ault, the place of beginning;'

and the transportation of commodities generally consisting of 'trade-ins', 'repossessions' and 'returned merchandise' for customers of their customers from points in said area (except Denver) to Boulder, all freight so transported to originate in or be destined to Boulder, said permittees not to engage in the transportation of freight between towns located on U.S. Highway 85 or U.S. Highway 87."

In the Order of the Commission, it is stated: "the evidence disclosed that Applicants operate a transfer business in the City of Boulder (a home-rule city) and their regular customers chiefly are business men whose places of business are located in Boulder and who are engaged in selling merchandise, not only to residents of Boulder, but to people in the trade area who occasionally make purchases in said city." The trade area refers to the metes and bounds description. The Decision further mentions the fact that "occasionally it will be necessary to pick up 'trade-ins', 'repossessions' and 'returned merchandise' at various points, usually where merchandise has been delivered, in said area, and to return that merchandise to the business houses in Boulder." The Decision further states that applicants do not expect to haul freight out of Denver to Boulder or elsewhere and that "all freight hauled by the applicant under the permit would originate in or be consigned to Boulder."

The authority was next before the Commission on a Transfer proceeding and the transfer was authorized by Decision No. 44069 dated March 15, 1955. In this Decision the Commission stated "It is apparent there were typographical errors in the description of the territory that could be served under the permit (presumably as set forth in Decision No. 9804 referred to above) and that to correct such errors said description should read as follows:

"Commencing at Ault where Highways U.S. 85 and Colorado 14 intersect; thence south along U.S. Highway 85 to Denver; thence west along Colorado 58 to point of intersection with Colorado 119 to Nederland and Colorado 160 to Raymonds; thence east along Colorado 7 and Colorado 66 to junction with U.S. Highway 87; thence north along U.S. 87 to Fort Collins; thence east along Colorado 14 to Ault, the place of beginning."

The Order of the Commission in this proceeding then granted the transfer and set forth the authority under Permit B-532 as follows:

"Transportation of commodities for their regular Boulder customers from Boulder to points in the area described as follows:

Commencing at Ault where Highways U.S. 85 and Colorado 14 intersect; thence south along U.S. Highway 85 to Denver; thence west along Colorado 58 to point of intersection with Colorado 119 to Nederland and Colorado 160 to Raymonds; thence east along Colorado 7 and Colorado 66 to junction with U.S. Highway 87; thence north along U.S. 87 to Fort Collins; thence east along Colorado 14 to Ault, the place of beginning.

Transportation of commodities generally consisting of 'trade-ins', 'repossessions', and 'returned merchandise' for customers of their customers from points in said area (except Denver) to Boulder, all freight so transported to originate in or be destined to Boulder, said permittees not to engage in the transportation of freight between towns located on U.S. Highways 85 or 87."

Next is Decision No. 46479 dated September 10, 1956, which sets forth the existing authority in accordance with the corrected description in Decision No. 44069 and then grants an extension to the authority, viz:

"to include the transportation of commodities for his regular Boulder customers, from point to point within the City of Boulder, Colorado."

Next is Decision No. 57163 dated September 14, 1961, which is a Transfer proceeding. It merely authorizes the transfer of the authority. Reiteration of the authority in this Decision includes the extension granted in the next preceding Decision.

Then on May 8, 1964, the Commission entered Decision No. 62953 which authorizes transfer and again reiterates the authority pursuant to previous Decisions and because it is the last reiteration of the authority, it will be set forth here exactly as it is set forth in Decision No. 62953.

"Transportation of commodities for their regular Boulder customers from Boulder to points in the area described as follows: Commencing at Ault where Highways 85 and Colorado 14 intersect; thence south along U.S. 85 to Denver; thence west along Colorado 58 to point of intersection with Colorado 119 to Nederland and Colorado 160 to Raymonds; thence east along Colorado 7 and 66 to junction with U.S. 87; thence north along U.S. 87 to Fort Collins; thence east along Colorado 14 to Ault, the place of beginning; transportation of commodities generally consisting of 'trade-ins', 'repossessions', and 'returned merchandise' for customers of their customers from points in said area (except Denver) to Boulder, all freight so transported to originate in or be destined to Boulder, said permittees not to engage in the transportation of freight between towns located on U.S. 85 or 87; transportation of commodities for his regular Boulder customers, from point to point within the City of Boulder, Colorado."

Decision No. 68313 dated October 10, 1966, authorizes transfer of the authority and says nothing whatsoever regarding the description of the authority.

One other Decision appears in the file, namely, Decision No. 57209 dated September 20, 1961, which authorizes a waiver of Rule 25(a) and makes no mention of the description of the authority.

5. The authority in its present form can be separated into three parts, as follows:

1. "Transportation of commodities for their regular Boulder customers from Boulder to points in the area described as follows:

'Commencing at Ault where U.S. Highway 85 and Colorado 14 intersect; thence south along U.S. Highway 85 to Denver; thence west along Colorado 58 to point of intersection with Colorado 119 to Nederland and Colorado 160 to Raymond; thence east along Colorado 7 and 66 to junction with U.S. Highway 87; thence north along U.S. Highway 87 to Fort Collins; thence east along Colorado 14 to Ault, the place of beginning.'

2. "Transportation of commodities generally consisting of 'trade-ins', 'repossessions' and 'returned merchandise' for customers of their customers from points in said area (except Denver) to Boulder.

RESTRICTED:

a. All freight so transported to originate in or be destined to Boulder.

b. Said permittee is not to engage in the transportation of freight between towns located on U.S. Highway 85 or 87.

3. "Commodities for his regular Boulder customers from point to point within the City of Boulder, Colorado."

6. Findings of Fact with respect to each of the above portions of the Permit will be discussed separately:

(a) With reference to the first portion of the authority:

(1) The reference to "their regular Boulder customers" should be deleted inasmuch as such phraseology is surplusish in a Class "B" Permit.

(2) The reference to "Boulder" is obviously a reference to the City of Boulder and this fact is mentioned in Decision No. 9804 above referred to.

(3) With reference to the metes and bounds description, U.S. Highway 87 no longer exists and that roadway is presently designated as U.S. Highway 287. Colorado Highway 58 extends only from Wadsworth Boulevard west along 44th Avenue to Golden and, therefore, the reference to Colorado Highway 58 is not meaningful and is incomplete. This metes and bounds description should, therefore, be described as follows:

"Commencing in the City of Ault, Colorado, where U.S. Highway No. 85 and Colorado Highway No. 14 intersect; thence south along said U.S. Highway No. 85 to its intersection with Interstate Highway No. 70; thence west along Interstate Highway No. 70 to its intersection with 44th Avenue (Colorado Highway No. 58); thence continuing west along Colorado Highway No. 58 to its intersection with U.S. Highway No. 6; thence continuing west along U.S. Highway No. 6 to Colorado Highway No. 119; thence northerly on Colorado Highway No. 119 to Nederland; thence continuing northerly on Colorado Highway No. 160 to Raymond; thence east along Colorado Highway No. 7 to Lyons; thence continuing east on Colorado Highway No. 66 to its junction with U.S. Highway No. 287; thence north along U.S. Highway No. 287 to the City of Fort Collins; thence east along Colorado Highway No. 14 to the City of Ault, Colorado, the place of beginning."

- (b) Part 2 of the authority, after dropping the phrase "for customers of their customers" can be redrafted and the specified restrictions need not appear as such.
 - (c) Part 3 of the authority, after dropping the phrase "for his regular Boulder customers" can be redrafted as hereinafter set forth.
- 7. Said authority is presently in good standing with the Commission.
 - 8. Ross F. Robbins is an individual, who has an engineering background but who has been managing and working for "Burger's Express & Transfer, Inc." since January 6, 1969. Mr. Robbins holds no authority from this Commission.
 - 9. By this application, EDWARD J. WHITAKER seeks authority to transfer all of the outstanding capital stock in and to "Burger's Express & Transfer, Inc." to ROSS F. ROBBINS.
 - 10. This application was protested by Edson Express; Boulder Moving & Storage Co.; Continental Moving and Storage Co.; and Overland Motor Express, Inc., doing business as "Boulder-Denver Truck Line", which Protestants cross-examined witnesses and otherwise participated in the case but presented no evidence in support of their Protests and, in fact, at the conclusion of Applicant's case, withdrew as Protestants.
 - 11. The parties have entered into an Agreement for the transfer of all the outstanding capital stock of Burger's Express & Transfer, Inc. and the consideration to be paid is fair and reasonable.
 - 12. The Permit is free and clear of any debts, encumbrances or obligations.
 - 13. Transferee has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority sought herein.

14. Transferee is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission and has or will make adequate provision for insurance.
15. If this transfer is approved, Transferee intends to and will engage in bona fide motor carrier operations under the operating rights set forth herein.
16. The transfer is compatible with the public interest and should be granted as hereinafter set forth.
17. Permit No. B-532 should be redrafted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enters its Order authorizing Transferor to transfer all of the outstanding capital stock of Burger's Express & Transfer, Inc. to Ross F. Robbins, and that henceforth the full and complete authority under Permit No. B-532 shall read as follows, to-wit:

"Transportation of

(1) General commodities

From the City of Boulder to points in an area described as follows:

Commencing in the City of Ault, Colorado, where U.S. Highway No. 85 and Colorado Highway No. 14 intersect; thence south along said U.S. Highway No. 85 to its intersection with Interstate Highway No. 70; thence west along Interstate Highway No. 70 to its intersection with 44th Avenue (Colorado Highway No. 58); thence continuing west along Colorado Highway No. 58 to its intersection with U.S. Highway No. 6; thence continuing west along U.S. Highway No. 6 to Colorado Highway No. 119; thence northerly on Colorado Highway No. 119 to Nederland; thence continuing northerly on Colorado Highway No. 160 to Raymond; thence east along Colorado Highway No. 7 to Lyons; thence continuing east on Colorado Highway No. 66 to its junction with U.S. Highway No. 287; thence north along U.S. Highway No. 287 to the City of Fort Collins; thence east along Colorado Highway No. 14 to the City of Ault, Colorado, the place of beginning.

(2) Trade-ins, repossessions and returned merchandise

From points in the above-described areas (except Denver) to the City of Boulder.

(3) General commodities

Between all points in Boulder, Colorado.

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and

Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as herein-after modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Edward J. Whitaker, Boulder, Colorado, be, and hereby is, authorized to transfer all of the outstanding capital stock of Burger's Express & Transfer, Inc., record owner of Private Carrier Permit No. B-532 to Ross F. Robbins, Boulder, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

That henceforth the full and complete authority under Private Carrier Permit No. B-532 shall read and be as follows, to-wit:

Transportation of

(1) General commodities

From Boulder, Colorado, to points in the following-described area:

Commencing in the City of Ault, Colorado, where U.S. Highway No. 85 and Colorado Highway No. 14 intersect; thence south along said U.S. Highway No. 85 to its intersection with Interstate Highway No. 70; thence west along Interstate Highway No. 70 to its intersection with 44th Avenue (Colorado Highway No. 58); thence continuing west along Colorado Highway No. 58 to its intersection with U.S. Highway No. 6; thence continuing west along U.S. Highway No. 6 to Colorado Highway No. 119; thence northerly on Colorado Highway No. 119 to Nederland; thence continuing northerly on Colorado Highway No. 160 to Raymond; thence east along Colorado Highway No. 7 to Lyons; thence continuing east on Colorado Highway No. 66 to its junction with U.S. Highway No. 287; thence north along U.S. Highway No. 287 to the City of Fort Collins; thence east along Colorado Highway No. 14 to the City of Ault, Colorado, the place of beginning.

(2) Trade-ins, repossessions and returned merchandise

From points in the above-described area as specifically set forth (with the exception of Denver, Colorado) to Boulder, Colorado.



(3) General commodities

Between all points in Boulder, Colorado.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

CHAIRMAN HENRY E. ZARLENGO NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 29th day of May, 1969.
ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JAMES W. ORBISON, DOING BUSINESS AS)
"ORBISON TRUCKING CO.," 3301 EAST)
DRENNAN ROAD, LOT 124, COLORADO)
SPRINGS, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 23668-PP

May 29, 1969

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On April 2, 1969, the above-entitled application was filed requesting authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was called for hearing -- by Commission Examiner Robert L. Pyle -- at the time and place as set forth in the Notice of Hearing, duly sent by the Commission to the Applicant, who, without regard to such notice, failed to appear in person or by representative.

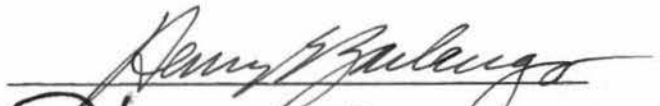
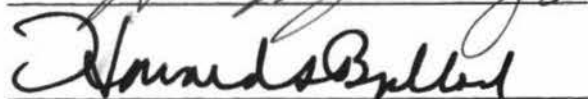

The Examiner, in his filed report with the Commission, has recommended, in view of the above, that the herein instant application be dismissed for failure to prosecute.

O R D E R

THE COMMISSION ORDERS:

That Application No. 23668-PP be, and the same hereby is, dismissed forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 29th day of May, 1969.

gf

(Decision No. 73079)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: INVESTIGATION AND SUSPENSION OF)
PROPOSED CHANGES IN TARIFF--COLORADO)
PUC NO. 5, MOUNTAIN STATES TELEPHONE)
AND TELEGRAPH COMPANY, 930 - 15TH)
STREET, DENVER, COLORADO, FILED)
PURSUANT TO THIS COMMISSION'S)
DECISION NO. 72921, DATED APRIL 28,)
1969.)

INVESTIGATION AND SUSPENSION

DOCKET NO. 636

May 29, 1969

S T A T E M E N T

BY THE COMMISSION:

The Commission by its Decision No. 72921 permanently suspended and ordered to remain permanently ineffective tariff revisions filed by Mountain States Telephone and Telegraph Company (Company) pursuant to the Commission Decision No. 72385 of January 7, 1969. It further ordered the Company, inter alia, to file a new Rate Schedule in conformity with the Findings of Decision No. 72921, such rates to raise the revenues authorized in Decision No. 72385 and to be just and reasonable and not unjustly discriminatory, and that an appropriate Advice Letter should be attached to the revised filing, in accordance with Rule No. 20 of the Rules of Practice and Procedure before the Public Utilities Commission of the State of Colorado, setting forth in detail the changes proposed, the revenue effect of each change and the percent increase or decrease involved for each such change.

Pursuant to said Order of the Commission, the Company filed, on May 29, 1969, a new schedule of rates, rules and regulations to become effective July 1, 1969.

The current filing covered by Advice Letter No. 507 is accompanied by approximately 447 new or revised tariff sheets to provide revenues authorized by the Commission in its Decision No. 72385. These tariff

sheets provide for changes in rates and rules and regulations in the following areas of the tariff.

<u>Section Number and Description</u>	<u>Number of Sheets</u>
1. <u>Local Exchange Tariff</u>	
a. Section 1 - Local Exchange Service	36
b. Section 2 - Metropolitan Preferred Area Calling Service	5
2. <u>General Exchange Tariff</u>	
a. General Index	12
b. Section 3 - Automatic Answering, Automatic Answering and Recording, and Automatic Announcement Service	1
c. Section 5 - Foreign Central Office Service	1
d. Section 6 - Private Branch Exchange Service	98
e. Section 11 - Extension Stations	1
f. Section 12 - Foreign Exchange Service	2
g. Section 13 - Initial Contract Periods Termination of Service	3
h. Section 14 - Mileage Charges	5
i. Section 15 - Service Connection, Move and Change Charges	17
j. Section 17 - Connection with Customer-Provided Equipment and Facilities	16
k. Section 19 - Restoration of Service	1
l. Section 20 - General Regulations	1
m. Section 22 - Service Stations	2
n. Section 24 - Semi-Public (Main Station) Telephone Service	2
o. Section 25 - Emergency Reporting Telephone Systems	2
p. Section 26 - Supplemental Equipment	11
q. Section 29 - Secretarial Bureau Service	18
r. Section 30 - Order Turrets and Automatic Call Distributing System	24
s. Section 31 - Explanation of Terms	1
t. Section 32 - Service Observing Equipment	1
u. Section 33 - Key Telephone Systems and Key Equipments	1
v. Section 34 - Joint User Service	1
w. Section 35 - Special Systems and Services	4
x. Section 36 - Multiline Telephone Systems	30
y. Section 39 - Touch-Tone Calling Telephone Service	2
z. Section 40 - Airport Dial Telephone Service	3
aa. Section 41 - Personal Signaling Service	2
3. <u>Long Distance Message Telecommunications Service Tariff</u>	11
4. <u>Mobile Telephone Service Tariff</u>	2
5. <u>Rural Radio Service Tariff</u>	1
6. <u>Wide Area Telecommunications Service Tariff</u>	37
7. <u>Private Line Service Tariff</u>	89
8. <u>Tariff Riders</u>	4

The proposed effective date of the foregoing tariff sheets is July 1, 1969.

F I N D I N G S

THE COMMISSION FINDS:

That because of the extensive changes in the tariff and the need for a determination that the tariff sheets filed with Advice Letter No. 507 reasonably conform to the Commission Order in Decision No. 72921, the Commission on its own initiative should suspend the effective date of the proposed tariff filing and hold a hearing thereon concerning the propriety of the rates, rules and regulations therein.

O R D E R

THE COMMISSION ORDERS:

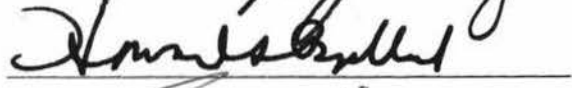
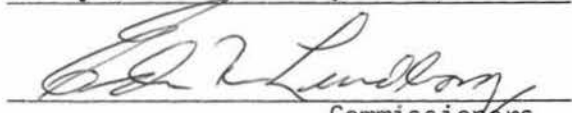
That the effective date of July 1, 1969 of the proposed changes in tariff Colorado PUC No. 5 of Mountain States Telephone and Telegraph Company, as set forth on the sheets accompanying Advice Letter No. 507 of May 29, 1969 as summarized in the foregoing Statement, be, and hereby is suspended for a period of one hundred twenty (120) days from July 1, 1969 or until October 29, 1969, unless otherwise ordered by the Commission.

That the proposed changes in tariff Colorado PUC No. 5 be, and hereby are set for public hearing before the Commission at 10 o'clock A.M. beginning on June 16, 1969 in the Commission Hearing Room, 507 Columbine Building, 1845 Sherman Street, Denver, Colorado.

That a copy of this Order be filed with Advice Letter No. 507 and its accompanying tariff sheets relating to Mountain States Telephone and Telegraph Company Tariff Colorado PUC No. 5.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 29th day of May, 1969.

1s

(Decision No. 73080)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: THE ISSUANCE OF TEMPORARY)	
CERTIFICATES OF PUBLIC CONVENIENCE)	APPLICATION NO. 23760
AND NECESSITY UNDER CHAPTER)	<u>EMERGENCY DISTRICT 2-69</u>
115-9-4 (2), CRS 1963, FOR THE)	
TEMPORARY OR SEASONAL MOVEMENT OF)	
EARLY LETTUCE.)	

May 29, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Report has been received by the Commission from Lloyd C. Espinosa, Supervising Transportation Representative, Enforcement Division of this Commission, indicating that an emergency exists because of the shortage of motor vehicles for the transportation of early lettuce in the Counties of Bent, Otero, Pueblo, and Crowley, Colorado.

Request, pursuant to the above, has been made for an Order of the Commission to issue temporary certificates so as to authorize the temporary or seasonal operation of motor vehicles for the purpose of transporting early lettuce in the counties as set forth above.


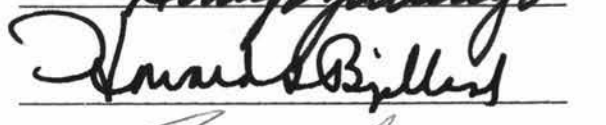
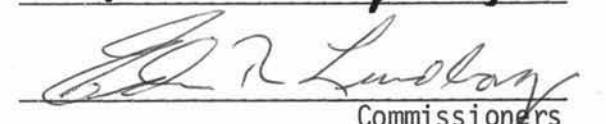
The Commission states and so finds that an emergency exists because of the shortage of motor vehicles for the transportation of early lettuce in the Counties of Bent, Otero, Pueblo, and Crowley, Colorado, and that the present or future public convenience and necessity requires or will require the issuance of temporary certificates for the temporary or seasonal operation of motor vehicles for the purpose of transporting said commodity, as provided by Chapter 115, Article 9, Section 4 (2), CRS 1963, and as set forth in the Order following:

O R D E R

THE COMMISSION ORDERS:

That temporary certificates, be, and hereby are authorized for the temporary or seasonal operation of motor vehicles for the purpose of transporting early lettuce in only the Counties of Bent, Otero, Pueblo, and Crowley, State of Colorado; provided, however, that said certificates shall be effective for only a period of NINETY (90) DAYS commencing May 29, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 29th day of May, 1969.
ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: CEMENT, IN BULK, IN TANK
VEHICLES FROM BOETTCHER, DENVER,
AND PORTLAND, COLORADO, TO HIGHWAY
CONSTRUCTION PROJECT NEAR JULESBURG,
COLORADO

CASE NO. 1585

May 29, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 29, 1969, J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, as Agent, filed 11th Revised Page No. 44-A to its Motor Freight Tariff No. 14, Colorado PUC No. 13* (*The Motor Truck Common Carriers' Association, Agent, Series) setting forth new rates and provisions applicable on cement, published to become effective May 29, 1969.

Item No.	Commodity	From	To	Rates
		Colorado	Colorado Highway	
	Cement, in bulk, in	Boettcher	Construction	21½
	tank vehicles, min.	Denver	Project No.	24½
	weight 55,000 pounds.	Portland	1-80-S-2 (15)	35
346			146 near	
			Crook, Colo.	
	✓ (R) Cement, in bulk,		Colorado Highway	
	in tank vehicles, Min.Boettcher		Construction	22
	weight 55,000 pounds. Denver		Project No.	29½
	(applies via Don Ward,Portland		1-80-S-2 (16)	41
	Inc., only)		near Julesburg,	
			Colo.	

✓ denotes addition

(R) denotes reduction

In support of the changes involved herein, Don L. Ward, General Manager, Don Ward & Co., hereinafter called Ward, requested the publication under the independent action procedure of the Association.

By the Commission's Order No. 71944, dated September 27, 1968, similar provisions were prescribed on cement to Highway Project No. 1-80-5-2 (15), ¹⁴⁶near Crook, Colorado, as reflected in the upper portion of Item 346. Cost figures were submitted and entered in this decision. The

delivery point in this instance is approximately 30 miles beyond Crook. Under the proposal, Ward will derive revenue per mile of $39\frac{1}{2}$, $48\frac{1}{2}$ and 41 cents, respectively, whereas the revenue per mile to Crook is $40\frac{1}{3}$, $44\frac{1}{3}$, and $37\frac{1}{3}$.

Since the proposed rates to Highway Construction Project near Julesburg, Colorado, appear to represent just, fair and reasonable rates and charges, the Commission finds that the proposed rates will produce sufficient revenue to pay the cost of operation, and return a fair profit to the Carrier, and should, therefore, be entered as the prescribed rates of the Commission.

O R D E R

THE COMMISSION ORDERS:

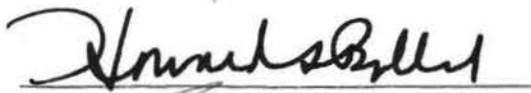

1. That the Statement and Findings herein be, and they are hereby, made a part hereof.
2. That the rates and charges as set forth in the Statement of this Order, subject to the rules and regulations as provided in the aforesaid tariff, should be the prescribed rates, rules and regulations and provisions of the Commission.
3. That 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, to be effective May 29, 1969.
4. That all private carriers by motor vehicle, to the extent they are affected by the changes herein, shall publish, or cause to be published tariffs reflecting the changes prescribed herein, which shall not be less than those herein prescribed for motor vehicle common carriers, effective May 29, 1969.
5. That this Order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

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

7. That this Order shall become effective forthwith.

8. That jurisdiction is retained to make such further Orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Commissioner Henry E. Zarlengo
necessarily absent and not
participating.

Dated at Denver, Colorado, this
29th day of May, 1969. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

VINCENT VELLA)
1609 Lexington Road)
Pueblo, Colorado 81001)

AUTHORITY NO. M 15180

CASE NO. 4274-M-Ins.

May 29, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 13, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

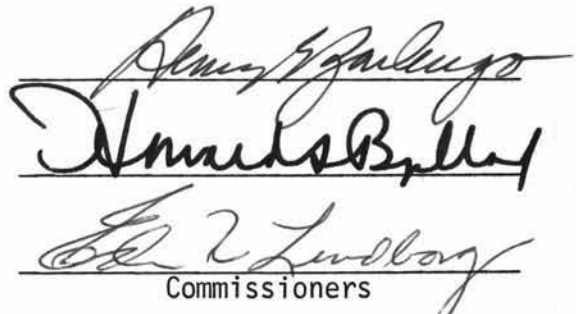
O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
29th day of May, 1969 .

(Decision No. 73083)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PENROSE WATER COMPANY, INC., FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY AUTHORIZING SAID COM-)
PANY TO SUPPLY WATER FOR DOMESTIC)
AND COMMERCIAL USE TO RESIDENTS AND)
OTHER USERS IN AND NEAR THE TOWN OF)
PENROSE.)

APPLICATION NO. 18458
SUPPLEMENTAL ORDER

June 3, 1969

S T A T E M E N T

BY THE COMMISSION:

The Penrose Water Company was granted a Certificate of Public Convenience and Necessity by this Commission in the above numbered application by Decision No. 56468 of May 17, 1961 and Decision No. 57213 of September 20, 1961, authorizing said Company to operate a water utility under this Commission's jurisdiction to supply water service to 200 taps. Said Company has been operating the water system up and until January 1, 1968. On said date the Penrose Water Company sold all of its real property and the water system to the Penrose Water District. The Penrose Water Company operated said Company for the Water District to July 1, 1968, at which time the Water District assumed all responsibilities of the Water Company including its operation.

The Penrose Water Company now requests the Commission to cancel the Certificate of Public Convenience and Necessity originally issued to it since there is no further need for this service by the Water Company. A copy of the Order and Decree of the District Court in and for the County of Fremont, Colorado, in Civil Action No. 9577 creating the district has been filed with the Commission, as well as the request for the certificate cancellation.

F I N D I N G S

THE COMMISSION FINDS:

That there is no further need for water service by the Penrose Water Company under the certificate issued to it in Application No. 18458.

That the Penrose Water District is now supplying water in the area certificated to the Penrose Water Company.

That the Certificate of Public Convenience and Necessity issued to the Penrose Water Company should be cancelled.

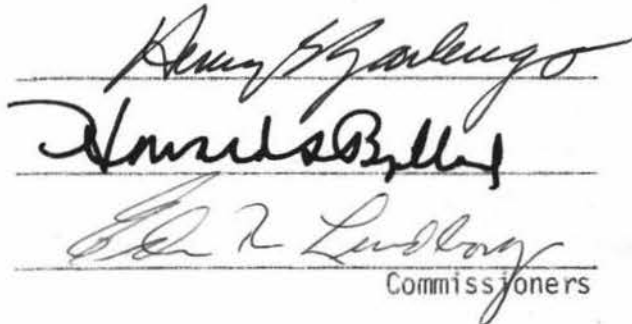
O R D E R

THE COMMISSION ORDERS:

That the Certificate of Public Convenience and Necessity issued to the Penrose Water Company in Application No. 18458 by Decision No. 56468 and Decision No. 57213 be, and hereby is, cancelled.

That this Order shall become effective twenty-one (21) days from date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 3rd day of June, 1969.
gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
KANSAS-NEBRASKA NATURAL GAS COMPANY,)
INC., PHILLIPSBURG, KANSAS, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY TO PROVIDE NATURAL GAS DIS-)
TRIBUTION SERVICE WHERE ECONOMICALLY)
FEASIBLE TO CUSTOMERS IN A PORTION OF)
CHEYENNE COUNTY, COLORADO.)

APPLICATION NO. 23702

June 3, 1969

Appearances: E. A. Stansfield, Esq. of Lee,
Bryans, Kelly & Stansfield,
Denver, Colorado, and
Duane L. Stromer, Esq., Hastings,
Nebraska, for Applicant;
Girts Krumins, Esq., Denver, Colorado,
for the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

On April 24, 1969, Kansas-Nebraska Natural Gas Company, Inc.,
(Kansas-Nebraska) filed its application for a certificate of Public Con-
venience and Necessity to distribute natural gas, where economically feasible,
in an area in Cheyenne County, Colorado, adjacent to the Colorado-Kansas State
line.

The matter was set for hearing, after due notice to interested
parties, on Friday, May 23, 1969, at ten o'clock A.M., in the Hearing Room
of the Commission, 500 Columbine Building, Denver, Colorado. No protests
were filed in connection with the application, and no one appeared at the
hearing in opposition thereto.

Kansas-Nebraska is a public utility engaged in the production,
gathering, transmission and distribution of natural gas in Colorado, Kansas,
Nebraska and Wyoming. It also produces and gathers natural gas in the State
of Oklahoma.

Kansas-Nebraska is subject to the jurisdiction of this Commission with regard to its operations only within the State of Colorado.

Applicant is a corporation, organized pursuant to the laws of the State of Kansas and is qualified to do business in the State of Colorado. Its Articles of Incorporation, as amended to date, have heretofore been filed with this Commission in Application No. 22507.

In this application, Kansas-Nebraska seeks authority to extend its service area within Colorado to enable it to provide natural gas service, as economically feasible, to customers in a portion of Cheyenne County, Colorado adjacent to the Colorado-Kansas boundary. The area includes Township 13 South, Ranges 41 and 42 West; Township 14 South, Ranges 41 and 42 West; and Township 15 South, Ranges 41 and 42 West as shown on a map marked Exhibit A received into evidence at the hearing.

Kansas-Nebraska has received inquiries from potential customers in the area for natural gas service to operate engines for pumping irrigation water. At the time of the application, the owners of ten wells had signed commitments to receive natural gas. Other owners of wells have told Kansas-Nebraska's representatives that they will use natural gas when it is available. Kansas-Nebraska seeks authority to provide this service.

Kansas-Nebraska proposes to extend at this time its gas distribution system to serve portions of the area for which the certificate is requested. It appears, however, that, at least for the present, there is no known existing or potential demand for gas service in the North two-thirds (2/3) of Township 13 South, Ranges 41 West and 42 West, and the South two-thirds (2/3) of Township 15 South, Ranges 41 and 42 West, and Kansas-Nebraska does not contemplate extensions into such areas. There is no logical reason to grant an area certificate to a utility where extension of service is not yet contemplated. This does not in itself preclude Kansas-Nebraska to extend into adjacent territory under provisions of Chapter 115-5-1, CRS 1963.

Kansas-Nebraska has existing distribution facilities which can be extended into the said area to provide gas service to the customers now requesting it and to future customers.

It is possible that, in addition to irrigation customers, there will be some customers requesting natural gas for domestic use. If this be the case, they will be served according to Kansas-Nebraska's Rules and Regulations stated on Original Sheet No. 20, 21, First Revised Sheet No. 22, and Original Sheet No. 22.1, 22.2, 22.3, 22.4, 22.5 of its Tariff Colorado P.U.C. No. 4 on file with the Commission.

The total estimated cost to provide the said natural gas service, as shown by a feasibility study marked Exhibit B, received into evidence at the hearing, will be \$54,500 which will be met out of current working capital. This amount will be used as the basis for the issuance fee, but will not be binding on the Commission at any time when rates are an issue.

Exhibit C, received into evidence at the hearing, was the rate under which service will be furnished for water pumping and general gas service. Exhibit D, received into evidence at the hearing, was the Balance Sheet and Income Statement for the Company at December 31, 1968.

No other public utility is providing a similar service within the area sought herein.

F I N D I N G S

THE COMMISSION FINDS:

That the above Statement is made a part of these Findings.

That it has jurisdiction of the Kansas-Nebraska Natural Gas Company, Inc., herein and of the subject matter of this application.

That the public convenience and necessity requires that a certificate should be issued to Kansas-Nebraska to provide natural gas service in the areas set forth in the Order to follow.

That public convenience and necessity does not now require that a certificate be issued to Kansas-Nebraska to provide gas service in areas requested in the instant application but not included in this Order.

That Kansas-Nebraska should file a Fourth Revised Sheet No. 4 of its Tariff Colorado P.U.C. No. 4 to include parts of Township 13 South, Ranges 41 and 42 West, Township 14 South, Ranges 41 and 42 West and Township

15 South, Ranges 41 and 42 West, all in Cheyenne County, Colorado in the applicable area.

O R D E R

THE COMMISSION ORDERS:



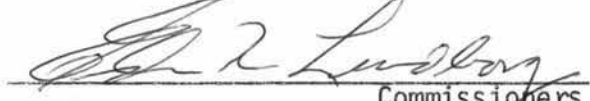
That public convenience and necessity requires and will continue to require Kansas-Nebraska to render gas utility service in the following area: Sections 25 to 36, inclusive, Township 13 South, Range 42 West; Sections 30 and 31, Township 13 South, Range 41 West; all of Township 14 South, Range 41 West; all of Township 14 South, Range 42 West; Sections 1 to 12, inclusive, Township 15 South, Range 42 West; and Sections 6 and 7, Township 15 South, Range 41 West, all in Cheyenne County, Colorado.

That this Order shall be deemed and held to be a Certificate of Public Convenience and Necessity therefor.

That Kansas-Nebraska, within ten days of the effective date of this Order, shall file a Fourth Revised Sheet No. 4 of its Tariff Colorado P.U.C. No. 4 expanding the applicability of this rate to include portions of Township 13 South, Ranges 41 and 42 West, Township 14 South, Ranges 41 and 42 West and Township 15 South, Ranges 41 and 42 West, all in Cheyenne County, Colorado.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 3rd day of June, 1969.
gf

(Decision No. 73085)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT D. ROLLER, 810 EAST PLATTE)
AVENUE, COLORADO SPRINGS, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 23670-PP

June 3, 1969

Appearances: Robert D. Roller, Colorado Springs,
Colorado, pro se.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On April 7, 1969, the above-entitled application was filed requesting authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant is an individual.
2. Applicant does not hold previously granted authority from this Commission other than an "M" Permit.
3. Applicant has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority applied for herein.
4. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
5. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
6. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
7. The authority will be in the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order granting the application and authorizing Applicant to operate as a private carrier by motor vehicle for hire with authority as follows:

"Transportation of

- (1) 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;

- (2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of 100 miles of said pits and supply points;

- (3) 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;

(4) 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;

RESTRICTION:

This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as hereinafter modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Robert D. Roller, Colorado Springs, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the following:

Transportation of

- (1) 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;

- (2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of 100 miles of said pits and supply points;

- (3) 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;

- (4) 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;

RESTRICTION:

This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials;

and this ORDER shall be deemed to be, and be, a PERMIT therefor.

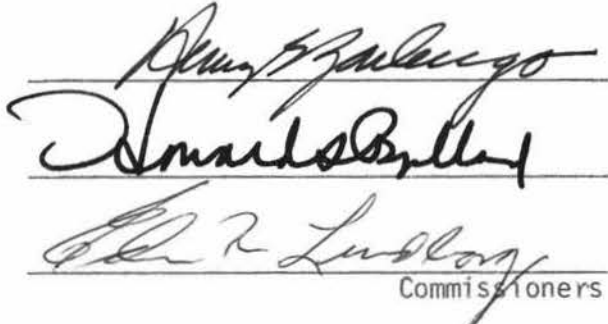
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, 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 3rd day of June, 1969.
gf

(Decision No. 73086)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
COLORADO MILK TRANSPORT, INC.,)
ROUTE 1, BOX 205, BROOMFIELD,)
COLORADO.)

PERMIT NO. B-1284

June 3, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Colorado Milk Transport, Inc., Broomfield, Colorado, is the owner of Permit No. B-1284 authorizing operation as a private carrier by motor vehicle for hire, for the:

Decision No. 46185: Transportation by motor vehicle, for hire of farm products from the area described as follows:

Beginning at the intersection of College and Mountain Avenues, Fort Collins, Colorado; thence one mile west; thence north 20 miles; thence east 8 miles; thence south 20 miles; thence west 7 miles to the point of beginning, to Fort Collins, Colorado;

water from point to point within the above described area;

coal from the northern Colorado coal fields to customers living within the above described area;

salt between condenseries and plants in Fort Collins and Larkspur, Colorado, for the Frink Creamery Company;

milk and dairy products between all points and places within 100 miles of Fort Collins, Colorado; provided, however, that all shipments of milk and dairy products authorized hereby must either originate or terminate at the Frink Creamery Company at Fort Collins, Colorado;

and provided also that no transportation of milk and dairy products to Fort Collins is authorized hereby from points in the following described area:

Beginning at the NW corner of Section 2, T. 10-N., R. 70-W.; thence eastward to the NE corner of Section 4, T. 10-N., R. 67-W.; thence south to the SE corner of Section 28, T. 9-N., R. 67-W.; thence west to the SE corner of Section 25, T. 9-N., R. 68-W.; thence south to the SE corner of Section 12, T. 7-N., R. 68-W.; thence west to the NW corner of Section 13, T. 7-N.,

R. 69-W.; thence south to the SW corner of Section 36, T. 7-N., R. 69-W.; thence east to the SW corner of Section 31, T. 7-N., R. 69-W.; thence south to the SW corner of Section 7, T. 6-N., R. 68-W.; thence east to the NE corner of Section 17, T. 6-N., R. 68-W.; thence south to the SE corner of Section 8, T. 5-N., R. 68-W.; thence west to the SW corner of Section 11, T. 5-N., R. 70-W.; thence north to the point of beginning;

Provided, further, that all shipments of milk and dairy products authorized hereby shall be for the Frink Creamery Company, only.

Decision No. 53767: Extended to include the right to transport milk and cream, in bulk, in tank vehicles, between Montrose, Colorado, and a ten-mile radius thereof, and Colorado Springs, Colorado, and a ten-mile radius thereof.

The Commission has received a written request from Leslie R. Kehl, Attorney for Colorado Milk Transport, Inc. requesting cancellation of that portion of said Permit No. B-1284 specifically described as Decision No. 46185.

The Commission states and finds that said request is compatible with the public interest and 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-1284, owned and operated by Colorado Milk Transport, Inc., be, and the same hereby are, amended and restricted, upon the request of said permit-holder, by deleting therefrom the authority described as Decision No. 46185, so that operating rights under said Permit No. B-1284 shall be and read as follows:

Transportation of

Milk and Cream

Between Montrose, Colorado and a ten mile radius thereof and Colorado Springs, Colorado and a ten mile radius thereof.

RESTRICTION:

All transportation rendered under this Permit shall be restricted to the use of tank vehicles.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry J. Gault
Harold B. Miller
Ed. J. Ludwig
Commissioners

Dated at Denver, Colorado,
this 3rd day of June, 1969.
gf

(Decision No. 73087)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
RESPONDENTS, NORTH DENVER STORAGE)
COMPANY, DOING BUSINESS AS "WEICKER)
TRANSPORT CO.," 1700 15TH STREET,)
DENVER, COLORADO UNDER PRIVATE CAR-)
RIER PERMIT NO. B-802.)

CASE NO. 5398
ORDER TO SHOW CAUSE AND
NOTICE OF HEARING

June 4, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, the above-named Respondent was granted Private Carrier Permit No. B-802 to conduct certain operations as a private carrier by motor vehicle for the following, to-wit:

"Not Restricted: Subject to the following deletions, restrictions and conditions, to-wit: That the said authority after transfer shall not include the right of transportation originating and terminating within the counties of Adams, Arapahoe, Jefferson, Huerfano, Pueblo, and Las Animas, not excluding, however, the right of transportation from and to any points in said area, to and from any points outside said areas."

The staff of the Public Utilities Commission of the State of Colorado has conducted an investigation relating to the motor vehicle operations of Respondent, North Denver Storage Co., doing business as "Weicker Transport Co.," under Private Carrier Permit No. B-802. Said investigation disclosed that Respondent has engaged in transportation practice in violation of Public Utility Law, The Rules and Regulations of the Commission, and the Public Policy of the State of Colorado in the following respect, to-wit:

By leasing equipment and employing drivers with compensation on a percentage basis dependent on gross receipts per trip contrary to Rule 12 of the Commission's Rules and Regulations Governing Private Carriers by Motor Vehicle for Hire.

The Commission states and finds that sufficient cause exists for the holding of a hearing to determine the facts of said matter to hear such

arguments as may be material, and to determine what order or penalty, if any, shall be made or imposed by the Commission.

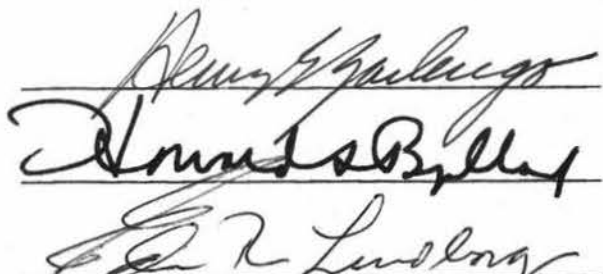
O R D E R

THE COMMISSION ORDERS:

That Respondent, North Denver Storage Company, doing business as "Weicker Transport Co.," be, and hereby is, directed to appear before the Commission on the date and day as specifically set forth below, to show cause why the Commission should not take such action and enter such order or penalty as may be appropriate, including, but not limited to, a cease and desist order or if warranted, an order cancelling and revoking Private Carrier Permit No. B-802 of the Respondent.

That this case be, and the same hereby is, set for hearing before the Commission at the hearing room of the Commission, 507 Columbine Building, 1845 Sherman Street, Denver, Colorado at 10:00 o'clock on July 16, 1969, at which time and place such evidence as is proper may be introduced and such arguments as are material to the issue may be presented.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 4th day of June, 1969.
gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: THE ISSUANCE OF TEMPORARY)
CERTIFICATES OF PUBLIC CONVENIENCE)
AND NECESSITY UNDER CHAPTER 115-9-4)
(2), CRS 1963, FOR THE TEMPORARY OR)
SEASONAL MOVEMENT OF CORN, MILLET,)
SORGHUMS, SMALL GRAINS, ENSILAGE,)
AND ALFALFA.)

APPLICATION NO. 23765
EMERGENCY DISTRICT 3-69

June 3, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Report has been received by the Commission from Lloyd C. Espinosa, Supervising Transportation Representative, Enforcement Division of this Commission, indicating that an emergency exists because of the shortage of motor vehicles for the transportation of corn, millet, sorghums, small grains, ensilage, and alfalfa in the Counties of Adams, Alamosa, Arapahoe, Baca, Bent, Boulder, Cheyenne, Conejos, Costilla, Crowley, Delta, Douglas, El Paso, Kiowa, Kit Carson, Larimer, Logan, Mesa, Montrose, Morgan, Otero, Ouray, Phillips, Prowers, Pueblo, Rio Grande, Saguache, Sedgwick, Washington, Weld, and Yuma, Colorado.

Request, pursuant to the above, has been made for an Order of the Commission to issue temporary certificates so as to authorize the temporary or seasonal operation of motor vehicles for the purpose of transporting corn, millet, sorghums, small grains, ensilage, and alfalfa in the counties as set forth above.

The Commission states and so finds that an emergency exists because of the shortage of motor vehicles for the transportation of corn, millet, sorghums, small grains, ensilage, and alfalfa in the Counties of Adams, Alamosa, Arapahoe, Baca, Bent, Boulder, Cheyenne, Conejos, Costilla, Crowley, Delta, Douglas, El Paso, Kiowa, Kit Carson, Larimer, Logan, Mesa, Montrose,


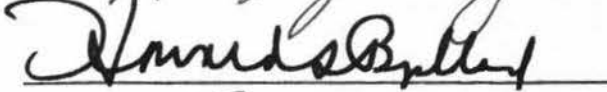
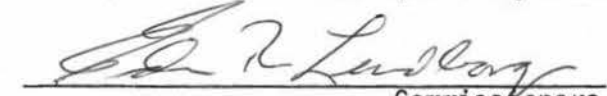
Morgan, Otero, Ouray, Phillips, Prowers, Pueblo, Rio Grande, Saguache, Sedgwick, Washington, Weld, and Yuma, Colorado and that the present or future public convenience and necessity requires or will require the issuance of temporary certificates for the temporary or seasonal operation of motor vehicles for the purpose of transporting said commodities, as provided in Chapter 115, Article 9, Section 4 (2), CRS 1963, and as set forth in the Order following:

O R D E R

THE COMMISSION ORDERS:

That temporary certificates, be, and hereby are authorized for the temporary or seasonal operation of motor vehicles for the purpose of transporting corn, millet, sorghums, small grains, ensilage, and alfalfa in only the Counties of Adams, Alamosa, Arapahoe, Baca, Bent, Boulder, Cheyenne, Conejos, Costilla, Crowley, Delta, Douglas, El Paso, Kiowa, Kit Carson, Larimer, Logan, Mesa, Montrose, Morgan, Otero, Ouray, Phillips, Prowers, Pueblo, Rio Grande, Saguache, Sedgwick, Washington, Weld, and Yuma, State of Colorado; provided, however, that said certificates shall be effective for only a period of NINETY (90) DAYS commencing June 6, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 3rd day of June, 1969.
gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

Dominic, Alex, John & Joe Blasi, dba)
A. Blasi & Sons)
Roy, New Mexico 87743)
)
)
)

AUTHORITY NO. 2483-I
CASE NO. 1522-H-Ins.

June 3, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 13, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

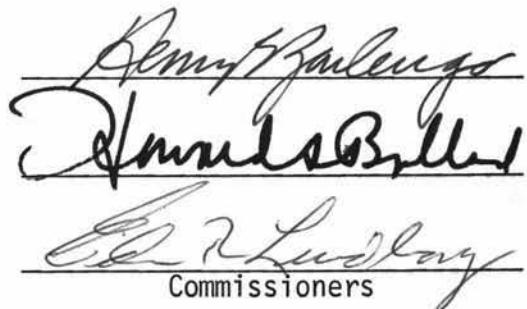
O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
3rd day of June, 1969 .

(Decision No. 73090)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)	
OF DOYLE R. MOON, HAYDEN, COLORADO,)	
FOR AUTHORITY TO TRANSFER PERMIT)	<u>APPLICATION NO. 23667-PP-Transfer</u>
NO. B-6103 TO FRANK STANLEY, P. O.)	
BOX 272, HAYDEN, COLORADO.)	

June 4, 1969

Appearances: Robert H. Gleason, Esq.,
Steamboat Springs, Colorado,
for Applicants.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On April 2, 1969, the above-entitled application was filed requesting authority to transfer Private Carrier Permit No. B-6103.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein,
your Examiner finds as fact, that:

1. Transferor is an individual.
2. Transferor herein is the present owner and operator of Permit No. B-6103, which is the subject of this proceeding.
3. This authority has been continually operated in the past and is presently in good standing with the Commission.
4. Transferee herein holds no previously granted authority from this Commission.
5. The parties have entered into an Agreement to transfer the operating authority and, pursuant to said Agreement, the consideration to be paid is fair and reasonable.
6. The Permit is free and clear of any debts, encumbrances or obligations.
7. Transferee has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority sought herein.
8. Transferee is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission and has or will make adequate provision for insurance.
9. If this transfer is approved, Transferee intends to and will engage in bona fide motor carrier operations under the operating rights set forth herein.
10. The transfer is compatible with the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order authorizing Transferor to transfer all of his right, title and interest in and to Permit No. B-6103 to Frank Stanley, and that henceforth the full and complete authority under said Permit No. B-6103 shall read as follows, to-wit:

"Transportation of

(1) 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;

(2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of 100 miles of said pits and supply points;

(3) 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;

(4) 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;

RESTRICTION

Items 1, 2, 3 and 4 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials.

(5) Logs, poles and timber products

From forests to sawmills, places of storage and loading points within a radius of 150 miles of said forests;

(6) Rough lumber

From sawmills within a 150 mile radius of forests to markets in the State of Colorado.

RESTRICTION

Items 5 and 6 of this Permit are restricted against the rendering of town-to-town service.

(7) Coal

Between all points within the following Counties of the State of Colorado: Routt and Moffat."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as hereinafter modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Doyle R. Moon, Hayden, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to Private Carrier Permit No. B-6103 to Frank Stanley, Hayden, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

That henceforth the full and complete authority under Private Carrier Permit No. B-6103 shall read and be as follows, to-wit:

Transportation of

(1) 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;

(2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of 100 miles of said pits and supply points;

(3) 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;

(4) 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;

RESTRICTION:

Items 1, 2, 3 and 4 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials.

(5) Logs, poles and timber products

From forests to sawmills, places of storage and loading points within a radius of 150 miles of said forests;

(6) Rough lumber

From sawmills in said 150 mile radius to markets in the State of Colorado;

RESTRICTION:

Items 5 and 6 of this Permit are restricted against the rendering of any town-to-town service.

(7) Coal

Between all points within the following Counties of the State of Colorado: Routt and Moffat.

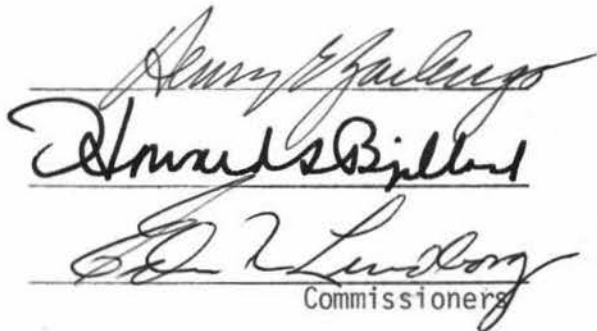
That said transfer shall become effective only if and when, but not before, said Transferor and Transferee, in writing, have advised the Commission that said Permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of 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 the 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 4th day of June, 1969.

bk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF GILBERT LARRY BRENNER, BAGGS)
ROUTE, CRAIG, COLORADO, FOR)
AUTHORITY TO TRANSFER PERMIT NO.)
B-6480 TO RALPH E. KNEZ, BOX 1093,)
CRAIG, COLORADO.)

APPLICATION NO. 23623-PP-Transfer

June 4, 1969

Appearances: Ralph E. Knez, Craig,
Colorado, pro se.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On February 26, 1969, the above-entitled application was filed requesting authority to transfer Private Carrier Permit No. B-6480.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Transferor is an individual.
2. Transferor herein is the present owner and operator of Permit No. B-6480, which is the subject of this proceeding.
3. This authority has been continually operated in the past and is presently in good standing with the Commission.
4. Transferee herein holds no previously granted authority from this Commission.
5. The parties have entered into an Agreement to transfer the operating authority and, pursuant to said Agreement, the consideration to be paid is fair and reasonable.
6. The Permit is free and clear of any debts, encumbrances or obligations.
7. Transferee has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority sought herein.
8. Transferee is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission and has or will make adequate provision for insurance.
9. If this transfer is approved, Transferee intends to and will engage in bona fide motor carrier operations under the operating rights set forth herein.
10. The transfer is compatible with the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order authorizing Transferor to transfer all of his right, title and interest in and to Permit No. B-6480 to Ralph E. Knez, and that henceforth the full and complete authority under said Permit No. B-6480 shall read as follows, to-wit:

"Transportation of

(1) 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 (50) miles of said pits and supply points;

(2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of fifty (50) miles of said pits and supply points;

(3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of fifty (50) miles of said jobs;

(4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of fifty (50) miles of said pits and supply points;

RESTRICTION:

Items 1, 2, 3 and 4 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials.

(5) Coal

Between all points within a one-hundred (100) mile radius of Craig, Colorado;

(6) Uranium Ore

Between all points within a seventy-five (75) mile radius of Craig, Colorado."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as hereinafter modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Gilbert Larry Brenner, Craig, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to Private Carrier Permit No. B-6480 to Ralph E. Knez, Craig, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

That henceforth the full and complete authority under Private Carrier Permit No. B-6480 shall read and be as follows, to-wit:

Transportation of

(1) 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;

(2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of 50 miles of said pits and supply points;

(3) 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;

(4) 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;

RESTRICTION:

Items 1, 2, 3 and 4 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials.

(5) Coal

Between all points within a 100 mile radius of Craig, Colorado;

(6) Uranium Ore

Between all points within a 75 mile radius 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,


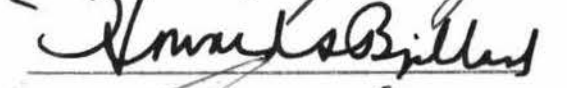
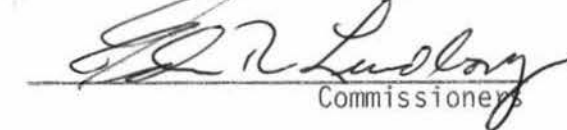
without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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




Commissioner

Dated at Denver, Colorado,
this 4th day of June, 1969.

bk

(Decision No. 73092)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ROY NAUMANN, BOX 132, SIMLA, COLORADO,)	
FOR AUTHORITY TO TRANSFER PERMIT NO.)	
B-3127 TO JIM D. BLOOM, DOING BUSINESS))	APPLICATION NO. 23688-PP-Transfer
AS "JIM BLOOM, HOUSE MOVER," 1332)	
SOUTH 25TH, COLORADO SPRINGS,)	
COLORADO.)	

June 4, 1969

Appearances: Jack W. Foutch, Esq., Colorado
Springs, Colorado, for
Applicants.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On April 2, 1969, the above-entitled application was filed requesting authority to transfer Private Carrier Permit No. B-3127.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Transferor is an individual.
2. Transferor herein is the present owner and operator of Permit No. B-3127, which is the subject of this proceeding.
3. This authority has been continually operated in the past and is presently in good standing with the Commission.
4. Transferee herein holds no previously granted authority from this Commission.
5. The parties have entered into an Agreement to transfer the operating authority and, pursuant to said Agreement, the consideration to be paid is fair and reasonable.
6. The Permit is free and clear of any debts, encumbrances or obligations. However, an encumbrance is to be placed upon the authority, which encumbrance should be approved by the Commission upon the filing of the proper documents.
7. Transferee has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority sought herein.
8. Transferee is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission and has or will make adequate provision for insurance.
9. If this transfer is approved, Transferee intends to and will engage in bona fide motor carrier operations under the operating rights set forth herein.
10. The transfer is compatible with the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order authorizing Transferor to transfer all of his right, title and interest in and to Permit No. B-3127 to Jim D. Bloom, doing business as "Jim Bloom, House Mover," and that henceforth the full and complete authority under said Permit No. B-3127 shall read as follows, to-wit:

"Transportation of

(1) Buildings

Between all points within the State of Colorado lying east of a line drawn north and south through Genoa, Colorado, and within a seventy-five (75) mile radius of Flagler, Colorado.

(2) Buildings

Between all points west of a line drawn north and south through Genoa, Colorado, and within a seventy-five (75) mile radius of Genoa, Colorado.

(3) Buildings

Between all points within that portion of a twenty-five (25) mile radius of the intersection of U. S. Highway No. 24 and Colorado Highway No. 94 lying outside said seventy-five (75) mile radius of Genoa, Colorado."

AND, FURTHER,

That the Commission make and enter its Order approving the encumbrance to be placed on the authority upon the filing of the proper documents.

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as hereinafter modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Roy Naumann, Simla, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to Private Carrier Permit No. B-3127 to Jim D. Bloom, doing business as "Jim Bloom, House Mover," Colorado Springs, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

That henceforth the full and complete authority under Private Carrier Permit No. B-3127 shall read and be as follows, to-wit:

Transportation of

(1) Buildings

Between all points within the State of Colorado lying east of a line drawn north and south through Genoa, Colorado, and within a seventy-five (75) mile radius of Flagler, Colorado;

(2) Buildings

Between all points west of a line drawn north and south through Genoa, Colorado, and within a seventy-five (75) mile radius of Genoa, Colorado;

(3) Buildings

Between all points within that portion of a twenty-five (25) mile radius of the intersection of U. S. Highway No. 24 and Colorado Highway No. 94 lying outside said seventy-five (75) mile radius of Genoa, Colorado.

That, upon the filing of the necessary written instruments as required by the Uniform Commercial Code of the State of Colorado, the Commission will make and enter its Order authorizing the mortgaging of Private Carrier Permit No. B-3127 according to the terms and conditions of the agreement as made and entered into by and between the Transferor and Transferee herein.

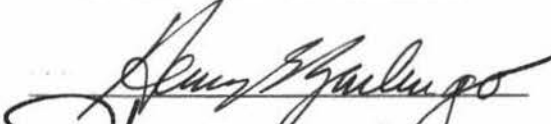
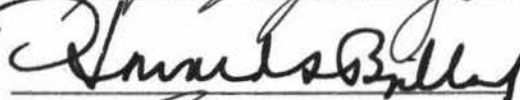
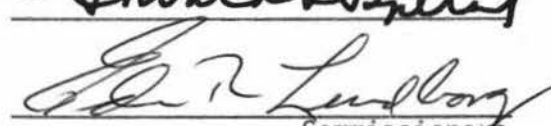
That said transfer shall become effective only if and when, but not before, said Transferor and Transferee, in writing, have advised the Commission that said permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of 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 4th day of June, 1969.

bk

(Decision No. 73093)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LLOYD C. CHIRSTENSEN, RANGELY ROUTE,)
MEEKER, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 23572-PP

June 4, 1969

Appearances: Lloyd C. Christensen, Meeker,
Colorado, pro se.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On January 28, 1969, the above-entitled application was filed requesting authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

Matters which were considered by the Examiner, prior to the taking of evidence on the application, have been submitted to the Commission in the following exact manner, to-wit:

"PRELIMINARY MATTERS, MOTIONS, ETC.

Prior to the hearing, Applicant moved to restrictively amend his application to provide for the 'transportation of hay, straw or other baled or loose forage' in lieu of the more general commodity description of 'farm products'. Said amendment, being restrictive in nature, was granted."

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant is an individual.
2. Applicant does not hold previously granted authority from this Commission other than an "M" Permit.
3. Applicant has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority applied for herein.
4. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
5. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
6. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
7. The authority will be in the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order granting the application and authorizing Applicant to operate as a private carrier by motor vehicle for hire with authority as follows:

"Transportation of

Hay, straw or other baled or loose forage

Between all points within the County of Rio Blanco, State of Colorado, and between said points, on the one hand, and points in the Counties of Mesa, Garfield, Moffat and Routt, State of Colorado, on the other hand.

RESTRICTION:

This Permit is restricted against the transportation of livestock, bulk milk and dairy products."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as hereinafter modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Lloyd C. Christensen, Meeker, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the following:

Transportation of

Hay, straw or other baled or loose forage

Between all points within the County of Rio Blanco, State of Colorado, and between said points, on the one hand, and points in the following Counties of the State of Colorado: Mesa, Garfield, Moffat and Routt, on the other hand;

and this ORDER shall be deemed to be, and be, a PERMIT therefor.


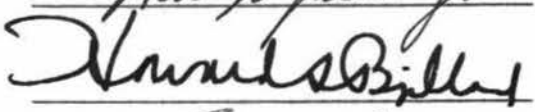
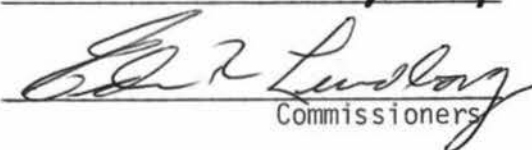
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, 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 4th day of June, 1969.

gf

(Decision No. 73094)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
LOUIS P. CANCHOLA, DOING BUSINESS)	
AS "LOU'S DISPOSAL SERVICE," 345)	
7TH STREET, PENROSE, COLORADO, FOR)	APPLICATION NO. 23683
A CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY TO OPERATE AS A COMMON)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	

June 4, 1969

Appearances: Louis P. Canchola, Penrose,
Colorado, pro se.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On April 9, 1969, the above-entitled application was filed requesting a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purposes of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein,
your Examiner finds as fact, that:

1. Applicant is an individual doing business as "Lou's Disposal Service."
2. Applicant does not hold previously granted authority from this Commission.
3. Applicant has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority applied for herein.
4. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
5. There is a present or special need for the proposed service and the granting of the authority, as hereinafter set forth, will be in the public interest.
6. There is presently no service available.
7. The present or future public convenience and necessity requires or will require the service as hereinafter set forth.
8. The authority will be in the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order granting the application for a Certificate of Public Convenience and Necessity authorizing Applicant to operate as a common carrier by motor vehicle for hire with authority as follows:

"Transportation of

- (1) Ashes, trash and other refuse

From all points within Penrose, Colorado, and a six (6) mile radius thereto, to designated and approved dumps and disposal sites in the County of Fremont, State of Colorado."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts

the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as hereinafter modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Louis P. Canchola, doing business as "Lou's Disposal Service," Penrose, Colorado, be, and hereby is, authorized to operate as a common carrier by motor vehicle for hire for the following:

Transportation of

Ashes, trash and other refuse

From all points within Penrose, Colorado, and a six (6) mile radius thereof, to designated and approved dumps and disposal sites in the County of Fremont, State of Colorado;

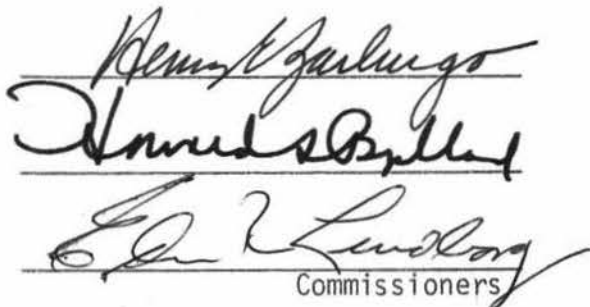
and this ORDER shall be deemed to be, and be, a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.

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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 4th day of June, 1969.

gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
DOMINIC, ALEX, JOHN AND JOSEPH)
BLASI DBA)
A. BLASI AND SONS)
Roy, New Mexico 87743)
-----)

AUTHORITY NO. M 12374

CASE NO. 4327-M-Ins.

June 3, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 13, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

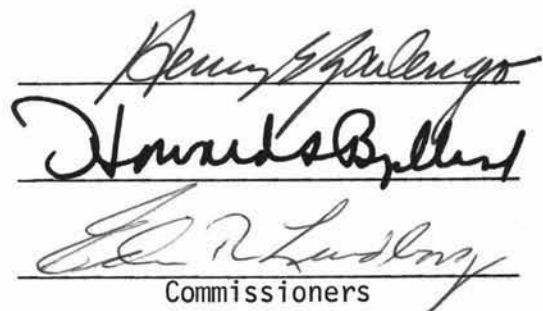
O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
3rd day of June, 1969 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ROCKY)
MOUNTAIN AIRWAYS, INC., 1421 COURT PLACE)
BUILDING, DENVER, COLORADO, FOR PERMANENT)
COMMON CARRIER AUTHORITY TO OPERATE)
SCHEDULED SERVICE BY AIRPLANE BETWEEN)
EAGLE, COLORADO AND ASPEN, COLORADO, AND)
BETWEEN DENVER, COLORADO, AND ASPEN,)
COLORADO, BY WAY OF EAGLE, COLORADO.)

APPLICATION NO. 23675

June 3, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 29, 1969, Aspen Airways, Inc., by and through its attorney, John F. Mueller, filed with the Commission a "Motion to Continue Hearing" with regard to the above-entitled application until final determination by the Supreme Court of the State of Colorado of Action No. 23903 now pending therein.

On June 3, 1969, Reply of Rocky Mountain Airways, Inc. to Motion to Continue Hearing Filed on Behalf of Protestant Aspen Airways, Inc., was filed with the Commission by Rocky Mountain Airways, Inc. by and through its attorney, Alvin J. Meiklejohn, Jr.




The Commission has carefully considered said Motion and Reply thereto, and each and every allegation thereof, and is of the opinion and finds that said Motion to Continue Hearing should be denied.

O R D E R

THE COMMISSION ORDERS:

That Motion to Continue Hearing filed by Aspen Airways,
Inc. with the Commission be, and the same hereby is, denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 3rd day of June, 1969.

ma

(Decision No. 73097)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PHILIP SCHNEIDER, JR., DOING BUSINESS)
AS "SCHNEIDER'S READY MIX," 915 SOUTH)
THIRD STREET, MONTROSE, COLORADO, FOR)
AUTHORITY TO TRANSFER PERMIT NO. A-381)
TO HARRY B. HAWKS, ROUTE 4, BOX 31,)
MONTROSE, COLORADO.)

APPLICATION NO. 23693-PP-Transfer

June 4, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-styled application, authority is sought to transfer Permit No. A-381 from Philip Schneider, Jr., doing business as "Schneider's Ready Mix," Montrose, Colorado, to Harry B. Hawks, Montrose, Colorado.

The Commission has received a Motion to Dismiss filed by the Applicants by Theodore L. Brooks, Attorney.

The Commission states and finds that said request is compatible with the public interest and that the Motion to Dismiss should be granted as set forth in the Order following.

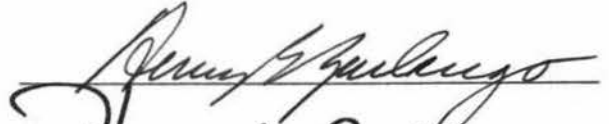
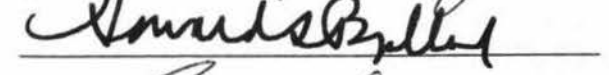

O R D E R

THE COMMISSION ORDERS:

That Motion to Dismiss filed by the Applicants herein be, and the same hereby is granted, and Application No. 23693-PP-Transfer be, and the same hereby is dismissed.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 4th day of June, 1969.
bk

(Decision No. 73098)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
C. E. CARROLL, P. O. BOX 127, SOUTH)
FORK, COLORADO, FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY TO)
OPERATE AS A COMMON CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 23594
SUPPLEMENTAL ORDER

June 4, 1969

Appearances: C. E. Carroll, South Fork,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 29, 1969, the Commission entered Decision No. 72930 in the above-entitled matter, granting to Applicant, C. E. Carroll, a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire for the transportation of passengers, said grant of authority, among other things, subject to the filing with the Commission of a certificate of insurance by the Applicant.

On May 22, 1969, the Commission received a written request from the Applicant requesting an extension of time in which to comply with the Commission's order in submitting a certificate of insurance because it will be approximately three months before the equipment is purchased and delivered.

The Commission states and finds that said request is compatible with the public interest and should be granted as set forth in the Order following.


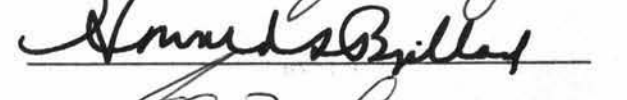

O R D E R

THE COMMISSION ORDERS:

That C. E. Carroll be, and hereby is, granted an extension of an additional period of time to file with the Commission a certificate of insurance to and only until September 5, 1969, provided, however, that Applicant

shall not operate until such time as said certificate of insurance is properly
filed with the Commission.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 4th day of June, 1969.
bk

(Decision No. 73099)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN JOSEPH PERRY AND PAUL K. DI ANDREA,)
DOING BUSINESS AS "PERRY TRANSFER COMPANY,")
3303 QUIVAS STREET, P. O. BOX 11223,)
HIGHLAND STATION, DENVER, COLORADO, FOR)
AUTHORITY TO EXTEND OPERATIONS UNDER)
PERMIT NO. B-6659.)

APPLICATION NO. 23549-PP-Extension

June 4, 1969

Appearances: Edward T. Lyons, Esq., Denver,
Colorado, for John Joseph Perry and
Paul K. Di Andrea, doing business as
"Perry Transfer Company," the Applicants,
and
John H. Lewis, Esq., Denver, Colorado,
for Murph's Express, Inc. and Colorado
Cartage Company, Inc., Protestants.

PROCEDURE AND RECORD

On December 31, 1968, John Joseph Perry and Paul K. Di Andrea, doing business as "Perry Transfer Company," filed the instant application (No. 23549-PP-Extension) seeking authority to extend operations under Private Carrier Permit No. B-6659. On March 28, 1969, the Commission entered Decision No. 72769 granting the requested extended authority. On April 14, 1969, Murph's Express, Inc. and Colorado Cartage Company, Inc. filed a Petition for Rehearing. On April 23, 1969, the Commission entered it Decision No. 72892 granting the Petition for Rehearing and setting the said application for rehearing before the Commission at 10:00 o'clock a.m. on Thursday, May 15, 1969, in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado.

At said time and place, the matter was heard by Commissioner Howard S. Bjelland. As a preliminary matter, the attorneys for the respective parties stipulated that the transcript of the testimony, as well as all of the exhibits, introduced at the original hearing on the application held on February 17 and 18, 1969, should be received in evidence and

incorporated as a part of the record in the rehearing. This stipulation was approved and accepted by the Presiding Commissioner. John Joseph Perry and Richard Davis testified as witnesses called by the Applicants, and Byron Ray testified as a witness call by the Protestants. Protestants also introduced Rehearing Exhibits No. A, B, and C, which were admitted in evidence. At the request of the attorney for the Protestants, official notice was taken of the temporary authority issued by the Commission in this application proceeding to the Applicants. During the course of the proceeding, the attorney for the Applicants stated that the Applicants would be willing to accept a restriction as to the number of customers Applicants would be permitted to serve under the extended authority. After Applicants and Protestants had rested their respective cases, the attorney for the Protestants moved that the Commission cancel the said temporary authority for the reason that the Commission lacked jurisdiction to issue temporary authority. The Presiding Commissioner took the motion under advisement. There being nothing further to come before the Commission on the rehearing, the Presiding Commissioner then took the entire matter under advisement.

1963 Colorado Revised Statutes, 115-6-14 (3) reads as follows:

"If after such rehearing and consideration of all the facts, including those arising since the making of the order or decision, the commission shall be of the opinion that the original order or decision or any part thereof is in any respect unjust or unwarranted, or should be changed, the commission may abrogate, change, or modify the same. An order or decision made after such rehearing, abrogating, changing, or modifying the original order or decision, shall have the same force and effect as an original order or decision, but shall not affect any right or the enforcement of any right arising from or by virtue of the original order or decision except as provided in this section."

The Commission has now considered the entire record in this proceeding, and after due and careful consideration of all of the facts, including those arising since the making of the original Order and Decision (No. 72769), is not of the opinion that the said original Order or Decision or any part thereof is in any respect unjust or unwarranted or should be changed.

The Commission by reference hereby incorporated the EXAMINER FINDINGS OF FACT and EXAMINER CONCLUSIONS heretofore submitted to, and adopted by, the Commission in its Decision No. 72769 and hereby pursuant to the provisions of 1963 CRS 115-6-9 (2), specifically readopts said submitted Examiner Findings of Fact and Conclusions, except as the same may be modified, and, accordingly, makes and enters the following Order.

However, in view of the desire of the Commission to more carefully delimit authorities granted to private carriers, the Commission deems it advisable and proper to accept the restriction proposed by the Applicants as to the number of customers Applicants would be permitted to serve under the extended authority and to place such restriction in such extended authority. Applicants proposed a limitation of 25 customers in total as to Items No. 1 and No. 2 and a similar limitation of 25 customers as to Items No. 3 and 4. In other words, the Applicants would file a separate customer list of 25 customers, all of whom could be served under either Item No. 1 or Item No. 2, and a separate customer list of 25 customers, all of whom could be served under either Item No. 3 or Item No. 4. These numerical designations refer to the authority granted to Applicants in pages 9 and 10 of Decision No. 72769. In view of the acceptance of such proposed restrictions, the Commission deems it advisable to set forth in the following Order provisions, the exact authority which Applicants will hereafter have under Private Carrier Permit No. B-6659.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 72769 entered by the Commission in Application No. 23549-PP-Extension on March 28, 1969, shall remain in full force and effect, and that John Joseph Perry and Paul K. DiAndrea, doing business as "Perry Transfer Company," Denver, Colorado, be, and hereby are, authorized to extend operations under Private Carrier Permit No. B-6659 and that henceforth the full and complete authority under said Private Carrier Permit No. B-6659 shall read and be as follows, to-wit:

Transportation of

- (1) Gas and electric appliances and fixtures (including radio, stereo and television sets), and kitchen cabinets

Between all points within an area comprised of Denver, Adams, Arapahoe Counties and that portion of Jefferson County lying east of a line drawn north and south along Youngfield Street.

- (2) Gas and electric appliances and fixtures (including radio, stereo and television sets)

Between all points within an area comprised of Denver, Adams, Arapahoe Counties and that portion of Jefferson County lying east of a line drawn north and south along Youngfield Street, on the one hand, and that portion of Jefferson County lying west of said line along Youngfield Street and the City of Boulder, State of Colorado, on the other hand.

RESTRICTIONS:

Item 2 of this Permit is restricted to shipments where appliances and fixtures require installation or servicing at the point of destination.

Transportation service rendered under Items One (1) and Two (2) is restricted against serving more than twenty-five (25) customers, and such transportation shall be performed only under written contract.

- (3) Automobile equipment and accessories, tile and floor coverings and related materials and supplies used in connection therewith

Between all points in the City and County of Denver, State of Colorado, and a five-mile radius thereof.

- (4) Commodities which constitute the stock and trade of discount and department stores

Between discount and department stores, including their warehouses and company-owned facilities located in the City and County of Denver, State of Colorado and a five-mile radius thereof.

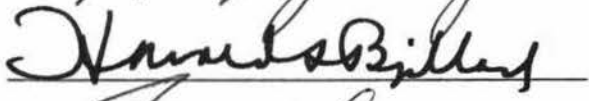

RESTRICTIONS:

Items 3 and 4 of this Permit are restricted against the rendition of any transportation service to or from Northglenn, Colorado and Thornton, Colorado.

Transportation service rendered under Items Three (3) and Four (4) is restricted against serving more than twenty-five (25) customers, and such transportation shall be performed only under written contract.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 4th day of **June**, 1969.
bk

(Decision No. 73100)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CARL O. GIRLEY, DOING BUSINESS AS)
"GIRLEY'S ASH & TRASH SERVICE," 627)
EAST MAPLE, COLORADO SPRINGS, COLORADO,)
FOR AUTHORITY TO TRANSFER PUC NO.)
2834 TO TERRANCE VERN CHAMBERS, DOING)
BUSINESS AS "C & C DISPOSAL," 819)
KINGSLEY DRIVE, COLORADO SPRINGS,)
COLORADO.)

APPLICATION NO. 23592-Transfer
SUPPLEMENTAL ORDER

June 4, 1969

Appearances: Robert Dunlap, Esq., Colorado Springs,
Colorado, for Applicants;
Edwin Strand, Esq., Colorado Springs,
Colorado, for Ace Disposal Service,
Best Way Disposal, Security Garbage
Co. and Superior Sanitation, Inc.,
Protestants;
Dalton O. Ford, Denver, Colorado, of
the Staff of the Commission.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 25, 1969, the Commission entered Decision No. 72902 in the above-entitled matter, authorizing the transfer of PUC No. 2834.

On June 2, 1969, "Petition for Re-Hearing," was filed with the Commission by the protestants herein, by their Attorney, Edwin Strand.

The Commission has carefully considered said Petition for Re-Hearing filed herein, and each and every allegation thereof, and is of the opinion, and finds that said Petition should be denied.

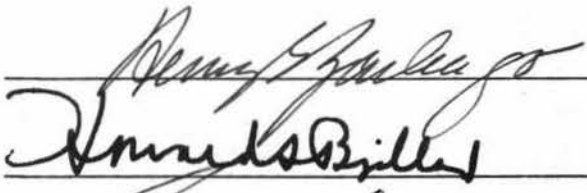
O R D E R


THE COMMISSION ORDERS:

That Petition for Re-Hearing filed with the Commission 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 4th day of June, 1969.
bk

(Decision No. 73101)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ISIDORO QUINTANO, DOING BUSINESS AS)
"ISIDORO QUINTANO," 827 MAIN STREET,)
MINTURN, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 23625-PP-Amended

June 4, 1969

Appearances: Stewart H. Brown, Esq., Vail,
Colorado, for Applicant.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On March 6, 1969, the above-entitled application was filed requesting authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant is an individual doing business as "Isidoro Quintano."
2. Applicant does not hold previously granted authority from this Commission.
3. By this application, Applicant seeks a regular sand and gravel authority together with authority to haul ashes, trash and other refuse from all points within Vail, Colorado, and a seven (7) mile radius thereof to designated and approved dumps and disposal sites within the County of Eagle, State of Colorado.
4. By his own testimony, Applicant showed that he would, in fact, be operating an ash and trash service in the form and nature of a certificate of public convenience and necessity and, if the ash and trash authority were granted to him as applied for, it would not be operated within the purview of a Permit and, therefore, that portion of the application seeking ash and trash authority as set forth above should be denied.
5. The application having to do with the sand and gravel authority should be granted and the following Findings of Fact relate only to that portion of the application having to do with the sand and gravel authority.
6. Applicant has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority applied for herein.
7. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
8. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
9. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
10. The authority will be in the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order denying that portion of the application which requests "transportation of ashes, trash and other

refuse from all points within Vail, Colorado, and a seven (7) mile radius thereof to designated and approved dumps and disposal sites within the County of Eagle, State of Colorado.

AND, FURTHER,

That the Commission make and enter its Order granting the application as it pertains to the sand and gravel authority and authorizing Applicant to operate as a private carrier by motor vehicle for hire with authority as follows:

"Transportation of

- (1) 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 (50) miles of said pits and supply points;

- (2) Sand and gravel

From pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of fifty (50) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of fifty (50) miles of said jobs;

- (4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of fifty (50) miles of said pits and supply points;

RESTRICTION:

This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as here-

inafter modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Isidoro Quintano, doing business as "Isidoro Quintano," Minturn, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the following:

Transportation of

(1) 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;

(2) Sand and gravel

From pits and supply points in the State of Colorado to railroad and loading points and to homes and small construction jobs within a radius of 50 miles of said pits and supply points;

(3) 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;

(4) 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;

RESTRICTION:

This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials.

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, the necessary tariffs, required insurance, and has secured authority sheets.

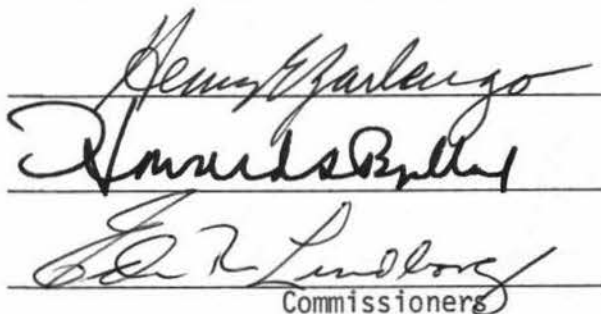
That the right of Applicant to operate hereunder shall depend

upon his compliance with all present and future laws and rules and regulations of this Commission.

That that portion of Applicant's application requesting authority to engage in the transportation of ashes, trash and other refuse from all points within Vail, Colorado, and a seven (7) mile radius thereof to designated and approved dumps and disposal sites within the County of Eagle, State of Colorado, be, and hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 4th day of June, 1969.
bk

(Decision No. 73102)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LYLE K. BRANDT, BOX 393, GRANBY,)
COLORADO, FOR A CLASS "B" PERMIT)
TO OPERATE AS A PRIVATE CARRIER)
BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 23621-PP

June 5, 1969

Appearances: Lyle K. Brandt, Granby,
Colorado, pro se.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On February 26, 1969, the above-entitled application was filed requesting authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Lyle K. Brandt, the Applicant herein, is an individual who formerly held authority from this Commission under Permit No. B-4949, which was a "logs and poles" authority.
2. Said authority has been revoked in the past by this Commission for failure to have proper insurance on file and, prior to revocation, has given rise to numerous notices and actions by the Commission for failure to abide by the rules and regulations of the Commission.
3. By this application, Applicant seeks a sand and gravel authority together with a logs and poles authority.
4. Applicant's driving record is such that he has been refused insurance in the past.
5. Under date of April 29, 1969, Applicant was convicted in the County Court of Grand County for hauling logs and poles without authority from this Commission.
6. Applicant has on two occasions been cited by the State Patrol for operating his vehicle on the highways with a load of logs which were too high and in an unsafe condition.
7. The granting of this application would not be in the public interest and said application should be denied.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order denying this application.

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as hereinafter modified, if such be the situation or fact, and in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Application No. 23621-PP, be, and the same hereby is,
denied.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 5th day of June, 1969.
bk

(Decision No. 73103)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
W. A. CHRISTIANSEN, BOX 377, GRANBY,)
COLORADO, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO OPERATE)
AS A COMMON CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 23638

June 4, 1969

Appearances: Jon K. Milford, Esq., Granby,
Colorado, for Applicant.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On March 6, 1969, the above-entitled application was filed requesting a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant is an individual.
2. Applicant does not hold previously granted authority from this Commission.
3. Applicant has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority applied for herein.
4. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
5. There is a present or special need for the proposed service and the granting of the authority, as hereinafter set forth, will be in the public interest.
6. There is presently no service available.
7. The present or future public convenience and necessity requires or will require the service as hereinafter set forth.
8. The authority will be in the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order granting the application for a Certificate of Public Convenience and Necessity authorizing Applicant to operate as a common carrier by motor vehicle for hire with authority as follows:

"Transportation of

- (1) Ashes, trash and other refuse

From all points within Granby, Colorado, and a ten (10) mile radius thereof to designated and approved dumps and disposal sites within said radius."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and

-- in addition -- also the submitted Conclusions of the Examiner, as hereinafter modified, if such be the situation or fact, and in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That W. A. Christiansen, Granby, Colorado, be, and hereby is, authorized to operate as a common carrier by motor vehicle for hire for the following:

Transportation of

Ashes, trash and other refuse

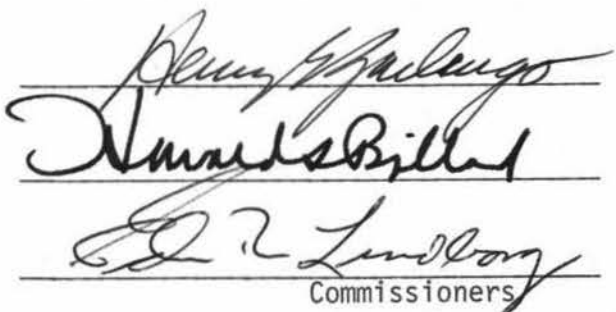
From all points within Granby, Colorado, and a ten (10) mile radius thereof to designated and approved dumps and disposal sites within said radius.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 4th day of June, 1969.
bk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)	
OF CURNOW TRANSPORTATION COMPANY,)	
INC., 3445 FOX STREET, DENVER,)	
COLORADO, FOR AUTHORITY TO TRANSFER)	<u>APPLICATION NO. 23682-Transfer</u>
PUC NO. 3639 TO U. S. CARGO)	
CORPORATION, 2701 ALCOTT STREET,)	
DENVER, COLORADO.)	

June 5, 1969

Appearances: Richard P. Hall, Esq., Denver,
Colorado, for Transferor;
Donald D. Cawelti, Esq., Denver,
Colorado, for Transferee.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On April 9, 1969, the above-entitled application was filed requesting authority to transfer Certificate of Public Convenience and Necessity PUC No. 3639.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein,
your Examiner finds as fact, that:

1. Transferor herein is the present owner and operator of PUC No. 3639, which is the subject of this proceeding.
2. This authority has been continually operated in the past and is presently in good standing with the Commission.
3. Transferee corporation herein holds no previously granted authority from this Commission. However, Clayton O. Decker, one of the principal stockholders and officers, holds authority, as an individual, from this Commission.
4. The Transferor in this proceeding, Curnow Transportation Company, Inc., was a party to Case No. 5294 and was involved in Decision No. 69045, dated February 21, 1967, wherein the Commission ordered that Curnow Transportation Company, Inc., along with Dean Resler, doing business as "Resler Truck Service," were ordered and directed to separate their respective operations under the transportation authorities issued by this Commission and this transfer proceeding has, as a part of its purpose, the effect of compliance with that Order.
5. The parties have entered into an Agreement to transfer the operating authority and the consideration to be paid is fair and reasonable.
6. The Certificate is free and clear of any debts, encumbrances or obligations.
7. Transferee corporation has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority sought to be transferred herein.
8. The chief corporate officers as well as the employees of the Transferee corporation are familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission and have or will make adequate provision for insurance.
9. If this transfer is approved, Transferee corporation intends to and will engage in bona fide motor carrier operations under the operating rights set forth herein.
10. The transfer is compatible with the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order authorizing Transferor corporation, Curnow Transportation Company, Inc., to transfer all of its right, title and interest in and to PUC No. 3639 to Transferee corporation, U. S. Cargo Corporation.

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as hereinafter modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Curnow Transportation Company, Inc., Denver, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to Certificate of Public Convenience and Necessity PUC No. 3639 to U. S. Cargo Corporation, Denver, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

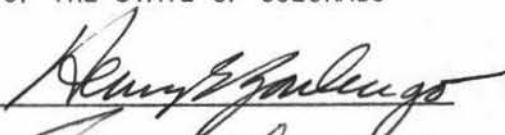
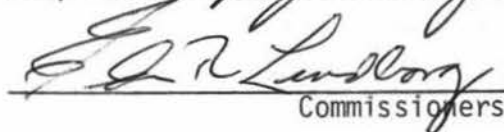
That said transfer shall become effective only if and when, but not before, said Transferor and Transferee, in writing, have advised the Commission that said certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements 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 the Transferor herein of the Annual Report covering the 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

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 5th day of June, 1969.

bk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE PUBLIC SERVICE COMPANY OF COLORADO)
FOR A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO CONSTRUCT CERTAIN GAS)
DISTRIBUTION FACILITIES IN THE TOWNS)
OF FRASER, GRANBY, HOT SULPHUR SPRINGS)
AND KREMMLING, AND IN THE COMMUNITIES)
OF PARSHALL, TABERNASH, HIDEAWAY PARK)
AND WINTER PARK, ALL IN GRAND COUNTY,)
COLORADO AND TO DISTRIBUTE GAS THERE-)
FROM AND IN THE AREAS CONTIGUOUS TO)
SAID TOWNS AND COMMUNITIES; AND TO)
EXERCISE GAS FRANCHISE RIGHTS TO BE)
OBTAINED IN THE TOWNS OF FRASER, GRANBY,)
HOT SULPHUR SPRINGS AND KREMMLING,)
COLORADO.)

APPLICATION NO. 23567

June 4, 1969

Appearances: Lee, Bryans, Kelly & Stansfield,
Esqs., Denver, Colorado, by
D. D. Cawelti, Esq., Denver,
Colorado, for Applicant;
Grant McGee, Esq., Denver,
Colorado, for Rocky Mountain
Natural Gas Company;
Girts Krumins, Esq., Denver,
Colorado, for the Staff of the
Commission.

S T A T E M E N T

BY THE COMMISSION:

On January 20, 1969, Public Service Company of Colorado (Applicant) filed an application with this Commission, seeking a certificate of public convenience and necessity authorizing the construction of gas distribution systems and the service of natural gas in certain towns and communities and the areas contiguous thereto in Grand County and to exercise franchise rights for the distribution of gas in the Towns of Fraser, Granby, Hot Sulphur Springs and Kremmling. The unincorporated communities in which Applicant proposes to serve are Parshall, Tabernash, Hideaway Park and Winter Park.

The matter was set for hearing, after due notice to all interested parties, on May 27, 1969, at ten o'clock A.M., in the Hearing Room of the Commission, 500 Columbine Building, Denver, Colorado. No one appeared in opposition to the grant of the application. At the conclusion of the hearing the matter was taken under advisement.

Applicant is a corporation, organized and existing under and by virtue of the laws of the State of Colorado, and is a public utility operating company subject to the jurisdiction of this Commission, engaged primarily in the purchase, generation, transmission, distribution and sale of electric energy, and in the purchase, distribution and sale of natural gas in various areas within the State of Colorado. A certified copy of Applicant's Composite Certificate of Incorporation, containing all amendments thereto, has heretofore been filed with this Commission.

Applicant proposes to obtain natural gas for service in said towns and communities from the pipeline laterals recently authorized by this Commission to be constructed by the Western Slope Gas Company (Western Slope), a subsidiary of Applicant. A map of the general area, showing the pipeline of Western Slope and the laterals to the various towns and communities, was introduced at the hearing as Exhibit M.

Applicant has been granted franchises for the distribution of gas in the Towns of Fraser, Granby, Hot Sulphur Springs and Kremmling, which franchises were granted respectively by Ordinance No. 30 dated February 3, 1967 of the Town of Fraser, Ordinance No. 174 dated February 4, 1969 of the Town of Granby, Ordinance No. 158 dated March 3, 1969 of the Town of Hot Sulphur Springs, and Ordinance No. 139 dated February 3, 1969 of the Town of Kremmling. Copies of the franchise ordinances were admitted in evidence as Exhibits I-1, J-1, K-1 and L-1. Each franchise is for a period of 25 years and provides for a payment to the towns of two percent of the revenue, as therein defined, received in the towns.

The franchise for Kremmling provides for service by October 1, 1970 and those for the other towns provide for service by October 1, 1971. Applicant's witness testified that Applicant planned to provide service in the Towns of Fraser, Granby and Kremmling and to the communities of Tabernash, Hideaway Park and Winter Park by the heating season this year, and to Hot Sulphur Springs and Parshall by the heating season next year.

Maps of the distribution systems proposed to be constructed initially in the said towns and communities were attached to the application and admitted in evidence as Exhibits A, B, C, D, E, F, G, and H. Applicant's witness, Mr. James C. Livesay, testified that Applicant's investment in the various towns and communities during the initial 25-year period of service was estimated to be as follows: in Fraser, \$74,140; in Granby, \$246,995; in Hot Sulphur Springs, \$67,275; in Kremmling \$221,460; in Parshall, \$12,830; in Tabernash, \$13,180; in Hideaway Park, \$88,605; and in Winter Park, \$26,690; for a total of \$751,175. The estimates regarding 25-year investment will be used as the basis for the fee for the issuance of the certificate but will not be binding upon the Commission in any subsequent investigation where valuation may be an issue.

Applicant has requested a Certificate of Public Convenience and Necessity which would include certain towns and communities and "the areas contiguous to said Towns and Communities." The Applicant may extend its facilities into contiguous areas as is provided by 115-5-1 CRS 1963.

A feasibility study of the proposed service in the Middle Park area was received in evidence as Exhibit O which showed a sufficient anticipated market in the towns and communities involved to economically justify the cost of installing the distribution systems. The bringing of gas to these Middle Park communities will promote the economic health and development of the area.

All service will be provided under the terms of Applicant's rates, rules and regulations and extension policies on file from time to time and in effect with this Commission. The towns and communities are proposed to be served initially at rates in effect for similar service in Applicant's Mountain Division.

A copy of Applicant's financial statement as of March 31, 1969 was received in evidence as Exhibit P. The initial cost of constructing the required gas distribution facilities will be supplied from Applicant's internal funds. The Applicant has adequate financial ability to undertake and maintain the project.

F I N D I N G S

THE COMMISSION FINDS:

1. The Commission makes the above and foregoing Statement a part of these Findings.
2. That the Commission has jurisdiction of Applicant herein, Public Service Company of Colorado, and of the subject matter involved in the instant application.
3. That the Commission is fully advised in the premises.
4. That the proposed construction and exercise of franchise rights is economically feasible and within the ability of Applicant.
5. That without the service proposed to be rendered by the Applicant the areas to be served would be without such service from any other utility.
6. That the public convenience and necessity require and will require the construction by Public Service Company of Colorado of gas distribution facilities and the service of gas in the incorporated Towns of Fraser, Granby, Hot Sulphur Springs and Kremmling, in the unincorporated communities of Parshall, Tabernash, Hideaway Park and Winter Park, all as proposed in Exhibits A through H herein, and the exercise of franchise rights in said incorporated towns.

7. Public convenience and necessity does not at this time require that Applicant be granted a certificate to serve areas which the Applicant does not propose to initially serve and which are outside the corporate boundaries of the Towns involved herein, as Applicant may extend its facilities into contiguous territory in accordance with law.

O R D E R

THE COMMISSION ORDERS:

1. That Public Service Company of Colorado be, and hereby is, authorized to:

(a) construct gas distribution facilities and distribute and sell natural gas in:

(1) the Towns of Fraser, Granby, Hot Sulphur Springs and Kremmling;

(2) the unincorporated communities of Parshall, Tabernash, Hideaway Park, Winter Park and other areas to be served from the distribution systems shown in Exhibits A through H in this proceeding -- which Exhibits are made a part hereof by reference;

(b) exercise franchise rights in said Towns of Fraser, Granby, Hot Sulphur Springs and Kremmling in accordance with the franchise ordinances of the respective Towns, identified in these proceedings as Exhibits I-1, J-1, K-1 and L-1 -- which Exhibits are made a part hereof by reference;

and this Order shall be taken, deemed and held to be a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.

2. That Public Service Company of Colorado shall install, operate and maintain its gas system and supply service in the areas heretofore designated in accordance with its schedules of gas rates,

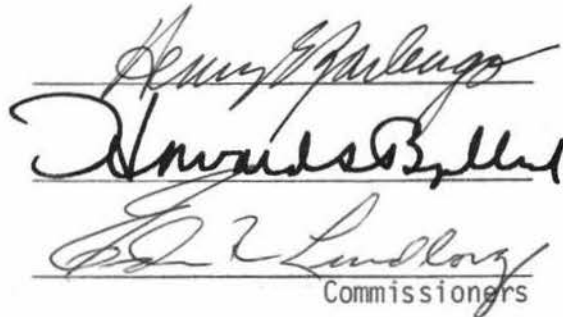
classifications, rules and regulations, now on file with this Commission, or as the same may be changed according to law and the rules and regulations of this Commission.

3. That Applicant shall refile the applicable rate schedules now in effect with respect to its Mountain Division to include the areas certificated hereunder, within thirty (30) days of the effective date of this Order.

4. That Public Service Company of Colorado shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts, and shall continue to keep its operations, including construction, inspection, maintenance and testing of facilities, in accordance with Commission requirements.

5. 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 June, 1969.

gf

(Decision No. 73106)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE ATCHISON, TOPEKA AND SANTA FE)
RAILWAY COMPANY FOR PERMISSION TO)
RETIRE AND REMOVE 3.7 MILES OF MAY)
VALLEY INDUSTRIAL SPUR TRACK BETWEEN)
WILSON JUNCTION, COLORADO, AND MAY)
VALLEY, COLORADO, INCLUDING FIVE)
SIDING TRACKS ALONG THE MAY VALLEY)
INDUSTRIAL SPUR, ALL IN PROWERS)
COUNTY, COLORADO.)

APPLICATION NO. 23695

June 4, 1969

S T A T E M E N T

BY THE COMMISSION:

On April 18, 1969, instant application was filed with the Commission seeking authority for the abandonment and removal of 3.7 miles of the May Valley Industrial Spur Track extending between Wilson Junction and May Valley, Prowers County, Colorado. Said abandonment to become effective June 1, 1969.

In this application, we have the proposal of Applicant (Santa Fe Railway Company) to abandon and remove the instant trackage due to practically complete non-use. It is submitted that the Spur Line has primarily been used in recent years to serve a stock yards located at the end of the line. There are also five sidings to be retired and removed as follows:

May Valley Segment - (North end)

Track No. 1 - 1,012 feet -- Stockyards

Track No. 2 - 704 feet -- Grain elevator spur

Track No. 4 - 1,219 feet -- Lamb feeder spur

Lay Segment - (South end)

Track No. 1 - 917 feet -- No industry

Wilson Junction Track - 165 feet -- See Note.

Note: Wilson Junction Industry track was originally 428.6

feet long but 263.6 feet is to be retained in connection with a portion of the main line which will not be removed.

Applicant states that in the four year period 1965-1968 there was reported traffic of 41 carloads for the spur line; however, 21 of the "carloads" were actually moved by motor carrier in substituted service. Hence, with the continuing trend of diversion and loss of traffic on the line, there appeared to be no further justification for necessary line maintenance or other needed bridge repairs, and request is therefore made for approval of the proposed track abandonment.

In addition to the original application, the Commission has received supplemental information designated as follows:

Exhibit A -- Correspondence - May 1, 1969

Board of County Commissioners of Prowers County,
-- will not oppose abandonment by the Atchison,
Topeka & Santa Fe Railway Company of the May
Valley District (Industrial Spur) in Prowers County.

Exhibit B -- Correspondence - May 2, 1969, Santa Fe Railway.

Amend application to change abandonment from 3.7
miles to 3.34 miles of May Valley Industrial Spur.
This is a change of plans whereby Santa Fe will
continue to serve the Turner-Deseret elevator on
a portion of the Spur track at Wilson Junction near
the main line connection.

Exhibit C -- Map and correspondence - May 15, 1969, Santa Fe
Railway. Shows details of trackage to be abandoned
and remaining connection spur at Wilson Junction.

Pursuant to Rule 6 of the Commission Rules and Regulations Pertaining to Railroads and Express Companies Operating in the State of Colorado, public notice of the proposed track abandonment was posted at prominent places along

the May Valley Industrial Spur between Wilson Junction and May Valley. Public notice also included the instruction that any objection to the proposed abandonment should be submitted to the Commission at least ten (10) days prior to the proposed effective date of June 1, 1969. No protest in the matter has been received by the Commission to this date.

Upon investigation of the instant request by the Commission, it appears the line was built in early 1900's as a local development project to handle agricultural production from the area when roads were poor and movement was by horse and wagon. The May Valley Industrial Spur connects with the main line of the Santa Fe Arkansas Valley Branch at a point near Wilson Junction (Lay Junction) in Prowers County. Wilson Junction is 30.4 miles west from Holly on the Arkansas Valley Line. It is also 4.9 miles north from Lamar on the Lamar District line, which connects with the Santa Fe cross-country route at Lamar.

The May Valley Spur extends north for some 3.5 miles through an irrigated agricultural area. The line closely parallels an asphalt paved County road for the northerly three miles that was formerly designated as State Highway No. 169. It crosses numerous small irrigation laterals and a main overflow channel from Thurston Reservoir. Drainage structures consist of box culverts, a short timber bridge (10 feet) near the main line, and a 54 foot pile trestle bridge that spans a 25 foot deep gully at Mile-Post 1.7 for the reservoir overflow channel.

The track is "relay" or used steel that was rolled in 1886 to 1888, being light weight rail of 52 to 56 pounds per yard, with siding switches of 60# material. The Spur line includes five short siding tracks--only the stockyard siding and elevator spur at May Valley have been used in recent years.

End of the line is known as May Valley where there is a stockyard and a grain elevator. At Mile Post 2.65 there is a Lamb-feeding operation with a stockyard siding which has been covered over by an industry access or frontage road. En-route there are eleven private and public road crossings over the line.

At some 950 feet north from the main line connection, the track makes a diagonal grade crossing over the State Highway No. 196 and then extends directly northward at some 50 feet east from the roadway. It is proposed that 1,060 feet of track and the grade crossing will be left in place to serve a small grain elevator which has not been used for many years but has recently been acquired by the grain elevator operator at May Valley.

Track condition is Poor to Fair--considering that use over the past years has been on a stand-by or "Call and Demand" basis. At numerous places there are broken rails which have angle-bar repairs. Ties are non-treated hard woods and are in Fair condition. The track is generally overgrown with weeds and there is considerable amount of dirt wash-ins and ballast wash-outs at numerous points due to poor drainage and past flooding conditions in the area. The largest structure on the line is Bridge No. 1.7, at 54 feet long and three spans. The timber head walls are badly rotted and are now partially reinforced by rock rip-rap dumped from the track to repair abutment flood damage. There are three 4-pile bents and one 5-pile bent as a temporary replacement. Added lengthwise bracing girts have been placed near the tops of the outer pilings for reinforcing repairs. The bridge is in serviceable condition for light power at slow speed.

In further review of the application data, use and revenue of the line is summarized as follows:

<u>C A R L O A D S</u>					
<u>Item</u>	<u>1965</u>	<u>1966</u>	<u>1967</u>	<u>1968</u>	<u>Total</u>
Livestock	12	17	4	4	37
Grain				3	3
Wool				1	1
Totals	12	17	4	8	41

	<u>1965</u>	<u>1966</u>	<u>1967 (10 Mos.)</u>
Revenues:	\$2,820	\$2,032	\$1,538

Expenses: There is also a premium wage expense to Santa Fe amounting to some \$2,457 annually, which must be paid to Santa Fe crew members regardless of whether the train is actually operated to May Valley.

This is in the nature of a stand-by bonus because Santa Fe advertises service will be operated between Wilson Junction and May Valley when required. Other cost data for an estimated total of \$68,445 is shown pertaining to rail up-grading and track repairs for use of larger engines; bridge repairs; and tie and ballast renewals.

It is to be noted that no objections to the proposed track removals have been received by the Commission. The amendment proposal to retain 1,060 feet of track at the Main-line connection to serve a small storage elevator is indicative of the extent of possible future needs or use in the area. The diversion of livestock traffic to truck movement shows the flexibility of service now available by means of good roads, and possibly greater scheduling convenience in comparison to indirect routings over the railroad branch lines.

Hence, it would appear that proposed abandonment of 3.34 miles of sub-standard branch line trackage is reasonable on the basis of traffic diversions; there is no readily foreseeable public convenience or need; and alternate service is both available and being used. Further, the presence of eleven highway grade crossings over the line indicates a ready accessibility into the area, and track removal as requested would permit more complete roadway improvements and simplified maintenance.

It is therefore the belief of the Commission that the proposed track abandonment is compatible with the public interest; that in the absence of any public protests, the Commission determined to hear, and without further notice, has heard said matter forthwith upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the instant matter is within the jurisdiction of this Commission.

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

That under the evidence presented, there is not sufficient public need or convenience to justify continued maintenance, improvement or operation

of the May Valley Industrial Spur track extending from Railroad Survey Station 10 + 60 feet to end of the line at May Valley, a distance of 17,368.2 feet or 3.34 miles.

That alternate and satisfactory substitute facilities have been utilized and are available for present and foreseeable needs of the area.

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

O R D E R

THE COMMISSION ORDERS:

That Applicant, The Atchison, Topeka & Santa Fe Railway Company, be, and is hereby granted a certificate of public convenience and necessity as authority and approval for the following changes pertaining to trackage of the May Valley Industrial Spur:

a. Call and Demand switching service shall be provided for some 1,060 feet of the May Valley trackage, which shall remain in service from the Arkansas Valley District main line connection at Wilson Junction (Lay Junction) and serve the industry trackage of Turner-Deseret elevator.

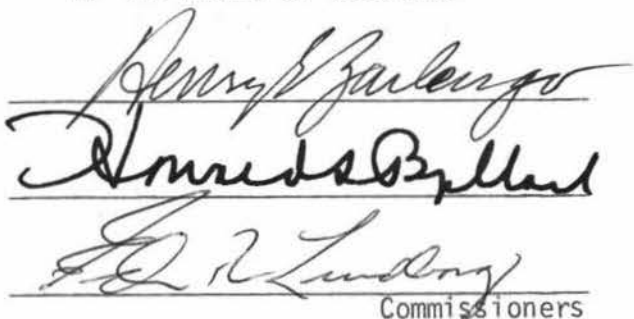
b. To abandon remainder of the line, right-of-way and service extending from Survey Station 10 + 60 feet to end of the May Valley Industrial Spur line (3.34 miles), and to remove ties and tracks in full, including all switches and siding tracks in Prowers County, Colorado.

That reference shall be made to this Decision in the affected tariffs as required, to show the station changes and as authority for said action.

That trackage removal and reasonable clean-up of the right-of-way shall be completed within one year from the effective date of this Order.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 4th day of June, 1969.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE BOARD OF COUNTY COMMISSIONERS FOR)
LAKE COUNTY, COLORADO, FOR AUTHORITY)
TO ESTABLISH AND CONSTRUCT A PUBLIC)
ROAD CROSSING AT MILE POST 274+2850)
FEET AND ALSO FOR AUTHORITY TO ABANDON)
AND ABOLISH TWO PUBLIC ROAD CROSSINGS)
AT MILE POST 274+1550 FEET AND AT MILE)
POST 274+2693 FEET, ALL ON THE LEAD-)
VILLE BRANCH OF THE DENVER AND RIO)
GRANDE WESTERN RAILROAD COMPANY NEAR)
LEADVILLE, LAKE COUNTY, COLORADO.)

APPLICATION NO. 23703

June 4, 1969

Appearances: Charles R. Casey, County Attorney,
Leadville, Colorado, for Applicant,
Board of Lake County Commissioners;
Ernest Porter, Esq., Denver, Colorado,
for The Denver and Rio Grande Western
Railroad Company; and
J. L. McNeill, Denver, Colorado, of
the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

On April 24, 1969, the instant application was filed with the Commission by Charles R. Casey, Lake County Attorney, for Applicant, The Board of County Commissioners of Lake County, Colorado.

On April 25, 1969, the Commission, pursuant to law, designated William D. Mitchell, as an Examiner, for the purpose of conducting the hearing on the instant application. After due and proper notice by the Commission, the Application was heard by said Examiner in the Commission Hearing Room, 1845 Sherman Street, Denver, Colorado, at 10:30 o'clock A.M. on May 9, 1969. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record and exhibits of the proceeding together with a written statement of his Findings of Fact and Conclusions. The record transmitted by the Hearing Examiner establishes that no one appeared to protest the granting of the application.

The instant application is related to plans of Lake County for expansion of its County road system to provide a collector-type roadway along the west City limits of Leadville in order to expedite traffic movements between newly developing areas on the north and south sides of the city. In the current work, the proposed crossing is on a new roadway alignment over the Rio Grande-Leadville Branch Line between Malta and Leadville, Colorado. The crossings to be abolished have in the past served neighboring smelters and allied industries which have long since been removed, and continuation of the old crossings is no longer necessary for present convenience or public needs.

As a preliminary matter at the hearing, Exhibit No. 1 and Exhibit No. 5 were submitted by Counsel for Applicant to show approval of the crossing proposals by interested parties and adjacent property owners.

According to the Examiner's report, testimony was given at the hearing by W. Orin Diedrich, Chairman, Board of Lake County Commissioners, to describe the roadway construction; area to be served; traffic patterns; growing demands for the proposed west side arterial routing to avoid traffic congestion in the Leadville business area (Harrison Street); and the means to expedite local movements to and from the main highways--Colorado No. 91 and U.S. No. 24-- which serve the region. He also identified and explained the following exhibits which were received in evidence.:

Exhibit No. 2.

Agreement, dated January 15, 1969, between The Denver and Rio Grande Western Railroad Company (Railroad Company) and the Board of County Commissioners (County) for:

- (a) Construction of new crossing at Mile Post 274+2850 feet;
- (b) Closing of existing crossings at Mile Post 274+1550 feet and at Mile Post 274+2693 feet.

Note: Crossing locations and track stationing are shown on Railroad Map Drawing No. LR-70 with above Agreement.

Exhibit No. 3.

Combination Plan and Profile drawing by Lake County engineers to show grades and location of proposed road; adjacent property ownerships and relation to connecting roads.

Exhibit No. 4.

Certified copy of Resolution by Board of Lake County Commissioners in meeting of January 14, 1969 to authorize completion of Contract No. 25475 with Rio Grande Railroad for new crossing work and abandonment of unused crossings.

Exhibit No. 6.

General Highway Map of Lake County to show roads and rail line locations, including Turquoise Lake water and recreation area together with insert detail map of City of Leadville section to show roads, principal city streets and new West Park housing development.

In connection with Map Exhibit No. 6, Mr. Diedrich marked on the same the approximate locations of the following recent installations which the proposed road is designed to serve:

St. Vincent's Hospital - West 6th Street

Lake County High School - Near West 3rd Street

Colorado Mountain College - South of U.S. Highway No. 24.
(East Campus)

It was explained that the new road is not intended as a by-pass for any of the existing State Highway system or city streets but that local travel will be expedited and will better serve the new growth of the Leadville City area as well as new traffic of workers and tourists into the Turquoise Lake region.

The new road will be 40 feet wide, gravel surfaced and to later be asphalt paved; and it will cross the rail line near the top of the adjoining high ground, with open view to approaching trains. In addition to the Crossbuck signing by Rio Grande, Lake County will also place standard Advance Warning signs in accordance with the Colorado Manual on Uniform Control Devices and signing for all classes of streets and highways. With completion

of the new road and crossing, there will no longer be any need for the nearby roads which are proposed to be abolished, and the approaches thereto will be removed and the old crossings obliterated. In fact, one crossing is now barricaded and is not in use.

Mr. Karl L. Rathgeber, Locating and Construction Engineer for Rio Grande Railroad, stated rail traffic consists of two Freight trains per day -- for one movement in each direction over the proposed crossing; trackage consists of only the single track branch line, rising on a 2.5% grade northeasterly toward Leadville; and that the maximum speed is 15 miles per hour.

For the proposed crossing construction, Mr. Rathgeber explained there will be a change from customary use of timbers or planking along side the running rails, and that for this location there will be installation of standard steel rails with a space filler of asphaltic material. In this region of temperature extremes, extensive ice and snow, and more than average abrasive wear due to use of tire chains, it has been learned that the metal, or rail-top crossing, is more durable and will require less maintenance than the timber construction.

In view also of the slow train speeds, low volume of rail traffic, open visibility and generally day-light train movements, Mr. Rathgeber also concurred with the County proposal of crossing location and the protection of standard roadway signing and Standard railroad crossbucks. Estimated cost for the completed crossing installation is \$1,030. This will be paid by Lake County and the work will be performed by the Rio Grande forces.

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

After the conclusion of the hearing, the Commission received correspondence from County Attorney Casey to supplement the testimony of County Commissioner Diedrich regarding designation of the proposed new County Road as follows:

"'McWethy Drive' as referred to in the proceedings before the Public Utilities Commission relative to the change of the

Railroad Crossing is so designated as to honor Leadville's first and only Congressional Medal of Honor Winner. Edgar Lee McWethy was killed in Vietnam while performing his heroic act of saving five lives of his fellow soldiers while an army medical technician."

The above correspondence will be received as a late-filed exhibit, and appropriate notice will be given to use the McWethy Drive as the accepted name designation for the instant County road construction.

F I N D I N G S

THE COMMISSION FINDS:

Having considered the record and files, the written statement of the Examiner herein, and from the above foregoing Statement, which by reference is made a part hereof, the Commission is of the opinion and finds:

That the instant highway/railroad grade crossing installation is an integral part of a new Lake County Road to be known as McWethy Drive.

That the Board of County Commissioners of the County of Lake is the governing body of Lake County, with power to lay out, alter or discontinue any road running into or through the county and to perform such other duties pertaining to roads as may be required by law.

That the proposed new County Road to be known as McWethy Drive will cross at grade over the single main line track of The Denver and Rio Grande Western Railroad Company, Leadville Branch Line at Mile Post 274 + 2850 feet.

That railroad freight trains making two movements per day over the new crossing area are operated at slow speeds and generally not to exceed 15 miles per hour.

That no accurate vehicular counts are available until the new roadway is completed and traffic patterns become established.

That the circumstances of new residential developments and new traffic needs which now require construction of the new County Road are such as to also justify and require the proposed new grade crossing.

That standard signing of two reflectorized crossbucks at the crossing and two standard advance warning signs on the County Road will provide adequate protection for this crossing having open visibility and only limited volume of railroad use.

That, upon completion of the new crossing installation, the nearby grade crossings will be closed as follows:

- (a) Mile Post 274 + 1550 feet (Chestnut Street)
- (b) Mile Post 274 + 2693 feet (West 3rd Street).

That the full expense for new crossing installation and related railroad work is estimated to cost \$1,030, and that the same will be paid by Lake County.

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

O R D E R

THE COMMISSION ORDERS:

That Applicant, the Board of County Commissioners of the County of Lake, be, and hereby is, granted a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY to authorize and approve the following:

1. Installation, use the operation of a new highway grade crossing over the Leadville Branch line of The Denver and Rio Grande Western Railroad Company at Mile Post 274 + 2850 feet, and located outside the nearby West City Limits of Leadville, Colorado, between West 3rd Street and West 6th Street.

2. To abandon and abolish two nearby public grade crossings over the above Leadville Branch Line at:

- (a) Mile Post 274 + 1550 feet (Chestnut Street)
- (b) Mile Post 274 + 2693 feet (West 3rd Street).

That the construction, use and maintenance of the new crossing shall be done in the manner as set forth in the Agreement between Lake County Commissioners and The Denver and Rio Grande Western Railroad Company, which Agreement, by reference, is made a part hereof.


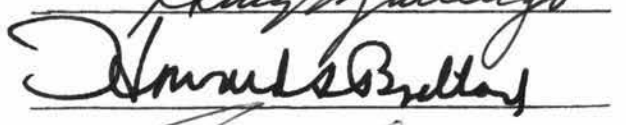
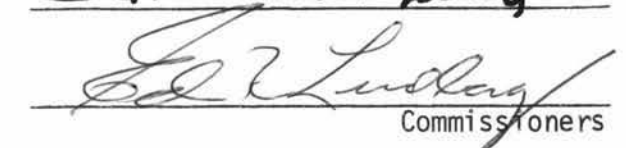
That crossing protection shall consist of: (a) Two standard reflectorized crossbuck signs to be placed at the crossing by Rio Grande and (b) Two standard Advance Warning signs to be placed on the McWethy Drive approaches to the crossing by Lake County.

That the crossing signs and installation shall all be in conformance with the current Bulletin of the Association of American Railroads joint Committee on Railroad Crossing Protection.

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

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 June, 1969.
gf

(Decision No. 73108)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
UNION PACIFIC RAILROAD COMPANY TO)
CLOSE STATION AGENCIES AT AGATE IN)
ELBERT COUNTY, AT DEER TRAIL AND)
BYERS IN ARAPAHOE COUNTY AND AT)
BENNETT IN ADAMS COUNTY, COLORADO.)

APPLICATION NO. 23541

June 4, 1969

Appearances: Clayton D. Knowles, Esq., Denver,
Colorado, for Applicant;
William J. Chisholm, Esq., Denver,
Colorado, for Transportation and
Communication Union, Protestants;
J. L. McNeill, Denver, Colorado, of
the Staff of the Commission.

STATEMENT AND PROCEDURE

BY THE COMMISSION:

On December 23, 1968, Application in the instant matter was filed with the Commission and docketed as Application No. 23541. By said application request is made for an order to authorize closing of the station agencies at Agate, Deer Trail, Byers and Bennett, Colorado, effective after January 31, 1969. In conformity with Commission rules, public notice of the proposed change of service was posted at each of the aforesaid stations.

Subsequent to said public posting of the proposed station changes, letters of protest were received by the Commission. Thereafter, and pursuant to notice given to all interested persons, firms or corporations, a public hearing regarding the matter was held on Wednesday, February 19, 1969 at the Southern Baptist Church, Byers, Colorado. After said hearing, the matter was taken under advisement by the Commission.

In the instant request, Applicant states that between the stations of Agate in Elbert County and Bennett in Adams there is a distance of approximately 37 miles. In that distance there are located five open agency

stations, and along all that distance the Railroad is paralleled by U.S. Highway No. 40 and by the new Interstate Route No. 70. Applicant proposes that all work of the five stations may be readily handled at the station in Strasburg (Population 200 est.) Arapahoe County. Also, that closing of four stations will offer substantial savings and permit more efficient operation with only minimum public inconvenience. The affected stations are no longer needed for operating purposes; accounting for all five stations is handled by the freight office in Denver; good highways and telephone communication offer convenient service to and from Strasburg, and expense of telephone toll charges for patrons calling to Strasburg will be accepted by Union Pacific.

Protestants generally object to removal of the Agent for the reasons they will then lose both a member of the community and the personal services he provided in ordering cars, tracing shipments or handling claims. Use of the Strasburg office is expected to offer added inconvenience as well as discourage local development and detract from the historical significance of the separate communities. Billing of grains and cattle through another station is submitted as a further handicap for efficient service. No objections were received from the Bennett community.

A. Applicant and its Proposal.

Testimony of Union Pacific Railroad (Applicant) in support of the application was presented by:

D. W. Smith -- Trainmaster, Denver, Colorado;

M. R. Linbeck -- Chief Clerk to Freight Account Auditor,
Omaha, Nebraska;

R. M. Panter -- Station Supervisor, Kansas City, Missouri.

Trainmaster Smith identified Exhibit 1 as portion of a Colorado State Highway Map showing location of affected stations from Agate (Railroad Mile Post 572.2) westward to Bennett, for a distance of 37 miles along the rail line. Also shown is location of nearby highway routes U.S. No. 40 and Interstate No. 70 between Denver and Limon, Colorado, a distance of 86 miles.

With reference to the highway map, Strasburg is located some 35 miles directly east from Denver. In the instant request for station closings, it is proposed that all business from the following locations will be handled at the Strasburg station:

<u>From</u>	<u>To</u>	<u>Distance and Direction</u>
Agate	Strasburg	32 miles west
Deer Trail	Strasburg	20 miles west
Byers	Strasburg	8 miles west
Bennett	Strasburg	6 miles east

According to Mr. Smith there is a joint use of the rail line between Denver and Limon by daily trains of both Union Pacific and Rock Island Railroad as follows:

By Union Pacific: { 4 Passenger trains -- 2 East and 2 West.
 { 2 Freight trains -- 1 East and 1 West.

By Rock Island: 4 Freight trains -- 2 East and 2 West.

All local service to the affected stations and control of trains is performed by Union Pacific as owner of the line. Operations by Rock Island are on a leasing basis for trackage use between Limon and the Rock Island switching yard of Sandown at the east city limits of Denver. Approximately 80 percent of the Rock Island movements occur at night when there are no station agents on duty.

In response to questions of Attorney Chisholm, Mr. Smith explained that train movements will be made in accordance with Train Orders from the Chief Dispatcher at Denver, which orders would also be issued by the Agents at Strasburg and Limon. The line of railroad is protected with a standard system of Automatic Block Signals (A.B.S.) that provide the signal indications to approaching trains for guidance of the engineer to stop or continue in motion. In the event of a train breakdown, the train crews would be required to follow standard procedures of "Flagging" or protecting the train by means of crew member patrolling at each end of the train. Any possible repairs, car set-out or train movement would be performed and efforts made to move

under flagging protection to the nearest wayside communication or station for reporting to the dispatcher. In the present movement of trains by a station, the observations of the crew are supplemented by action of the Station Agent to also observe passage of the moving train and watch for dragging equipment, hot bearings, shifted loads or any other unsafe condition; and then pass a signal to the train crew or notify the Dispatcher. As further explained by Mr. Smith, it was noted that with stations closed at night and on weekends, the trains continue to operate; and that proposed closing of the instant stations is not expected to have any adverse effect upon the safety of continued train operations.

The following exhibits by Applicant were received into evidence at the hearing after identification and explanation was given by Mr. Linbeck:

Exhibit No. 10 -- Agate Station (8 pages)

Monthly tabulation for Years 1966, 1967
and 1968 (5 months) showing:

1. Union Pacific Revenues from Freight, Ticket Sales, Milk and Cream.
2. Same data as above to show separation of Carload Revenues by -- Local at 50% and other at 100% (Interline).
3. Commodities Forwarded and Received (Carloads).
4. Revenues from L.C.L. Freight and all other miscellaneous operating sources.
5. Out-of-pocket expenses for Wages and Station Costs.
6. Consolidated Statement of Freight traffic to show approximate net railway operating income after allowance for Freight operating expenses.

Exhibit No. 13 -- Deer Trail Station (8 pages)

Exhibit No. 15 -- Byers Station (8 pages)

Exhibit No. 18 -- Bennett Station (8 pages)

Note: Above exhibits include monthly tabulations to show respective station data as described for Exhibit No. 10.

Our summary of the above exhibit data is made as follows:

<u>Exhibit No. 10 --</u>	<u>Agate -- Population 120 (Estimated)</u>		
<u>Item</u>	<u>1966</u>	<u>1967</u>	<u>1968 (5 Mos.)</u>
Forwarded -- (Carloads)			
Wheat	14	29	4
Cattle	<u>7</u>	<u> </u>	<u> </u>
Total	21	29	4
Received --			
Miscellaneous - Coal and Feed	14	14	8
Revenues --			
Forwarded	\$1,866	\$3,421	\$ 293
Received	<u>2,381</u>	<u>2,113</u>	<u>1,077</u>
Total Revenue	\$4,247	\$5,534	\$1,370
Less: Operating Expenses	<u>2,986</u>	<u>3,796</u>	<u>940</u>
Remainder	\$1,261	\$1,738	\$ 430
Less: Station Expense	<u>5,280</u>	<u>5,804</u>	<u>2,434</u>
Gain or (Loss)	(\$4,019)	(\$4,066)	(\$2,004)
Operating Ratio before Station Expense	70.31%	68.59%	68.59%

By the Application exhibits --

Blind Sidings served from Agate and Revenue data are noted as follows:

<u>Name</u>	<u>1966</u>	<u>1967</u>	<u>1968 (5 Mos.)</u>
Buick 5.1 Miles east	--	--	--

<u>Exhibit No. 13 --</u>		<u>Deer Trail -- Population 375 (Estimated)</u>		
<u>Item</u>	<u>1966</u>	<u>1967</u>	<u>1968 (5 Mos.)</u>	
Forwarded -- (Carloads)				
Wheat	17	12	3	
Wool	1	-	-	
Miscellaneous (Tanks and Scrap)	<u>22</u>	<u>-</u>	<u>-</u>	
Total	40	12	3	
Received --				
Miscellaneous - Sand and gravel	81	-	3	
Revenues --				
Forwarded	\$10,912	\$2,424	\$1,587	
Received	<u>6,426</u>	<u>--</u>	<u>510</u>	
Total Revenue	\$17,338	\$2,424	\$2,097	

Less: Operating Expense	<u>12,190</u>	<u>1,663</u>	<u>1,438</u>
Remainder	\$ 5,148	\$ 761	\$ 659
Less: Station Expense	<u>13,550</u>	<u>14,592</u>	<u>6,336</u>
Gain or (Loss)	(\$8,402)	(\$13,831)	(\$5,677)
Operating Ratio before Station Expense	70.31%	68.59%	68.59%

By Application exhibits -- Blind Siding Data:

<u>Name</u>	<u>1966</u>	<u>1967</u>	<u>1968 (5 Mos.)</u>
Lowland 6.1 Miles East	--	--	\$1,059 (2 Cars)
Peoria 5.9 Miles West	--	--	--

<u>Exhibit No. 15 --</u>	<u>Byers -- Population 200 (Estimated)</u>		
<u>Item</u>	<u>1966</u>	<u>1967</u>	<u>1968 (5 Mos.)</u>
Forwarded -- (Carloads)			
Wheat	114	179	4
Sugar Beets	275	112	-
Onions	20	-	-
Sheep	<u>17</u>	<u>16</u>	<u>-</u>
Total	426	307	4
Received --			
Feed, Fertilizer, Misc.	19	11	8
Revenues --			
Forwarded	\$23,308	\$36,781	\$ 394
Received	<u>4,834</u>	<u>2,019</u>	<u>340</u>
Total Revenue	\$28,142	\$38,800	\$ 734
Less: Operating Expense	<u>19,787</u>	<u>26,613</u>	<u>503</u>
Remainder	\$ 8,355	\$12,187	\$ 231
Less: Station Expense	<u>5,494</u>	<u>5,926</u>	<u>2,524</u>
Gain or (Loss)	\$ 2,861	\$ 6,261	(\$2,293)
Operating Ratio before Station Expense	70.31%	68.59%	68.59%

By Application exhibits -- No Blind Sidings are served.

Exhibit No. 18 --Bennett -- Population 287

<u>Item</u>	<u>1966</u>	<u>1967</u>	<u>1968 (5 Mos.)</u>
Forwarded -- (Carloads)			
Wheat	76	112	25
Miscellaneous Scrap	<u>5</u>	<u>-</u>	<u>-</u>
Total	81	112	25
Received --			
Feed, Miscellaneous	5	8	3
Revenues --			
Forwarded	\$21,774	\$36,382	\$11,196
Received	<u>720</u>	<u>1,841</u>	<u>761</u>
Total Revenue	\$22,494	\$38,223	\$11,957
Less: Operating Expense	<u>15,816</u>	<u>26,217</u>	<u>8,201</u>
Remainder	\$ 6,678	\$12,006	\$ 3,756
Less: Station Expense	<u>5,537</u>	<u>6,075</u>	<u>2,481</u>
Gain or (Loss)	\$ 1,141	\$ 5,931	\$ 1,275
Operating Ratio before Station Expense	70.31%	68.59%	68.59%

By Application exhibits -- Blind Siding data:

<u>Name</u>	<u>1966</u>	<u>1967</u>	<u>1968 (5 Mos.)</u>
Manila 4.8 Miles West	\$3,049 31 cars	\$7,160 65 cars	\$ 912 8 cars
Watkins 9.3 Miles West	\$39,306 89 cars	\$33,997 84 cars	\$7,926 23 cars

In his explanation of the exhibit material, Mr. Linbeck testified that Revenue for each station includes 100% of the freight charges for Interline traffic; and that 50% of the Local revenue is used, since the work of two Union Pacific stations is involved for the origin and destination handling. In response to other cross-examination questions, he was unable to answer whether the reason of Union Pacific management for the station closings was limited to loss operations; since it appeared there was often a shortage of cars to handle the business--notably at the Byers Station. With respect to the Byers station, it was shown that closing would offer a saving of the out-of-pocket Station Expense, which in 1967 would have amounted to \$5,926.

Mr. R. M. Panter, Station Supervisor--Kansas Division, testified that the instant stations are located in his territory. He identified the following series of exhibits which were prepared to show various information concerning each station as follows:

Work Items -- Waybills issued; claims; train orders copies;
Lineups copied; miscellaneous bills issued.

Exhibit No. 3 -- Agate; No. 4 -- Deer Trail; No. 5 -- Byers;
No. 6 -- Bennett; No. 7 -- Strasburg.

Exhibit No. 8 - Recapitulation: To perform all work at one station.
Other descriptive material regarding: Population, location and service; station buildings, yard facilities, trackage and rail patrons is shown in the following:

Exhibit No. 9 -- Agate; No. 11 -- Deer Trail; No. 14 -- Byers;
No. 16 -- Bennett.

In his testimony Mr. Panter explained the reason for station closings is related to changing methods of handling railroad work and business. Currently the principal station function of issuing freight bills is now performed on a regionalized basis through the Denver Freight Office. At Denver payments by mail are also received from the local patrons, and no Cash Book entries are made at the instant stations. There are no stops by passenger trains, which has eliminated the other functions of ticket sales, billings for express shipments, and the Western Union messages are handled by telephone. Remaining station work to serve public needs is for the issuance of waybills, car ordering and claim handling; other duties pertain to routine railroad functions of office reports, cash remittances and to copy train orders and lineups of train movements. In 1967, there was the following:

<u>Station</u>	<u>Yearly Total Waybills Issued</u>	<u>All Duties - Daily Average Work Time</u>
Agate	30	1 hour - 36 minutes
Deer Trail	6	1 hour - 34 minutes
Byers	208	1 hour - 45 minutes
Bennett	204	1 hour - 40 minutes
Strasburg	87	1 hour - 35 minutes

In 1967, two claims were handled and in 1968 there were four claims for all the stations.

By means of Exhibit No. 8, Mr. Panter explained that the necessary operating functions and service to the public could be readily provided from a single station and thereby eliminate performance of non-essential routine railroad reporting duties at the other stations.

After review of the business and facilities at each station, Mr. Panter explained the instant proposal is made to handle all railroad services from the agency station of Strasburg, which is centrally located between the active stations of Byers at 8 miles to the east and Bennett located 6 miles to the west; also, the Bennett station has handled the Blind Sidings of Manila and Watkins, which are respectively, 10.8 miles and 15.3 miles west from Strasburg. There is a good station building with living quarters at Strasburg; there is convenient access from the Main Street (former U.S. Highway No. 40) and from nearby Interstate No. 70 (by means of an overpass structure above the main line).

Mr. Panter explained that ordering of cars through the Strasburg station will be handled by telephone in the same way that shippers now operate through their local offices; local switching service would be continued to set out the cars according to customers' requests. All toll call expense for handling railroad business by telephone would be accepted by Union Pacific. In like manner, handling of inbound shipments will be continued in the usual way--the Strasburg Agent would send a letter or notify the consignee by telephone of the arrival of his shipment. It is not intended

there will be any cuts in service or hardship to customers; claim damages or losses will be accepted by the customers estimate, and personal service will be provided from the Strasburg office if requested for damage claim inspections or other document signatures. Train operations are not involved and no trackage removal is proposed that would cause customer inconvenience.

In extensive questioning by Attorney Chisholm relative to use of a single agent, Mr. Panter explained there was now a shortage of men on the system and any Agent lay-off appeared unlikely. Attorney Chisholm also offered the following exhibit which was received for Commission information:

Exhibit A -- (Protestants) Copy of Agreement dated July 30, 1968 between Union Pacific Railroad and Transportation-Communications Employees Union pertaining to proposal for Consolidation of Agencies -- Strasburg, Byers and Bennett.

In the above agreement, choice of the operating station is by the railroad.

B. Protestants

In addition to the questioning of Attorney Chisholm during the hearing, further statements of local residents were received and are generally summarized as follows:

George Ehman, Grocery Store operator, Byers, Colorado, questioned the choice of Strasburg as the operating station to remain. In his opinion the variety of products to be shipped--grains, sugar beets, onions and livestock--offered a greater potential for increasing railroad business at the Byers station.

Tom Bradbury, Bradbury Land and Cattle Company, Byers, emphasized his understanding that services of an agent would be available for cattle movements.

Bob Rice, Byers State Bank at Byers, explained the assistance provided by the local agent in making damage claims. However, if the Agent was at Strasburg, he would work with that station when necessary.

Gerald W. Cummings, Manager of Farmers Marketing Association, stated his operating problems involved shortage of grain cars to meet marketing orders of local shippers and his Marketing Association during times of harvest as well as off-season movements of storage grain. By being able to make direct contact with the Agent he has had good cooperation to get needed cars, and therefore considers the loss of the agent as also a loss of service to him.

Dick Bates, Byers State Bank, emphasized the local efforts to overcome rural area decline, and that removal of the agent offers a further loss to the whole region.

Ethel Price, Deer Trail, Colorado, criticized removal of the local agent as a further handicap, since their truck service is a poor substitute for the former L.C.L. and cream service of the rail road.

C. Discussion

The promotion of community welfare and the prestige that has been achieved by presence of a railroad agent is understandable to the Commission. However, in the instant matter we see the diminishing Agent duties and the almost complete loss of personal contact with his patrons which was the basis of the Agency prestige. Patrons now order cars by telephone, they pay freight charges by check and damage claims are infrequent. Former work of submitting freight bill statements is handled by mail from Regionalized or Central Office at Denver. Direction of train movements is controlled by work of a Centralized dispatcher, and duties of the telegraph operator are further disappearing due to expanded use by Western Union of its teletype circuits and widespread telephone communication lines for message distribution.

The limited amount of station work and marginal operating results are noted as follows:

<u>Station</u>	<u>Year</u>	<u>Total Carloads</u>	<u>Gain or (Loss)</u>
Agate	1966	35	(\$4,019)
	1967	43	(4,066)
Deer Trail	1966	121	(\$8,402)
	1967	12	(13,831)
Byers	1966	445	\$2,861
	1967	318	6,261
Bennett	1966	86	\$1,141
	1967	120	5,931

Hence, it becomes apparent that the instant proposal is made as a means toward more efficient and economical railroad management and emphasizes the responsibility of this Commission to carefully consider the elimination of non-productive station expenses when only minor public convenience or need is involved.

Meanwhile, in consideration of the elements of public convenience and necessity, we note the provisions for an alternate agency office providing good facilities and convenient access; the essential services of freight haulage and switching movements will not be changed; that toll call expense for railroad business will be accepted by Union Pacific, and that personal Agent service from the Strasburg office will be provided to all patrons for damage claims or related business demands.

In the continuation of service to meet the public needs, the Commission is aware of the fact that for carload movements of grain, livestock, gasoline, feed and implements the routine details of billings and collections can be handled at a station other than the actual point of origin or destination and that sugar beet movement is a common Blind Siding operation. Further, routine procedures are also available for the establishment of railroad credit whereby the customary requirement for freight prepayment to non-agency stations may be waived. In view of these factors, no inconvenience is expected for regular patrons.

F I N D I N G S

From the foregoing Statement, which by reference is made a part hereof, and after due and careful consideration of the entire record in this proceeding, the Commission is of the opinion and finds:

That safe and economical railroad operation does not require the maintenance of an agent at the Union Pacific stations of Agate, Deer Trail, Byers and Bennett.

That under the evidence presented, there is not sufficient public need or convenience to justify the continued maintenance and operation of the above stations.

That there will be a continuation of rail service, local switching movements and trackage facilities; which, with only minor inconvenience on the whole, will be adequate to meet requirements of the Agate to Watkins area.

That the expenses involved in maintaining the separate Agency services at the above stations are not justified in view of the proposed change of service.

That the public convenience and necessity no longer requires continued maintenance of an agency station at Agate, Deer Trail, Byers or Bennett, by Applicant, Union Pacific Railroad Company, and authority for said Agency discontinuances should be granted as requested.

O R D E R

THE COMMISSION ORDERS:

That Applicant herein, Union Pacific Railroad Company, be, and hereby is, authorized to discontinue its Agency Station services at Agate, Deer Tail, Byers and Bennett, Colorado; and to thereafter maintain the same as prepay or non-agency stations served through the Strasburg Agency office for handling or railroad business.

That telephone toll expense for patrons in the Agate to Watkins area regarding railroad business shall be accepted by the Agency station of Applicant at Strasburg, Colorado.


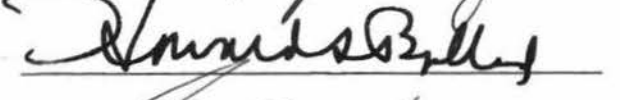

That during any times of seasonal rush, or unforeseen demand for station service, necessary personnel may be brought in and withdrawn as required to meet the public needs.

That reference shall be made to this Decision in the respective tariff schedules of Union Pacific Railroad Company to show closing of the Agate, Deer Trail, Byers and Bennett offices, and as authority for change of service to the Strasburg Agency office.

That the Commission retains jurisdiction in this matter to make such further order or orders as may be required.

That this Order shall become effective twenty-one (21) days from date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 4th day of June, 1969.
gf

(Decision No. 73109)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: THE FAILURE OF CERTAIN CORPORATIONS,)
PARTNERSHIPS, AND/OR PERSONS TO COMPLETE)
ACTIONS INSTITUTED BEFORE THE COMMISSION)
FOR AUTHORITY TO OPERATE AS COMMERCIAL)
CARRIERS BY MOTOR VEHICLE (NOT FOR HIRE))
OVER THE PUBLIC HIGHWAYS OF THE STATE OF)
COLORADO.)

June 9, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The files and records of the Commission disclose that the hereinafter stated corporations, partnerships, and/or persons as specifically set forth in the Order part of this Decision have paid to the Commission the required filing fee for authority to operate as a Commercial Carrier by Motor Vehicle (not for hire) over the public highways of the State of Colorado but have either (1) failed to file an application requesting such authority or (2) have failed, after filing an application for such authority, to file either a request for identification cards or the required certificate of insurance -- all of which is required by law and the Commission's Rules and Regulations Governing Commercial Carriers by Motor Vehicle.

The files and records of the Commission -- in addition to the above -- further disclose that all of said corporations, partnerships, and/or persons have previously been duly notified by the Commission of their failure to comply with one or more of the above specifically stated items.

The Commission states and finds that all actions heretofore instituted before the Commission by the corporations, partnerships, and/or persons as listed in the Order part of this Decision should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That all actions heretofore instituted by the following corporations,

partnerships, and/or persons before this Commission to obtain authority to operate as a Commercial Carrier by Motor Vehicle (not for hire) over the public highways of the State of Colorado, be, and the same hereby are, dismissed:

Bert Griefenberg, dba Arrow Tile Company	145 River View Drive E, Great Falls, Montana 59401
Edward Pohlman, dba Arrow Trailer Sales	125 West O St. Lincoln, Nebraska 68528
Austin's Body Shop	½ Mile E Hiway 6, Holyoke, Colo. 80734
Barne's Coal Service	Hayden, Colorado 81639
Black Hills Poultry Co., Inc.	Box 411, Rapid City, S.D. 57701
Burdette R. Brown, dba B.R. Brown Sales	Route One, Hastings, Nebr. 68901
Eddie Brown, dba Eddie Brown Used Cars	316 Main St., Cordell, Okla. 73632
Casper Electronics Service, Inc.	626 E. Second St., Casper, Wyo. 82601
Central Kansas Hatchery, Inc.	P.O. Box 9, Moundridge, Kansas 67107
J. G. Clark Company	Tidewater Road, Edison, Ohio 43320
Holiday Cleaners & Laundry, Inc., dba C.O.D. Laundry & Cleaners	1177 Main Durango, Colorado 81301
Coffey Reid Grain	Goodland, Kansas 67735
Comet Gas Company, Inc.	18360 E. Colfax, Aurora, Colo. 80010
J. B. Hale, dba Commercial TRailer Resales	9150 Hi Way 85, Henderson, Colo. 80640
Coronado Paint Co., Inc.	308 Old County Road, Box 308 Edgewater, Florida 32032
	MAIL: Box 957, Whittier, Calif. 90608
Ed Douglass	1116 Walnut St., Clovis, N.Mex. 88101
Dura Division of I S I	5401 West 20th St., Greeley, Colo. 80631
Exhibitor Service, Inc.	216 W. 17th, Kansas City, Mo. 64108
Rhynold E. Fager, dba Fager Sales and Service	513 Navajo Avenue Flagler, Colo. 80815
Fairmount Nursery & Greenhouse	407 E. 12th St., Fairmont, Minn. 56031
First National Bank in Ft. Collins, The	205 W. Oak St., Ft. Collins, Colo 80521
Flex-N-Gate Sale Co., Inc.	1306 E. University Ave. Urbana, Illinois 61801
H and W Produce Co.	315 W. Elm St., Gainesville, Texas 76240

William Hamann, dba William Hamann Trucking	Box 106, Dickinson, North Dakota 58601
Jackson Sawmill, Inc.	P.O. Box 588, Fairview Station Espanola, New Mexico 87532
W. H. Kolb, dba W. H. Kolb Oil Co.	200 Canyon Drive, Raton, N.Mex. 87740
LaVelle Powder Co., Inc.	Route 1, Box 200 Butte, Montana 59701
Loam, Inc.	590 24½ Road, Grand Junction, Colo. 81501
Max Wolf, dba M & W Market	400 S. Greeley Highway Cheyenne, Wyoming 82001
Mid-Continent Farmers Co-Op	121 Main, Yukon, Okla. 73099
	MAIL: Box 189, Yukon, Okla. 73099
Roger W. Miller, dba Miller Associates	Box 451, Durango, Colo. 81302
Dean Miller	Box 251, San Saba, Texas 76877
National Casket Co.	4504 Bronze Way, Dallas, Tex. 75237
Loyd Neal	P.O.Box 482, Antonito, Colo. 81120
Odds & Ends Ltd.	5801 Federal Blvd., Denver, Colo. 80221
Oklahoma Maid Trailer Sales	P.O. Box 193, 407 N. Broadway Marlow, Oklahoma 73055
K. E. Bounds and E. J. Mitchell, dba Overpass Store and Produce	3352 F Road Clifton, Colo. 81520
Nolan B. Poovey, Jr., Poovey Cattle Co.	14025 Tanglewood Drive Farmers Branch, Texas 75234
Porto-Mix Concrete, Inc.	Route 1, P. O. Box 164 Glenwood Springs, Colo. 81601
Herman D. Ward, dba Pueblo Moving & Wrecking	Route 2, Box 464A Pueblo, Colorado 81004
Radio City Enterprizes, Inc.	1211 North Grant St. Odessa, Texas 79760
William A. & Charles Shumard, dba Shumard Roofing	121 West 19th Pueblo, Colorado 81003
Landon and Jake Skiles, Skiles Tile Co.	2390 S. Knox Court, Denver, Colo. 80219
James De Haan, dba Sunrise Sod Farm	8919 Arapahoe Road, Boulder, Colo. 80302
Tennglad Industries, Inc.	Emory St., Harriman, Tenn. 37748
Town & Country Homes	Box 615, Great Bend, Kan. 67530
Trumball Asphalt Co.	5201 N. Bannock St. Denver, Colorado 80216

J. W. Updyke, dba Updyke Motor Co.

1515 S. Baltimore
Kirksville, Missouri 63501

Vail City Corporation

Box 597, Vail, Colo. 81657

Vector Industries, Inc.

P.O.Box 725, Forney, Texas 75126

Warco Trailers, Inc., dba Warco

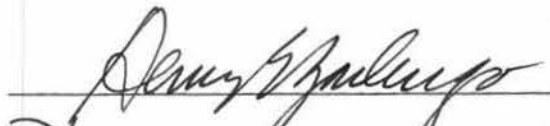
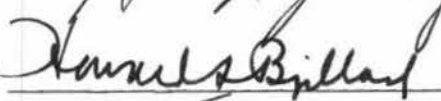
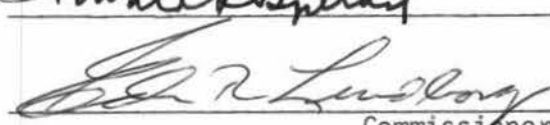
Route 1, Box 162, Idalou Highway
Lubbock, Texas 79403

Ray and Ron Wright, dba Ray and Ron
Wright General Contractors

422 S. 11th St., Gunnison, Colo. 81230

This Order shall become effective ten days from the date
hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 9th day of June, 1969.
1s

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE RULES OF THE)
PUBLIC UTILITIES COMMISSION OF THE)
STATE OF COLORADO REGULATING THE)
SERVICE OF TELEPHONE UTILITIES)
WITHIN THE STATE OF COLORADO.)

CASE NO. 5323

SUPPLEMENTAL ORDER

June 10, 1969

Appearances: Akolt, Shepherd & Dick
by Luis D. Rovira, Esq., Denver,
Colorado, for The Mountain States
Telephone and Telegraph Company;
Floyd L. Reyher, Haxtun, Colorado,
for Haxtun Telephone Company and
the independent telephone companies
of Colorado;
Robert Lee Kessler, Esq., Denver,
Colorado, for the Staff of the
Commission.

S T A T E M E N T

BY THE COMMISSION:

The Colorado Legislature in 1969 passed Senate Bill 14 which amended Chapter 115, Colorado Revised Statutes, 1963, being the Public Utility Act. One of the amendments to Chapter 115 had to do with the deletion of Article 4, Section 6, Subsection 4, which prescribed the National Electrical Code published by the Department of Commerce, Bureau of Standards of the United States of America. With the deletion of Subsection 4 the law no longer provides the National Electrical Safety Code as the minimum standards, and therefore the Commission believes it necessary for it to adopt by rule the National Electrical Safety Code as minimum standards.

The Commission in the above-numbered case by Decision No. 68571 adopted the "Rules Regulating the Service of Telephone Utilities," and said Rules became effective on January 1, 1967.

The Commission Staff by letter of May 7, 1969, has contacted all the telephone public utilities under Commission jurisdiction advising them that the Commission proposed to adopt the current edition of the National

Electrical Safety Code by amending the Rules that it adopted in Case 5323. The letter set forth the wording of the Rule by which the Commission would adopt as minimum standards the National Electrical Safety Code, and each utility was requested to reply by June 9, 1969, whether or not it had any objections to the adoption of this Code by the Commission.

The Commission proposes to revise Rule 18 of the Telephone Rules incorporating therein the requirement that the National Electrical Safety Code be used as the minimum standards of accepted good practice. No protests by the interested parties have been received within the time limit set, and therefore the Commission will issue its order revising Rule 18 and adopting the National Electrical Safety Code.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission is fully advised in the premises.

That it appears, from the record and files herein, that all interested parties were duly informed of the proposed amendment to Rule 18 of the "Rules Regulating the Service of Telephone Utilities," and there being no objections thereto, said Rule should be amended.

That Rule 18 of the "Rules Regulating the Service of Telephone Utilities" should be amended to require that the telephone utilities under Commission jurisdiction shall use the applicable provisions of the National Electrical Safety Code as published by the United States Department of Commerce, National Bureau of Standards as the minimum standards of accepted good practice.

That Rule 18 of the "Rules Regulating the Service of Telephone Utilities" should be amended as set forth in the Order to follow.

O R D E R

THE COMMISSION ORDERS:

That Rule 18 of the "Rules Regulating the Service of Telephone Utilities" is amended to read as follows:

RULE 18

Construction and Maintenance of Plant and Equipment: The telephone plant of the utility shall be constructed, installed, maintained and operated in accordance with accepted good engineering practice in the telephone industry to assure, as far as reasonably possible, continuity of service, uniformity in the quality of service furnished and the safety of persons and property.

The utility shall use as the minimum standard of accepted good practice the current edition of the National Electrical Safety Code as published by the United States Department of Commerce, National Bureau of Standards, in the following handbooks:

A. NBS Handbook H 30 containing -

USA (United States of America) Standard Safety Rules for the Installation and Maintenance of Electrical Supply Stations, C2.1-1941 (Reaffirmed 1947)

USA Standard Safety Rules for the Installation and Maintenance of Electric Utilization Equipment, C2.3-1941 (Reaffirmed 1947)

USA Standard Safety Rules for Operation of Electric Equipment and Lines, C2.4-1939 (Reaffirmed 1947)

USA Standard Safety Rules for Radio Installation, C2.5-1940 (Reaffirmed 1947).

B. NBS Handbook H81-1961 containing -

USA Standard Safety Rules for the Installation and Maintenance of Electric Supply and Communication Lines, C2.2-1960.

C. C2.2a-1965 - Supplement to C2.2-1960.

D. C2.2b-1967 - Supplement to C2.2-1960.

Each telephone utility shall adopt a program of periodic tests, inspections, and preventive maintenance aimed at achieving efficient operation of its system so as to permit the rendering of safe, adequate, and continuous service at all times. Inductive interference, cut-offs, and intelligible cross-talk are not consistent with adequate service, and maintenance should be designed to eliminate and prevent such occurrences.

In exchanges serving more than 500 subscribers, periodic leakage tests shall be made on all circuits by use of proper instruments to determine that sufficient insulation is being maintained and to further discover any substantial change in insulation values which might anticipate service difficulties. Loop resistance tests or transmission loss tests should be made on local circuit when transmission is poor, in an endeavor to locate the source of trouble.

Maintenance of open wire facilities shall include the replacement of broken or missing insulators, broken or badly deteriorated poles, crossarms and brackets, and rusted wire. Defective splices shall be replaced, slack wire retensioned, the wires properly transposed, and adequate clearance provided between the wires and trees or brush.

Switchboard maintenance shall include the replacement or repair of frayed cords, the periodic gauging of jack ferrules, and plugs, and the replacement of ferrules and plugs worn beyond reasonable tolerance. The night alarm circuit for each line and the ring-off drops on the cord circuits shall be tested periodically and adjustments made where necessary. Central office batteries shall be replaced when required to maintain good telephone service.

Dial central office equipment shall be inspected and routine tested at reasonable intervals, and such repairs, adjustments or replacements made as are found to be necessary and as are required to insure the proper functioning of dial switching equipment.

All station apparatus shall be properly maintained including replacement of transmitters and receivers when broken, damaged, or when necessary for good transmission. Station batteries or magneto systems shall be replaced whenever necessary for good service. Usually dry cell batteries must be replaced when the voltage per cell is one volt or less.

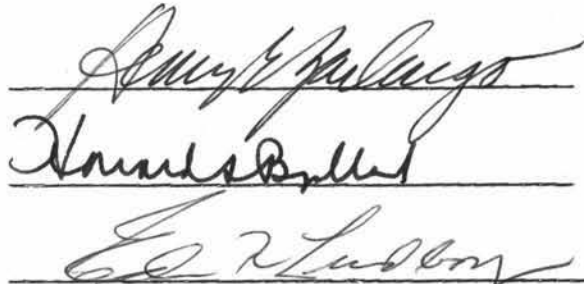
All station dry cells shall show either the date of original installation or the date of manufacture, or in lieu thereof the telephone utility may keep a record at each central office of the dates of installation of station batteries used at stations served from the central office.

Records of various tests and inspections shall be kept on file in the office of the telephone utility for a reasonable period of time. These records shall show the line or station tested or inspected, the reason for the test, the general conditions under which the test was made, the general result of the test, and such corrections as were made when the test indicated need for same.

That except as modified herein, Decision No. 68571 shall remain in full force and effect.

That this Order and Rule 18 as amended shall become effective July 1, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 10th day of June, 1969.
hbp

(Decision No. 73111)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE RULES OF THE)
PUBLIC UTILITIES COMMISSION OF THE)
STATE OF COLORADO REGULATING THE)
SERVICE OF ELECTRIC UTILITIES)
WITHIN THE STATE OF COLORADO.)

CASE NO. 5320

SUPPLEMENTAL ORDER

June 10, 1969

Appearances: Lee, Bryans, Kelly & Stansfield
by Bryant O'Donnell, Esq.,
Denver, Colorado, for
Public Service Company of Colorado;
Richard Brown, Greeley, Colorado,
for Home Light and Power Company;
Logan C. Ragle, Pueblo, Colorado,
for Western Power & Gas Company;
Glenn Shoemaker, Littleton, Colorado,
for Intermountain Rural Electric Assn.;
Louis A. Hinz, Longmont, Colorado,
for City of Longmont, Electric Dept.;
D. Hovis, Pueblo, Colorado,
for San Isabel Electric Association, Inc.;
Robert Lee Kessler, Esq., Denver, Colorado,
for the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

In the above-numbered case by Decision No. 68572 of November 25, 1966, this Commission prescribed "Rules Regulating the Service of Electric Utilities." Said Rules became effective January 1, 1967.

Rule 18 (b) of said rules provided as follows:

"Construction Requirement:

(b) The utility shall use as the minimum standard of accepted good practice the National Electrical Safety Code as prescribed by the statutes of the State of Colorado or as the same may be amended."

The Colorado Legislature in its 1969 session passed Senate Bill 14 which revised certain articles and sections of Chapter 115, Colorado Revised Statutes, 1963, being the Public Utility Act. Among said revisions was Article 4, Section 6, Subsection 4, to which Rule 18 (b) referred.

Said Subsection 4 prescribed the National Electrical Safety Code, Sixth Edition, issued by the Department of Commerce, Bureau of Standards, United States of America, as the minimum standards for the construction, reconstruction, maintenance, and operation of electrical wiring, electrical construction, electrical equipment and apparatus, either inside or outside, or overhead or underground, and whether owned or operated by private municipal or quasi-municipal corporations or associations, or whether mutually or privately owned. The passage of Senate Bill 14 having deleted the above Subsection 4 has, in effect, left it up to this Commission to prescribe the electrical safety code that should be followed by all electric public utilities under its jurisdiction.

The Staff of the Commission, by letter dated May 6, 1969, has contacted all of the electric public utilities under this Commission's jurisdiction advising them that the Commission proposes to adopt by rule, and by the modification of the above Rule 18 (b) to prescribe the current edition of the National Electrical Safety Code. The interested parties were given until June 9, 1969 within which to reply to the Commission whether or not they had any objections to the Commission adopting said Code by rule. No replies were received by the Commission within the allotted time protesting or objecting to the adoption of the National Electrical Code, and therefore the Commission will, by amending Rule 18 (b), adopt said Code.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission is fully advised in the premises.

That it appears in the records and files herein that all interested parties were duly informed of the proposed amendments to Rule 18 (b), and that there being no objections thereto, said Rules should be amended as proposed.

That Rule 18 (b) of the "Rules Regulating the Service of Electric Utilities" should be amended to require that the utilities shall use as the minimum standard of accepted good practice the National Electrical Safety Code as published by the National Bureau of Standards as set forth in our Order to follow.

O R D E R

THE COMMISSION ORDERS:

That Rule 18 (b) of the Rules Regulating the Service of Electric Utilities is amended to read as follows:

"RULE 18

Construction Requirement:

(b) The utility shall use as the minimum standard of accepted good practice the current edition of the National Electrical Safety Code as published by the National Bureau of Standards Handbooks:

A. NBS Handbook H 30 containing -

USA (United States of America) Standard Safety Rules for the Installation and Maintenance of Electrical Supply Stations, C2.1-1941 (Reaffirmed 1947)

USA Standard Safety Rules for the Installation and Maintenance of Electric Utilization Equipment, C2.3-1941 (Reaffirmed 1947)

USA Standard Safety Rules for Operation of Electric Equipment and Lines, C2.4-1939 (Reaffirmed 1947)

USA Standard Safety Rules for Radio Installation, C2.5-1940 (Reaffirmed 1947)

B. NBS Handbook H81-1961 containing -


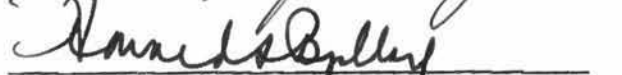
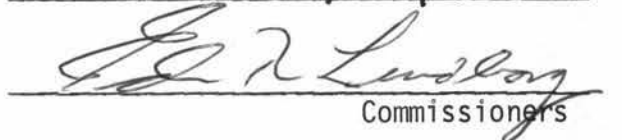
USA Standard Safety Rules for the Installation and Maintenance of Electric Supply and Communication Lines, C2.2-1960.

- C. C2.2a-1965 - Supplement to C2.2-1960.
D. C2.2b-1967 - Supplement to C2.2-1960."

Except as modified herein, Decision No. 68572 shall remain in full force and effect.

That Rule 18 (b) and this Order shall become effective July 1, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 10th day of June, 1969.
hbp

(Decision No. 73112)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
SANITARY GARBAGE & TRASH REMOVAL)
CORPORATION, 2390 EAST BOULDER STREET,)
COLORADO SPRINGS, COLORADO, FOR AU-)
THORITY TO TRANSFER PUC NO. 2213 TO)
EARL CORDER, DOING BUSINESS AS "SANI-)
TARY DISPOSAL COMPANY," 819 KINGSLEY,)
COLORADO SPRINGS, COLORADO.)

APPLICATION NO. 23672-Transfer

June 9, 1969

Appearances: Sanitary Garbage & Trash Removal
Corporation, Colorado Springs,
Colorado, Transferor, pro se;
C. Lee Goodbar, Esq., Colorado
Springs, Colorado, for Transferee;
Otto K. Hilbert, Esq., Colorado
Springs, Colorado, for Superior
Sanitation Inc., Bestway Disposal
and Ace Disposal Service, Protestants.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On April 3, 1969, the above-entitled application was filed requesting authority to transfer Certificate of Public Convenience and Necessity PUC No. 2213.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record of the instant proceeding together with a written statement of his Conclusions.

The record transmitted by the Examiner discloses that -- at the hearing -- the herein application was protested by the carriers as indicated in the Appearance section of this Decision.

Matters which were considered by the Examiner, prior to the taking of evidence on the application, have been submitted to the Commission in the following exact manner, to-wit:

"PRELIMINARY MATTERS, MOTIONS, ETC.

By stipulation of the parties, this matter was continued to be reset for hearing in Denver, Colorado, at a time to be determined by the Commission with notice to only those parties presently of record."

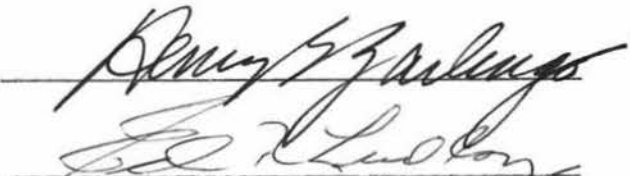
The ruling by the Examiner granting said Stipulation of the Parties is hereby confirmed by the Commission.

O R D E R

THE COMMISSION ORDERS:

That Application No. 23672-Transfer, be, and hereby is, continued and reset for hearing at 10:00 o'clock A.M., on July 10, 1969, in the Commission Hearing Room, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, and that notice of said hearing be given to only the parties who entered their appearance as above set forth in the Appearance section of this Decision.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 9th day of June, 1969.
gf

(Decision No. 73113)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RICHARD E. SMART, DOING BUSINESS AS)
"SHOSHONI TRANSPORTATION CO.," 6500)
EAST 88TH AVENUE, HENDERSON, COLORADO,)
FOR AUTHORITY TO EXTEND OPERATIONS)
UNDER PERMIT NO. B-7277.)

APPLICATION NO. 23651-PP-Extension

June 9, 1969

Appearances: John P. Thompson, Esq., Denver,
Colorado, for Applicant;
R. B. Danks, Esq., Denver, Colorado,
for Denver-Climax Truck Line, Inc.,
Protestant;
Leslie R. Kehl, Esq., Denver,
Colorado, for South Park Motor
Lines, Protestant.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On March 19, 1969, the above-entitled application was filed requesting authority to extend operations under Private Carrier Permit No. B-7277 in the precise manner as fully set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record of the instant proceeding together with a written statement of his Conclusions.

The record transmitted by the Examiner discloses that -- at the hearing -- the herein application was protested by the carriers as indicated in the Appearance section of this Decision.

Matters which were considered by the Examiner, prior to the taking of evidence on the application, have been submitted to the Commission in the following exact manner, to-wit:

"PRELIMINARY MATTERS, MOTIONS, ETC.

By agreement of all parties, hearing on the matter was postponed to be reset at 10:00 o'clock A.M. on July 10, 1969, in the Commission Hearing Room, Columbine Building, 1845 Sherman Street, Denver, Colorado, and heard on an amended application which is being filed by the Applicant."

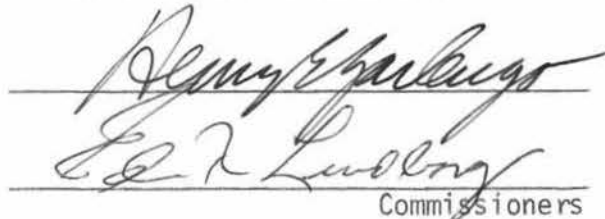
The ruling by the Examiner granting said Agreement of all Parties is hereby confirmed by the Commission.

O R D E R

THE COMMISSION ORDERS:

That Application No. 23651-PP-Extension, be, and is hereby, continued and reset for hearing at 10:00 o'clock A.M., on July 10, 1969, in the Commission Hearing Room, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, and that notice of said hearing be given to only the parties who entered their appearance as above set forth in the Appearance section of this Decision.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 9th day of June, 1969.
gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
PEDRO, A. G. AND B. G. ELIZONDO)
DBA ELIZONDO BROTHERS PRODUCE CO.)
3120 Produce Row)
Houston, Texas 77023)
-----)

AUTHORITY NO. 10716

CASE NO. 3978-M-Ins.

June 9, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On January 28, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

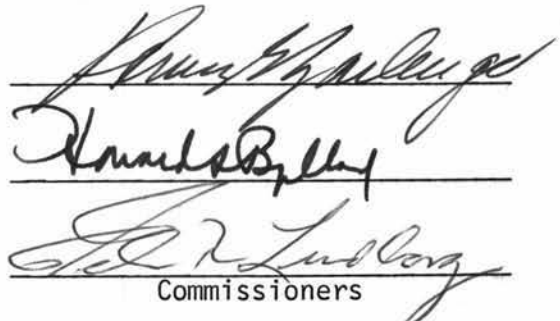
O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
9th day of June, 1969 .

(Decision No. 73115)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
LEWIS DEE MURRAY, DOING BUSINESS AS)
"SNAP ON TOOLS CORP.",)
P. O. BOX 1488)
STERLING, COLORADO 80751)

PERMIT NO. M-15498

June 10, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.



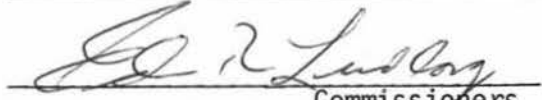
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 26, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 10th day of June, 1969.
1s

(Decision No. 73116)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
D AND F FLOOR COVERING, INC.
577 SOUTH JASON STREET
DENVER, COLORADO 80223

PERMIT NO. M-9869

June 10, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

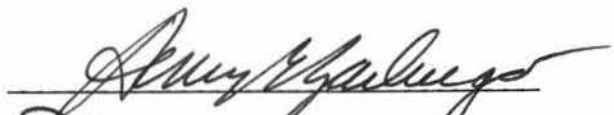

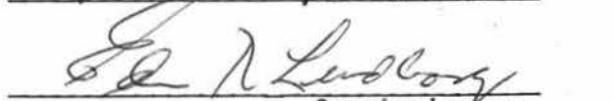
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 12, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 10th day of June, 1969.
1s

(Decision No. 73117)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
FARM PIPE LINES, INC.
P. O. BOX 756
FORT MORGAN, COLORADO 80701

PERMIT NO. M-8092

June 10, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

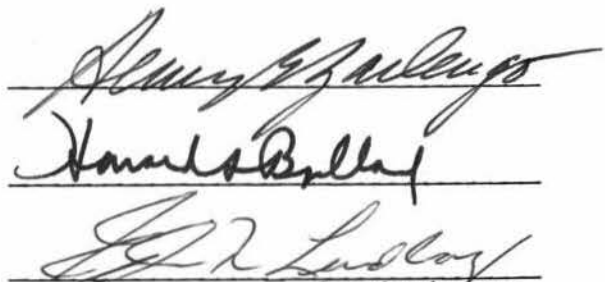
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 15, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 10th day of June, 1969.
1s

(Decision No. 73118)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
WAYNE A. FRAZZELL
7511 XAVIER STREET
WESTMINSTER, COLORADO 80030

PERMIT NO. M-2618

June 10, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

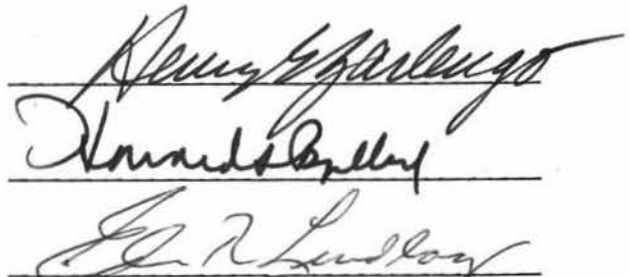
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 26, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 10th day of June, 1969.
1s

(Decision No. 73119)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
LEONARD E BOCHMANN & F. E. BOCHMANN,)
DOING BUSINESS AS)
"BOCHMANN'S VAULTS")
138 RAINBOW PLACE)
COLORADO SPRINGS, COLORADO 80903 - - - -)

PERMIT NO. M-8648

- - - - -
June 10, 1969
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

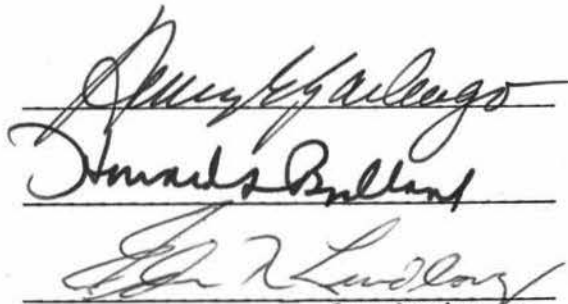
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective April 28, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 10th day of June, 1969.

(Decision No. 73120)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
MAR-LEE DRUG STORES CORPORATION
4335 WEST FLORIDA AVENUE
DENVER, COLORADO 80219

PERMIT NO. M-11422

June 10, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

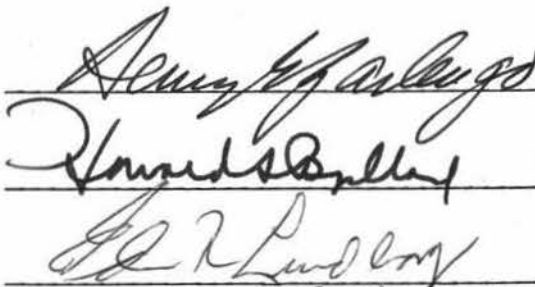
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 23, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 10th day of June, 1969.
15

(Decision No. 73121)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
PETE BERONI, DOING BUSINESS AS
"PETE BERONI FURNITURE SHOP",
24 SOUTH WAHSATCH AVENUE
COLORADO SPRINGS, COLORADO 80903

PERMIT NO. M-9274

June 10, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

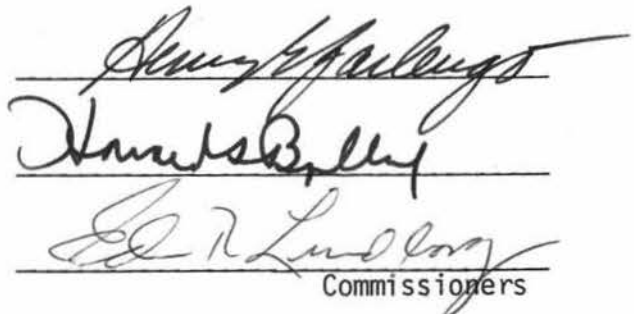
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 7, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 10th day of June, 1969.

(Decision No. 73122)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
RAYMOND WEINMEISTER, DOING BUSINESS AS)
"RAY'S FRONTIER SERVICE")
529 MAIN STREET)
WINDSOR, COLORADO 80550)

PERMIT NO. M-3114

June 10, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

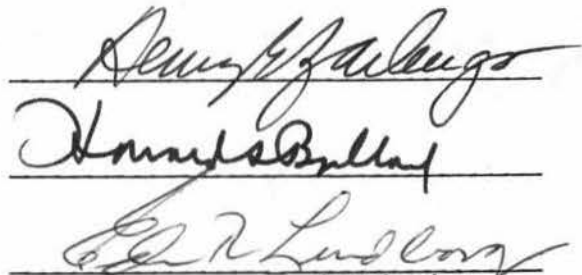
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 7, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 10th day of June, 1969.
1s

(Decision No. 73123)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JERRY E. LONGSINE, ROBERT E. LONGSINE,)
AND RICHARD Q. LONGSINE, DOING BUSINESS)
AS "TRI-VALLEY PROPANE SERVICE",)
ARAPAHOE, NEBRASKA 68922)

PERMIT NO. M-1260

June 10, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.


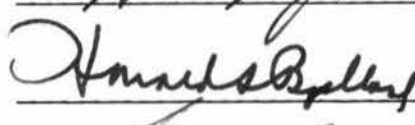
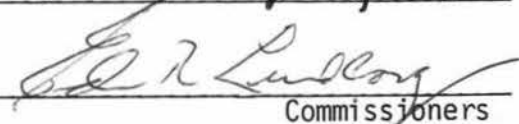
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 5, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 10th day of June, 1969.
1s

(Decision No. 73124)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
MILTON M. PEUGH
2929 HIWAY 50
GRAND JUNCTION, COLORADO 81501

PERMIT NO. M-10957

June 10, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

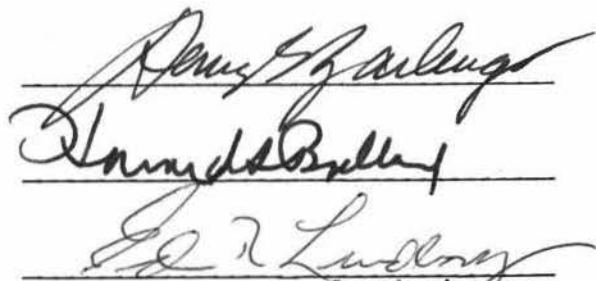
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 20, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 10th day of June, 1969.

(Decision No. 73125)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
GRAND MESA OIL CO.
2702 HIGHWAY 50 - P.O. BOX 2007
GRAND JUNCTION, COLORADO 81501

PERMIT NO. M-15560

June 10, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

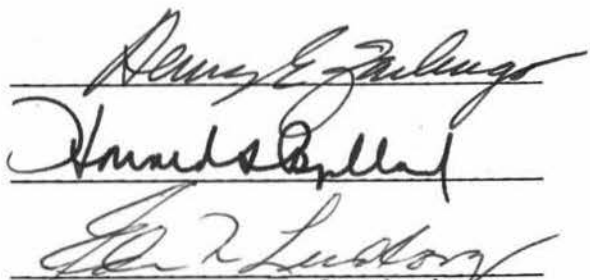
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 1, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 10th day of June, 1969.

(Decision No. 73126)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
E. LOUDEN BUSTER
P. O. BOX 3
LYONS, COLORADO 80540

PERMIT NO. M-12044

June 10, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

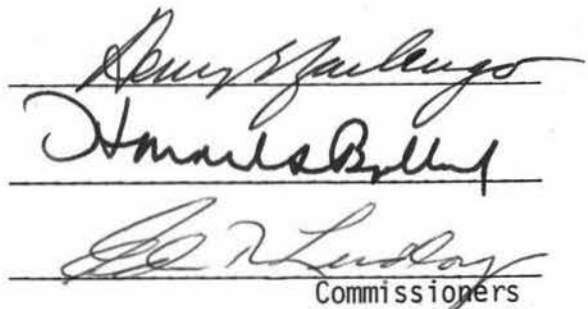
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 26, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 10th day of June, 1969.
ls

(Decision No. 73127)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
T. W. McINERNEY AND MARY C. McINERNEY,)
DOING BUSINESS AS "MERRY-MACS")
ROUTE 2,)
WOODLAND PARK, COLORADO 80863)

PERMIT NO. M-12479

June 10, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

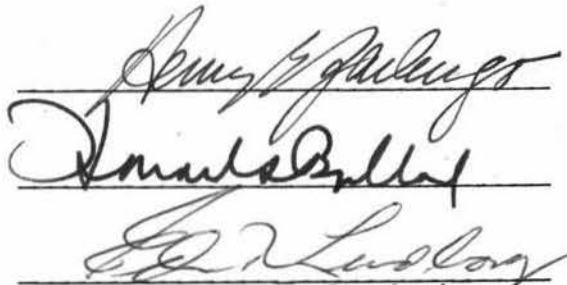
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 26, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 10th day of June, 1969.
1s

(Decision No. 73128)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
EDWARD F. SHAFER & JOHN A. WALKER, JR.
2351 E. 40TH AVENUE
DENVER, COLORADO 80205

)
) PUC NO. 7073-I
)
)
)
)

June 10, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

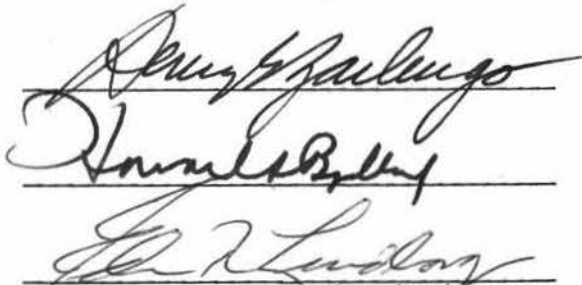
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 20, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 10th day of June, 1969.
1s

(Decision No. 73129)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
J. W. WHITAKER
1308 OAKLAND STREET
PLAINVIEW, TEXAS 79072

}
} PUC NO. 6684-I
}
}

June 10, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

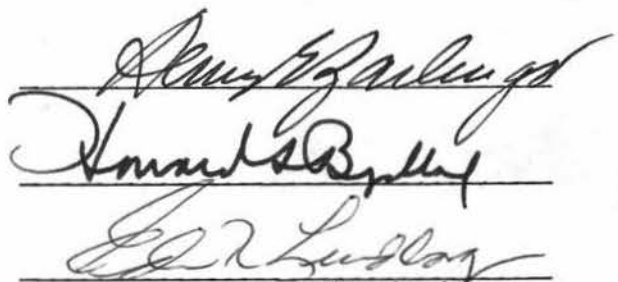
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 25, 1968.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 10th day of June, 1969.

(Decision No. 73130)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
TRAVIS HARPER, DOING BUSINESS AS
PREMIER SEED CO.
WALSH, COLORADO 81090

PERMIT NO. M-10851

June 10, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

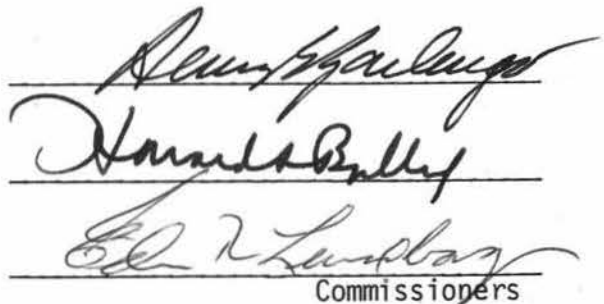
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 21, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 10th day of June, 1969.
1s

(Decision No. 73131)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
TRAVIS HARPER, DOING BUSINESS AS
PREMIER SEED CO.
WALSH, COLORADO 81090

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PUC NO. 6079-I

June 10, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

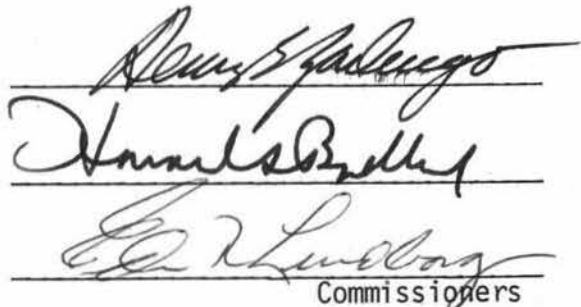
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 21, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 10th day of June, 1969.
1s

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: THE ISSUANCE OF TEMPORARY)
CERTIFICATES OF PUBLIC CONVENIENCE)
AND NECESSITY UNDER CHAPTER 115-9-4)
(2), CRS 1963, FOR THE TEMPORARY OR)
SEASONAL MOVEMENT OF CORN, MILLET,)
SORGHUMS, SMALL GRAINS, ENSILAGE, AND)
ALFALFA.)

APPLICATION NO. 23765
EMERGENCY DISTRICT 3-69
SUPPLEMENTAL ORDER

June 10, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 3, 1969, the Commission entered Decision No. 73088, authorizing temporary certificates for the temporary or seasonal operation of motor vehicles for the purpose of transporting corn, millet, sorghums, small grains, ensilage, and alfalfa in only the Counties of Adams, Alamosa, Arapahoe, Baca, Bent, Boulder, Cheyenne, Conejos, Costilla, Crowley, Delta, Douglas, El Paso, Kiowa, Kit Carson, Larimer, Logan, Mesa, Montrose, Morgan, Otero, Ouray, Phillips, Prowers, Pueblo, Rio Grande, Saguache, Sedgwick, Washington, Weld, and Yuma, State of Colorado, for a period of ninety days, commencing June 6, 1969.

Report has been received by the Commission from Lloyd C. Espinosa, Supervising Transportation Representative, Enforcement Division of this Commission, requesting that the Counties of Elbert, Las Animas, Lincoln, and Moffat be included in the above emergency district.

The Commission states and finds that said request is compatible with the public interest and should be granted as set forth in the Order following.

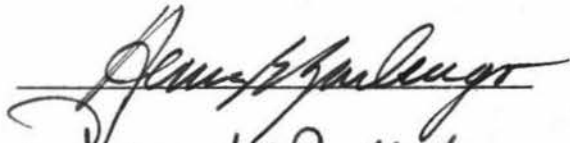
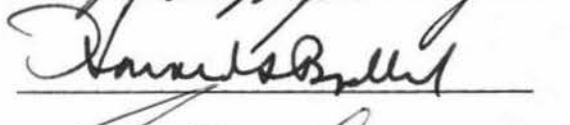
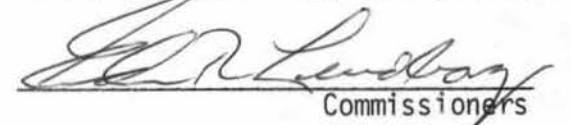
O R D E R

THE COMMISSION ORDERS:

That Decision No. 73088, dated June 3, 1969, be, and the same hereby is amended by adding thereto the Counties of Elbert, Las Animas, Lincoln and Moffat, State of Colorado, as counties wherein temporary certificates are authorized for the temporary or seasonal operation of motor vehicles for the purpose of transporting corn, millet, sorghums, small grains, ensilage, and alfalfa.

That, except as herein amended, Decision No. 73088 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 10th day of June, 1969.
ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: INCREASED RATES AND CHARGES)
APPLICABLE TO USED HOUSEHOLD GOODS)
AND EFFECTS TRANSPORTED LOCALLY IN)
DENVER AND ITS ENVIRONS AND FROM)
AND TO DENVER, COLORADO, TO AND)
FROM POINTS STATEWIDE)

INVESTIGATION AND SUSPENSION
DOCKET NO. 637

June 10, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 14, 1969, David Robert Gray, Secretary-Treasurer, Gray Moving & Storage, Inc., hereinafter called Gray, under Public Convenience and Necessity Certificate No. 1990 & I, filed Local Cartage Tariff No. 8, Colorado PUC No. 9, and J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, for Gray's Account, filed 13th Revised Page 17, 10th Revised Page 17-A, 14th Revised Page 19, 9th Revised Page 20 and 7th Revised Page 21 to its Household Goods Tariff No. 1, Colorado PUC No. 9*(*The Motor Truck Common Carriers' Association, Agent, Series) published to become effective June 14, 1969. The changes represent increased rates and charges applicable to used household effects for packing and unpacking and use of packing containers and materials, etc., hourly rates for shipments transported 30 miles or less from Denver, Colorado; and statewide charges based upon rates for the first 2,000 pounds, and so much a hundredweight thereafter.

The Commission is of the opinion and so finds that the increased rates and charges scheduled to become effective June 14, 1969, as stated herein may be in violation of the Public Utilities Law, and the schedules set forth shall be suspended and an investigation entered into and concerning the lawfulness of the rates and charges contained therein.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings be, and the same are hereby, made a part hereof.

2. That it shall enter upon a hearing concerning the lawfulness of the rates and charges set forth in the schedule enumerated in the statement of this Order.

3. That the operation of said schedules be, and it is hereby, suspended and the use thereof deferred to and including October 12, 1969, unless otherwise ordered by the Commission.

4. That the investigation in this proceeding shall not be limited 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.

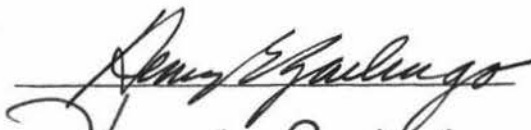
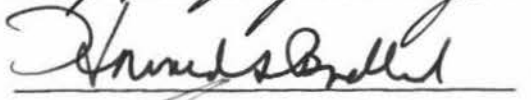

5. That neither the schedules hereby suspended nor those sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension or any extension thereof has expired, unless otherwise ordered by the Commission.

6. That 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 David Robert Gray, Secretary-Treasurer, Gray Moving & Storage, Inc., 1255 South Pearl Street, Denver, Colorado 80210, and J.R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, 4060 Elati Street, Denver, Colorado 80216, and that Gray is hereby, made a respondent in this proceeding. The necessary suspension supplements shall be issued, filed and posted to the respective tariffs referred to in the statement and findings hereof.

7. That seven days prior to the hearing date herein, respondent shall provide the Secretary of the Commission with copies of any and all exhibits which it intends to introduce in evidence in support of its case.

8. That this Investigation and Suspension Docket No. 637 be,
and the same is hereby, set for hearing before the Commission on the
7th day of August, 1969, at 10:00 a.m., in the Hearing Room of the
Commission, 500 Columbine Building, 1845 Sherman Street, Denver,
Colorado 80203.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
10th day of June, 1969. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

GERALD ETHRIDGE
RURAL ROUTE 1
RIDGWAY, COLORADO,

Complainant,

vs.

DELTA-MONTROSE RURAL POWER LINES
ASSOCIATION
POST OFFICE BOX 59
DELTA, COLORADO,

Respondent.

CASE NO. 5394

June 10, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 10, 1969, the above-styled complaint was filed with the Commission. On April 14, 1969, this Commission issued an Order to Satisfy or Answer to Respondent herein. On April 29, 1969, Respondent filed its Answer to the within complaint with this Commission.

Said Complaint was set for hearing on June 6, 1969 at 10:00 a.m. at Montrose, Colorado, and at said time and place was called for hearing by Commissioner Howard S. Bjelland, who, after a preliminary discussion continued the matter.

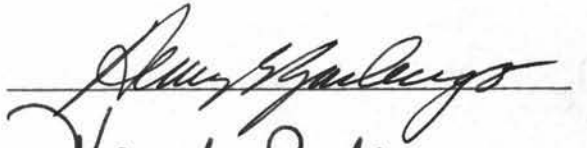

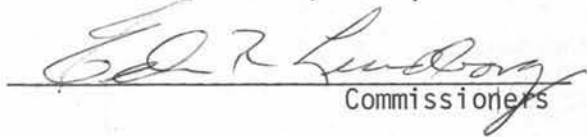
The Commission finds, after reviewing the file in the within matter, that certain technical information is necessary before a proper decision can be rendered. The Commission therefore finds that additional volt meter readings should be taken by Staff of the voltages at the Complainant's premises and at Respondent's substation; that such readings be taken for a period of one week; that the hearing on the complaint itself should be set to be heard on June 23, 1969 at 9:00 a.m. at Montrose, Colorado.

O R D E R

THE COMMISSION ORDERS:

That the hearing on the within complaint previously set for 10:00 a.m. on June 6, 1969 at Montrose, Colorado, be, and the same hereby is, continued and reset by the Commission to be heard on June 23, 1969, at 9:00 a.m. in the County Courtroom, Courthouse, Montrose, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 10th day of June, 1969.
ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
THE BROADMOOR HOTEL WATER AND POWER)	
COMPANY FOR A CERTIFICATE OF PUBLIC)	APPLICATION NO. 784
CONVENIENCE AND NECESSITY TO SUPPLY)	<u>SUPPLEMENTAL ORDER</u>
WATER TO THE PUBLIC.)	

June 11, 1969

S T A T E M E N T

BY THE COMMISSION:

By Decision No. 1078 of December 23, 1926 in the Application No. 784, the Broadmoor Hotel Water and Power Company (Water Company or Broadmoor) was granted a Certificate of Public Convenience and Necessity by this Commission to render water service in an area in El Paso County, Colorado, in and around the Broadmoor Hotel. Since that time the Water Company has been rendering service in the area set forth in the Certificate granted by the above-mentioned decision.

On March 31, 1969, the Water Company in compliance with Rule 25 of the Commission's Rules of Practice and Procedure notified its water customers in the Polo Park Drive Area, within which it was authorized to render water service, that it planned to discontinue water service to the customers in this area and that any customer wishing to protest discontinuance of water service by the Company should notify the Commission at least ten days prior to May 1, 1969, the proposed date of the discontinuance.

Information supplied to the Commission by the Company reveals that it has been serving twenty-five (25) customers in the Polo Park Drive Area as well as connections to three fire hydrants. A paving collapse incidental to the construction of a new sewer system caused a failure of a forty-year old water line serving the area, necessitating an immediate connection to a main line belonging to the City of Colorado Springs, whose

water system completely surrounds the Polo Park Drive Area certificated to Broadmoor. For the Water Company to rebuild its portion of the broken line could result in such expenditures as to cause an increase in rates. Furthermore, since the City already has a water main in the area, to replace the old line would in fact be duplicating facilities which would not be needed under the take-over by the City. The City of Colorado Springs has agreed to take over this part of the Broadmoor system and to continue rendering water service in the future. The City of Colorado Springs has sufficient water to not only supply the existing customers in the Polo Park Drive Area, but to take care of any future requirements for water in the area. The rates for service are identical and no customer will be penalized as a result of the City take-over. That portion of the system to be taken over by the City will be transferred to the City at no charge, subject to the approval of this Commission.

As a part of its filing with the Commission, the Water Company has obtained a letter from the City of Colorado Springs stating in effect that the City Council unanimously approved the City Water Department taking over the customers and facilities in the Polo Park Area effective May 1, 1969. The Company also furnished the Commission with a list of all the present customers in the area whose service will be transferred to the City, together with a list of the names and addresses of these customers and the registration numbers from the Post Office Department of the letters sent to notify the customers of the change in service. The Commission has not received a protest from these customers.

In view of the fact that no customer will be adversely affected by the City taking over the certificated area of the Water Company in the Polo Park Drive Area, we feel that the request of the Water Company to delete this area from its certificate of public convenience and necessity should be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the request of the Broadmoor Hotel Water and Power Company to delete from the certificate of public convenience and necessity,

originally granted, that area known as the Polo Park Addition should be granted.

That no customer will be adversely affected by the City of Colorado Springs supplying water service to the customers in the Polo Park Drive Area, since the City has adequate water for service now and in the future to this area and there is no differential in rates.

O R D E R

THE COMMISSION ORDERS:

That the Certificate of Public Convenience and Necessity granted by Decision No. 1078, dated December 23, 1926, in Application No. 784, should be amended to delete therefrom the following described area known as the Polo Park addition.

(1) All that part of the Southwest Quarter of the Southeast Quarter of Section Twenty-five, Township Fourteen South, Range 67 West of the Sixth Principal Meridian, described by metes and bounds as follows, to-wit: Commencing at a point, on the east line of the southwest quarter of the southeast quarter (SW 1/4SE1/4) of Section 25, Township 14 South, of Range 67 West, of the Sixth Principal Meridian, distant eleven hundred and fifty feet (1150) northerly from the southeast corner of the southwest quarter of the southeast quarter (SW 1/4SE1/4) of said Section 25; thence southerly along the east line of the southwest quarter of the southeast quarter (SW 1/4SE1/4) of the said Section 25 eleven hundred and fifty (1150) feet to the southeast corner of the southwest quarter of the southeast quarter (SW 1/4SE1/4) of the said section 25; thence westerly along the south line of the said Section 25 to the southwest corner of the southeast quarter of the said Section 25; thence northerly along the west line of the southeast quarter of the said Section 25, one thousand (1,000) feet to a point: thence northeasterly along a diagonal straight line across the southwest quarter of the southeast quarter (SW 1/4SE1/4) of the said Section 25, one thousand and three hundred and thirty-eight and ninety-three one-hundredths (1338.93) feet, more or less, to the point of beginning.

Also all that part of the southeast quarter of the southwest quarter (SE 1/4SW1/4) of Section 25, Township 14 South, of Range 67 West, described as follows:

Commencing at a point on the east line of the southwest quarter of Section 25, Township 14, South, of Range 67 West, of the Sixth Principal Meridian, distant eight hundred and fifty (850) feet northerly from the southeast corner of the southwest quarter of the said Section 25; thence northerly along the east line of the southwest quarter of the said Section 25, one hundred and fifty (150) feet, - to a point; thence westerly at an angle of ninety (90) degrees with the east line of the southwest quarter of the said Section 25, four hundred and twenty-two (422) feet more or less, to a point on the west line of the

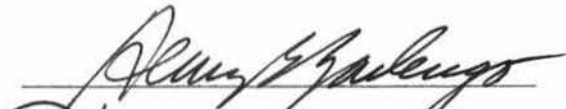
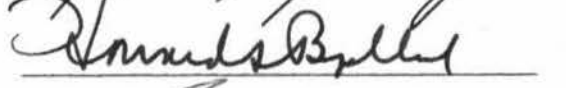

tract of land conveyed to Mary E. Johnson by deed in Book 555, Page 322 in the records of the Clerk and Recorder of El Paso County, Colorado; thence southeasterly at an angle to the left of ninety-four (94) degrees and seven minutes (94°07') along the west line of the said tract of land so conveyed to Mary E. Johnson, two hundred and eighty-two and seventy-one one-hundredths (282.71) feet, more or less to the southwest corner of the said tract of land so conveyed to Mary E. Johnson; thence northeasterly at an angle to the left of one hundred and four degrees and two minutes (104°02') along the south line of the said tract of land so conveyed to Mary E. Johnson four hundred and twenty three (423) feet to the point of beginning.

That, except as hereinabove amended, Decision No. 1078 shall remain in full force and effect.

That approval is hereby granted to Broadmoor Hotel Water and Power Company to transfer that portion of its water system in the above described area to the City of Colorado Springs in accordance with the agreement between the parties.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 11th day of June, 1969.

ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JOHN F. GILLIS, DOING BUSINESS AS)	
"MESA VIEW WELDING", BOX 83, OLATHE,)	<u>APPLICATION NO. 23736-PP</u>
COLORADO, FOR A CLASS "B" PERMIT TO)	
OPERATE AS A PRIVATE CARRIER BY)	
MOTOR VEHICLE FOR HIRE.)	

June 11, 1969

PROCEDURE AND RECORD

On April 25, 1969, John F. Gillis, doing business as "Mesa View Welding," Box 83, Olathe, Colorado, filed an application with the Commission for a Class "B" Permit to operate as a private carrier by motor vehicle for hire in intrastate commerce for the transportation of sand, gravel, road-surfacing materials, dirt, stone, refuse, insulrock, within a 75-mile radius of pits and supply points, construction jobs; restricted against tank vehicles, and also for the transportation of logs, poles, timber products from forests to sawmills within a radius of 75 miles of forests, and rough lumber within a 75-mile radius to markets in the State of Colorado, provided, however, that no town-to-town service shall be rendered.

After due and proper notice to all interested parties, the application was called for hearing by Commissioner Howard S. Bjelland in the District Court Room, Court House, Montrose, Colorado, on Thursday, June 5, 1969 at 9:00 o'clock a.m. The Applicant did not appear at said time and place.



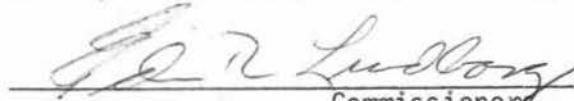
In view of the fact that Applicant failed to appear at the hearing, it would seem proper that the matter be continued and be reset for hearing at a later date by the Secretary of the Commission.

O R D E R

THE COMMISSION ORDERS:

That Application No. 23736-PP be continued and reset for hearing
by the Secretary of the Commission at a later date in the month of July 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 11th day of June, 1969.
ls

(Decision No. 73137)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: THE ISSUANCE OF TEMPORARY
CERTIFICATES OF PUBLIC CONVENIENCE
AND NECESSITY UNDER CHAPTER 115-9-4
(2), CRS 1963, FOR THE TEMPORARY OR
SEASONAL MOVEMENT OF PEAS, EARLY
LETTUCE, CABBAGE, CAULIFLOWER, CARROTS,
SPINACH, RADISHES, SNAP BEANS, SWEET
CORN, TOMATOES, RED BEETS, PICKLES, EARLY
POTATOTES, EARLY ONIONS, VINE CROPS, HAY,
AND ICE.

APPLICATION NO. 23780
EMERGENCY DISTRICT 4-69

June 16, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Report has been received by the Commission from Lloyd C. Espinosa, Supervising Transportation Representative, Enforcement Division of this Commission, indicating that an emergency exists because of the shortage of motor vehicles for the transportation of peas, early lettuce, cabbage, cauliflower, carrots, spinach, radishes, snap beans, sweet corn, tomatoes, red beets, pickles, early potatoes, early onions, vine crops, hay and ice in the Counties of Adams, Baca, Conejos, Costilla, Bent, Crowley, Larimer, Logan, Morgan, Phillips, Otero, Prowers, Pueblo, Weld, Alamosa, Rio Grande, Saguache, Colorado.

Request, pursuant to the above, has been made for an Order of the Commission to issue temporary certificates so as to authorize the temporary or seasonal operation of motor vehicles for the purpose of transporting peas, early lettuce, cabbage, cauliflower, carrots, spinach, radishes, snap beans, sweet corn, tomatoes, red beets, pickles, early potatoes, early onions, vine crops, hay and ice in the counties as set forth above.

The Commission states and so finds that an emergency exists because of the shortage of motor vehicles for the transportation of peas,

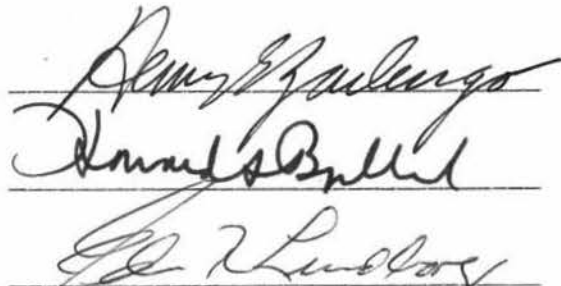
early lettuce, cabbage, cauliflower, carrots, spinach, radishes, snap beans, sweet corn, tomatoes, red beets, pickles, early potatoes, early onions, vine crops, hay and ice in the Counties of Adams, Baca, Conejos, Costilla, Bent, Crowley, Larimer, Logan, Morgan, Phillips, Otero, Prowers, Pueblo, Weld, Alamosa, Rio Grande, and Saguache, Colorado and that the present or future public convenience and necessity requires or will require the issuance of temporary certificates for the temporary or seasonal operation of motor vehicles for the purpose of transporting said commodities, as provided in Chapter 115, Article 9, Section 4 (2), CRS 1963, and as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates, be, and hereby are authorized for the temporary or seasonal operation of motor vehicles for the purpose of transporting peas, early lettuce, cabbage, cauliflower, carrots, spinach, radishes, snap beans, sweet corn, tomatoes, red beets, pickles, early potatoes, early onions, vine crops, hay and ice in only the Counties of Adams, Baca, Conejos, Costilla, Bent, Crowley, Larimer, Logan, Morgan, Phillips, Otero, Prowers, Pueblo, Weld, Alamosa, Rio Grande, and Saguache, State of Colorado; provided, however, that said certificates shall be effective for only a period of NINETY (90) DAYS commencing June 21, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 16th day of June, 1969.
ls

(Decision No. 73138)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
BIG SKY CORPORATION DOING BUSINESS AS)
"SUMMIT STAGE LINE LTD.")
P. O. BOX 218)
DILLON, COLORADO 80435)

PUC NO. 5894

June 11, 1969

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.

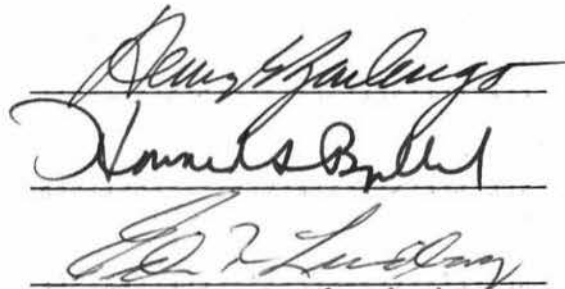
The Commission finds that the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, reinstated as of June 1, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 11th day of June, 1969.
1s

(Decision No. 73139)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
COLORADO EXPRESS COMPANY
255 SOUTH CLEVELAND AVENUE
LOVELAND, COLORADO 80537

PERMIT NO. A-626

June 11, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

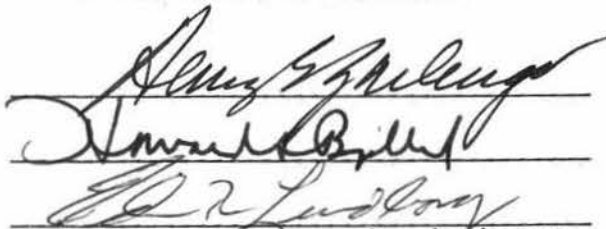
O R D E R

THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from May 27, 1969 to and including November 27, 1969.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, 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 11th day of June, 1969.
1s

(Decision No. 73140)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
JOHN FOX
1452 BENTON
DENVER, COLORADO 80215

PERMIT NO. B-2627

June 11, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

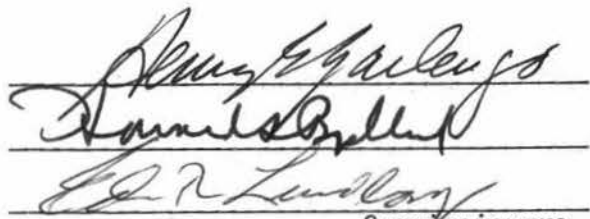
O R D E R

THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from May 3, 1969 to and including November 3, 1969.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, 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 11th day of June, 1969.
1s

(Decision No. 73141)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF TRANS
CENTRAL AIRLINES, INC., STAPLETON INTER-
NATIONAL AIRPORT, DENVER, COLORADO, FOR
A CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY TO OPERATE AS A SCHEDULED COMMON
CARRIER BY AIRPLANE.

APPLICATION NO. 23240

IN THE MATTER OF THE APPLICATION OF
METRO COMMUTER AIRLINES, INC., STAPLETON
INTERNATIONAL AIRPORT, DENVER, COLORADO,
FOR A CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY TO OPERATE AS A SCHEDULED
COMMON CARRIER BY AIRPLANE.

APPLICATION NO. 23395

IN THE MATTER OF THE APPLICATION OF
TRANS CENTRAL AIRLINES, INC., STAPLETON
INTERNATIONAL AIRPORT, DENVER, COLORADO,
FOR A CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY TO OPERATE AS A SCHEDULED
COMMON CARRIER BY AIRPLANE.

APPLICATION NO. 23511

June 11, 1969

Appearances: Bruce F. Ownbey, Esq., Denver, Colorado,
for Applicant, Trans Central Airlines,
Inc.;
James C. Perrill, Esq., Denver, Colorado,
for Applicant, Metro Commuter
Airlines, Inc.;
John R. Barry, Esq., Denver, Colorado,
for Continental Trailways Bus System,
Inc., Protestant;
Raymond M. Wilson, Denver, Colorado, of
the Staff of the Commission.

STATEMENT AND FINDINGS OF FACTBY THE COMMISSION:

The Applicant, Trans Central Airlines, Inc., by its Application No. 23240, as amended, seeks a certificate of public convenience and necessity to operate as a scheduled common carrier by airplane for the transportation of persons and property on schedule from, to and between the following points in the State of Colorado: Denver, Greeley, Colorado Springs, Canon City, and Fort Carson, and by its Application No. 23511 seeks a certificate of public convenience

and necessity to operate as a scheduled common carrier by airplane for the transportation of persons and property on schedule from, to and between the following points in the State of Colorado: Denver and La Junta.

The Applicant, Metro Commuter Airlines, Inc., by its Application No. 23395 seeks a certificate of public convenience and necessity to operate as a scheduled common carrier by airplane for the transportation of persons and property on schedule from, to and between the following points in the State of Colorado: Denver, Greeley, Fort Collins-Loveland, Longmont, Boulder, and from, to and between Denver, Colorado Springs, Canon City, Pueblo, and La Junta.

A protest was filed by Continental Trailways Bus System, Inc., generally protesting the certificates being sought by the above-mentioned Applicants.

Hearings were held before Commissioner Zarlengo at the following places, to-wit:

Denver, Colorado, commencing September 30, 1968
Greeley, Colorado, commencing November 6, 1968
Pueblo, Colorado, commencing January 22, 1969
Denver, Colorado, commencing March 5, 1969.

At the commencement of the hearings, as it appeared that the issues were substantially the same and the rights of the parties would not be prejudiced by consolidation for hearing, and there being no objection thereto, the applications were ordered to be heard on a consolidated basis.

Both Applicants seek substantially the same authority to conduct a scheduled transportation service by airplane between the cities and towns set out in their applications.

Approximately thirty witnesses testified, some at great length, in support of the applications and one witness testified in support of the protest.

Both Applicants by their witnesses and other evidence sought to establish that public convenience and necessity, present and future, require

and will require the air transportation services being sought. The many witnesses who appeared in support of the applications were from many and various walks of life and engaged in many and various types of businesses and work and their testimony and the evidence introduced was in substance and in effect as follows, to-wit: That wholesale and retail sales establishments; that hospitals and their personnel and doctors; that the personnel of state and government offices, including the state penitentiary and sheriffs' offices; that personnel and students of various types of schools; that lawyers, salesmen, cattlemen; that relatives and friends from long distances visiting students and persons in institutions; and other members of the general public are not satisfied with, and are greatly inconvenienced by, the other means of transportation available, which transportation is surface transportation or a combination of surface and air transportation, because of the length of time involved, the inadequacies of feasible connections, and because of the inconvenience resulting from the longer periods of time during which they must be confined in using surface transportation. These witnesses in general stated that they will not only suffer great inconvenience to themselves personally but that their businesses and work are, and will, continue to be subject to great hardship in many ways without the swifter mode of transportation services for which authority is being sought, and that while the existing transportation services available may be adequate to meet the usual and ordinary needs of the public they are inadequate to meet their particular need as it is of a special nature in that time is of the utmost importance. As an example, there is testimony that the consultation services of medical specialists and skilled surgeons many times are required in emergency cases by non-movable patients not located in the Denver area and that without the swifter type of transportation an insurmountable obstacle is many times presented because of the pressures and the very limited time available to them at their own offices and hospitals.

The Protestant, Continental Trailways Bus System, Inc., presented evidence as to the very modern equipment which is being used, the many scheduled daily trips being made between various points and the number of patrons who have used and are using its services with satisfaction. Protestant contends that public convenience and necessity, present and future, do not require the transportation services by air for which authority is being sought by the Applicants primarily because surface transportation is available and the disparity in the time element is not too great. Protestant contends that if authority is granted competition will impair its efficient service to the public and will be detrimental to its financial status.

Protestant's Exhibit 6, and Trans Central's Exhibit 6, indicate, in general, a great disparity in fares, for example:

From Denver TO	Trans Central Air Fare	Continental Trailways Bus Fare
Greeley	\$ 7.50	\$3.55
La Junta	15.00	6.00
Canon City	14.00	4.10
Colorado Springs	7.50	4.45

Thus, it is apparent from the economic viewpoint that in those cases where no special need is present for speed, or convenience, in the transportation, the public will not make use of air transportation.

Having considered these Exhibits, together with other evidence, the Commission FINDS that the contentions of the Protestant are not valid and that the substantial competition envisioned is unreal, as if it be true that its service is equal, or almost equal, to service by air the public will continue to use its services rather than pay the very substantial difference in fares. The Commission FINDS under the circumstances that in many instances air transportation is not only a needed convenience to that segment of the public who state it is necessary between intrastate points and other points in and out of the State of Colorado but is also a necessity in order to meet the time schedules of other air lines to expedite trips.

The Commission FINDS that the present and future public convenience and necessity require and will require the air transportation services sought to be rendered by the Applicants.

The issue then presents itself to the Commission should one or both of the Applicants be granted the authority each seeks or should the right to serve be divided in some way between the Applicants?

After the hearing was closed and the matter taken under advisement, on March 21, 1969, the Commission received information indicating that the Applicant, Metro Commuter Airlines, Inc., was operating under a temporary authority theretofore granted by the Commission without the proper insurance required to be on file with the Commission. As a consequence of this, the Commission by Order, Decision No. 72866, dated April 17, 1969, re-opened the case for further hearing concerning the fitness, suitability and qualifications of the Applicant, Metro Commuter Airlines, Inc., to hold authority from the Commission and a further hearing was held on the 30th day of April 1969, at Denver, Colorado.

At said hearing, Kent Ioerger, President and General Manager of Metro Commuter Airlines, Inc., testified. Under examination he stated that he did not know who carried the company's insurance from November 8, 1968 to December 5, 1968, but thought it was Van Schaack Insurance Company; that he asked for a certificate of insurance but believed he submitted a letter, at any rate he did not have the information; that he was not certain about the cancellation date of the insurance policy issued by Southeast Aviation Underwriters Inc., but did know it was cancelled; that the premium to Southeast Aviation Underwriters Inc. had not been paid; that an incorrectly drawn check had been issued in payment which was returned; that he did not notify the Commission of the cancellation; that he substituted another policy at that time and notified a member of the Commission personnel that a policy would be forthcoming which he presented at the time of the hearing; that the cancellation of the prior policy was March 28, 1969; that during the period between March 28 and April 3, 1969, the Company had

no insurance on file with the Commission; that, with reference to the date of cancellation of the insurance policy, set out in Exhibit 2 (March 11, 1969 for non-payment of premium) it was correct; that the insurance company had the right to cancel as of the time the Company was in default; that the Company was in default on its insurance as of March 11, 1969, but that it was the responsibility of the Lessor of the equipment to maintain it; that he did understand that under the law it is the responsibility of the holder of the authority to see that insurance is not in default; that the insurance became in default on March 11 "because we had not paid the premium;" that he did not know exactly why; that at that time he did not have funds to pay all the obligations the Company was committed to; that the Company operated without insurance because the cancellation was back-dated to March 11; that the Company was in default for non-payment under the lease of one of its aircraft, being one month past due when the aircraft was returned to the Lessor and shortly thereafter the other leased aircraft was returned; that the transaction of returning the equipment was verbal; that the Company owed the Lessor about \$11,000 as of the time of the hearing; that the Company's total indebtedness is about \$16,000; that the Company had approximately \$2,500 to \$3,000 cash in the bank and had some \$10,000 in receivables for which a collection suit is pending. Mr. Ioerger further testified that a claim in the sum of \$20,000 against the Company is under litigation; that an SBA loan is in progress but no application has been filed; (referring to stock issuance) that "the founders and organizers of the Company have reserved 150,000 shares of the stock for themselves for their financial and time contributions:" that "the airline is offering on a private sale basis 50,000 shares of its common stock at \$2.00 per share;" that on the basis of the offering price to the public of \$2.00 per share the founders and organizers are receiving about \$300,000 worth of stock; that the founders and organizers put out in out-of-pocket cash less than \$10,000; that they stood to get roughly 150,000 shares for \$10,000 cash contributions plus time.

The Applicant, Metro Commuter Airlines, Inc., had been given notice by the Commission in its Order that the further hearing was to elicit further testimony concerning the Applicant's fitness to hold authority from the Commission and concerning any other related or pertinent information with respect thereto; yet, the testimony of the witness indicates that the witness was evasive and uncertain and at the very least was unprepared.

The Commission having considered the full record in this case and in particular the testimony and evidence above set out concludes and further FINDS that the protest of Continental Trailways Bus System is not valid; that the present and future public convenience and necessity require and will require the scheduled air transportation services hereinafter set out in the following Order; that Applicant, Metro Commuter Airlines, Inc., at the present time is not a fit, suitable and qualified person to hold the certificate of authority for which application is made; that Trans Central Airlines, Inc., is a fit, suitable and qualified person, is financially able, and is competent to hold and operate the authority for which it has applied, and its applications should be granted.

O R D E R

THE COMMISSION ORDERS:

That Application No. 23395 of Metro Commuter Airlines, Inc., Denver, Colorado, be, and the same hereby is, denied.

That Trans Central Airlines, Inc., be, and hereby is, granted a certificate of public convenience and necessity to operate as a scheduled common carrier by airplane to render the following services:

Transportation of passengers and property, on schedule, by airplane, from, to and between the following points in the State of Colorado:

Denver, Greeley, Colorado Springs, Canon City and La Junta;


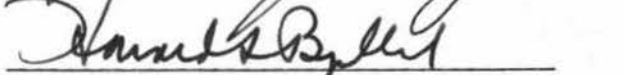
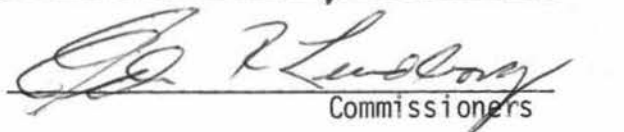
and this ORDER shall be deemed to be, and be, a CERTIFICATE OF PUBLIC CON-
VENIENCE AND NECESSITY therefor.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 11th day of June, 1969.
ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
Midstates Trucking Inc.
Box 508
Dickinson, North Dakota 58601

AUTHORITY NO. 7052-I

CASE NO. 1504-H-Ins.

June 11, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 29, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

ORDER

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Alvin Spadaro
Kenneth Bentley
Edmund Ludwig
Commissioners

Dated at Denver, Colorado, this
11 th day of June 1969 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

CURTIS TIRE AND RUBBER INC.)

Post Office Box 5124)

Bossier City, Louisiana 71010)

AUTHORITY NO. M 7712

CASE NO. 4360-M-Ins.

June 11, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 10, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

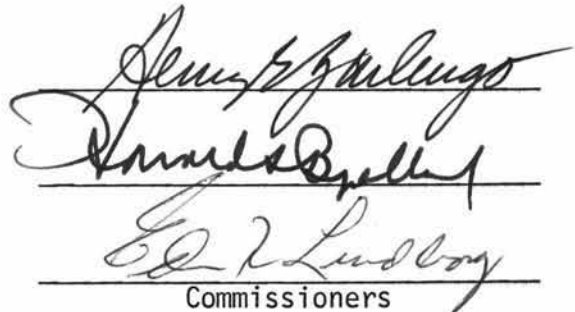
O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
11th day of June, 1969 .

(Decision No. 73144)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
HAROLD W. STAFFORD, DOING BUSINESS)	
AS "NELSON TRANSPORTATION", CRAIG,)	<u>APPLICATION NO. 23755-Transfer</u>
COLORADO, FOR AUTHORITY TO TRANSFER)	
PUC NO. 1672 TO SOUTH HOUSE MOVERS,)	
INC., A COLORADO CORPORATION,)	
MEREDITH, COLORADO.)	

June 12, 1969

Appearances: William H. Nelson, Esq., Grand
Junction, Colorado, for Transferor
and Transferee.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On May 16, 1969, the above-entitled application was filed requesting authority to transfer Certificate of Public Convenience and Necessity PUC No. 1672.

After due and proper notice to all interested persons, firms, or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Transferor herein is the present owner and operator of PUC No. 1672, which is the subject of this proceeding.
2. This authority has been continually operated in the past and is presently in good standing with the Commission.
3. The sole purpose of this transfer proceeding is to place the authority under corporate status.
4. Transferee corporation herein holds no previously granted authority from this Commission.
5. The parties have entered into an Agreement to transfer the operating authority and the consideration to be paid is fair and reasonable.
6. The Certificate is free and clear of any debts, encumbrances or obligations.
7. Transferee corporation has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority sought to be transferred herein.
8. The chief corporate officers as well as the employees of the Transferee corporation are familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission and have or will make adequate provision for insurance.
9. If this transfer is approved, Transferee corporation intends to and will engage in bona fide motor carrier operations under the operating rights set forth herein.
10. The transfer is compatible with the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order authorizing Transferor to transfer all of his right, title and interest in and to PUC No. 1672 to South House Movers, Inc., a Colorado corporation, and that henceforth the full and complete authority under said PUC No. 1672 shall read as follows, to-wit:

"Transportation -- on call and demand -- of

Buildings

Between all points within that portion of the State of Colorado lying west of the Continental Divide."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the

provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as herein-after modified, if such be the situation or fact, and, in accordance, therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Harold W. Stafford, doing business as "Nelson Transportation," be, and hereby is, authorized to transfer all right, title and interest in and to Certificate PUC No. 1672, to South House Movers, Inc., subject to encumbrances, if any, against said authority approved by this Commission.

That henceforth the full and complete authority under PUC No. 1672 shall read and be as follows, to-wit:

Transportation -- on call and demand -- of

Buildings

Between all points within that portion of the State of Colorado lying west of the Continental Divide.


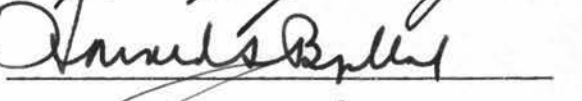

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements 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 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 of the annual report by transferor herein, covering the 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 June, 1969.

1s

(Decision No. 73145)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
REYHER ENTERPRISES, INC., McCLAVE,)
COLORADO, FOR AN ORDER REINSTATING)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY PUC NO. 2765 AND PUC)
NO. 2765-I ISSUED BY THE PUBLIC)
UTILITIES COMMISSION OF THE STATE)
OF COLORADO.)

APPLICATION NO. 23681-Reinstatement

June 12, 1969

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On April 3, 1969, the above-entitled application was filed requesting authority to reinstate Certificate of Public Convenience and Necessity PUC No. 2765 and PUC No. 2765-I as fully set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record of the instant proceeding, together with a written statement of his Findings of Fact and Conclusions.

Matters which were considered by the Examiner, prior to the taking of evidence on the application, have been submitted to the Commission in the following exact manner, to-wit:

"PRELIMINARY MATTERS, MOTIONS, ETC.

Prior to the hearing, Applicant moved to withdraw its Petition, which motion was granted."

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

EXAMINER CONCLUSIONS

That the Commission make and enter its Order dismissing this application.

The Commission has given careful consideration to the record in the above-entitled proceeding and to the Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Conclusions of the Examiner, and, in accordance therewith, makes and enters the following Order.

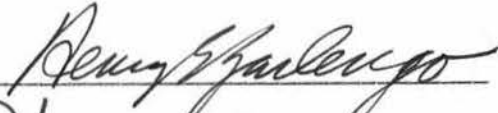
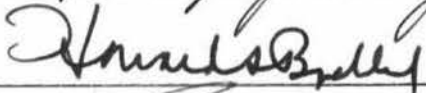
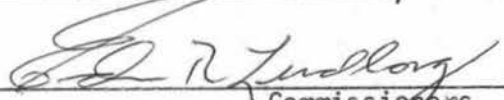
O R D E R

THE COMMISSION ORDERS:

That Application No. 23681-Reinstatement, be, and hereby is, dismissed.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 12th day of June, 1969.
ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION
OF ROCKY MOUNTAIN NATURAL GAS
COMPANY, INC., A CORPORATION
ORGANIZED AND EXISTING UNDER THE
LAWS OF THE STATE OF COLORADO, FOR
AUTHORITY TO ISSUE AND SELL SECURITIES.)

APPLICATION NO. 23753-Securities
AMENDED

June 13, 1969

Appearances: Grant E. McGee, Esq., Denver,
Colorado, and
A. Frank Vick, Jr., Esq., Denver,
Colorado, for Applicant;
Girts Krumins, Esq., Denver, Colo-
rado, for the Staff of the
Commission;
James D. Grundy and M. R. Garrison,
Denver, Colorado, of the Staff
of the Commission.

S T A T E M E N T

BY THE COMMISSION:

Rocky Mountain Natural Gas Company, Inc., (applicant) filed Application No. 23753-Securities with this Commission on May 16, 1969. By such application, applicant sought authority of this Commission to issue 15,000 shares of its common stock of a par value of \$3 per share pursuant to its Employees Qualified Stock Option Plan.

Such application was set for hearing after due notice to all interested parties in compliance with the statutes of Colorado and the rules and regulations of this Commission, at 9:00 o'clock a.m. on May 29, 1969, in Room 507, Columbine Building, 1845 Sherman Street, Denver, Colorado, 80203. No petitions were filed in opposition to the application, and no one appeared at the hearing opposing the authority sought by the application.

At the hearing, applicant requested and received permission from the Commission to amend the instant application so that the authority sought in the original application be broadened from 15,000 shares to a total of

25,000 shares of capital stock of applicant, each having a par value of \$3. This request came after and because of the conclusion reached in conference of Messrs. McGee, Krumins and Commissioner Bjelland whereby the shares of capital stock, previously authorized by the Commission and remaining unissued, are not properly available for issuing to optionees upon their exercise of options under the Plan.

The matter was continued for hearing to June 9, 1969, at the hour of 9:00 o'clock a.m., in Room 507, Columbine Building, 1845 Sherman Street, Denver, Colorado, 80203, and was there heard by the Commission and taken under advisement. No petitions have been filed at such continued hearing in opposition to the amended application and no one appeared at such continued hearing opposing the authority sought by this application, as amended.

Applicant is a corporation created, organized and existing under the laws of the State of Colorado. Its address and principal office is 420 Capitol Life Center, 1600 Sherman Street, Denver, Colorado, 80203.

Applicant is engaged in the business of distributing natural gas at retail in various towns and cities throughout the State of Colorado.

Applicant has, by action of its Board of Directors and with approval of the holders of a majority in interest of its common stock, adopted an Employees Qualified Stock Option Plan (later herein referred to as the "Plan"), for certain of its officers and key employees. A copy of the Plan, adopted by the Board of Directors of applicant on March 8, 1965 and approved by the stockholders April 22, 1965, was filed with the Commission at the hearing. Under the Plan, shares of common stock of applicant may be optioned to certain officers and key employees of the applicant. The Plan is administered by a committee which is appointed by the Board of Directors of applicant, from among its members. The committee recommends to the Board of Directors the names of grantees of options, with final authority for the granting of options resting with the Board of Directors. No grantee of any option may receive an option right exceeding 15,000 shares and the price of any shares optioned may not be less than 100% of

the fair market value of the shares on the option date.

The Plan further provides that no option may be exercised for eighteen months after the date of grant and may then be exercised only to the extent of 33 1/3% of the total number of shares covered thereby during each twelve month period commencing eighteen months from the date of the grant. Options may not be exercised more than five years from the date the option is granted; are not assignable; and terminate three months from the date of termination of employment, retirement or death of the optionee.

Pursuant to the Plan, options were granted to three individuals for a total of 20,000 shares. One of the optionees has exercised his option to purchase 1,500 shares pursuant to such grant. The certificate issued in the exercise of such option will be cancelled and a new certificate for 1,500 shares will be issued by applicant out of the 25,000 shares sought to be authorized in this application.

Applicant's witness identified and presented to the Commission the following exhibits which were received into evidence:

- Exhibit A - A true copy of the Employees Qualified Stock Option Plan
- Exhibit B - A copy of the Stock Option Agreement to be used pursuant to such plan
- Exhibit C - A copy of the executed Stock Option Agreements (three agreements, twelve pages)
- Exhibit D - Applicant's balance sheet dated March 31, 1969
- Exhibit E - A pro forma balance sheet of applicant assuming execution of all three options at the option price of \$7.125
- Exhibit F - Applicant's statement of income and expense for the twelve month period ending March 31, 1969
- Exhibit G - Letter from Merrill, Lynch, Pierce, Fenner and Smith, giving the market price of applicant's stock at and prior to the date of granting the options.

Applicant represents that the Plan assists applicant to retain and encourage its most competent personnel and key employees and, by reason of the prospect of similar opportunities for them, is of assistance in the recruiting of capable new employees, who may constitute the future

management of the applicant. Applicant further claims that such increased stock ownership by certain officers and key employees thereof will contribute to the success of the business of applicant and to the rendering of better, more efficient service to the public. The funds to be derived from shares sold upon the exercise of options under the Plan will be used for the construction and extension of the company's facilities, programs and other general corporate purposes.

F I N D I N G S

THE COMMISSION FINDS:

That Rocky Mountain Natural Gas Company, Inc., is a public utility as defined in Chapter 115-1-3, Colorado Revised Statutes, 1963.

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 proposed issue and sale of 25,000 shares of common stock of Rocky Mountain Natural Gas Company, Inc., of a par value of \$3 per share is 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, Colorado Revised Statutes, 1963; and

That the Order sought should be issued and made effective forthwith.

O R D E R

THE COMMISSION ORDERS:

That the issue and sale of 25,000 shares of common stock of Rocky Mountain Natural Gas Company, Inc., of a par value of \$3 per share, in connection with its Employees Qualified Stock Option Plan, approved by the stockholders on April 22, 1965, be, and hereby is, 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. 23753

That within ninety (90) days after the end of each calendar year, beginning December 31, 1969, Applicant shall file with this Commission a report signed and certified as to the facts by an executive officer, the following information with respect to the common stock optioned and issued under the Employees Qualified Stock Option Plan as authorized in this Order.

1. Options granted during the year by stock option contract with employees: Name and position title of employee, price, dates stock options were granted, total number of options granted by Applicant.

2. Options exercised during the year for the purchase of common shares: Name and position title of employee, price, dates of purchase, stock certificate serial numbers, total number of shares issued by Applicant.




That within ninety (90) days from the date of this Order, Applicant shall file with this Commission a report signed and certified as to the facts by an executive officer, the following information with respect to the Employees Qualified Stock Option Plan.

1. Options granted up to June 9, 1969 by stock option contract with employees: Name and position title of employee, price, date stock options were granted, total number of options granted by Applicant.

That nothing herein shall be construed to imply any recommendations or guaranty of, or any obligation with respect to said issue of the aforementioned common stock on the part of the State of Colorado.

This Order shall become effective as of the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 13th day of June, 1969.
ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF INCREASED
FREIGHT RATES AND CHARGES
WITHIN COLORADO (EX PARTE
NO. 259-B)

INVESTIGATION AND SUSPENSION
Docket No. 629

SUPPLEMENTAL ORDER

June 13, 1969

STATEMENT AND FINDINGS

BY THE COMMISSION:

On March 4, 1969, by Decision No. 72613, the Commission, upon protests, suspended in part Supplement K-18 to Tariff of increased rates and charges X-259-B, Western Trunk Line Committee, ICC No. A-4729, as it affects the following portions;

Sugar Beets	(Item 570)
Limestone	(Item 630)
Bituminous Coal	(Item 1075)
Beet Sugar Molasses	(Item 680)
Beet Sugar	(Item 675)

The suspended portions were placed under investigation and suspended to and including July 6, 1969, unless otherwise ordered by the Commission, and the matter set for hearing on May 21, 1969. Said hearing was heard as scheduled and, at the conclusion thereof, the matter was taken under advisement. It now appears that the period of suspension will expire prior to the final entry of the Commission's Order in this docket. Therefore, the Commission, on its own motion, finds that the suspended matter set forth herein, shall be further suspended for an additional period of 90 days, or until October 4, 1969.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings herein, be, and they are hereby, made a part hereof.
2. That the operation of said schedule, as set forth in

Decision No. 72613, dated March 4, 1969, be, and it is hereby, further suspended and the use thereof deferred to and including October 4, 1969, unless otherwise ordered by the Commission.

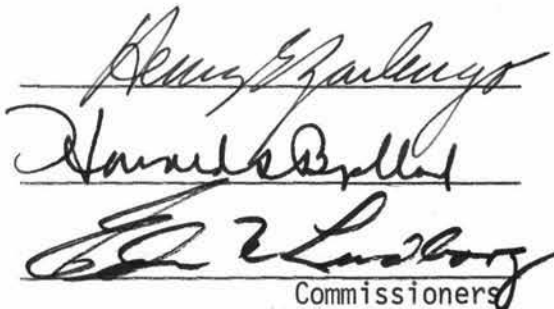
3. That a copy of this Order shall be filed with the schedule in the office of the Commission, and a copy hereof be served upon Western Trunk Line Committee, Issuing Officer, Fred Ofcky, 516 West Jackson Boulevard, Chicago, Illinois 60606, and

The Atchison, Topeka and Santa Fe Railway Company
Chicago, Burlington & Quincy Railroad Company
Chicago, Rock Island and Pacific Railroad Company
The Colorado and Southern Railway Company
The Colorado and Wyoming Railroad Company
The Denver and Rio Grande Western Railroad Company
The Great Western Railway
Missouri Pacific Railroad Company
The Northwestern Terminal Railroad Company
San Luis Central Railroad
Southern San Luis Valley Railroad Company
Union Pacific Railroad Company

and that the necessary extending suspension supplement shall be issued to WTL X-259-B, ICC No. A-4729.

4. That, except as herein amended, said Decision No. 72613 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
13th day of June, 1969. av

(Decision No. 73148)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE D. RASMUSSEN, BOX 282, WALDEN,)
COLORADO, FOR AUTHORITY TO EXTEND)
OPERATIONS UNDER PERMIT NO. B-4896.)

APPLICATION NO. 23750-PP-Extension
Amended

June 13, 1969

Appearances: George D. Rasmussen, Walden,
Colorado, pro se;
Leslie R. Kehl, Esq., Denver,
Colorado, for North Park
Transportation Company,
Protestant.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On April 14, 1969, the above-entitled application was filed requesting authority to extend operations under Private Carrier Permit No. B-4896 in the precise manner as fully set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that -- at the hearing -- the herein application was protested by North Park Transportation Company.

Matters which were considered by the Examiner, prior to the taking of evidence on the application, have been submitted to the Commission in the following exact manner, to-wit:

"PRELIMINARY MATTERS, MOTIONS, ETC.

Prior to the hearing, the application was amended to read as follows:

'Transportation of

Heavy equipment

Between all points within an area comprised of the Counties of Larimer, Jackson and Grand, State of Colorado, and from said points to points within a one-hundred (100) mile radius of Craig, Colorado.

RESTRICTION:

All transportation performed hereunder shall be equipment which, by reason of size and weight, require the use of special equipment.'

This amendment, being restrictive in nature, was granted. Further, said amendment clarifies the application."

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file, your Examiner finds as fact, that:

1. Applicant, who is an individual, failed to show that there was any present or special need for the service and, in fact, presented no supporting testimony whatsoever.
2. The proposed operation would impair the efficient public service of authorized common carriers adequately serving the same territory over the same general route or routes.
3. The application should be denied.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order denying the application.

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as hereinafter

modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.


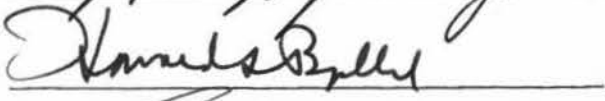

O R D E R

THE COMMISSION ORDERS:

That Application No. 23750-PP-Extension-Amended, be, and the same hereby is, denied.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 13th day of June, 1969.
gf

(Decision No. 73149)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WESTERN FOUNDRY DIVISION - WOODWARD)
IRON COMPANY, P. O. BOX 899, TYLER,)
TEXAS, FOR AUTHORITY TO TRANSFER)
INTERSTATE OPERATING RIGHTS TO THE)
MEAD CORPORATION, DOING BUSINESS AS)
"WESTERN FOUNDRY DIVISION - WOODWARD)
CO.," P. O. BOX 899, TYLER, TEXAS.)

PUC NO. 4729-I - Transfer

June 16, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore Western Foundry Division - Woodward Iron Company, Tyler, Texas, was granted a certificate of public convenience and necessity, being PUC No. 4729-I, authorizing operation as a common carrier by motor vehicle for hire.

Authority to use equipment in the State of Colorado as a Common Interstate Carrier between all points in the State of 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 PUC No. 4729-I to The Mead Corporation, doing business as "Western Foundry Division - Woodward Co.," Tyler, Texas.

Inasmuch as the records and files of the Commission fail to disclose any reason why said transfer should not be authorized, the Commission states and finds that the proposed transfer is compatible with the public interest, and should be authorized, as set forth in the Order following.

O R D E R


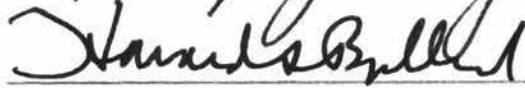

THE COMMISSION ORDERS:

That Western Foundry Division - Woodward Iron Company, Tyler, Texas, be, and hereby is, authorized to transfer all right, title and interest

in and to PUC No. 4729-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to The Mead Corporation, doing business as "Western Foundry Division - Woodward Co.," Tyler, Texas, subject to outstanding encumbrances against said operating rights, if any, approved by this Commission, and subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 16th day of June, 1969.
gf

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

Doyle R. Moon)
Hayden, Colorado 81639)

AUTHORITY NO. B-6103

CASE NO. 1553-H-Ins.

June 13, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 27, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.


O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
13th day of June, 1969 .

(Decision No. 73151)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HELEN WALL, DOING BUSINESS AS "WALL)
TRUCKING," 5800 HUMBOLDT, DENVER,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 23570-PP
SUPPLEMENTAL ORDER

June 16, 1969

Appearances: Helen Wall, Denver,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 21, 1969, the Commission entered Decision No. 73045, in the above-styled application, revoking operating rights granted to the above-styled Applicant by Decision No. 72627, dated March 6, 1969, for failure of Applicant to comply with requirements set forth in said Decision No. 73045.

It now appears that Applicant has complied with all requirements of Decision No. 73045, and requests reinstatement of operating rights granted thereby.

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

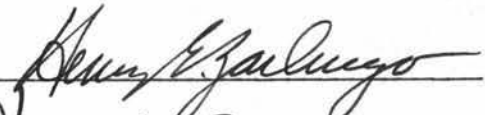
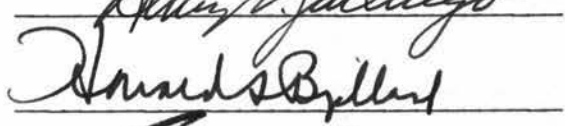
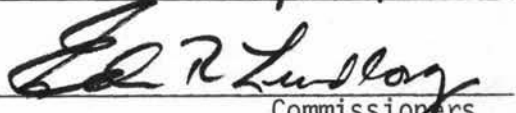
O R D E R

THE COMMISSION ORDERS:

That Decision No. 73045, dated May 21, 1969, be, and the same hereby is, vacated, set aside and held for naught, as of said 21st day of

May, 1969, and operating rights heretofore granted to the above-styled Applicant by Decision No. 72627, dated March 6, 1969, be, and the same hereby are, restored to active status as of said date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 16th day of June, 1969.

ls

(Decision No. 73152)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

ASPEN AIRWAYS, INC.
STAPLETON INTERNATIONAL AIRPORT
DENVER, COLORADO,

Complainant,

vs.

ROCKY MOUNTAIN AIRWAYS, INC.,
1421 COURT PLACE BUILDING
DENVER, COLORADO,

Respondent

CASE NO. 5374

ASPEN AIRWAYS, INC.
STAPLETON INTERNATIONAL AIRPORT
DENVER, COLORADO

Complainant,

vs.

ROCKY MOUNTAIN AIRWAYS, INC.
1421 COURT PLACE BUILDING
DENVER, COLORADO,

Respondent.

CASE NO. 5389

June 16, 1969

Appearances: Robert S. Wham, Esq., Denver,
Colorado, for Respondent;
John F. Mueller, Esq., Denver,
Colorado, for Complainant.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, the above-entitled complaints were filed by the Complainant against the Respondent alleging certain violations of its authority.

Orders to Satisfy or Answer were issued by the Commission, directed to the Respondent, and Answers thereto duly filed by the Respondent.

Each of the above cases were called up for hearing at the time and place as designated in the Notices of Hearing thereof. In each Case, a Motion for Continuance was filed by the Attorney for the Respondent setting out therein the grounds for the continuance. No objection was made to the granting of said Motions. The Commission finds that the continuance should be granted.

As it appeared the issues were substantially the same and the rights of the parties would not be prejudiced by consolidation for hearing, and there being no objection thereto, the Cases were ordered to be heard on a consolidated basis.

A Subpoena Duces Tecum was duly served on the Respondent in Case No. 5389 returnable at the time the Case was set for hearing. Counsel for the Respondent stated that the Respondent had not had sufficient time to prepare the documents requested and asked that the Subpoena be made returnable at the time to which the hearing will be continued. No objection was made to said request by the Attorney for the Complainant. The Commission finds that the request should be granted.

Attorney for the Complainant moved that a witness, John Brandigan III, who had come from Houston, Texas, to testify be heard as said witness had made a special trip and did not plan to return to Colorado. There being no objection on the part of the Attorney for the Respondent the testimony of said witness was taken.

O R D E R

THE COMMISSION ORDERS:

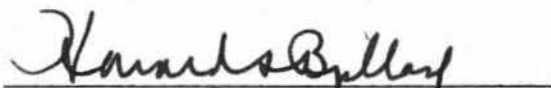

That Case No. 5374 and Case No. 5389 be, and the same hereby are, consolidated for hearing and so heard.

That the hearing of said Cases be, and hereby is, continued to, and be, heard commencing August 12, 1969, at 10:00 a.m., at 507 Columbine

Building, 1845 Sherman Street, Denver, Colorado.

That the Subpoena Duces Tecum directed to Gordon F. Autry,
Rocky Mountain Airways, Inc., Respondent, be, and hereby is, made returnable
on August 12, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 16th day of June, 1969.
ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

ROBERT PADILLA)
2839 West Howard Place)
Denver, Colorado 80204)

AUTHORITY NO. M 11900

CASE NO. 4324-M-Ins.

June 16, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 13, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

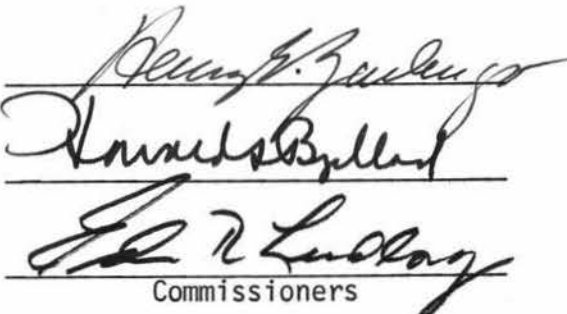
O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
16th day of June, 1969 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: BEER, IN CANS OR BOTTLES,)
IN CASES, OR IN BULK, IN BARRELS,)
FROM PUEBLO, COLORADO TO FLORENCE,)
COLORADO)
-----)

CASE NO. 1585

June 17, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 21, 1969, J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, as Agent, filed First Revised Page No. 282 to its Motor Freight Tariff No. 12-B, Colorado PUC No. 19, setting forth a reduced rate applicable to beer, scheduled to become effective June 27, 1969.

ITEM NO.	COMMODITY	FROM	TO	RATE	ROUTE
2250	LIQUORS, BEVERAGE; BEER, IN CANS OR BOTTLES, IN CASES OR IN BULK IN BARRELS.	PUEBLO	DENVER	(4) 36 (5) 27	47
			FLORENCE	(5) (6) 17	87

- (4) MINIMUM WEIGHT 30,000 POUNDS
- (5) MINIMUM WEIGHT 40,000 POUNDS
- (6) EXPIRES WITH JUNE 30, 1970, UNLESS SOONER
CANCELED, CHANGED OR EXTENDED.

SUBJECT TO LOADING BY THE CONSIGNOR AND UNLOADING BY THE CONSIGNEE.

(SUBJECT TO ITEM 240)

Subsequently, J. R. Smith filed application 407 on June 4th, to add the routing No. 87. Through error this was omitted. Also, add a rate of 12¢ per 100 pounds, minimum weight 10,000 pounds, to apply on containers, beer, empty, returned from Florence to Pueblo, subject to the following provision which shall be noted on the bill of lading: "This is to certify that the filled containers, which are being returned empty, were transported by the carrier transporting the empty containers."

Special Permission No. 15212, dated June 6, 1969, granted

permission to make the correction and add the above proviso effective June 27, 1969. Mr. Wally Fletchinger, General Traffic Manager, Rio Grande Motor Way, Inc., in a letter dated April 17, 1969, supporting this proposal states, that: --

"The shipper at Pueblo has advised us that the tonnage from Pueblo to Florence will amount to one trailer load a week in the summer months and one trailer load every two weeks in the winter months. The consignee at Florence acts as a distributor and supplies the commodity throughout the Canon City, Salida, Leadville, Vail and Westcliffe areas. In the past, the consignee has handled the beer from Pueblo on his own truck and through our negotiations we have been told that with the establishment of this rate the consignee will no longer transport the beer from Pueblo but will divert his shipments over to common motor carrier."

The present class rate applicable on beer from Pueblo to Florence, Colorado is 40 cents per 100 pounds. The reduction to 17 cents appears to be just and reasonable and the Commission finds that an Order should be entered prescribing the changes set forth herein under the provisions of Rule 18C (1) (a) and (c).

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings herein be, and they are hereby, made a part hereof.
2. That the rates and charges as set forth in this Order, subject to the rules and regulations as provided in the aforesaid tariffs, shall be the prescribed rates, rules and regulations of the Commission.
3. That 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. That 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. That on and after June 27, 1969, 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) percent.

6. That on and after June 27, 1969, 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) percent.

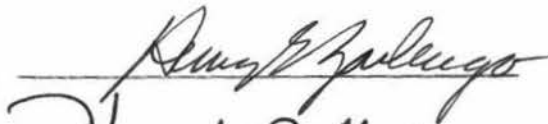
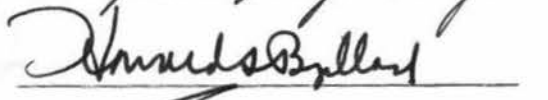
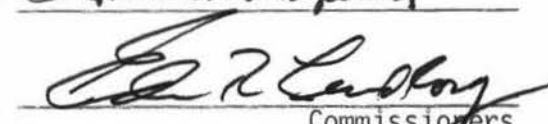
7. That this Order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

8. That the Order as 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. That this Order shall become effective forthwith.

10. That 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
17th day of June, 1969. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: SPECIAL SERVICE OR ADDITIONAL
CHARGES (HOURLY) APPLICABLE TO
TRANSPORTATION OF COMMODITIES
UNDER THE MERCER DESCRIPTION

)
)
)
)
)
INVESTIGATION AND SUSPENSION
DOCKET NO. 638;
AND CASE NO. 1585

June 18, 1969

STATEMENT

BY THE COMMISSION:

On May 21, 1969, the Colorado Motor Carriers' Association, Agent, by J. R. Smith, Chief of Tariff Bureau, filed 2nd Revised Page No. 16, to its Motor Freight Tariff No. 9, Colorado PUC No. 10, proposing increased rates and hourly charges applicable for the transportation of machinery, equipment, materials and supplies used in or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission and distribution of natural gas and petroleum and their products and by-products, and machinery, materials, equipment and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and pickup thereof, scheduled to become effective June 21, 1969.

The proposed rates are set forth in Appendix "A" and the present rates are set forth in Appendix "B" attached hereto.

The Commission is in receipt of a protest by The American Association of Oilwell Drilling Contractors, signed by Joseph M. Shelton, General Counsel, Dallas, Texas, and James H. Shelton, Attorney at Law, Greeley, Colorado, objecting to the proposed increases and changes thereto.

Upon consideration of said rates, changes, and protest thereto, the Commission is of the opinion that the proposed schedule, if permitted to become effective, may be in violation of the Public Utilities Law. The said schedule should be suspended and an investigation entered into and concerning the lawfulness thereof.

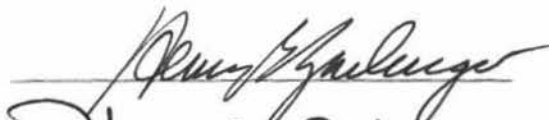
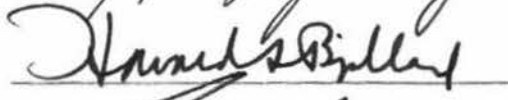
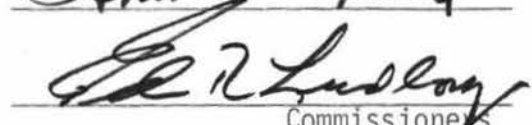
O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Appendixes "A" and "B" attached hereto, be, and they hereby are, made a part hereof.
2. That it shall enter upon a hearing concerning the lawfulness of the rates and charges as published on Second Revised Page No. 16, Colorado Motor Carriers' Association, Agent, Motor Freight Tariff No. 9, Colorado PUC No. 10.
3. That the operation of said schedule be, and it hereby is, suspended and the use thereof deferred to and including October 19, 1969, unless otherwise ordered by the Commission.
4. That the investigation in this proceeding shall not be confined to the matters and issues hereinbefore stated but shall include all matters and issues with respect to the lawfulness of said schedules under the Public Utilities Law.
5. That neither the schedule 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. That a copy of this order shall be filed with the Tariff in the office of the Commission, and that a copy thereof be served upon J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, 4060 Elati Street, Denver, Colorado, and he is, and Carriers parties thereto are, hereby, made respondents in this proceeding. The necessary suspension supplement shall be issued, filed and posted to the tariff referred to herein.
7. That fourteen (14) days prior to the hearing date herein, respondents shall provide the Secretary of the Commission with copies of any and all exhibits which respondents intend to introduce in evidence in support of their case.

8. That this Investigation and Suspension Docket No. 638, be, and the same hereby is, set for hearing before the Commission on the 12th day of August, at 10:00 a.m., in the Hearing Room of the Commission, 507 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
18th day of June, 1969. av

APPENDIX "A"

ALL RATES AND CHARGES ON THIS PAGE ARE INCREASES

2nd Revised Page No. 16
Cancels

1st Revised Page No. 16

Colorado PUC No. 10

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT
Motor Freight Tariff No. 9

Item No.	Rules and Regulations																
	SPECIAL SERVICE OR ADDITIONAL CHARGES:																
	The following charges are in addition to the transportation charges provided herein and will be assessed on shipments when special service and/or extra labor or equipment is required in loading or unloading shipments, or when extra services are required due to weak bridges or other highway obstructions preventing accessibility on the normal route. Also for stringing material along a right-of-way, to tow, drag, or gather material or equipment to or from loading or unloading place, to pull down, or set up material, machinery or equipment, or wreck or place same in position, or rig up or to pump liquids on or off tanks.																
	Truck, Truck-Tractor or "A" frame weighing empty (Power Unit Only)																
	<table><tr><th></th><th>Hourly Rate</th></tr><tr><td>7,000 lbs. and under</td><td>\$ 7.75</td></tr><tr><td>Over 7,000 lbs. and under 9,000 lbs.</td><td>9.00</td></tr><tr><td>Over 9,000 lbs. and under 12,000 lbs.</td><td>12.00</td></tr><tr><td>Over 12,000 lbs. and under 15,000 lbs.</td><td>14.75</td></tr><tr><td>Over 15,000 lbs. and under 19,000 lbs.</td><td>16.50</td></tr><tr><td>Over 19,000 lbs. and under 24,000 lbs.</td><td>20.00</td></tr><tr><td>24,000 lbs. and Over</td><td>23.00</td></tr></table>		Hourly Rate	7,000 lbs. and under	\$ 7.75	Over 7,000 lbs. and under 9,000 lbs.	9.00	Over 9,000 lbs. and under 12,000 lbs.	12.00	Over 12,000 lbs. and under 15,000 lbs.	14.75	Over 15,000 lbs. and under 19,000 lbs.	16.50	Over 19,000 lbs. and under 24,000 lbs.	20.00	24,000 lbs. and Over	23.00
	Hourly Rate																
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Over 15,000 lbs. and under 19,000 lbs.	16.50																
Over 19,000 lbs. and under 24,000 lbs.	20.00																
24,000 lbs. and Over	23.00																
	Crane, with driver and operator, less than 75 feet of boom.																
	23.00																
	Crane, with driver and operator, 75 feet of boom and over.																
	26.00																
	Use of Tractor or Caterpillar:																
	D-6 or comparable (E)																
	D-7 or comparable (E)																
	D-8 or comparable (E)																
	Athey Wagons (E)																
	① / Low-boy (underslung) Trailer, with or without platform, not more than 2 axles and not more than 8 wheels.																
	6.25																
	① / Low-boy (underslung) Trailer, with or without platform, more than 2 axles and/or 8 wheels, but not more than 3 axles.																
	12.75																
	① / Low-boy (underslung) Trailer, with or without platform, 4 axles or more, or 16 or more wheels																
	20.00																
	① / Tandem Dolly or Bogie 3.25																
	① For use of low-boy trailers and tandem dolly in terminal service. Terminal service within the meaning of this item, covers all service except over-the-road service provided, however, that over-the-road service is not to be construed to prevent operation of special equipment over the highways from terminal or camp to job site and return.																
	Oil Field Helpers or "Swampers" 3.75																
	Time to be computed as actual travel and working time.																
	Subject to Item No. 300																

1st Revised Page No. 16
cancels

Original Page No. 16

Colorado PUC No. 10

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT
Motor Freight Tariff No. 9Item
No.

Rules and Regulations

SPECIAL SERVICE OR ADDITIONAL CHARGES:

The following charges are in addition to the transportation charges provided herein and will be assessed on shipments when special service and/or extra labor or equipment is required in loading or unloading shipments, or when extra services are required due to weak bridges or other highway obstructions preventing accessibility on the normal route. Also for stringing material along a right-of-way, to tow, drag, or gather material or equipment to or from loading or unloading place, to pull down, or set up material, machinery or equipment, or wreck or place same in position, or rig up or to pump liquids on or off tanks.

Truck, Truck-Tractor or "A" Frame weighing empty (power unit only)

	Hourly Rate
7,000 lbs. and under	\$ (A) 6.50
Over 7,000 lbs. and under 9,000 lbs.	(A) 7.75
Over 9,000 lbs. and under 12,000 lbs.	(A) 9.00
Over 12,000 lbs. and under 15,000 lbs.	(A) 12.00
Over 15,000 lbs. and under 19,000 lbs.	(A) 14.75
Over 19,000 lbs. and under 24,000 lbs.	(A) 16.50
24,000 lbs. and over	(A) 20.00

Crane, with driver and operator, less than 75 feet of boom	(A) 20.00
Crane, with driver and operator, 75 feet of boom and over	(A) 23.00

Use of Tractor or Caterpillar:

D-6 or comparable	(A) 13.50
D-7 or comparable	(A) 18.50
D-8 or comparable	(A) 20.00

Athey Wagons	(A) 5.50
------------------------	----------

Oil Field Helpers or "Swampers"	(A) 2.90
---	----------

Time to be computed as actual travel and working time.

Subject to Item No. 300.

For explanation of abbreviations and symbols, see page 4.

ISSUED NOVEMBER 27, 1964
Correction No. 43

EFFECTIVE DECEMBER 1, 1964

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

H. W. WHITING)

Post Office Box 63)

Hideaway Park, Colorado 80450)

AUTHORITY NO. M 3068

CASE NO. 4290-M-Ins.

June 17, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 10, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

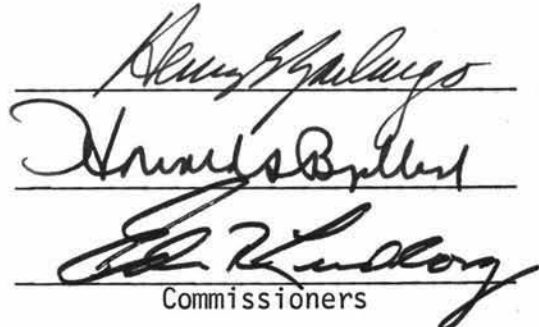
O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
17th day of June, 1969 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ROSS CLYDE CANINO)
3615 Bryant Street)
Denver, Colorado 80211)
-----)

AUTHORITY NO. M 11709
CASE NO. 4373-M-Ins.

June 18, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 10, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

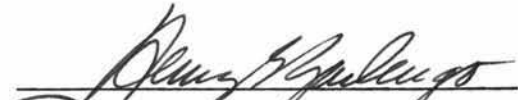
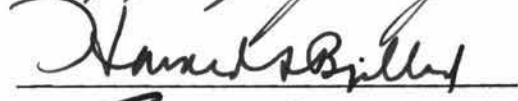

O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioner

Dated at Denver, Colorado, this
18th day of June, 1969 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

FLOYD T. MARINE DBA)
MARINE PRODUCE COMPANY)
201 North 29th Street)
Duncan, Oklahoma 73533)

AUTHORITY NO. M 10098

CASE NO. 4418-M-Ins.

June 18, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 10, 1969 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

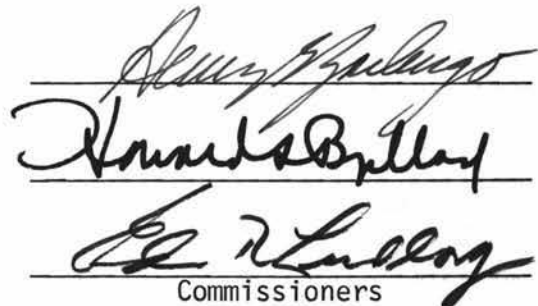
O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
18th day of June, 1969 .

(Decision No. 73159)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
TED A. REEDS, DOING BUSINESS AS) APPLICATION NO. 23746
"TED REEDS - AIR TAXI," P. O. BOX)
1226, ASPEN, COLORADO.)

June 18, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-styled application, Applicant herein seeks a certificate of public convenience and necessity to operate as a common carrier by airplane for the transportation of persons and property, not on schedule, but on call and demand, from, to and between all points in the State of Colorado, with a base of operations at Sardi Field, Aspen, Colorado.

Said application is presently set for hearing at 9:00 A.M., June 19, 1969, at Glenwood Springs, Colorado.

The Commission has now been advised by Applicant that he no longer desires authority herein sought and requests that said Application be dismissed.

The Commission states and finds that said request is compatible with the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

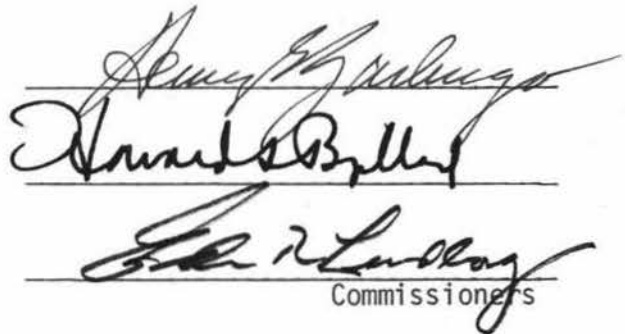
That hearing on Application No. 23746 presently set for 9:00 A.M., June 19, 1969, at Glenwood Springs, Colorado, be, and the same

hereby is, vacated.

That Application No. 23746 be, and the same hereby is,
dismissed.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 18th day of June, 1969.
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(Decision No. 73160)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PRINCETON INDUSTRIES, INC., P. O.)
BOX 546, SALIDA, COLORADO, FOR A CLASS) APPLICATION NO. 23747-PP
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

June 19, 1969

Appearances: Arthur R. Hauver, Esq., Denver,
Colorado, for Applicant;
Gene Coleman, Salida, Colorado,
President of Salida Transfer
Company, Protestant.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On May 5, 1969, the above-entitled application was filed requesting authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that -- at the hearing -- the herein application was protested by Salida Transfer Company.

Matters which were considered by the Examiner, prior to the taking of evidence on the application, have been submitted to the Commission in the following exact manner, to-wit:

"PRELIMINARY MATTERS, MOTIONS, ETC.

Motion to strike the Protest of Gunnison Trucking, Inc. was granted for failure of said Protestant to appear."

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant is a Colorado corporation, the president and sole stockholder being Mr. William L. McAllister, who testified in support of the application. Said Applicant presently holds no authority from this Commission and was only recently organized for the purpose of acquiring this authority and going into the transportation business.
2. By its application, Applicant seeks unlimited authority to transport ore and ore concentrates from all points in the Counties of Gunnison, Chaffee and Saguache, State of Colorado, to points within Salida, Colorado, and a five (5) mile radius thereof (restricted against rendering service from points within a twenty (20) mile radius of Alma, Colorado) together with transportation of mining equipment and supplies from all points within Salida, Colorado, and a five (5) mile radius thereof to all points in the Counties of Gunnison, Chaffee and Saguache, State of Colorado (restricted against rendering service to points within a twenty (20) mile radius of Alma, Colorado). To grant such authority would not be within the purview of a Private Carrier Permit and, further, testimony submitted by Applicant did not support such a broad grant of authority.
3. Applicant has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority applied for herein.
4. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
5. The application was supported by witness Betty Marie Bernstein, Vice-President of Elements Refining Corporation and Napoleon Mines, Inc. No other prospective shippers supported the application. Elements Refining Corporation is a milling company located at Salida, Colorado, in Chaffee County. Napoleon Mines, Inc. operates mines in the Counties of Gunnison, Chaffee and Saguache and is involved in mining lead, silver, zinc and copper. Napoleon Mines Inc. owns 95% of the stock of Elements Refining Corporation and presumably, Elements Refining Corporation will be doing all of the milling for Napoleon Mines, Inc.

6. In the past, these two (2) corporations have been handling their own transportation which has been unsatisfactory and contrary to their desires. Because of the uniqueness of their operations, these companies need a specialized service which Applicant proposes to furnish.
7. The application was protested by Salida Transfer Company, a Colorado corporation, through the testimony of its president, Mr. Gene Coleman. This company operates under certificated authority, PUC No. 482, which provides generally for the transportation of freight in the area encompassed by this application.
8. The aforementioned Protestant hauls mostly livestock and gasoline and only about five percent (5%) of his business is connected with the hauling of ore and mining equipment and supplies. Said Protestant is not presently equipped or set up to satisfy the need of the shipper witness.
9. The granting of this authority, as restricted, would not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes, including Protestant, Salida Transfer Company.
10. There is a present and special need for this service, as restricted, and if this application is granted, Applicant will enter into special carriage contracts with the customer to be served so as to perform services as provided in the authority.
11. The authority, as restricted, will be in the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order granting the application as hereinafter restricted and authorizing Applicant to operate as a Private Carrier by motor vehicle for hire with authority as follows:

"Transportation of

- (1) Ore and ore concentrates

From all points within the Counties of Gunnison, Chaffee and Saguache, State of Colorado, to the Elements Refining Corporation at Salida, Colorado.

- (2) Mining equipment and supplies

From the Elements Refining Corporation, at Salida, Colorado, to all points within the Counties of Gunnison, Chaffee and Saguache, State of Colorado.

RESTRICTIONS:

- (a) Restricted against rendering service from or to points within a twenty (20) mile radius of Alma, Colorado.

- (b) Restricted to performing services for two (2) customers only, viz., Elements Refining Corporation and Napoleon Mines, Inc."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as herein-after modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Princeton Industries, Inc., Salida, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the following:

Transportation of

- (1) Ore and ore concentrates

From all points within the Counties of Gunnison, Chaffee and Saguache, State of Colorado, to the Elements Refining Corporation at Salida, Colorado.

- (2) Mining equipment and supplies

From the Elements Refining Corporation, at Salida, Colorado, to all mines operated by Napoleon Mines, Inc. within the Counties of Gunnison, Chaffee and Saguache, State of Colorado.

RESTRICTION:

This Permit is restricted as follows:

- (a) Against the rendering of any transportation service from or to points within a twenty (20) mile radius of Alma, Colorado.
- (b) Restricted to the rendering of transportation service for only the following-named customers:
Elements Refining Corporation
Napoleon Mines, Inc.

and this ORDER shall be deemed to be, and be, a PERMIT therefor.

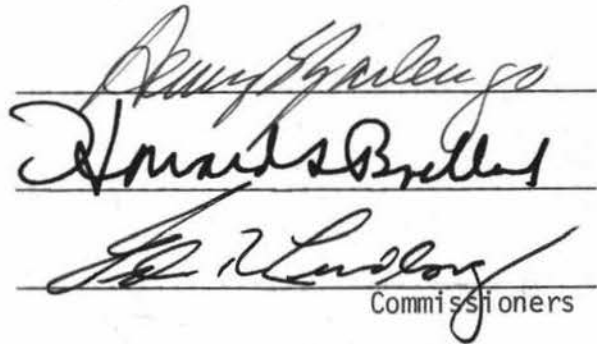
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until Applicant has filed a statement of its customers, the necessary tariffs, required insurance, and has secured authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 19th day of June, 1969.
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(Decision No. 73161)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GARY LINGLE, LAS ANIMAS, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 23578-PP

June 19, 1969

Appearances: J. Albert Sebald, Esq., Denver,
Colorado, for Applicant.

STATEMENT OF PROCEDURE AND RECORD

BY THE COMMISSION:

On January 16, 1969, the above-entitled application was filed requesting authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

After due and proper notice to all interested persons, firms or corporations, the application was heard by Robert L. Pyle -- duly designated by the Commission as an Examiner for the purpose of conducting the hearing on said application -- who, pursuant to the provisions of 1963 CRS 115-6-9 (2), has transmitted to the Commission the record and exhibits of the instant proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner discloses that no one appeared at the hearing to intervene or to protest the granting of the authority as requested.

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

Specifically, the submitted Examiner's Findings of Fact and Conclusions read as follows, to-wit:

EXAMINER FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant is an individual.
2. Applicant does not hold previously granted authority from this Commission.
3. By Decision No. 54133, this Commission has heretofore authorized the waiver of certain rules when granting an authority similar to that applied for herein and said waiver should also be included in the grant of this authority.
4. Applicant has sufficient equipment, experience and net worth, all of which are ample and suitable for operation of the authority applied for herein.
5. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
6. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
7. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
8. The authority will be in the public interest and should be granted as hereinafter set forth.

EXAMINER CONCLUSIONS

That the Commission make and enter its Order granting the application and authorizing Applicant to operate as a private carrier by motor vehicle for hire with authority as follows:

"Transportation of

(1) Freight

To and from the AT&SF Railway Station, Las Animas, Colorado, from and to all points within the City of Las Animas, Colorado.

The holder or operator herein is granted relief from the following Commission Rules and Regulations Governing Private Carriers by Motor Vehicle For Hire as follows:

1. Rule 3 (g), requiring the submission of a copy of authority from the Interstate Commerce Commission to operate in interstate commerce.

2. Rule 5 (b), insofar as it would prohibit the applicant from transporting or accepting for transportation any shipment to be delivered to the Atchison, Topeka and Santa Fe Railway Company at Las Animas, Colorado.
3. Rule 6 (d), pertaining to the establishment of the financial standing and qualifications of a proposed transferee of the permit.
4. Rule 15 (3), pertaining to cargo insurance.
5. Rule 18, pertaining to contracts and customer lists.
6. Rule 19, pertaining to rates and charges.
7. Rule 20, pertaining to the filing of tariffs.
8. Rule 21, pertaining to compilation of tariffs and classifications.
9. Rule 22, pertaining to bills of lading.
10. Rule 23, pertaining to load sheets or manifests.
11. Rule 25, pertaining to C.O.D. shipments.

RESTRICTION:

- (a) Restricted to LCL shipments which are moving on prior or subsequent rail billing."

The Commission has given careful consideration to the record and exhibits in the above-entitled proceeding and to the Findings of Fact and Conclusions submitted by the Examiner. Now, therefore, pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission specifically adopts the submitted Findings of Fact of the Examiner, as hereinabove set forth, and -- in addition -- also the submitted Conclusions of the Examiner, as herein-after modified, if such be the situation or fact, and, in accordance therewith, makes and enters the following Order.

O R D E R

THE COMMISSION ORDERS:

That Gary Lingle, Las Animas, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the following:

Transportation of

Shipments having a prior or subsequent movement by the
Atchison, Topeka and Santa Fe Railroad

Between the Atchison, Topeka and Santa Fe Railroad
Station located at Las Animas, Colorado, and all points
within Las Animas, Colorado.

The holder or operator herein is specifically exempted from
complying with the following Commission Rules and Regulations
Governing Private Carriers by Motor Vehicle For Hire:

- 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 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 or manifests
- Rule 25 -- pertaining to C.O.D. shipments

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 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 19th day of June, 1969.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: NATIONAL MOTOR FREIGHT)
CLASSIFICATION A-10, COLORADO)
PUC No. 7, SUPPLEMENT NO. 22)
-----)

CASE NO. 1585

June 20, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 29, 1969, the National Motor Freight Traffic Association, Inc., Agent, H. J. Sonnenberg, Issuing Officer, 1616 P Street, N. W., Washington, D. C. 20036, filed Supplement No. 22, to its NMFC A-10, Colorado PUC No. 7, scheduled to become effective July 1, 1969, except as otherwise provided. In Decision No. 68180, dated September 14, 1966, the Commission instituted a continuing procedure for prescribing the changes as they occur, unless suspended. The National Motor Freight Traffic Association, Inc., Agent, has furnished justification for the changes and revisions made in Supplement No. 22, which appear as Appendix "A" hereto. The changes as shown by Supplement No. 22, are set forth in Appendix "B" hereto.

Since the changes, as proposed in Supplement No. 22, appear to represent just, fair and reasonable classes and rules, the Commission states and finds that an Order should be entered prescribing the same, under the provisions of Rule 18-C (1) (a) of the Commission's Rules of Practice and Procedure.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings and Appendixes "A" and "B" herein, be, and they are hereby, made a part hereof.
2. That the classes and items (rules) as set forth in Supplement No. 22, amending NMFC A-10, Colorado PUC No. 7, shall be the

prescribed classes and items (rules) of the Commission.

3. That all motor vehicle common and private carriers having tariffs on file with the Commission which are governed by the National Motor Freight Classification A-10, Colorado PUC No. 7, as amended, shall comply with the changes provided herein on July 1, 1969, except as otherwise provided.

4. That on and after July 1, 1969, except as otherwise provided, all motor vehicle common and private carriers having rates and/or charges on file which are governed by the National Motor Freight Classification No. A-10, Colorado PUC No. 7, as amended, shall cease and desist from publishing, demanding or applying classes and items (rules) which shall differ from the classes and items (rules) published in National Motor Freight Classification A-10, as amended, except call and demand common and Class B private carriers shall be subject to the penalty rule of twenty (20) percent.

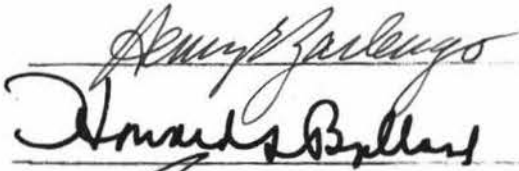

5. That this rule shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

6. That the Orders entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force and effect until further Order of the Commission.

7. That this Order shall become effective forthwith.

8. That 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
20th day of June, 1969. av

TITLE PAGE TO APPENDIXES

National Motor Freight Traffic Association, Inc., Agent
NMFC A-10, Colorado PUC No. 7
Supplement No. 22

Effective July 1, 1969

Except as otherwise provided

APPENDIX A - Justification

APPENDIX B - Supplement No. 22
amending NMFC A-10

CLASSES AND RULES

Applying on:

Freight Traffic covered by tariffs governed by this
classification as such tariffs may provide.

Case No. 1585
Decision No. 73162
June 20, 1969

Preface: Below is a summary list of changes being proposed in this Supplement. "*" indicates new item number. (Provisions appearing in this "pick-up" supplement, and not appearing on this list, will be found to be prefixed with a reissued symbol indicating they have been previously changed in a prior supplement which prior supplement is being cancelled by this supplement.) Following this summary list will be found a detailed explanation of the reasons for the proposed change ("S?" means Docket number and Subject number under which the National Classification Board handled this proposal.)

222-D	49042-A	56260-A	103662-A	119060-A	186990-B
535-E	49160-A	58320-A	106060-A	119650-A	*186991
9020-A	49162-A	*58322	*106065	121810-A	186992-B
13452-A	*50331	64060-A	106710-A	123110-A	*186993
15220-A	51190-A	71840-A	108147-A	132780-A	*186994
15222-A	51192-A	72770-A	109260-C	*145750	200430-A
20484-A	53300-A	80520-A	111000-A	168803-A	*200432
33680-A	53302-A	81740-A	111020-A	170060-A	200602-A
35320-A	53304-A	81742-A	111040-A	170062-A	Pkg. 500
39230-A	*56145	*85860	114130-A	*179569	Pkg. 2080
49040-A	*56150	*95440	114132-A	179660-A	

222-D (Memo) The proposed change here concerned was explained in "Appendix A" which accompanied Supplement 18. Subsequent to publication in Supplement 18 it was determined that this matter should receive further consideration by the National Classification Committee at their next meeting in June, 1969. Publication here has the net effect of postponing the proposed May 14, 1969 effective date to November 14, 1969. Item 535 (Expiration Dates) also amended to extent necessary to allow old "Section 1" of Item 222 to expire with November 14, 1969 at which time the revised "Section 1" will become effective.

535-E (Memo) Expiration date re Package 500. Records submitted to the National Classification Board indicates that in excess of 9 hundred thousand cases of canned vegetables and other products have moved by motor carrier under Package 500 with good results. In view of the good record, there appearing only to be a damage ratio of approximately one case to every 1500 shipped, the package should be allowed to become a permanent package in the Classification in accordance with the above statement. Removal of the expiration date re Package 500 results in a reduction. Other cross-references updated resulting in neither increases nor reductions. Except for item 222-D, explained above, balance of this item brought forward without change.

9020-A (D136-S25) Binder or Baler Twine. Item 9020 is proposed to be cancelled by changing description, which to be in alphabetical order, will require a new item number. The higher minimum weight in new item 10370 results in an increase. Twine, baler or binder. This carrier proposal will properly reflect the loadability as to the old 24000 pound minimum which goes back to 1936 where cube of trailers was below that it is today. No objections were registered by any shipper or carrier.

- 13452-A
(D138-S44) Forgings, (NOte). Note provisions amended for tariff clarification and simplification to more adequately reflect the nature of articles intended to be embraced within item 13320 and 13450. Such rewording may result in both technical increases or reductions.
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- 15220-A
15222-A
(D136-S67) Asphalt (Asphaltum), natural. This is a shipper proposal to amend item 15220 of the classification covering asphalt (asphaltum) to provide for a new package. The recommended package was tested under permit and the results warrant the package published in the classification for the involved commodity. There were over 291 shipments made involving more than 36,000 sales with good results. The specifications are so exacting due to the fact that any pail meeting the specifications will prove adequately as a container for the involved commodity. Broadening the application of item 15220 results in a reduction. Note item 15222 brought forward without change in application.
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- 20484-A
(D138-S26) Wrappers of cellulose or plastic film (Note). This N. C. Board proposal was for the purpose of clarification and to remove an area of possible conflict. By adding the word "printed" to the note provisions of this item, all wrappers constructed in accordance with the note provisions will now be classed under the appropriate items referred to, dependent upon material construction. This could result in increases or reductions depending upon the application of the referred to items.
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- 33680-A
(D136-S67) Asphalt Flooring Compound, NOI. This is a shipper proposal to amend item 33680 of the classification covering asphalt flooring compound, NOI to provide for a new package. The recommended package was tested under permit and the results warrant the package published in the classification for the involved commodity. There were over 291 shipments made involving more than 36,000 sales with good results. The specifications are so exacting due to the fact that any pail meeting the specifications will prove adequately as a container for the involved commodity. Broadening the application of item 33680 results in a reduction.
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- 35320-A
(D136-S67) Sealer, asphalt pavement surface. This is a shipper proposal to amend item 35320 of the classification covering sealer, asphalt pavement surface to provide for a new package. The recommended package was tested under permit and the results warrant the package published in the classification for the involved commodity. There were over 291 shipments made involving more than 36,000 sales with good results. The specifications are so exacting due to the fact that any pail meeting the specifications will prove adequately as a container for the involved commodity. Broadening the application of item 35320 results in a reduction.
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- 39230-A
(D137-S18) Cabinets, Bathroom, Medicine or Toilet. Item being amended to preclude plastic cabinets being classed thereunder. The plastic cabinets have an average density of 4.65 pounds per cubic foot and do not therefore warrant inclusion in item 39230. Restricting the application of this item results in an increase.
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- 49040-A
49042-A
(Memo) Blankets (I&S M-22424, decided March 19, served March 26, 1969) Items 49040 and 49042, page 358 NMFC A-10 never became effective since it was suspended (See Supplement 4). The ICC has now ordered that such provisions be cancelled. Publication here is to comply with that order and bring forward (from NMFC A-9) the provisions which have been continued in effect by reason of the suspension and postponement.
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- 49160-A
49162-A
(D129-S4) Cloth, cotton or synthetic fibre. New fibres and new processes make possible the production of non-woven, non-knitted fabrics having transportation characteristics entirely different from such fabrics produced up till only a few years ago. The descriptions here related to thickness greater than 1/8 inch embrace these new materials and such higher classes result in increases. The materials which have been produced for the past 30 years do not exceed 1/8 inch and warrant continuation of the present classes. Note provision is eliminated because the 1/8 inch maximum thickness referred to has now been incorporated in 49160, Sub 2, and therefore its cancellation results in neither increases nor reductions.
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- *50331
(D135-S43) Compound, vehicle body sealer. New item added to the classification at shipper's request. Classes assigned are reflective of the transportation characteristics of the commodity.
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- 51190-A
51192-A
(D137-S7) Pipe, conduit. Item 51190 brought forward without change per se in application. Change in the Note (item 51192) to include ducts or raceways having components made of materials other than iron or steel results in a reduction. The transportation characteristics of such ducts or raceways are similar to those made of plain steel and warrant the same classes.
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- 53300-A
53302-A
53304-A
(Memo) In NMFC A-7, the pertinent part of this item 53300 read "Stoves, or Water" etc. In NMFC A-8 the word "or" was omitted, apparently in error. Republication here is to correct that error, which correction results in neither increases nor reductions in charges. Reference to note "53062" being removed since there is no such item number, which correction results in neither increases nor reductions. Note items 53302 and 53304 brought forward without change in application.
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- *56145
*56150
(D138-S6) Leaves, galax or magnolia. These are new items established for clarification purposes providing a specific description on leaves under the "Decorations" group, replacing items 11020 and 111040, which are cancelled.
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- 56260-A
(D138-S53) Tinsel. This proposal cancels a description and classes on tinsel, which has caused numerous interpretation questions in the past. Tinsel, which is a Christmas tree or holiday decoration or ornament, is adequately provided for under item 55990. By its cross-reference to item 55990 this cancellation results in both increases and reductions.
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58320-A
*58322
(D136-S63) Sunglasses. In order to remove technical application of other classification classes on such articles as clip-on sunglasses, an explanatory note has been added to qualify this description, and include such items commonly known as glasses, but technically not qualifying as glasses since they lack the temple bars. Sub 1 - Sunglasses, on cards or not on cards. Board proposal sought to increase present classes from classes 150 LTL and 85, MWF 12.2 TL, on sunglasses shipped on display racks or stands. More accurate wording has been added to reflect the combination of ways these sunglasses are now being shipped, and the classes have been increased to 200 LTL, and 110, MWF 10.2 TL, based principally on found industry characteristics of over three pounds per cubic foot on the average and a related value of \$4.00 per pound. Sub 2 - Sunglasses, on cards or counter cards. Board proposal sought to increase present classes from classes 125 LTL and 70 MWF 16.2 TL, on sunglasses shipped in any fashion except with display racks or stand. Development of additional facts lead to a more accurate description as shown in the disposition, which reflects a predominant method of shipping sunglasses and a definite set of transportation characteristics. The increased classes (150 LTL and 100 MWF 12.2 TL) are principally derived from the average density characteristics of over 5 pounds per cubic foot and a related value of \$3.37 per pound. Sub 3. - Board proposal acknowledged an improvement of transportation characteristics in a new segment of sunglass shipments and suggested classes of 100 LTL and 70 MWF 18.2 TL on so-called "bulk packages." In the research study of the characteristics it was determined that the average density is about 10 pounds per cubic foot and the related value is \$4.60 per pound. Normally, these might support slightly lower classes; however, it was also determined that a higher than normal claims ratio existed in this particular category of sunglass shipments and therefore the higher classes are suggested to compensate for the above average risk of theft involved. Note. To allow application of classes applicable to sunglasses to also apply on such articles used for this purpose but not presently qualifying as glasses since they lack temple bars. These changes may result in both increases and reductions.

64060-A
(D138-S22) Fuse, safety, or Detonating Cord. Item being amended for clarification by new wording which eliminates "cord, safety" and "detonating fuse". New wording clearly covers safety fuse and detonating cord. Restricting the application to no longer apply on "safety cord" nor "detonating fuse" per se results in an increase.

71840-A
(D138-S49) Foliage or Leaves. This item was broadened to include fresh fern leaves formerly listed in item 111000, which has been cancelled. The articles listed in this item are similar to fresh fern leaves and the classes are the same. The basic purpose of the change is tariff simplification, and the broadened application results in a reduction.

72770-A (Memo)	Desert Topping Mixes. As was explained with the filing of Suspension Supplement 20, this proposed new provision was suspended. It has now been determined not to defend the proposal. Accordingly the item is being cancelled, and since the item never took effect, this cancellation results in neither increases nor reductions.
80520-A (D138-S27)	Barber, Dental or Surgeons' Chairs or Tables. This description change allows for barber, dental or surgeon's chairs classified under this item to move with the hydraulic liquid in the chair base as long as the chair base is liquid-tight. Previously, the liquid had to be removed. Shipping characteristics have not changed and the liquid-tight requirement should prevent leakage, which was the reason for the original restrictions. Similar provisions are published in the rail classification. Broadening the application of this item results in a reduction.
81740-A 81742-A (D137-S26)	Stands, metallic or wooden. Item description changed for tariff clarification and simplification embodying provisions formerly contained in the Note, item 81742. Cancellation of note is for tariff simplification since note has no further application. Note cancellation and rewording of "Sub 1" result in neither increases nor reductions. Broadened application of "Sub 2" results in a reduction.
*85860 (D138-S23)	Ethylene Oxide-dichlorodifluoromethane Mixture. This is a shipper proposal to establish a new item where a mixture of chemicals is involved. The density, and value, other transportation characteristics as well as the amount of traffic involved warrant the establishment of a new item.
*95440 (D138-S12)	Hose Clamps. This is a new item for the purpose of providing a specific description and classes on hose clamps manufactured from brass or bronze and brass or bronze combined with iron or steel. The stated density of 42 pounds per cubic foot and value of 70 cents per pound are reasonable for the classes requested and comparable to the classes applicable on Hardware, NOI of brass or bronze and brass or bronze combined with iron or steel.
103662-A (Memo)	In Supplement 13 this item should have shown "-A" in order to cancel item from Page 458 of classification. To correct this error, item is republished (without change in application) to provide the proper cancellations.
106060-A (D137-S33)	Plate, Sheet or Strip. Item description amended for tariff clarification and simplification to avoid conflict with new item 106065 being added. By eliminating "electrolytic process" from this item, this item per se is being restricted and therefore this results in an increase insofar as this particular item is concerned.
*106065 (D137-S33)	Plate, Sheet or Strip. New item added to the classification at shipper's request, embodying provisions formerly contained in item 106060 and 106710. Classes assigned are reflective of the transportation characteristics of these commodities.

106710-A Sheet, 26 gauge or thinner. Cancellation is for tariff clarification and simplification to avoid conflict with new item 106065 (D137-S33) being added. Since new item 106065 does not permit the various forms of shipment as did this item, this restriction results in an increase.

108147-A Hospital Patient Kits (Note). It has been brought to the attention (D129-S64) of the National Clfn. Board that the provisions of this item as approved under National Classification Board Docket 129, Subject 64 are not clear with respect to the method of determining the densities of articles included in the hospital patient kits. This publication is for the purpose of clarification of those provisions, and may result in both increases and reductions.

109260-C Lamp or Lighting Fixture Globes. Item description amended for (D122-S12) tariff clarification to reflect modern trade practices. Classes changed to more adequately reflect the transportation characteristics of this commodity, and this change results in increases.

111000-A Leaves, fern, fresh. This item is cancelled. Articles formerly (D138-S49) listed are now included in item 71840 at the same classes. The purpose of this cancellation is tariff simplification, and results in neither increases nor reductions in charges insofar as this item is concerned.

111020-A Leaves, galax or magnolia. This is a cancellation of the items for (D138-S6) 111040-A relocation under the "Decorations" group, rather than a separate listing as at present. A new item with similar description and classes will be published under the "Decorations" group. This is for the purpose of tariff clarification. The new "magnolia" item carries a higher minimum weight and therefore this cancellation results in an increase, but other cancellation results in neither an increase nor a reduction.

114130-A Air Coolers. This was a carrier proposal to properly reflect the (D136-S27) 114132-A loadability of this commodity since cube has increased to approximately 2400 per trailer. Densities reflected on 148 models from five manufacturers reflect 5.83 pounds per cubic foot to 15.2 pounds per cubic foot, average 8.85 pounds per cubic foot. The necessity to retain two MWF is no longer needed. No objections were registered by any shipper or carrier. Removing the lower TL class 70 results in an increase and removal of the higher 14.2 MWF results in a reduction.

119060-A Cream Separators, gravity. This carrier proposal was for the purpose (D136-S39) of revising the minimum weight factor to be more relevant to the actual density of the commodity as shipped. From information in NCB files, it was determined that the actual density of separators is approximately five pounds per cubic foot. Considering increased trailer capacities, the revision is reasonable. Changing MWF from 10.2 to 12.2 results in an increase.

- 119650-A
(D136-S41) Apparatus, Distilling, Turpentine. This was a carrier proposal to increase the truckload minimum weight to reflect the increased size of freight trailers being utilized today. The present minimum weights, especially on light density freight, were established on the basis of 1000 cubic feet of available space in each trailer. Trailers, today, have normally 2000 cubic feet of available space, thus the increase in minimum weight from 10.2 to 12.2 is reasonable and brings the MWF in line with numerous other items which now have TL classes of Column 85 with a 12.2 MWF. This results in an increase.
-
- 121810-A
(D136-S38) Gates, race track starting. This carrier proposal will reflect loadability since the 10,000 pound minimum goes back to 1936 and cube in trailers have increased substantially since that time. There was no shipper or carrier objection registered, and this change results in an increase.
-
- 123110-A
(D136-S36) Housing or Shrouds. This is a carrier proposal to properly reflect the loadability of this commodity. The nested density averages 9.05 pounds per cubic foot and based on larger units of approximately 2400 cube, loadability would be no problem and it is not now necessary to maintain two minimum weights for truckloads. No objections were registered by any shipper or carrier. Removal of the TL class 70 results in an increase and removal of 14.2 MWF results in a reduction.
-
- 132780-A
(D138-S8) Voting Machines. This proposal increases the TL class on mechanically actuated voting machines. The original TL class was established on the basis of a density figure of 19 pounds per cubic foot; however, carriers have found this to be inaccurate. Based on surveys of TL shipment consisting of one or more trailers with overflow quantities, actual cubic displacement appears to be approximately 100 pounds per cubic foot. On this basis, the proposed classes are more reasonable. This higher TL class results in an increase.
-
- *145750
(D136-S53) Bandoleers or Pouches. There is no present single entry to cover classification of the three known types of bandoleers and the annual shipment level as indicated by the proponent (U. S. government) justify the need for an entry. The suggested classes are based on the transportation characteristics provided, mainly density, which has a weighted average of 17 pounds per cubic foot and a related weighted average value of \$2.00 per pound.
-
- 168803-A
(Memo) Note. This item being cancelled and identical provisions readed as item 200432. This cancellation results in neither increases nor reductions insofar as this item 168803 is concerned.
-
- 170060-A
170062-A
(D136-S67) Cement, roofing, NOI. This is a shipper proposal to amend item 170060 of the classification covering cement, roofing, NOI, to provide for a new package. The recommended package was tested under permit and the results warrant the package published in the classification for the involved commodity. There were over 291 shipments made involving more than 36,000 sales with good results. The specifications are so exacting due to the fact that any pail meeting the specifications will prove adequately as a container for the involved commodity. Broadening the application of item 170060 results in a reduction. Note item 170062 brought forward without change in application.
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- *179569
(D137-S35) Strailers, paint. New item being added for clarification since paint strainers have been described numerous ways in the past. The classes assigned reflect the transportation characteristics and will ensure proper application of the tariff provisions.
-
- 179660-A
(Memo) Straws, drinking (I&S M-22426, decided March 7, served March 21). Item 179660, page 567 of NMFC A-10 never became effective since it was suspended (See Supplement 5.) The ICC has now ordered that such provisions be cancelled. Publication here is to comply with that order and bring forward (from NMFC A-9) the provisions which have been continued in effect by reason of the suspension and postponement.
-
- 186990-B Towers or Masts, radio or television broadcasting or receiving.
*186991 Lattice-type or Framework-type. Item 186991 assigned for this
186992-B description to keep entry from becoming unwieldy. Description also
*186993 amended by adding "Frame-type" for clarification purposes. Sub 7
*186994 also being added to provide for these towers which are shipped in
(D137-S49) sections, with the sections KD flat which warrants the reduction.
Note 186992 being cancelled to make room for additional item numbers.
Provisions being reestablished as item 186994 results in neither an
increase nor a reduction. Towers or Masts, etc., tubular construction.
Description amended by adding "or framework-type" for clarification
purposes. Provisions of Note 186994 are the same as those previously
contained in item 186992 which were cancelled to make room for
additional item numbers. This eliminates the need for two digit
Sub numbers.
-
- 200430-A Synthetic fibre. In the process of relocating synthetic fibre yarn,
*200432 as provided for in Item 200430 Supplement No. 16, the Note, item
(D137-S4) 168803, Supplement 10, inadvertently, was not brought forward to
the proper location along with the description. To clarify this
situation, Item 200430, as published in Supplement 16 to NMFC A-10,
will be revised to include reference to these note provisions.
Also Item 168803 will be cancelled and the provisions relocated.
Addition of restrictive provisions to item 200430 results in an
increase.
-
- 200602-A Castings or Extrusions. Provisions amended for tariff clarification
(D138-S44) and simplification to more adequately reflect the nature of articles
intended to be embraced within item 200600. Such rewording may result
in both technical increases or reductions.
-
- Pkg. 500 Records submitted to the National Classification Board indicates that
(Memo) in excess of 9 hundred thousand cases of canned vegetables and other
products have moved by motor carrier under Package 500 with good
results. In view of the good record, there appearing only to be
a damage ratio of approximately one case to every 1500 shipped, the
package should be allowed to become a permanent package in the
Classification in accordance with the above statement. Removal of
the restrictive expiration date broadens the application and there-
fore results in a reduction.
-

Pkg. 2080 This is a shipper proposal to amend the classification by adding a
(D136-S67) new package. The recommended package was tested under permit
 and the results warrant the package published in the classifi-
 cation for the involved commodities. There were over 291 shipments
 made involving more than 36,000 sales with good results. The
 specifications are so exacting due to the fact that any pail meeting
 the specifications will prove adequately as a container for the
 involved commodity. By permitting the use of such new package the
 application of the classification is broadened, resulting in a
 reduction.

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RULES**ITEM (RULE) 222-D (Cancels Item (Rule) 222-C and Item (Rule) 222-B)****SPECIFICATIONS FOR FIBREBOARD BOXES****CORRUGATED OR SOLID FIBREBOARD BOXES****Section 1:**

(See Section 14 for explanation of terms.) Subject to provisions of item (rule) 680, and unless otherwise provided in separate descriptions of articles, or in Dangerous Articles Tariff referred to in item (rule) 540, when the following requirements and specifications are complied with, rates or classes applying on articles "in boxes" will apply on the same articles in solid or corrugated fibreboard boxes described in this rule, all hereinafter referred to as fibre boxes, or as fibreboard boxes.

Use of "Other Than item (rule) 222" Boxes:

Provisions in commodity tariffs or exceptions to the classification reading "in boxes" will apply when the fibreboard boxes used comply with either the requirements of this item (rule) or with other specific requirements authorized in this classification.

Section 1:

(See Section 14 for explanation of terms.) Subject to provisions of item (rule) 680, and unless otherwise provided in separate descriptions of articles, or in Dangerous Articles Tariff referred to in item (rule) 540, when the following requirements and specifications are complied with, rates or classes applying on articles "in boxes" will apply on the same articles in solid or corrugated fibreboard boxes described in this rule, all hereinafter referred to as fibre boxes, or as fibreboard boxes. All boxes manufactured on and after October 1, 1969, having fixed (predetermined) dimensions when set up or assembled must show in inches the outside length, width, and height dimensions and the cubage produced from such dimensions; see Note.

Note—Cubage is the product obtained by multiplying the extreme dimensions of length, width and depth, including all projecting portions, and dividing the sum thereof by 1728. Example: 20 (inches) x 20 (inches) x 20 (inches) = 8000 (inches) — 1728 = 4.63 cubic feet. Disregard dimensions smaller than $\frac{1}{4}$ inch.

Use of "Other Than item (rule) 222" Boxes:

Provisions in commodity tariffs or exceptions to the classification reading "in boxes" will apply when the fibreboard boxes used comply with either the requirements of this item (rule) or with other specific requirements authorized in this classification.

Other portions to this Rule shown in Supplement No. 22, and not incorporated herein, are not pertinent hereto.

ITEM (RULE) 535-E**EXPIRATION DATES**

Items or other provisions making reference hereto, expire with the date indicated below, unless sooner cancelled, changed or extended.

Item or Package	Provisions which expire	Date expiring
Item (rule) 222-D.....	Section 1.....	November 14, 1969.
Item (rule) 425.....	All provisions of rule.....	February 15, 1971.
Package 500.....	(Expiration date provided in connection with Package 500 is hereby cancelled. Provisions of Package 500 continue to apply.)	

Item	ARTICLES	CLASSES		
		LTL	TL	NEW
9020-A	AGRICULTURAL IMPLEMENTS, OTHER THAN HAND, GROUP, subject to item 8000: Binder or Baler Twine. Cancel. See item 10370.			
*10370	Twine, baler or binder, in packages.....	60	35	36.2
13452-A	ALUMINUM, subject to item 13100: Forgings, subject to item 13450: Note—Applies only on castings or forgings consisting of one piece of metal, except for inserts of other metal, requiring work to be performed on them before being ready for assembly with other parts or articles or for use by themselves. Buffing, polishing, plating, painting, similar surface finishing operations or heat treating are not considered to be such required work. Castings or forgings may have fins, sinkerheads, gates or other rough edges removed, they may be tumbled or cleaned and they may be painted or otherwise coated for preservation or protective purposes only. Articles not requiring work must be classed under the specific or general (NOI) description provided therefor; in the absence of such a specific or general (NOI) provision, the provisions for Aluminum Articles, NOI, are applicable.			
15220-A	ASPHALT GROUP, subject to item 15200: Asphalt (Asphaltum), natural, by-product or petroleum, liquid, other than paint, stain or varnish, in containers in barrels or boxes, or in metal cans in crates, in pails, or in bulk in barrels, see Note; item 15222, or in fibre drums, for in Package 2080; also TL, in tank trucks, see item (rule) 370.....	55	35	40.2
15222-A	Note—TL provisions will also apply on shipments in straight sided cylindrical single-trip containers of 29 gauge steel and 5-gallon capacity.			

Item	ARTICLES	CLASSES		CIR
		LTL	TL	
20484-A	Bags, Envelopes, Packets or Pouches, or Wrappers, subject to item 20480: Note—Wrappers of cellulose or plastic film, combined or not combined with paper, printed or not printed, not further processed than cut to size, will be classed as plastic film or sheeting or as cellulose film, as the case may be.			
33680-A	BUILDING MATERIALS, MISCELLANEOUS, GROUP , subject to item 33570:			
Sub 1	Asphalt Flooring Compound, NOI, liquid or paste: In containers in barrels or boxes.....	60	35	36.2
Sub 2	In bulk in barrels for in Package 2080.....	55	35	36.2
35320-A	Sealer, asphalt pavement surface, containing coal tar, inert fillers and liquid vehicle, in bulk in barrels for in Package 2080.....	55	35	30.2
	CABINETS, OR PARTS NAMED , subject to item 30200:			
39230-A	Bathroom, Medicine or Toilet, other than plastic, with or without lighting fixtures, in Packages 1F, 3F, 5F, 2SF, 30F, 37F or 47F.....	85	55	18.2
	CLOTH, DRY GOODS OR FABRICS , subject to item 48920:			
49040-A	Blankets, NOI, in bales or boxes.....	100	100	AQ
49042-A	Note—Cancel. No application.			
49160-A	Cloth, cotton or synthetic fibre, not woven nor knitted, with or without binder, in wrapped bales or rolls, in wrapped rolls in crates, in boxes, or in Packages 173, 2013 or 2016: In a natural non-compressed state having a thickness of:			
Sub 1	Not exceeding $\frac{1}{8}$ inch.....	65	40	30.2
Sub 2	Exceeding $\frac{1}{8}$ inch but not exceeding $\frac{1}{2}$ inch thick.....	200	200	AQ
Sub 3	Exceeding $\frac{1}{2}$ inch thick.....	300	300	AQ
Sub 4	Note—Cancel. No further application.			
49162-A				
*50331	Compound, vehicle body sealer, composition, in extruded or die-cut forms or shapes, other than cellular, expanded or foam plastic, in packages.....	60	37½	36.2
Δ51190-A	Pipe, conduit, or Ducts or Race-ways, see Note, item 51192; wrought iron or steel.....	50	35	40.2
51192-A	Note—Applies only on ducts or race-ways made of 16 gauge or heavier steel, separate or combined with other materials, provided the weight of other materials does not exceed 10 percent of total weight. They may be plain or equipped with openings, with or without opening covers.			
53300-A	COOLERS GROUP , subject to item 53000: Cooling Boxes or Refrigerators and Cooling or Freezing Apparatus combined, Water Coolers and Cooling or Freezing Apparatus combined, Electric or Gas Cooking Stoves, or Water Heaters, NOI, in mixed TL or in mixed TL with: Air Cleaners, Coolers, Heaters, Humidifiers, Dehumidifiers or Washers and Blowers or Fans combined; Boxes, cooling, NOI, evaporators, refrigeration (cooling coils or cooling units); Broilers, Cookers or Roasters, electric, with or without broiler grids, ovenware dishes, insert pans or racks; Cabinets, storage or kitchen, NOI, steel without glass; Coolers, beer, with equipment of cooling or freezing apparatus; Fryers, deepwell, electric; Furnaces, house heating and air conditioning apparatus combined; Generators and Engines combined; Hoods, range, NOI, with blowers or fans; Irons, sad, electric, with or without stands; Machines, cooling or freezing; Machines, dishwashing; Machines, Dishwashing and Cabinet Sinks combined; Machines, drying, household laundry; Machines, ironing, household laundry; Machines, washing, household laundry, with or without dishwashing attachments; Machines, washing and drying combined, household laundry; Machines, merchandise vending and Refrigerators combined; Ovens, electric baking, stationary; Refrigerators, NOI; Sinks, kitchen cabinet; Stoves, coal and electric combined; Tanks, beer cooler; Units, disposal, garbage, sink, household, electric; See Notes, items *53122, 53302 and 53304.....		55	18.2
Δ53302-A	Note—Will also apply on wrought iron or steel pipe parts in bundles.			
Δ53304-A	Note—Gross weight of cabinets, storage or kitchen, NOI, dishwashing machines and cabinet sinks combined, household laundry washing and drying machines combined, kitchen cabinet sinks, electric broilers, cookers, roasters, deepwell fryers or sad irons must not exceed 33½ percent of the weight upon which freight charges are assessed.			
	DECORATIONS GROUP , subject to item 55750:			
*56145	Leaves, galax, natural, preserved, in boxes or crates.....	85	55	24.2
*56150	Leaves, magnolia, prepared, in boxes.....	85	55	24.2
56260-A	Tinsel. Cancel. †See item 55990.			
	DRAWING INSTRUMENTS, OPTICAL GOODS OR SCIENTIFIC INSTRUMENTS , subject to item 57670:			
†58320-A	Sunglasses, with other than vision-corrective lenses, in boxes, see Note, item 58322:			
Sub 1	On cards or not on cards, mounted on display racks or stands; or not mounted on display racks or stands, but shipped in the same package with racks or stands.....	200	110	10.2
Sub 2	On cards or counter cards, not mounted on display racks or stands.....	150	100	12.2
Sub 3	Not mounted on display racks or stands, cards or counter cards.....	110	70	18.2
*55322	Note—Will also apply on sunglasses without temple bars but with fastening devices, such as "clip-on" type glasses.			

For explanation of abbreviations and reference marks, see last page of this Appendix.

Item	ARTICLES	CLASSES		
		LTL	TL	(%)
64060-A	EXPLOSIVES GROUP , subject to item 64000: Fuse, safety, or Detonating Cord, in packages.....	85	55	24.2
71840-A	Foliage for Leaves, asparagus, fern, galax, huckleberry, leucothia or smilax, fresh, in barrels, baskets, boxes or crates, prepaid; also TL, in bales.....	150	85	16.2
	FOODSTUFFS GROUP , subject to item 72000:			
472770-A	Dessert Topping Mixes. Cancel. Apply provisions in effect prior to suspension.			
	FURNITURE GROUP , subject to item 79000: Metallic or Wooden, see Note, item 79602:			
80520-A	Chairs, Chair Tables, or Stools, subject to item 80500: Barber, Dental or Surgeons' Chairs or Surgeons' Chair Tables, NOI, (liquids must be removed from hydraulic bases and be in liquid-tight sealed bases):	200	See item 82700	
Sub 1	SU, in Packages 1F, 3F, 5F, 28F, 30F, or 37F.....	100	See item 82700	
Sub 2	KD or folded, in Packages 1F, 3F, 5F, or 30F.....			
	Cots, subject to item 80935: Other than SU, subject to item 81000:			
81740-A	Stands, NOI:			
Sub 1	Wire or metal rod, *material thickness not exceeding $\frac{3}{16}$ inch, in Packages 1F, 3F, 5F, 28F, 30F or 37F.....	300	See item 82700	
Sub 2	*Wire or metal rod, material thickness exceeding $\frac{3}{16}$ inch; or other than wire or metal:			
Sub 3	SU, in Packages 1F, 3F, 5F, 28F, 30F or 37F.....	125	See item 82700	
Sub 4	KD, in Packages 1F, 3F, 5F, 19F or 30F; also KD, in the white, in Package 25F.....	85	See item 82700	
81742-A	Note—Cancel. *No further application.			
*85860	GASES, COMPRESSED , subject to item 85500: Ethylene Oxide-dichlorodifluoromethane Mixture, in steel cylinders.....	70	50	30.2
	HARDWARE GROUP , subject to item 92000:			
*95440	Mose Clamps, brass or bronze or iron or steel combined with brass or bronze, in barrels or boxes.....	77½	50	30.2
103660-A	INSULATORS , subject to item 103600: Electric Wire or Wiring, NOI, see Note, item 103662: Note—The term "wiring" as used in this entry is embrative of insulators for electric wires, bus bar systems or other electrical systems that require insulators in various forms or shapes which are not more specifically named.			
*103662-A	Cancel.			
103662				
(Sup. 13)				
and				
103662				
(Page 458)				
106060-A	Plate, Sheet or Strip, brass, bronze, copper, chromium or nickel coated by hot dipped process, or copper clad.....	60	37½	36.2
*106065	Plate, Sheet or Strip, brass, bronze, copper, chromium or nickel coated by electrolytic process, other than decorated or embossed, in boxes.....	50	35	40.2
106710-A	Sheet, 26 gauge or thinner. Cancel. *See item 106065.			
108145	Kits, hospital patient, see Note, item 108147, in inner containers in boxes.....	85	45	30.2
*108147-A	Note—Applies on kits consisting of toilet preparations, toothpaste, bar soap, facial tissues, washcloth, toothbrush and comb. Other articles may be included, provided the weight of articles classed higher than the hospital patient kits does not exceed 20 percent of the gross weight of the package. When articles classified according to density are included, the density to be used for the purpose of determining whether such articles are higher-classed shall be the density of the patient kit package as shipped.			
	LAMPS OR LIGHTING GROUP , subject to item 109000:			
*109260-C	Lamp or Lighting Fixture Diffusers, Globes, Shades, Refractors or Reflectors, NOI, in wooden boxes or in Packages 1289 or 37F:			
Sub 1	Not nested.....	300	300	AQ
Sub 2	Nested.....	250	250	AQ
111000-A	Leaves, fern. Cancel. *See item 71840.			
111020-A	Leaves, galax. Cancel. *See item 56145.			
111040-A	Leaves, magnolia. Cancel. *See item 56150.			
	MACHINERY GROUP , subject to item 114000:			
114130-A	Air Coolers, water evaporative type, with blowers or fans, with or without heating action, in boxes or crates:			
Sub 1	Portable, without stands, see Note, item 114132.....	85	45	24.2
*Sub 2	NOI.....	110	85	12.2
114132-A	Note—Applies only on coolers of the hand portable type, without wheels or casters, net weight not in excess of 50 pounds each.			
119060-A	Cream Separators, gravity (Cream Separating Cans), LTL, in boxes or crates; TL, loose or in packages.....	150	85	*12.2
119650-A	Distilling Apparatus, subject to item 119640: Turpentine, copper or copper and iron or steel combined.....	200	85	*12.2

Item	ARTICLES	CLASSES		
		LTL	TL	ATA
	MACHINERY GROUP, subject to item 114000:			
121810-A	Gates, race track starting.....		85	12.2
123110-A	Housings or Shrouds, outboard marine motor, plastic, in boxes or on skids:			
Sub 1	Not nested.....	200	125	10.1
*Sub 2	Nested.....	100	85	12.2
132780-A	Voting Machines, in boxes, or in steel cabinets on own wheels or casters, protected by wooden hoods or corrugated fibreboard hoods testing not less than 275 pounds; also TL, in steel cabinets on own wheels or casters, protected with canvas hoods, and braced in vehicle:			
Sub 1	Mechanically actuated.....	92½	65	20.2
Sub 2	Electrically actuated.....	110	70	20.2
	ORDNANCE GROUP, subject to item 145000:			
*145750	Bandoleers or Pouches, small arms ammunition, clip, with shoulder slings, cotton, in boxes....	77½	55	24.2
	RAILWAY GROUP, subject to item 165100:			
	Cars, railway, not moved on own wheels, subject to item 165880:			
168803-A	Note—Cancel. *See item 200432.			
	ROOFING MATERIALS GROUP, subject to item 170000:			
170060-A	Cement, roofing, NOI, in containers in barrels or boxes, in kits, pails or tubs, in bulk in barrels, or in steel drums, see Note, item 170062 or in Package 576 & or 2080.....	55	35	40.2
Δ170062-A	Note—Liquid roofing cement may also be shipped in fibre drums.			
*179509	Strainers, paint, cloth and paper combined, conical, nested solid, in boxes.....	92½	70	16.2
*179660-A	Straws, drinking, paper, not containing beverage preparations, in boxes.....	100	70	16.2
186990-B	Towers or Masts, radio or television broadcasting or receiving aerial or antenna, metal, see Note, item 186993, loose or in packages:			
*186991	Lattice-type or Framework-type construction:			
Sub 1	SU; or in sections not nested:			
Sub 2	Largest straight-line dimension, other than length, not exceeding 30 inches.....	100	70	14.2
Sub 3	Largest straight-line dimension, other than length, exceeding 30 inches.....	200	150	10.1
Sub 4	In sections, sections nested:			
Sub 5	Largest straight-line dimension, other than length, not exceeding 30 inches.....	70	40	30.2
Sub 6	Largest straight-line dimension, other than length, exceeding 30 inches.....	150	85	14.2
*Sub 7	In sections, each section KD flat.....	100	77½	14.2
Sub 8	Completely taken apart, other than in sections.....	55	37½	30.2
*186992-B	Note. Cancel. *See item 186994.			
*186993	Tubular construction, not lattice-type or framework-type construction, telescoped.....	55	37½	30.2
*186994	Note—Provisions also apply on apparatus for telescopic action or on hardware or fittings for installation or for attaching aerial or antenna.			
	YARN, subject to item 200280:			
200430-A	Synthetic Fibre:			
Sub 1	In bags, boxes or Packages 591, 1379, 2010, 2012, 2014, 2015, 2017, 2018, 2019, 2020, 2021 or 2022 or on wrapped beams, *see Note, item 200432, loose or in crates, cradles or racks, having a density of:			
Sub 2	Less than 12 pounds per cubic foot.....	100	70	20.2
Sub 3	12 pounds or greater per cubic foot.....	70	40	30.2
*200432	Note—Wrapped beams may be shipped loose only in truckload quantities and only when loaded on rails or racks in vehicles so equipped.			
	Castings or Extrusions, subject to item 200600:			
200602-A	*Note—Applies only when zinc content of alloy is not less than 90 percent. Except for permitted inserts, applies only when consisting of one piece of metal, requiring work to be performed on them before being ready for assembly with other parts or articles or for use by themselves. Buffing, polishing, painting, similar surface finishing operations or heat treating are not considered to be such required work. Castings or extrusions may have fins, sinkerheads, gates or other rough edges removed, they may be tumbled or cleaned and they may be painted or otherwise coated for protective purposes. Articles not requiring work must be classed under the specific or general (NOI) description provided therefor; in the absence of such a specific or general (NOI) provision, the provisions for Zinc Articles, NOI, are applicable.			
SPECIFICATIONS FOR NUMBERED PACKAGES				
(For application, see item (rule) 680, Sec. 1 (c).)				
Miscellaneous				
(Cancels "Package 500", page 615 of classification.)				
ΔPackage 500				
TL or mixed TL provisions will also apply when in metal cans and packaged as follows:				
Metal cans to be packed in corrugated fibreboard trays testing not less than 125 pounds. Flanges of trays must be not less than 1½ inch in depth for cans six inches or less in height. Cans exceeding six inches must be packaged in a single layer tray having flanges not less than 25 percent the height of the can. Cans in single or multiple trays must be banded with heat-shrinkable polyvinyl chloride film, machine shrunk tightly around trays. Film must completely encircle the package and have a one inch overlap seal continuous to edges of the wrapper and extend down over ends sufficiently to lock in cans in the outside row at the end of the package. Film to be not less than 1½ mils thick with not less than 40 percent shrinkage in both longitudinal and lateral direction. It must have a minimum tensile strength of not less than 8,000 psi with a minimum elongation before break of not less than 100 percent. Tear strength of film to be not less than 20 grams/mil and have anti-slip surface. Maximum package height 12 inches, maximum width 14 inches, maximum length 18 inches, maximum weight 45 pounds.				

SPECIFICATIONS FOR NUMBERED PACKAGES—Continued

Miscellaneous—Continued

(Add "Package 2080" to page 689 of classification.)

Package 2080

In 5 (five) gallon taper sided pails meeting the requirements of item 260 except that the thickness of not less than .0140 inch must be embossed on the bottom of the pail. Cover to have not less than 2 inwardly embossed circumferential rings and bottom to contain 3 inwardly embossed circumferential rings. Covers must have a minimum of 16 lugs spaced not more than 1/4 inch apart. Covers must be pneumatically closed. Two expanded reinforcing beads must be formed into the body of the container in the upper 1/3 of the sidewall. Pail must have only one welded side seam. Pails must bear the initials "STC" to signify that they are single trip containers and are not to be used again as a shipping container after contents have been removed. Gross weight not to exceed 65 pounds.

EXPLANATION OF REFERENCE MARKS

(For explanation of abbreviations, see page 713 of classification)

Refer- ence Mark	EXPLANATION	Refer- ence Mark	EXPLANATION
⬇	Indicates reduction.	⬆	Effective July 1, 1969.
⬆	Indicates increase.	(E)	Subject to expiration date shown in item (rule) 535.
⬆	Indicates change in wording which results in neither increases nor reductions.	⬆	Effective November 14, 1969.
Δ	Matter in this item is brought forward without change in application from item being cancelled.	⬆	Minimum weight factor, see item (rule) 997.
*	Indicates new item.	(S)	Under suspension.
		(I)	Reissued from Supplement 3, effective September 4, 1968.
		(12)	Reissued from Supplement 13, effective March 12, 1969.

—finis—

(Decision No. 73163)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
COLORADO-UTE ELECTRIC ASSOCIATION,)
INC., P. O. BOX 1149, MONTROSE,)
COLORADO, FOR AUTHORITY TO SELL)
SURPLUS (ECONOMY) ENERGY TO THE)
WESTERN COLORADO POWER COMPANY.)

APPLICATION NO. 23757

June 20, 1969

Appearances: John A. Hughes, Esq., Montrose, Colorado,
for Colorado-Ute Electric Association,
Inc., Applicant;
Edward D. Durham, Esq., Montrose, Colorado,
for Western Colorado Power Company;
Harry A. Galligan, Jr., Esq., 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 Colorado-Ute Electric Association, Inc. (Colorado-Ute or Applicant), whereby Applicant seeks an order of this Commission to sell surplus (economy) energy to the Western Colorado Power Company (Western) and was filed with the Commission on May 20, 1969. The within matter was set for hearing, after due notice to all interested parties, on June 5, 1969 at 9 o'clock a.m. in the Courthouse, Montrose, Colorado, at which time and place the matter was heard by Commissioner Howard S. Bjelland.

The Applicant is a corporation organized and existing under and by virtue of the laws of the State of Colorado and is a public utility subject to the jurisdiction of this Commission. Applicant is generally engaged in the generation and transmission of electric power and energy for sale at wholesale to its members, service to Public Service Company of Colorado and the U.S. Bureau of Reclamation pursuant to Decision No. 70608 of this Commission.

The Western Colorado Power Company (Western) is a corporation organized and existing under and by virtue of the laws of the State of Colorado and is also a public utility subject to the jurisdiction of this Commission; and is generally engaged in the generation, transmission and sale of electric power.

The purpose of this application is to obtain approval of this Commission for Applicant, Colorado-Ute, to sell electric power (referred to herein as economy power) to Western Colorado Power Company. Mr. Robert Vold, Finance Manager of Colorado-Ute, testified that Applicant has excess generation capacity at its Nucla Power Station, and it is from this source that Applicant would propose to sell economy power to Western under terms of an agreement submitted to the Commission and identified as Exhibit No. 1. He further testified that the cost to Western would be 4.34 mills per kilowatt hour delivered. This figure represents actual fuel cost plus incremental material and supply expense plus 0.50 mill per kilowatt hour labor cost. Mr. Vold testified that the economic advantage to Colorado-Ute lies entirely within the aforestated labor cost.

Applicant and Western anticipate a sale of approximately twenty million kilowatt hours under the agreement, which is the subject matter of this application. A sale of such magnitude would represent a savings to Colorado-Ute in the amount of \$10,000. Mr. Vold testified that Colorado-Ute is ready, willing and able to generate and sell such economy power to Western. Mr. Wendell R. Schaeffer, assistant to the general superintendent of Western Colorado Power Company, testified that Western is ready, willing and able to purchase said power from Colorado-Ute.

Mr. Schaeffer further testified that Western now generates power at six different plants, plus its purchase of power from the Colorado River Storage Project and from Public Service Company of New Mexico. During 1968, Mr. Schaeffer testified that Western purchased 16.6% of its 1968 power requirements from other sources. The reason given for such purchases was the inefficiency of some of Western's generating equipment on start up and shut down for peaking purposes, and that Western has determined that the purchase of power in these instances reduces power costs.

Mr. Schaeffer further testified that Western had purchased twelve million kilowatt hours of emergency power from Colorado-Ute during 1968 and that power proposed to be purchased under this agreement will be an increase of approximately eight million kilowatt hours over last year's purchases. Additionally, he stated that Western was interested in purchasing from another source of power to insure better continuity of 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 this Commission has jurisdiction over the Applicant and Western Colorado Power Company.

That this Commission has jurisdiction of the subject matter of this application.

That it is in the public interest that Applicant sell excess power to Western Colorado Power Company; that it is in the public interest that Western Colorado Power Company purchase excess generation of Applicant for distribution to its customers.

That the within application for approval of an agreement providing for the sale of excess energy of Colorado-Ute to Western Colorado Power Company should be granted.

O R D E R

THE COMMISSION ORDERS:

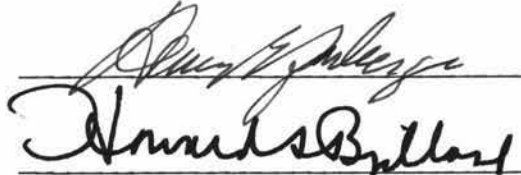
That Colorado-Ute Electric Association, Inc., be, and hereby is granted authority to sell excess power generated by it to Western Colorado Power Company.


That Western Colorado Power Company be, and hereby is authorized to purchase power requirements from Colorado-Ute pursuant to the agreement dated March 21, 1969 and marked as Exhibit 1.

That said agreement of March 21, 1969, Exhibit 1, by and between Applicant and Western Colorado Power Company be, and hereby is approved.

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 20th day of June, 1969.
ls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROCKY MOUNTAIN AIRWAYS, INC. FOR)
PERMANENT COMMON CARRIER AUTHORITY)
TO OPERATE SCHEDULED SERVICE BY)
AIRPLANE BETWEEN EAGLE, COLORADO,)
AND ASPEN, COLORADO, AND BETWEEN)
DENVER, COLORADO, AND ASPEN, COLO-)
RADO, BY WAY OF EAGLE, COLORADO.)

APPLICATION NO. 23675

June 20, 1969

Appearances: Robert S. Wham, Esq., Denver,
Colorado, and
Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for Applicant;
John F. Mueller, Esq., Denver,
Colorado, for Aspen Airways, Inc.,
Protestant.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

In Our Decision No. 71286, dated May 9, 1968, we authorized Rocky Mountain Airways, Inc., formerly known as Vail Airways, Inc., to conduct operations as a common carrier by aircraft under its Certificate of Public Convenience and Necessity PUC No. ACS-45 as follows:

Transportation -- on schedule -- of

Passengers and property

Between the terminal point of Denver, Colorado and airports in the vicinity thereof, and the terminal point of Aspen, Colorado and airports in the vicinity thereof; subject to the requirement that every flight between the terminal points shall land and take-off at the intermediate point of Eagle, Colorado, and airports in the vicinity thereof; and between the terminal point of Eagle, Colorado and airports in the vicinity thereof, and the terminal point of Aspen, Colorado and airports in the vicinity thereof, all being on a temporary basis for one year from the effective date of this Order, with authority to change times of its regular scheduled flights or to eliminate or add scheduled flights on five days' notice posted at the respective terminal airports, . . .

The Order in Decision No. 71286 provided that should the Applicant desire it could, within one year from the effective date of the Order, file a petition with the Commission requesting that the Order and the Certificate of Public Convenience and Necessity therein authorized be made permanent.

By application, dated April 8, 1969, Rocky Mountain Airways, Inc., hereinafter "Rocky Mountain" or "Applicant," petitioned the Commission to make the authority authorized in the Certificate of Public Convenience and Necessity granted in our Decision No. 71286 permanent. This request was filed well within the one-year time period specified in our prior Order. Notice of the application was given to all persons deemed to be of interest and an oral hearing was held at the hearing room of the Commission on June 6, 1969, at 10:00 o'clock a.m. Aspen Airways, Inc., hereinafter "Aspen Airways" or "Protestant," filed its formal protest and appeared at the hearing. At the hearing, as will be discussed more fully hereinafter, the Applicant and the Protestant entered into a stipulation which, for all practical purposes, resolves the issues inherent in this proceeding. Also without objection, official notice was taken of the files in this proceeding and certain traffic and other data was received in evidence by stipulation.

Rocky Mountain is the successor in interest to Vail Airways, Inc. by virtue of a name change. Vail Airways, Inc. was the Applicant in the proceeding which culminated in our Decision No. 71286. In that Decision we found that the present and future public convenience and necessity requires, and will require in the future, the extension of the Applicant's authority as set forth above. As noted, the Certificate of Public Convenience and Necessity issued in pursuance of that finding was for a one-year period of time.

Aspen Airways protested the prior proceeding. Upon entry of our Decision No. 71286, Aspen Airways filed its Petition for Rehearing which was denied by our Decision No. 71377, dated June 6, 1968. Thereafter, Aspen Airways appealed our Decision to the District Court in and for the City and County of Denver, State of Colorado. The District Court affirmed

our decision. The Protestant has, by Writ of Error, taken the matter to the Supreme Court of this State. The review of the lawfulness of our Decision No. 71286 is now pending before the Supreme Court.

Following approximately ten months of operations under the temporary Certificate of Public Convenience and Necessity described above, the Applicant's balance sheet was shown to be as follows:

ROCKY MOUNTAIN AIRWAYS, INC.
Condensed Balance Sheet
March 31, 1969

ASSETS

Current Assets	\$171,697.21
Fixed Assets (includes carrier operating property)	511,702.99
Other Assets	<u>86,981.39</u>
Total Assets	<u>\$770,381.59</u>

LIABILITIES AND EQUITY

Current Liabilities	\$273,151.69
Long Term Liabilities	370,685.87
Capital and Retained Earnings	<u>126,544.03</u>
Total Liabilities and Equity	<u>\$770,381.59</u>

Applicant's equipment consists of four 6-passenger Aero Commander 500B aircraft; one Aero Commander 500 aircraft of 6-passenger capacity; and one Aero Commander 680V 10-passenger aircraft. The 680V is a turbine powered airplane. This equipment is all fully equipped for passenger operations with adequate electronic and avionic apparatus.

Applicant's operations during the period of time within which the temporary Certificate of Public Convenience and Necessity has been in effect have been profitable. This factor was demonstrated by the following statement of income and expense:

ROCKY MOUNTAIN AIRWAYS, INC.
Condensed Statement of Income and Expense

	<u>Year Ended</u> <u>November 30, 1968</u>	<u>5 Months Ended</u> <u>March 31, 1969</u>
<u>OPERATING INCOME:</u>		
Charter	\$159,056.56	\$ 66,455.76
Schedule	155,998.31	174,838.12
Freight	1,198.58	899.87
Limo	5,715.11	4,310.44
Gas Sales and Other	<u>11,494.83</u>	<u>3,521.68</u>
TOTAL OPERATING INCOME	333,463.39	250,025.87
Operating Expense	<u>322,893.36</u>	<u>212,680.06</u>
NET OPERATING INCOME	\$ 10,570.03	\$ 37,345.81

Applicant's passenger traffic statistics covered the period from June 9, 1968 through May 31, 1969. It showed that during this period of time -- in its one-stop service from Denver to Aspen -- it transported 3,983 revenue passengers and 153 non-revenue passengers. From Aspen to Denver, for the same period of time -- in its one-stop service -- it transported 4,147 revenue passengers and 153 non-revenue passengers. In this period it carried 9 revenue passengers from Eagle to Aspen, and 24 passengers from Aspen to Eagle. In its related operations from Denver to Eagle during this period of time it transported 1,285 revenue passengers and 59 non-revenue passengers, and from Eagle to Denver it transported 1,082 revenue passengers and 44 non-revenue passengers.

The Applicant has indicated its desire to continue the operations authorized in our Decision No. 71286 on a permanent basis.

DISCUSSION AND CONCLUSION

In our prior Decision No. 71286 we found that the present and future public convenience and necessity would require the operation by Rocky Mountain Airways, Inc., as a common carrier by aircraft, in scheduled service, between Denver, Colorado, on the one hand, and Aspen, Colorado, on the other, with a required intermediate stop at Eagle, Colorado, and

between Eagle and Aspen, Colorado. The authorization therein granted was for a one-year time period. We have frequently followed the policy of granting such limited term certificates of public convenience and necessity in the case of air carriers to permit time to demonstrate whether or not the operations initially proposed are economically feasible. It is elementary that common carriers -- of whatever nature -- are required to perform reasonably adequate and continuous service to the public. They should not be required to perform a service which can lead only to financial disaster. Limited duration certificates permit a development of the potential use of the authorized service by the public and its financial potential to the carrier involved. Our orders authorizing limited term certificates of public convenience and necessity have historically contained the provision under which the Applicant may petition this Commission to make the authority permanent. In some cases, upon expiration of the first experimental period, additional experimental periods have been authorized before the service was made permanent.

In the subsequent proceedings, such as here before the Commission, the inherent issue is whether or not the service initially authorized has been shown by experience and use to be economically feasible. If so, the service should be made permanent; if not, an additional experimental period should be authorized or the service should be terminated. The evidence before the Commission in this proceeding amply shows that the operations of the Applicant on its limited term certificate have been successful and that these operations should be made permanent. There is no contention to the contrary.

While the inherent issue in proceedings of this type is the economic feasibility of the operations which have been authorized, this is not to say that other issues which may be material and relevant cannot be raised by appropriate notice and pleadings. In the instant case such an issue has been raised by the Protestant. In our Decision No. 71286 we evaluated the requirements of the present and future public convenience

and necessity. Based thereon we authorized the operations which are now before us for an evaluation of economic feasibility. The problem centers on the fact that Decision No. 71286 is now pending on review before the Supreme Court of the State of Colorado. It would be presumptuous for us to attempt a prediction as to the results of that review proceeding. For example, it would be possible for us to make permanent here an authorization which may be reversed by the Supreme Court upon completion of its review. Equally possible, of course, we may make permanent here that which may be affirmed by the Supreme Court. What we do here must be fashioned to mesh with the final determination of the Supreme Court in the proceeding pending before it involving the initial authorization of the limited term certificate. The parties before us have offered a very practical stipulation to solve this dilemma. They stipulated that the Commission enter its order making permanent the authorization contained in Decision No. 71286, with the proviso that should the Supreme Court upon review set aside and vacate Decision No. 71286 that the instant Order making such authority permanent should become void by self-executing provisions. This stipulation is acceptable to the Commission. Order provisions to follow will incorporate the necessary provisions and terms to execute the stipulation.

F I N D I N G S

THE COMMISSION FINDS:

1. That the operations and service authorized and required by the Certificate of Public Convenience and Necessity granted in our Decision No. 71286, dated May 9, 1968, have been shown to be economically feasible.
2. That the Certificate of Public Convenience and Necessity as authorized and issued in our Decision No. 71286, dated May 9, 1968, should be made permanent.
3. That should the Supreme Court of the State of Colorado reverse or vacate our decision and order in Decision No. 71286, dated May 9, 1968, in the Court's Docket No. 23903, entitled Aspen Airways, Inc., etc. vs. The Public Utilities Commission of the State of Colorado, et al, then this

instant Decision and Order should simultaneously therewith become void and of no further force nor effect.

4. That an appropriate Order should be entered.

O R D E R

THE COMMISSION ORDERS:

1. That the extension of Applicant's Certificate of Public Convenience and Necessity PUC No. ACS-45, as authorized in our Decision No. 71286, dated May 9, 1968, on a limited term basis, be, and it is hereby, made permanent.

2. That Rocky Mountain Airways, Inc., Denver, Colorado, be, and hereby is, authorized to extend its common carrier operations by airplane under Certificate of Public Convenience and Necessity PUC No. ACS-45 to include the following:

Transportation -- on schedule -- of
Passengers and property

Between the terminal point of Denver, Colorado, and airports in the vicinity thereof, and the terminal point of Aspen, Colorado, and airports in the vicinity thereof; subject to the requirement that every flight between the terminal points shall land and take-off at the intermediate point of Eagle, Colorado, and airports in the vicinity thereof; and between the terminal point of Eagle, Colorado, and airports in the vicinity thereof, and the terminal point of Aspen, Colorado, and airports in the vicinity thereof.

This ORDER shall be deemed to be, and be a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY THEREFOR.

3. That page 22 of Decision No. 71286, dated May 9, 1968, shall be amended so as to read in its entirety as follows:

That henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. ACS-45, as extended, shall read and be as follows, to-wit:

Transportation -- as a common carrier by fixed wing
airplane -- of

Passengers and property

(1) Scheduled air transportation

Between the terminal point of Denver, Colorado, and airports in the vicinity thereof, and the terminal point of Aspen, Colorado, and airports in the vicinity thereof; subject to the requirement that every flight between the terminal points shall land and take-off at the intermediate point of Eagle, Colorado, and airports in the vicinity thereof; and between the terminal point of Eagle, Colorado, and airports in the vicinity thereof, and the terminal point of Aspen, Colorado, and airports in the vicinity thereof.

Between the terminal point of Denver, Colorado, and airports in the vicinity thereof, and the terminal point of Eagle, Colorado, and airports in the vicinity thereof.

(2) Air charter and irregular air transportation on call and demand

Between all points within the State of Colorado, subject to the following restrictions:

- (a) The holder hereof shall not have the right to establish an office or branch for the purpose of developing business at any other towns or places than Denver, Colorado, and airports within a radius of fifteen miles thereof, Eagle and Vail, Colorado, and airports located in Eagle and Summit Counties, Colorado, within a radius of thirty-five miles of Vail, Colorado.
- (b) Under this portion of the authority, the holder shall not perform scheduled service between any points or places.
- (c) In operation under this portion of the authority between points served by a common carrier by air performing scheduled air transportation the fares and charges of the holder hereof shall be at least one hundred twenty percent per passenger of the per-passenger fares and charges of such scheduled air carrier.

This ORDER shall be taken, deemed and held to be a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY authorizing the above-described air common carrier operations.

4. That the Applicant shall file tariffs, rates, rules and regulations, to be approved by this Commission, within thirty (30) days of the date hereof, in compliance with the provisions of the authority as granted in this Order.

5. That the Applicant shall carry suitable insurance protection, covering public liability, property damage, and passenger insurance, and shall continue to carry such insurance and any other insurance protection

that may be required by the Commission.

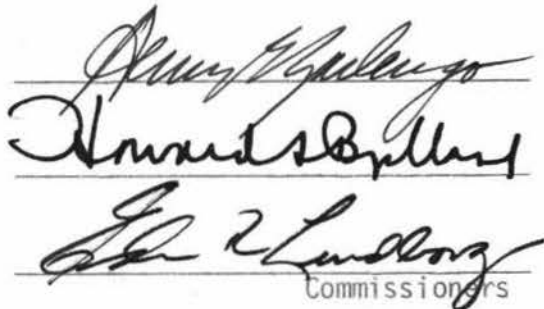
6. That the Applicant shall operate in accordance with the Order of the Commission except when prevented by Act of God, the public enemy, or extreme conditions.

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

8. That if the Supreme Court of the State of Colorado in its Docket No. 23903, entitled Aspen Airways, Inc., etc. vs. The Public Utilities Commission of the State of Colorado, et al, shall reverse and vacate the extension of Applicant's Certificate of Public Convenience and Necessity, as authorized in our Decision No. 71286, dated May 9, 1968, then this Order shall become void and of no further force nor effect; and that the extension of Applicant's Certificate of Public Convenience and Necessity PUC No. ACS-45, herein made permanent, shall similarly become void and of no further force nor effect.

9. That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 20th day of June, 1969.
ls

(Decision No. 73165)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LYLE K. BRANDT, BOX 393, GRANBY,)
COLORADO, FOR A CLASS "B" PERMIT)
TO OPERATE AS A PRIVATE CARRIER)
BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 23621-PP
SUPPLEMENTAL ORDER

June 20, 1969

Appearances: Lyle K. Brandt, Granby,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 5, 1969, the Commission entered Decision No. 73102 in the above-entitled matter.

On June 12, 1969, "Petition for Rehearing," was filed with the Commission by the Applicant by John L. Baker, Attorney, together with an Affidavit of William Boyes of the Boyes Insurance Agency.

The Commission has carefully considered said Petition for Rehearing and the Affidavit filed herein, and each and every allegation thereof, and is of the opinion and finds that said Petition should be granted as set forth in the Order following.

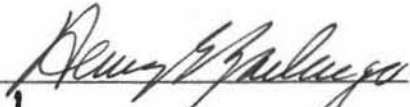

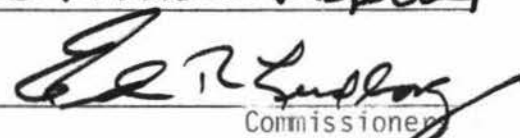
O R D E R

THE COMMISSION ORDERS:

That Petition for Rehearing filed with the Commission by the Applicant herein be, and the same hereby is, granted.

That Application No. 23621-PP be, and the same hereby is,
set for rehearing before the Commission at 10:00 o'clock A.M., on
July 14, 1969, at 500 Columbine Building, 1845 Sherman Street, Denver,
Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioner

Dated at Denver, Colorado,
this 20th day of June, 1969.

ma

(Decision No. 73166)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

EARL O. SKILES)
5201 BRIGHTON BLVD.)
(RIVERSIDE CEMETERY))
DENVER, COLORADO)

PERMIT NO. M-4431

June 23, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

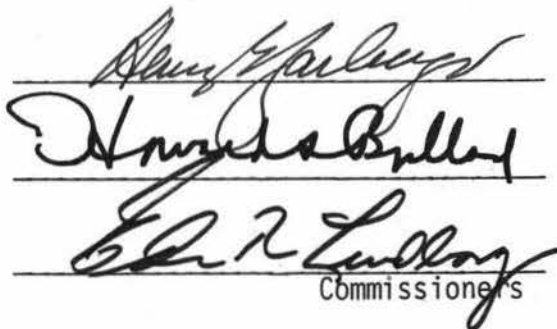
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 5, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 23rd day of June, 1969.

(Decision No. 73167)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

PAUL V. CHRISTENSON)
4800 GRANT STREET)
DENVER, COLORADO 80216)

PERMIT NO. M-10069

June 23, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

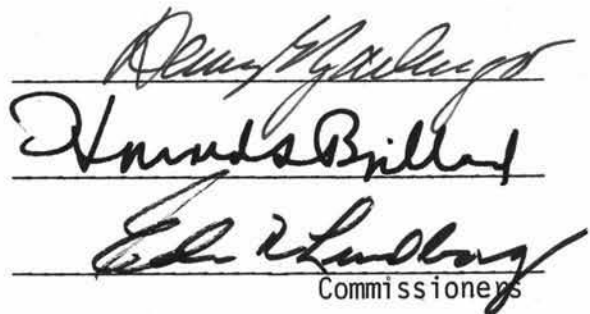
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 29, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 23rd day of June, 1969.

(Decision No. 73168)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF

EDWARD A. BUHR
P.O. BOX 186
LA JARA, COLORADO 81140

PERMIT NO. M-14182

_ June 23, 1969 _

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

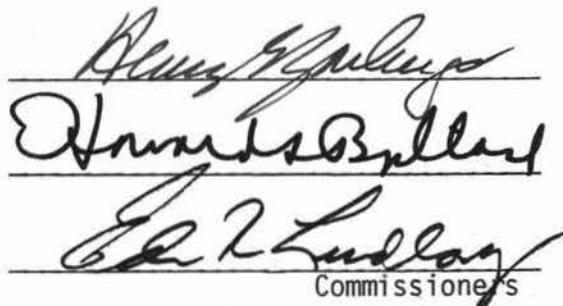
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 3, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 23rd day of June, 1969.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
GEORGE E. KANAVEL DBA)
FAIRMOUNT GREENHOUSE)
1251 WELLINGTON)
GRAND JUNCTION, COLORADO 81501)

PERMIT NO. M-11621

June 23, 1969

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

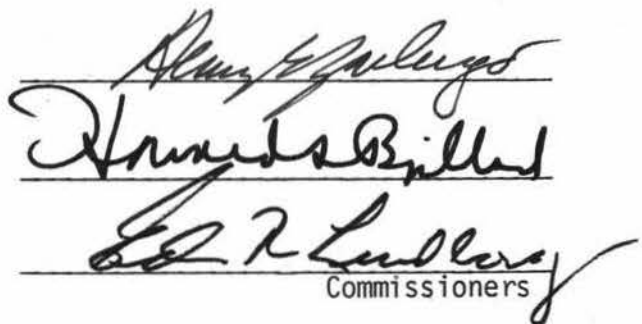
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 17, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 23rd day of June, 1969.