

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 3323

By: Arthur F. Westerkamp
5073 Grant Street
Denver, Colorado 80216

Respondent.)

CASE NO. 72-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

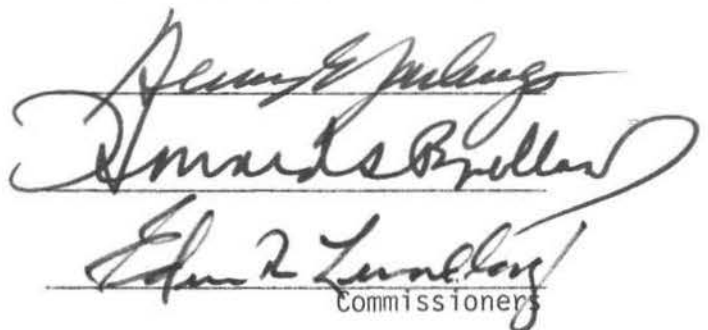
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 1970, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 26th day of June, 19 70.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 3337

By: Jesse Bragg Jr., & Earl Bragg
642 E Williamette
Colorado Springs, Colorado 80900

Respondent.)

CASE NO. 73-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

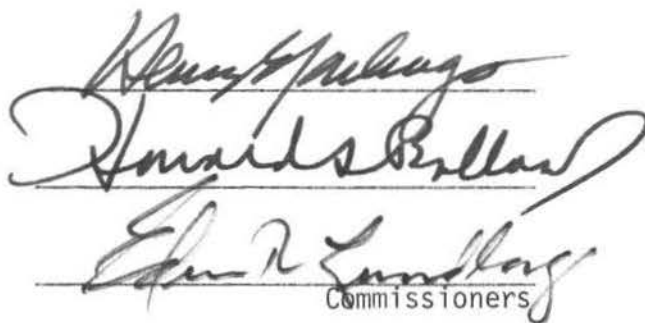
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 19 70, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 26th day of June, 19 70.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 3344

By: Alex Gerlach & Son Disposal Co.
4639 Saulsbury St.
Wheatridge, Colorado 80033

Respondent.)

CASE NO. 74-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

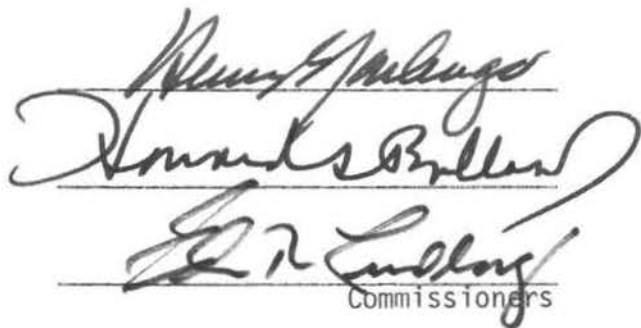
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 1970, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 26th day of June, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 3381

By: Aaron Hauling Service
5381 Irving Street
Denver, Colorado 80221

Respondent.)

CASE NO. 75-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 26th day of June, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)	
PERMIT NO. B-7020)	<u>CASE NO. T-19</u>
BY: JOE & ORLANDO ABEYTA, DOING)	
BUSINESS AS "ABEYTA TRUCKING,")	<u>SUPPLEMENTAL ORDER</u>
SAGUACHE, COLORADO, 81149,)	
RESPONDENTS.)	
- - - - -	

June 25, 1970

Appearances: Ralph H. Knull, Denver, Colorado,
of the Staff of the Commission

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 8, 1970, Respondents, Joe and Orlando Abeyta, doing business as "Abeyta Trucking," were notified that a classification tariff must be filed as required by Decision No. 68180, dated September 14, 1966.

Since, in accordance with the Public Utilities Law of the State of Colorado, a carrier by motor vehicle cannot operate without having published a tariff of rates and charges, said Respondents were ordered to file said classification tariff with the Commission on February 9, 1970. Respondents did not file said classification tariff as required by the Commission.

By Decision No. 74685, dated April 8, 1970, the Commission found as fact that Respondents were in violation of the Public Utilities Law of the State of Colorado and ordered said Respondents to appear before the Commission on April 29, 1970, at 10:00 o'clock A.M., in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, 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, an Order cancelling Permit No. B-7020.

On May 19, 1970, by Decision No. 74942, Robert L. Pyle, Examiner, entered his Recommended Decision, among other things, ordered

the cancellation of Permit No. B-7020 or as an alternative that Respondents, Joe and Orlando Abeyta, doing business as "Abeyta Trucking," pay the sum of One Hundred Dollars (\$100.00) to the Treasurer of the State of Colorado.

The Commission is now in receipt of a letter from said Respondents, wherein correspondence dating back to February with the National Classification Board was attached. Copy of such correspondence failed to reach the Commission although the Respondents were in fact trying to comply.

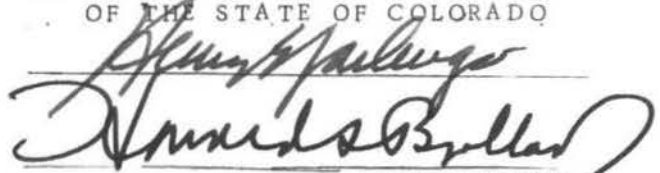
In view of the action taken by the Respondents the Commission finds that the amount of One Hundred Dollars (\$100.00) previously assessed by Examiner Pyle should be voided and the authority under Permit No. B-7020 restored to active status.

O R D E R

THE COMMISSION ORDERS:

1. That the One Hundred Dollars (\$100.00) assessed by Decision No. 74942, dated May 19, 1970, is null and void and of no effect.
2. That the revocation and cancellation of said authority under Permit No. B-7020 shall be, and it hereby is, declared null and void and the authority restored to active status.
3. That the Recommended Decision No. 74942 of Examiner, Robert L. Pyle, in all other respects, be, and hereby is, adopted as the Order of the Commission.
4. 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
25th day of June, 1970. dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
NORTHERN NATURAL GAS COMPANY, A)
DELAWARE CORPORATION, 2223 DODGE)
STREET, OMAHA, NEBRASKA 68102, FOR)
A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY AUTHORIZING THE CON-)
STRUCTION OF A NATURAL GAS SYSTEM FOR)
THE TRANSMISSION, DISTRIBUTION AND)
SALE OF NATURAL GAS IN CERTAIN AREAS)
OF CHEYENNE AND KIOWA COUNTIES,)
COLORADO.)

APPLICATION NO. 24373

RECOMMENDED DECISION
HOWARD S. BJELLAND
COMMISSIONER

June 29, 1970

Appearances: Thomas N. Wright, Esq., Omaha,
Nebraska, and
John A. Phillips, Esq., of Phillips
& Gresham, Colorado Springs,
Colorado, for Applicant, Northern
Natural Gas Company;
Robert E. Johnson, Esq., Denver,
Colorado, for Intervenor, Plains
Exploration Company;
Girts Krumins, Esq., Denver,
Colorado, for the Staff of the
Commission.

PROCEDURE AND RECORD

On May 28, 1970, Peoples Natural Gas Division of Northern Natural Gas Company, operating in the State of Colorado under the name of Plateau Natural Gas Company, filed with the Public Utilities Commission of the State of Colorado, its application identified above as Application No. 24373. The application was set for hearing on June 15, 1970, at 10 a.m. in the Hearing Room of the Commission, at which time the application was called up for hearing before Commissioner Howard S. Bjelland to whom the matter was duly assigned. At the conclusion of said hearing, the application was taken under advisement.

Plains Exploration Company intervened in the proceedings stating that its interest was limited to insuring that it would receive natural gas service from Plateau.

The Hearing Commissioner transmits herewith the record and exhibits in this proceeding together with his Recommended Decision and Recommended Order.

FINDINGS OF FACT

From the record herein the Hearing Commissioner finds as fact that:

1. Applicant is a Delaware Corporation, qualified to do business in the State of Colorado, and is a company engaged, inter alia, in the business of purchase, distribution and sale of natural gas in the State of Colorado and elsewhere.

2. The Commission has jurisdiction over the subject matter of these proceedings.

3. The territory in which Applicant seeks a certificate of public convenience and necessity to construct a gas transmission and distribution system and to render natural gas service at retail to residential, commercial, industrial and irrigation customers is located in Cheyenne and Kiowa Counties, Colorado, and is described by sections, townships and ranges as follows:

CHEYENNE COUNTY

T14S - R44W - Sections 1 through 36 inclusive.
T14S - R45W - Sections 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 35, and 36.
T15S - R44W - Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34.
T15S - R45W - Sections 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 35, and 36.

KIOWA COUNTY

T16S - R44W - Sections 5, 6, 7, 8, 18, and 19.
T16S - R45W - Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36.
T17S - R45W - Sections 2, 3, 4, 9, 10, 16, 17, 19, 20, 21, 29, 30, and 31.
T17S - R46W - Section 36 only.

4. Applicant has received a franchise from the Town of Cheyenne Wells, Colorado, authorizing it to sell and distribute natural gas within said Town, such franchise being Ordinance No. 138 of the said Town of

Cheyenne Wells, Colorado, dated June 1, 1970.

5. Applicant has secured a supply of natural gas from Colorado Interstate Gas Company, a division of Colorado Interstate Corporation, which company will file the necessary application with the Federal Power Commission to secure authority to make the sale of gas to Applicant.

6. Natural gas service is proposed to be rendered to domestic, commercial, industrial and irrigation customers at the same rates as for the Applicant's Eastern Division in Colorado.

7. There is no other public utility engaged in the business of selling and distributing natural gas in the area for which the certificate is requested.

8. Applicant has requested a certificate for, but does not propose to install any natural gas transmission and distribution facilities in, or in close proximity to, an area described as follows:

CHEYENNE COUNTY

T14S - R44W - Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 23, 24, 25, 26, 35, and 36.

T14S - R45W - Sections 1, 2, 11, and 12.

T15S - R44W - Sections 3, 4, 9, 10, 15, 16, 21, 22, 27, 28, 33, and 34.

Public convenience and necessity do not require the granting of a certificate in an area where no service is proposed.

9. Applicant is experienced and well qualified financially and otherwise to conduct the public utility operations proposed in this application.

10. The extension of natural gas service as proposed herein by Applicant is economically feasible.

11. Applicant has on file extension policies applicable to various classes of customers and may make extensions of its facilities to serve new customers in accordance with such policies under Section 115-5-1, CRS 1963, as amended, within or without the certificated area. However, Applicant has no filed policy for extensions of natural gas service to oil wells.

CONCLUSION

It is the conclusion of the Hearing Commissioner that public convenience and necessity requires that the application be granted to the extent set forth in the Order below and that the following Order should be entered.

ORDER

THE COMMISSION ORDERS THAT:

1. The public convenience and necessity requires and will continue to require the construction, operation, maintenance and extension from time to time of a gas transmission and distribution system in the area described below, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor:

CHEYENNE COUNTY

- T14S - R44W - Sections 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34.
- T14S - R45W - Sections 13, 14, 23, 24, 25, 26, 35, and 36.
- T15S - R44W - Sections 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31, and 32.
- T15S - R45W - Sections 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 35, and 36.

KIOWA COUNTY

- T16S - R44W - Sections 5, 6, 7, 8, 18, and 19.
- T16S - R45W - Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36.
- T17S - R45W - Sections 2, 3, 4, 9, 10, 16, 17, 19, 20, 21, 29, 30, and 31.
- T17S - R46W - Section 36 only.

2. The public convenience and necessity requires and will require the exercise by Applicant of the franchise rights granted in and by Ordinance No. 138 of the Town of Cheyenne Wells, Colorado, dated June 1, 1970, for the purchase, manufacture, transmission, distribution and sale of gas, either natural artificial or mixed, by Applicant in said Town and this Order shall be taken, deemed and held to be a

certificate of public convenience and necessity therefor.

3. Applicant shall operate the utility property to be constructed within the area described above in accordance with the rules and regulations of this Commission with respect to service, construction, maintenance, operation, accounting and all other matters applicable to gas utilities.

4. In the event that service from the facilities proposed by Applicant herein is not available within one year from the effective date of this Order, the certificate granted herein shall be null and void and of no effect.

5. Applicant shall file a written report that service is available from the proposed facilities within thirty (30) days of the date such service becomes available.

6. The Applicant shall within sixty (60) days from the effective date of this Order, file with the Commission the necessary tariff revisions to provide for an extension policy regarding natural gas service to oil wells.

7. This Order shall become effective as of the date this Recommended Decision becomes the Decision of the Commission.

As provided by Section 115-6-9 (2), CRS 1963, as amended, copies of this Commissioner's Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the

Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the pertinent provisions of Article 6, Chapter 115, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


COMMISSIONER

ls/jsk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
CARL L. TODD, 4100 FENTON STREET,)	<u>APPLICATION NO. 24287-PP</u>
DENVER, COLORADO, FOR A CLASS "B")	
PERMIT TO OPERATE AS A CONTRACT)	<u>RECOMMENDED DECISION OF</u>
CARRIER BY MOTOR VEHICLE FOR HIRE.)	<u>ROBERT L. PYLE, EXAMINER.</u>

June 26, 1970

Appearances: None

PROCEDURE AND RECORD

Under date of April 8, 1970, Applicant filed the above-entitled application with this Commission for authority to operate as a Class "B" contract carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

The Commission assigned No. 24287-PP to the application for permanent authority. Pursuant to law, the Commission designated Robert L. Pyle as Examiner for the purpose of conducting the hearing on this application and, after due and proper notice to all interested persons, firms or corporations, set the herein matter for a hearing to be held in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on June 15, 1970, at 10:00 o'clock A.M.

The application was called for hearing at the aforesaid time and place. No person appeared at the hearing in support of or to protest the granting of the authority petitioned for in the application. The subject matter was taken under advisement by the Examiner.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Robert L. Pyle now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of

fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. Neither Applicant nor any other person appeared at the hearing in support of the application.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded, that:

1. Application No. 24287-PP should be dismissed.
2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

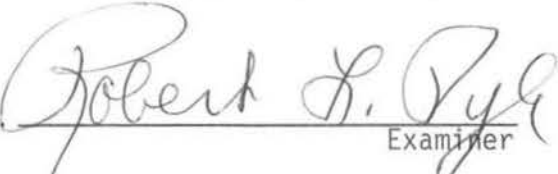
O R D E R

THE COMMISSION ORDERS:

1. That Application No. 24287-PP, being an application of Carl L. Todd, 4100 Fenton Street, Denver, Colorado, for a Class "B" Permit to operate as a contract carrier by motor vehicle for hire, be, and hereby is, dismissed.
2. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.
3. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision

shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner
rm/hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BILLY F. MOORE, 6530 BRENTWOOD, ARVADA,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 4808 TO BILL'S RUBBISH)
REMOVAL, INC., 6530 BRENTWOOD STREET,)
ARVADA, COLORADO.)

APPLICATION NO. 24247-Transfer

RECOMMENDED DECISION OF
ROBERT L. PYLE, EXAMINER.

June 26, 1970

Appearances: George M. Graber, Esq.,
Arvada, Colorado, for
Applicants.

PROCEDURE AND RECORD

Under date of February 25, 1970, Applicants filed the above-entitled application for authority to transfer Certificate of Public Convenience and Necessity PUC No. 4808, to operate as a common carrier by motor vehicle, from Billy F. Moore to Bill's Rubbish Removal, Inc.

The Commission, pursuant to law, designated Robert L. Pyle as Examiner for the purpose of conducting a hearing on this application and, after due and proper notice to all interested persons, firms or corporations, set the herein matter for a hearing to be held in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on June 15, 1970, at 10 a.m. The hearing was held at the aforesaid time and place.

Billy F. Moore testified in support of the application. No person appeared at the hearing to protest the granting of the authority petitioned for in the application, and no written protests or petitions for intervention were received.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Robert L. Pyle now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. Transferor herein is the present owner and operator of Certificate of Public Convenience and Necessity PUC No. 4808, 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 is to place the authority under corporate status.
4. Transferee herein holds no previously granted authority from this Commission.
5. The Certificate is free and clear of any debts, encumbrances or obligations.
6. Transferee owns sufficient equipment, has sufficient experience and net worth, all of which are ample and suitable for the operation of the authority sought to be transferred herein.
7. The chief corporate officers as well as the employees of the Transferee are sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promise to abide by said rules and regulations, as well as the safety requirements of the Commission, and have or will make adequate provision for insurance.
8. If this transfer is approved, Transferee intends to and will engage in bona fide motor carrier operations under the operating rights set forth herein.

9. The transfer is compatible with the public interest.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded, that:

1. The transfer as sought by Applicants should be granted as hereinafter set forth.
2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That Billy F. Moore, 6530 Brentwood, Arvada, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to Certificate of Public Convenience and Necessity PUC No. 4808 to Bill's Rubbish Removal, Inc., a Colorado corporation, 6530 Brentwood Street, Arvada, Colorado, subject to encumbrances, if any, against said authority.

2. That henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 4808 shall read and be as follows, to-wit:

"Transportation of

Ash, trash, and other refuse

From points located within the City of Arvada, Colorado, to designated and approved dumps and disposal sites located in Jefferson County, Colorado."

3. 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.

4. The right of Transferee to operate under this Order shall depend upon the prior filing of an annual report by Transferor herein, covering the operations under said Certificate up to the time of transfer of said Certificate.

5. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

6. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner

rm/hj

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 AUTHORITY TO)
TRANSFER PERMIT NO. B-7305 TO m B r,)
INC., DOING BUSINESS AS "m B r, INC.)
TRUCKING CONTRACTORS," P.O. BOX 428,)
ARVADA, COLORADO.)

APPLICATION NO. 24237-PP-
Transfer

RECOMMENDED DECISION OF
ROBERT L. PYLE, EXAMINER.

June 26, 1970

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

PROCEDURE AND RECORD

Under date of February 26, 1970, Applicants filed the above-entitled application for authority to transfer Permit No. B-7305, to operate as a contract carrier by motor vehicle for hire, from Tom J. Beghtol to m B r, Inc., doing business "m B r, Inc., Trucking Contractors."

The Commission, pursuant to law, designated Robert L. Pyle as Examiner for the purpose of conducting a hearing on this application and, after due and proper notice to all interested persons, firms or corporations, set the herein matter for a hearing to be held in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on June 15, 1970, at 10:00 o'clock A.M. The hearing was held at the aforesaid time and place.

Tom G. Beghtol testified in support of the application. No person appeared at the hearing to protest the granting of the authority petitioned for in the application, and no written protests or petitions for intervention were received.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Robert L. Pyle now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. Transferor herein is the present owner and operator of Permit No. B-7305, 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 proceeding is to place the authority under corporate status.
4. Transferee herein does not hold previously granted authority from this Commission.
5. The Permit is free and clear of any debts, encumbrances or obligations.
6. Transferee owns sufficient equipment, has sufficient experience and net worth, all of which are ample and suitable for the operation of the authority sought to be transferred herein.
7. The chief corporate officers as well as the employees of Transferee corporation are sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promise to abide by said rules and regulations, as well as the safety requirements of the Commission, and have or will make adequate provision for insurance.

8. If this transfer is approved, Transferee intends to and will engage in bona fide motor carrier operations under the operating rights set forth herein.

9. The transfer is compatible with the public interest.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded, that:

1. The transfer as sought by Applicants should be granted as hereinafter set forth.

2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That Tom J. Beghtol, 6410 Estes Street, Arvada, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to Permit No. B-7305 to m B r, Inc., doing business as "m B r, Inc. Trucking Contractors," P.O. Box 428, Arvada, Colorado, subject to encumbrances, if any, against said authority.

2. That henceforth the full and complete authority under Permit No. B-7305 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 one hundred (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 one hundred (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 one hundred (100) miles of said jobs;

(4) 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;

RESTRICTIONS:

This Permit is restricted as follows:

- (a) Against the use of tank vehicles when transporting road-surfacing materials;
- (b) To serving not more than ten (10) customers at any one time."

3. 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.

4. The right of Transferee to operate under this Order shall depend upon its compliance with all present and future laws and rules and regulations of the Commission, and the prior filing of an annual report by Transferor herein covering the operations under the Permit up to the time of the transfer of said Permit.

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

6. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

7. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days

after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner
rm/hj

(Decision No. 75229)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF

Coronado Paint Co. Inc
Box 957
Whittier, California 90608

AUTHORITY NO. M-12733

CASE NO. 5584-M-Ins

June 25, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 8, 1970 , 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.

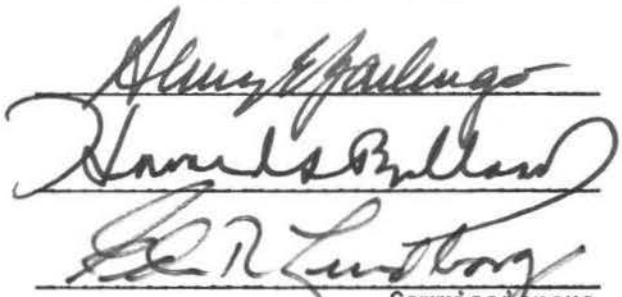
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 25th day of June, 1970

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: AIR CARRIER OPERATIONS OF)
PITKIN COUNTY DEVELOPMENT CORPORATION)
P. O. BOX 120)
122 EAST DURANT STREET)
ASPEN, COLORADO 81611)

PUC NO. AC-58

June 29, 1970

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.

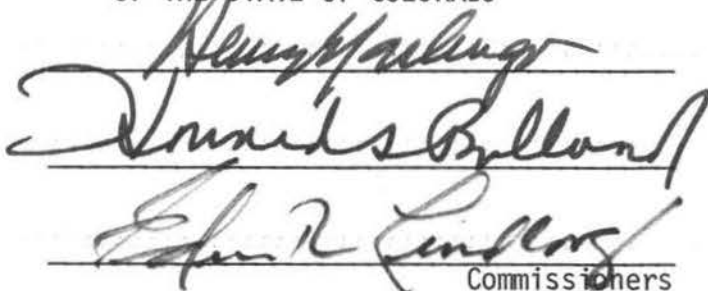
O R D E R

THE COMMISSION ORDERS:

That suspension of the air carrier operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from June 22, 1970, to and including December 22, 1970.

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
29th day of June, 1970.

vr

(Decision No. 75231)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
LEPRINO CHEESE CO., DOING BUSINESS AS)
"LEPRINO CHEESE MFG. CO." 1830 WEST)
38TH AVENUE, DENVER, COLORADO.)

PUC NO. 6909-I

June 29, 1970

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 do business under the trade name and style of Leprino Cheese Co., doing business as "Leprino Cheese Co.," in the conduct of operations under PUC No. 6909-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

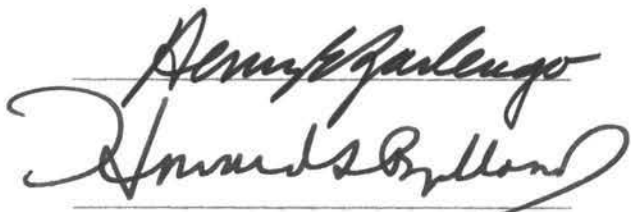

THE COMMISSION ORDERS:

That Leprino Cheese Co., doing business as "Leprino Cheese Mfg. Co.," be, and hereby is, authorized to conduct operations under the trade name and style of Leprino Cheese Co., doing business as "Leprino Cheese Co.," in the conduct of operations under PUC No. 6909-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

Dated at Denver, Colorado,
this 29th day of June, 1970.
ma/jsk

(Decision No. 75232)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JAMES VIOLA AND ROY VIOLA, DOING)
BUSINESS AS "VIOLA BROS. SAWMILL,")
BOX 66, FLORENCE, COLORADO.)

PERMIT NO. B-6834

June 29, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission is in receipt of a communication from the above-styled permit-holders, requesting authority to do business under the trade name and style of James Viola and Roy Viola, doing business as "Viola Brothers," in lieu of James Viola and Roy Viola, doing business as "Viola Bros. Sawmill," in the conduct of operations under Permit No. B-6834.

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 James Viola and Roy Viola, doing business as "Viola Bros. Sawmill," be, and hereby are, authorized to conduct operations under the trade name and style of James Viola and Roy Viola, doing business as "Viola Brothers," in the conduct of operations under

Permit No. B-6834, 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

Alvin Zarlingo
Donald Bullard
Ed. Gullone
Commissioners

Dated at Denver, Colorado, this
29th day of June, 1970. ma/jsk

(Decision No. 75233)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DENVER RICHARD BRUBAKER, DOING BUSINESS)
AS "BRUBAKER TRANSFER," 103 NORTH)
MAJOR, EUREKA, ILLINOIS, FOR AUTHORITY)
TO TRANSFER INTERSTATE OPERATING RIGHTS)
TO BRUBAKER TRANSFER, INC., 103 NORTH)
MAJOR, EUREKA, ILLINOIS.)

PUC No. 7153-I - Transfer

June 29, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore Denver Richard Brubaker, doing business as "Brubaker Transfer," Eureka, Illinois, was granted a certificate of public convenience and necessity, being PUC No. 7153-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. 7153-I to Brubaker Transfer, Inc., Eureka, Illinois.

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.

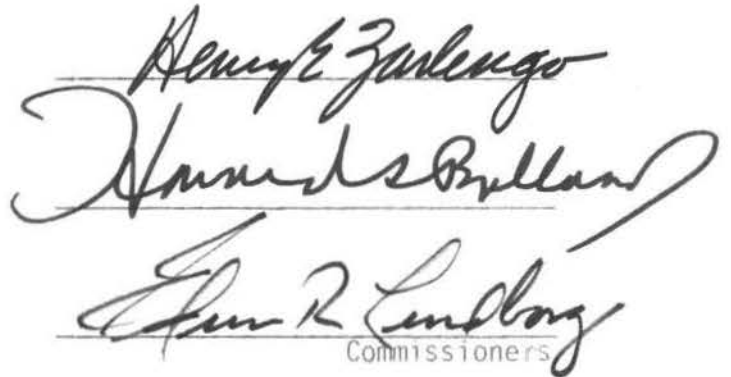
O R D E R

THE COMMISSION ORDERS:

That Denver Richard Brubaker, doing business as "Brubaker Transfer," Eureka, Illinois, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 7153-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Brubaker Transfer, Inc., Eureka, Illinois, 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

Dated at Denver, Colorado, this
29th day of June, 1970. ma/jsk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
YELLOW CAB, INC., 3455 RINGSBY COURT,)
DENVER, COLORADO, 80216, FOR AN ORDER)
CONSOLIDATING, CLARIFYING AND EXTEND-)
ING PUC NO. 2204, PUC NO. 2204-I, AND)
PUC NO. 1223, INTO A SINGLE CERTIFI-)
CATE TO BE KNOWN, REISSUED AND OPERATED)
AS PUC NO. 2204 AND PUC NO. 2204-I.)
-----)

APPLICATION NO. 24067-
Extension, Consolidation
and Clarification

IN THE MATTER OF THE APPLICATION OF)
CHECKER CAB, INC., 3455 RINGSBY)
COURT, DENVER, COLORADO, 80216, OWNER,)
AND YELLOW CAB, INC., 3455 RINGSBY)
COURT, DENVER, COLORADO, 80216, LESSEE,)
FOR AN ORDER CONSOLIDATING, CLARIFYING)
AND EXTENDING PUC NO. 2378, PUC NO.)
2450, AND PUC NO. 1529, INTO A SINGLE)
CERTIFICATE TO BE KNOWN, REISSUED AND)
OPERATED AS PUC NO. 2378 AND PUC NO.)
2378-I.)
-----)

APPLICATION NO. 24068-
Extension, Consolidation
and Clarification

SUPPLEMENTAL ORDER

June 29, 1970

Appearances: Walter M. Simon, Esq., Denver,
Colorado, for Applicants.
John F. Mueller, Esq., Denver,
Colorado, for Cabs, Inc., dba
"Dollar Cab Line," operating Zone
Cabs, Intervenor only.
Isaac H. Kaiser, Esq., Denver,
Colorado, for Independent Drivers
Association of Denver, Protestant.
Joseph F. Nigro, Esq., Denver,
Colorado, for Colorado Cartage, Inc.,
Murph's Express, Inc., and United
Parcel Service, Inc., Protestants.
Dalton O. Ford and Orris H. Gram, Denver,
Colorado, of the Staff of the Commission.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 13, 1970, Hearing Examiner Robert L. Pyle, pursuant to the provisions of 1963 CRS 115-6-9 (2), as amended, transmitted to the Commission the record and exhibits of the proceeding in Applications No. 24067 and No. 24068 together with his Recommended Decision (No. 74880), containing his findings of fact and conclusions thereon, together with the recommended order and requirement.

On May 26, 1970, Applicant Yellow Cab, Inc., in Application No. 24067, and Applicants Checker Cab, Inc., and Yellow Cab, Inc., in Application No. 24068, filed exceptions (objections) to the said Recommended Decision (No. 74880).

The Commission finds that Applicants seek not to amend, modify, annul or reverse the basic findings of fact as set forth in the Recommended Decision of the Examiner, but only to correct an error which was inadvertently made in Paragraph 8 of said Recommended Decision.

The Commission, therefore, concludes that the Recommended Order of the Examiner in Decision No. 74880 should be amended as hereinbelow ordered, but that the said Recommended Decision should be adopted as the Decision of the Commission in all other respects.

O R D E R

THE COMMISSION ORDERS:

That Paragraphs 1 and 2 of the Order portion of Decision No. 74880 be, and hereby are, amended to read as follows:

1. The authorities of Yellow Cab, Inc., under Certificates of Public Convenience and Necessity PUC No. 2204, PUC No. 2204-I, and PUC No. 1223, be, and they are hereby, consolidated, extended, and clarified into a single authority under Certificates of Public Convenience and Necessity PUC No. 2204 and PUC No. 2204-I, so that as so consolidated, extended, and clarified, said authority shall read as

follows:

Transportation -- by taxicab -- of

(1) Passengers and their personal baggage

From point to point within a radius of twenty (20) miles of 16th and Champa Streets, Denver, Colorado, and to and from said area, from and to all points in the State of Colorado.

(2) Packages, parcels, baggage, messages, letters, papers, and documents

From point to point within a radius of twenty (20) miles of 16th and Champa Streets, Denver, Colorado.

(3) Packages, parcels, baggage, messages, letters, papers, and documents

From the area within a radius of twenty (20) miles of 16th and Champa Streets, Denver, Colorado, to all points in the State of Colorado.

RESTRICTIONS:

(A) Items (2) and (3) of this Certificate are restricted as follows:

- (1) Restricted against transportation of items that exceed fifty (50) pounds;
- (2) Each delivery from point of origin to point of destination shall be charged as though one passenger was transported in addition to the extra charge made for leaving the vehicle to pick up or deliver such item;

(B) Item (3) is restricted to one shipment per cab.

(C) All operations under this Certificate shall be limited to the use of two hundred twelve (212) cabs.

(4) 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 Carrier Act of 1935, as amended.

2. That the authorities of Checker Cab, Inc., under Certificates of Public Convenience and Necessity PUC No. 2378, PUC No. 2450, and PUC No. 1529, be, and they are hereby, consolidated, extended, and

clarified into a single authority under Certificates of Public Convenience and Necessity PUC No. 2378 and PUC No. 2378-I, so that as so consolidated, extended, and clarified, said authority shall read as follows:

Transportation -- by taxicab -- of

(1) Passengers and their personal baggage

From point to point within a radius of twenty (20) miles of 16th and Champa Streets, Denver, Colorado, and to and from said area, from and to all points in the State of Colorado.

(2) Packages, parcels, baggage, messages, letters, papers, and documents

From point to point within a radius of twenty (20) miles of 16th and Champa Streets, Denver, Colorado.

(3) Packages, parcels, baggage, messages, letters, papers, and documents

From the area within a radius of twenty (20) miles of 16th and Champa Streets, Denver, Colorado, to all points in the State of Colorado.

RESTRICTIONS:

(A) Items (2) and (3) of this Certificate are restricted as follows:

- (1) Restricted against transportation of items that exceed fifty (50) pounds;
- (2) Each delivery from point of origin to point of destination shall be charged as though one passenger was transported in addition to the extra charge made for leaving the vehicle to pick up or deliver such item;

(B) Item (3) is restricted to one shipment per cab.

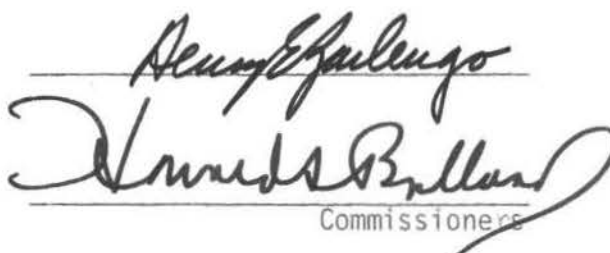
(C) All operations under this Certificate shall be limited to the use of one hundred eleven (111) cabs.

(4) 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 the Recommended Decision and Order of Examiner Robert L. Pyle, as hereinabove amended, be, and hereby is, adopted as the Order of the Commission without change in any of the requirements thereof.

4. That this Decision and 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
29th day of June, 1970. ls/jsk

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 3595

By: Denver Wide Rubbish Removal
Service
3548 Gilpin Street
Denver, Colorado 80205

Respondent.)

CASE NO. 76 - AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

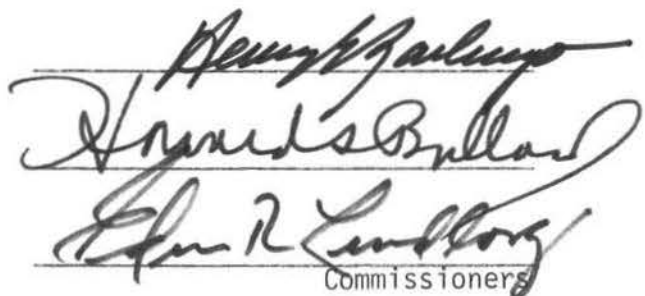
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 30th day of June, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 3675

By: Caters Trash Service
P.O. Box 934
Canon City, Colorado 81212

Respondent.)

CASE NO. 77-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

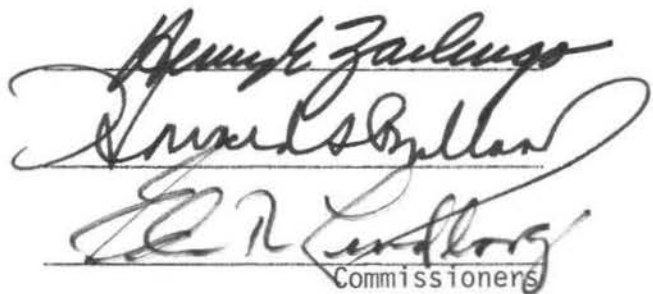
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 30th day of June, 19 70.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 3685

By: Hobson Rand
1608 E 25th Avenue
Denver, Colorado 80218

Respondent.)

CASE NO. 78-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 30th day of June, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Ziegler
James S. Bullen
Ed R. Lundberg
Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 3740

By: Yellow Barrel Disposal
1001 Akin Street
Fort Collins, Colorado 80521

Respondent.)

CASE NO. 79-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

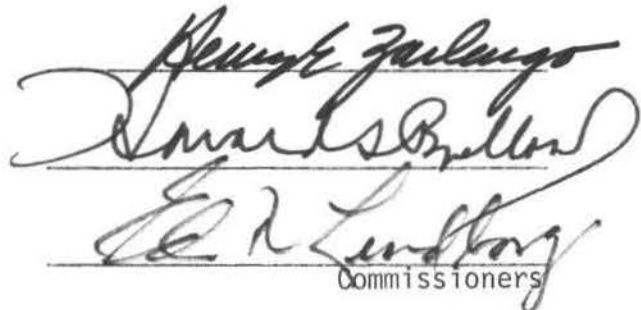
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 30th day of June, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 3813

By: Clemente Montano
Rt. 4, Box 262
Pueblo, Colorado 81001

Respondent.)

CASE NO. 80-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

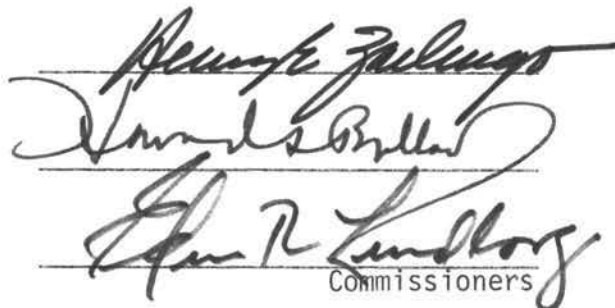
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 30th day of June, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 3819

By: Joe Willie Wieams
2731 California Street
Denver, Colorado 80205

Respondent.)

CASE NO. 81-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

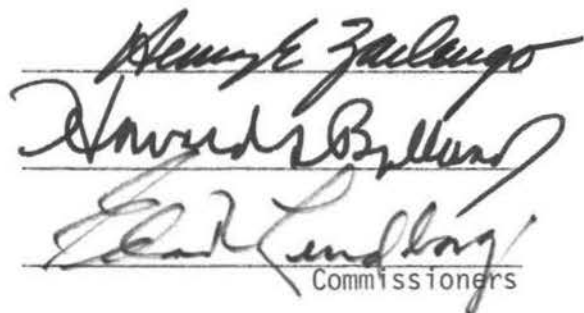
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 19 70, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 30th day of June, 19 70.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 3901

By: Bryan C. Broden
3745 Cloverleaf Drive
Boulder, Colorado 80302

Respondent.)

CASE NO. 82-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

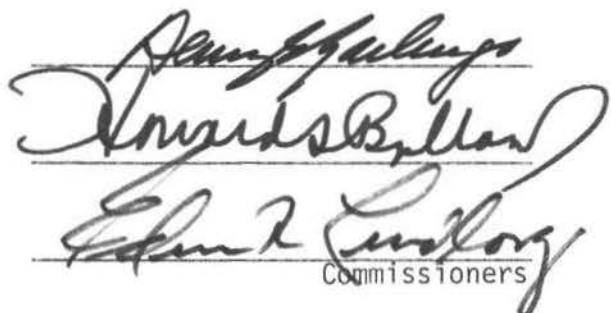
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 30th day of June, 19 70.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 3964

By: Boulder Disposal Inc.
1862 Stillwater Way
Lafayette, Colorado 80026

Respondent.)

CASE NO. 83 - AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

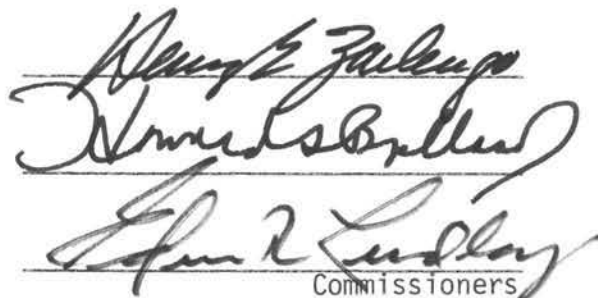
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 30th day of June, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 4017

By: Howard L. Herbertson
7052 So. Dexter Street
Littleton, Colorado 80120

Respondent.)

CASE NO. 84-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 30th day of June, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE JUDISCAK, DOING BUSINESS AS)
"G & J HAULING," 1216 CONSTITUTION,)
PUEBLO, COLORADO, FOR AUTHORITY TO)
TRANSFER PUC NO. 2437 TO EARL)
RASMUSSEN, JAMES RASMUSSEN AND)
WILLIAM RASMUSSEN, DOING BUSINESS)
AS "RASMUSSEN AND SONS," ROUTE 4,)
BOX 87, PUEBLO, COLORADO.)

APPLICATION NO. 24291-Transfer

RECOMMENDED DECISION OF
CHRISTIAN O. IGENBERGS,
EXAMINER.

June 29, 1970

Appearances: George Judiscak, Pueblo,
Colorado, Transferor, pro se.
Earl Rasmussen, Pueblo,
Colorado, a Transferee, pro se.

PROCEDURE AND RECORD

Under date of April 8, 1970, Applicants filed the above-entitled application for authority to transfer Certificate of Public Convenience and Necessity PUC No. 2437, to operate as a common carrier by motor vehicle for hire, from George Judiscak, doing business as "G & J Hauling," to Earl Rasmussen, James Rasmussen and William Rasmussen, doing business as "Rasmussen and Sons."

Transferees requested temporary authority for the interim period prior to the granting of permanent authority, and on April 30, 1970, were granted such temporary authority.

The Commission, pursuant to law, designated Christian O. Igenbergs as Examiner for the purpose of conducting a hearing on this application and, after due and proper notice to all interested persons, firms or corporations, set the herein matter for a hearing to be held in the Council Chambers, City Hall, Grand and Union Avenues, Pueblo, Colorado, on June 19, 1970, at 10 a.m. The hearing was held at the aforesaid time and place.

George Judiscak and Earl Rasmussen testified in support of the application. No person appeared at the hearing to protest the granting of the authority petitioned for in the application, and no written protests or petitions for intervention were received.

Official notice was taken of the following documents on file with the Commission, to-wit: Equipment List, Financial Statement, and Insurance Papers.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. Transferor herein is the present owner and operator of Certificate of Public Convenience and Necessity PUC No. 2437, 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. Transferees herein hold no previously granted authority from this Commission.
4. The parties have entered into an Agreement to transfer the operating authority and the consideration to be paid is fair and reasonable.
5. The Certificate is free and clear of any debts, encumbrances or obligations.
6. Transferees own sufficient equipment, have sufficient experience and net worth, all of which are amply and suitable for the operation of the authority sought to be transferred herein.

7. Transferees are sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promise to abide by said rules and regulations, as well as the safety requirements of the Commission, and have or will make adequate provision for insurance.

8. If this transfer is approved, Transferees intend to and will engage in bona fide motor carrier operations under the operating rights set forth herein.

9. The transfer is compatible with the public interest.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded, that:

1. The transfer as sought by Applicants should be granted as hereinafter set forth.

2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That George Judiscak, doing business as "G & J Hauling," 1216 Constitution, Pueblo, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to Certificate of Public Convenience and Necessity PUC No. 2437 to Earl Rasmussen, James Rasmussen, and William Rasmussen, doing business as "Rasmussen and Sons," Route 4, Box 87, Pueblo, Colorado, subject to encumbrances, if any, against said authority.

2. That henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 2437 shall read and be as follows, to-wit:

"Transportation of

(1) Ashes, trash, and other waste materials

From Pueblo, Colorado, and a fifteen (15) mile radius thereof, to designated and approved dumps and disposal sites within Pueblo County, Colorado.

- (2) Sand, gravel, dirt, and other road construction materials

Between all points within Pueblo County, Colorado."

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

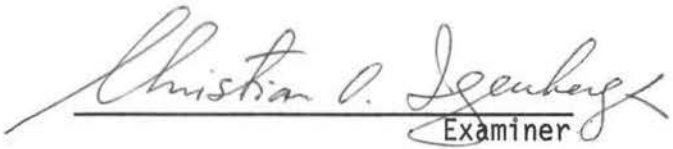
4. The right of Transferees to operate under this Order shall depend upon the prior filing of an annual report by Transferor herein, covering the operations under said Certificate up to the time of transfer of said Certificate.

5. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

6. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision

shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner

rm/hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
WILBUR L. SALYARDS, DOING BUSINESS)	APPLICATION NO. 24238-
AS "HAXTUN DRAY," HAXTUN, COLORADO,)	<u>Transfer</u>
FOR AUTHORITY TO TRANSFER PUC NO.)	
1969 TO RICHARD A. NOLDE, DOING BUSI-)	RECOMMENDED DECISION OF
NESS AS "HAXTUN DRAY," RFD ROUTE NO.)	<u>CHRISTIAN O. IGENBERGS,</u>
1, FLEMING, COLORADO.)	<u>EXAMINER.</u>

June 29, 1970

Appearances: Stanley Salyards, Haxtun,
Colorado, as Attorney-in-Fact
for Transferor.
Richard A. Nolde, Fleming,
Colorado, Transferee, pro se.

PROCEDURE AND RECORD

Under date of March 4, 1970, Applicants filed the above-entitled application for authority to transfer Certificate of Public Convenience and Necessity PUC No. 1969, to operate as a common carrier, from Wilbur L. Salyards, doing business as "Haxtun Dray," to Richard A. Nolde, doing business as "Haxtun Dray."

The Commission, pursuant to law, designated Christian O. Igenbergs as Examiner for the purpose of conducting a hearing on this application and, after due and proper notice to all interested persons, firms or corporations, set the herein matter for a hearing to be held in the District Court, Court-house, Sterling, Colorado, on June 16, 1970, at 10:30 o'clock A.M. The hearing was held at the aforesaid time and place.

Stanley Salyards and Richard A. Nolde testified in support of the application. No person appeared at the hearing to protest the granting of the authority petitioned for in the application, and no written protests or petitions for intervention were received.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. Transferor herein is the present owner and operator of PUC No. 1969, 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 herein holds no previously granted authority from this Commission.
4. The parties have entered into an Agreement to transfer the operating authority and the consideration to be paid is fair and reasonable.
5. The Certificate is free and clear of any debts, encumbrances or obligations.
6. Transferee owns sufficient equipment, has sufficient experience and net worth, all of which are ample and suitable for the operation of the authority sought to be transferred herein.
7. Transferee is sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promises to abide by said rules and regulations, as well as the safety requirements of the Commission, and has or will make adequate provision for insurance.
8. If this transfer is approved, Transferee intends to and will engage in bona fide motor carrier operations under the operating rights set forth herein.

9. The transfer is compatible with the public interest.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded, that:

1. The transfer as sought by Applicants should be granted as hereinafter set forth.
2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That Wilbur L. Salyards, doing business as "Haxtun Dray," Haxtun, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to Certificate of Public Convenience and Necessity PUC No. 1969 to Richard A. Nolde, doing business as "Haxtun Dray," Route No. 1, Fleming, Colorado, subject to encumbrances, if any, against said authority.
2. That henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 1969 shall read and be as follows, to-wit:

"Transportation -- on call and demand -- of
General commodities

Between all points within the Twn of Haxtun, State of Colorado, to and from said points, from and to points within a ten (10) mile radius of Haxtun, Colorado.

RESTRICTION:

This Certificate is restricted against the transportation of livestock."

3. 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.

4. 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.

5. 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 of the annual report by Transferor herein covering the operations under the Certificate up to the time of the transfer of said Certificate.

6. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

7. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner
rm/hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
B. L. COLESCOTT, 2883 "B" ROAD, GRAND)
JUNCTION, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A CONTACT CARRIER)
BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 24224-PP

RECOMMENDED DECISION OF
CHRISTIAN O. IGENBERGS,
EXAMINER.

June 29, 1970

Appearances: Richard W. Colescott, Grand
Junction, Colorado, pro se.

PROCEDURE AND RECORD

Under date of February 27, 1970, Applicant filed the above-entitled application with this Commission for authority to operate as a Class "B" contract carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

The Commission assigned No. 24224-PP to the application for permanent authority. Pursuant to law, the Commission designated Christian O. Igenbergs as Examiner for the purpose of conducting a hearing on this application and, after due and proper notice to all interested persons, firms or corporations, set the herein matter for a hearing to be held in the District Court, Courthouse, Grand Junction, Colorado, on May 7, 1970, at 10 a.m. The hearing was held at the aforesaid time and place.

Richard W. Colescott, Manager, testified in support of the application. No person appeared at the hearing to protest the granting of the authority petitioned for in the application, and no written protests or petitions for intervention were received.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now

transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. Applicant is an individual.
2. Applicant in this matter proposes to operate as a contract carrier by motor vehicle and, pursuant to Chapter 115, CRS 1963, as amended, this Commission has jurisdiction over said Applicant and the subject matter of this proceeding.
3. Applicant does not hold previously granted authority from this Commission.
4. Applicant proposes to and will use equipment suitable and sufficient for the transportation services requested, to-wit: One (1) truck.
5. Applicant has sufficient experience and net worth, both of which are ample and suitable for the operation of the authority applied for herein.
6. Applicant is sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promises to abide by said rules and regulations, as well as the safety requirements of the Commission.
7. Applicant is amply insured.
8. There is a present and special need for the service of Applicant.
9. Applicant presently has a contract or contracts with her customers.
10. 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.

11. The authority sought by Applicant will be in the public interest.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded, that:

1. Applicant has established, as a matter of fact, that she intends to and will perform services as a contract carrier by motor vehicle for hire.

2. The authority sought by Applicant should be granted, and such grant should be restricted as hereinafter set forth.

3. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That B. L. Colescott, 2883 "B" Road, Grand Junction, Colorado, be, and hereby is, authorized to operate as a Class "B" contract 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 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;

RESTRICTIONS:

This Permit is restricted as follows:

- (a) Against the use of tank vehicles when transporting road-surfacing materials;
- (b) All transportation rendered under this Permit shall be restricted to the following named customers, viz:
 - (1) Sterling Paving Co., Fort Collins, Colorado;
 - (2) United Sand & Gravel, Grand Junction, Colorado";

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

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

3. That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of her customers, the necessary tariffs, required insurance, and has secured authority sheets.

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

5. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

6. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision

shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner
rm/hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JESSMAN WATTS, DOING BUSINESS AS)	<u>APPLICATION NO. 24239-PP</u>
"WATTS TRUCKING," 3242 COOK STREET,)	
DENVER, COLORADO, FOR A CLASS "B")	<u>RECOMMENDED DECISION OF</u>
PERMIT TO OPERATE AS A CONTRACT)	<u>CHRISTIAN O. IGENBERGS,</u>
CARRIER BY MOTOR VEHICLE FOR HIRE.)	<u>EXAMINER.</u>

June 29, 1970

Appearances: Jessman Watts, Denver,
Colorado, pro se.

PROCEDURE AND RECORD

Under date of March 6, 1970, Applicant filed the above-entitled application with this Commission for authority to operate as a Class "B" contract carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

The Applicant requested temporary authority for the interim period prior to the granting of permanent authority, and on May 12, 1970, was granted such temporary authority.

The Commission assigned No. 24239-PP to the application for permanent authority. Pursuant to law, the Commission designated Christian O. Igenbergs as Examiner for the purpose of conducting a hearing on this application and, after due and proper notice to all interested persons, firms or corporations, set the herein matter for a hearing to be held in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on May 8, 1970, at 10 a.m. The hearing was held at the aforesaid time and place.

Jessman Watts testified in support of the application. No person appeared at the hearing to protest the granting of the authority petitioned for in the application, and no written protests or petitions for intervention were received.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. Applicant is an individual.
2. Applicant in this matter proposes to operate as a contract carrier by motor vehicle and, pursuant to Chapter 115, CRS 1963, as amended, this Commission has jurisdiction over said Applicant and the subject matter of this proceeding.
3. Applicant does not hold previously granted authority from this Commission.
4. Applicant proposes to and will use equipment suitable and sufficient for the transportation services requested, to-wit: One (1) truck.
5. Applicant has sufficient experience and net worth, both of which are ample and suitable for the operation of the authority applied for herein.
6. Applicant is sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promises to abide by said rules and regulations, as well as the safety requirements of the Commission.
7. Applicant is amply insured.
8. There is a present and special need for the service of Applicant.

9. Applicant presently has a contract or contracts with his customers.

10. 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.

11. The authority as sought by Applicant will be in the public interest.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded, that:

1. Applicant has established, as a matter of fact, that he intends to and will perform services as a contract carrier by motor vehicle for hire.

2. The authority sought by Applicant should be granted, and such grant should be restricted as hereinafter set forth.

3. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That Jessman Watts, doing business as "Watts Trucking," 3242 Cook Street, Denver, Colorado, be, and hereby is, authorized to operate as a Class "B" contract 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 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;

RESTRICTIONS:

This Permit is restricted as follows:

- (a) Restricted against the use of tank vehicles when transporting road-surfacing materials;
- (b) All transportation performed under this Permit shall be restricted to serving one customer only, viz: Brannan Sand & Gravel";

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

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

3. 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.

4. 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.

5. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

6. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such

time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner
rm/hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LEWIS CRIPPEN, 1107 ADAMS DRIVE,)
COLORADO SPRINGS, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
CONTRACT CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 24330-PP

RECOMMENDED DECISION OF
CHRISTIAN O. IGENBERGS,
EXAMINER.

June 29, 1970

Appearances: Lewis Crippen, Colorado
Springs, Colorado, pro se.

PROCEDURE AND RECORD

Under date of May 11, 1970, Applicant filed the above-entitled application with this Commission for authority to operate as a Class "B" contract carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

The Commission assigned No. 24330-PP to the application for permanent authority. Pursuant to law, the Commission designated Christian O. Igenbergs as Examiner for the purpose of conducting a hearing on this application and, after due and proper notice to all interested persons, firms or corporations, set the herein matter for a hearing to be held in the Auditorium, County Office Building, 27 East Vermijo, Colorado Springs, Colorado, on June 17, 1970, at 10 a.m. The hearing was held at the aforesaid time and place.

Lewis Crippen testified in support of the application. No person appeared at the hearing to protest the granting of the authority petitioned for in the application, and no written protests or petitions for intervention were received.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. Applicant is an individual.
2. Applicant in this matter proposes to operate as a contract carrier by motor vehicle and, pursuant to Chapter 115, CRS 1963, as amended, this Commission has jurisdiction over said Applicant and the subject matter of this proceeding.
3. Applicant does not hold previously granted authority from this Commission.
4. Applicant proposes to and will use equipment suitable and sufficient for the transportation services requested, to-wit: One (1) truck.
5. Applicant has sufficient experience and net worth, both of which are ample and suitable for the operation of the authority applied for herein.
6. Applicant is sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promises to abide by said rules and regulations, as well as the safety requirements of the Commission.
7. Applicant is amply insured.
8. There is a present and special need for the service of Applicant.
9. Applicant presently has a contract or contracts with his customers.

10. 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.

11. The authority sought by Applicant will be in the public interest.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded, that:

1. Applicant has established, as a matter of fact, that he intends to and will perform services as a contract carrier by motor vehicle for hire.

2. The authority sought by Applicant should be granted, and such grant should be restricted as hereinafter set forth.

3. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That Lewis Crippen, 1107 Adams Drive, Colorado Springs, Colorado, be, and hereby is, authorized to operate as a Class "B" contract 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 seventy-five (75) 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 seventy-five (75) 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 seventy-five (75) miles of said jobs;

(4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of seventy-five (75) miles of said pits and supply points;

RESTRICTIONS:

This Permit is restricted as follows:

- (a) Against the use of tank vehicles when transporting road-surfacing materials;
- (b) All transportation performed under this Permit shall be restricted to the following two named customers, to-wit:
 - (1) Schmidt Construction, Colorado Springs, Colorado;
 - (2) Rocky Mountain Paving, Colorado Springs, Colorado";

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

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

3. 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.

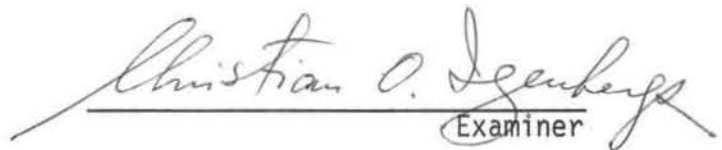
4. That the right of Applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

5. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

6. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision

shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner
rm/hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
LUCIANO A. GALLEGOS, BOX 778, MONTE)	<u>APPLICATION NO. 24197-PP</u>
VISTA, COLORADO, FOR A CLASS "B")	
PERMIT TO OPERATE AS A CONTRACT)	<u>RECOMMENDED DECISION OF</u>
CARRIER BY MOTOR VEHICLE FOR HIRE.)	<u>CHRISTIAN O. IGENBERGS,</u>
-----	<u>EXAMINER.</u>

June 29, 1970

Appearances: Elizabeth A. Conour, Esq.,
Del Norte, Colorado, for Applicant.

PROCEDURE AND RECORD

Under date of February 11, 1970, Applicant filed the above-entitled application with this Commission for authority to operate as a Class "B" contract carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

The Applicant requested temporary authority for the interim period prior to the granting of permanent authority, and on February 26, 1970, was granted such temporary authority.

The Commission assigned No. 24197-PP to the application for permanent authority. Pursuant to law, the Commission designated Christian O. Igenbergs as Examiner for the purpose of conducting a hearing on this application and, after due and proper notice to all interested persons, firms or corporations, set the herein matter for a hearing to be held in the Jury Room, District Court, Alamosa, Colorado, on May 5, 1970, at 10 a.m. The hearing was held at the aforesaid time and place.

Luciano A. Gallegos testified in support of the application. No person appeared at the hearing to protest the granting of the authority petitioned for in the application, and no written protests or petitions for intervention were received.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. Applicant is an individual.
2. Applicant in this matter proposes to operate as a contract carrier by motor vehicle and, pursuant to Chapter 115, CRS 1963, as amended, this Commission has jurisdiction over said Applicant and the subject matter of these proceedings.
3. Applicant does not hold previously granted authority from this Commission.
4. Applicant has sufficient equipment which he shall use in performing the transportation services applied for.
5. Applicant has sufficient experience and net worth, both of which are ample and suitable for the operation of the authority applied for herein.
6. Applicant is sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promises to abide by said rules and regulations, as well as the safety requirements of the Commission.
7. Applicant is amply insured.
8. There is a present and special need for the service of Applicant.

9. Applicant presently has a contract or contracts with his customers.

10. 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.

11. The authority sought by Applicant will be in the public interest.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded, that:

1. Applicant has established, as a matter of fact, that he intends to and will perform services as a contract carrier by motor vehicle for hire.

2. The authority sought by Applicant should be granted, and such grant should be restricted as hereinafter set forth.

3. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That Luciano A. Gallegos, Box 778, Monte Vista, Colorado, be, and hereby is, authorized to operate as a Class "B" contract carrier by motor vehicle for hire, for the following:

"Transportation of

(1) Potatoes and hay

Between all points within a twenty-five (25) mile radius of Monte Vista, Colorado.

RESTRICTION:

This authority is restricted as follows:

(a) Restricted to rendering transportation service for the following named customers, viz:

- (1) Bill Leck, Monte Vista, Colorado;
- (2) Ray and Kenny Metz, Monte Vista, Colorado;
- (3) Frank Mathias, Monte Vista, Colorado;
- (4) Larry Phelps, Monte Vista, Colorado";

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

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

3. 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.

4. 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.

5. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

6. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner

rm/hj

(Decision No. 75250)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HOMER LEWIS, 466 JEFFERSON, MONTE)
VISTA, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A CONTRACT)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 24225-PP

RECOMMENDED DECISION OF
CHRISTIAN O. IGENBERGS,
EXAMINER.

June 29, 1970

Appearances: Elizabeth A. Conour, Esq.,
Del Norte, Colorado, for Applicant.

PROCEDURE AND RECORD

Under date of February 27, 1970, Applicant filed the above-entitled application with this Commission for authority to operate as a Class "B" contract carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

The Applicant requested temporary authority for the interim period prior to the granting of permanent authority, and on March 12, 1970, was granted such temporary authority.

The Commission assigned No. 24225-PP to the application for permanent authority. Pursuant to law, the Commission designated Christian O. Igenbergs as Examiner for the purpose of conducting a hearing on this application and, after due and proper notice to all interested persons, firms or corporations, set the herein matter for a hearing to be held in the Jury Room, District Court, Alamosa, Colorado, on May 5, 1970, at 10 a.m. The hearing was held at the aforesaid time and place.

Homer Lewis testified in support of the application. No person appeared at the hearing to protest the granting of the authority petitioned for in the application, and no written protests or petitions for intervention were received.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. Applicant is an individual.
2. Applicant in this matter proposes to operate as a contract carrier by motor vehicle and, pursuant to Chapter 115, CRS 1963, as amended, this Commission has jurisdiction over said Applicant and the subject matter of this proceeding.
3. Applicant does hold previously granted authority from this Commission, to-wit: Permit No. M-8725. Said Permit has no bearing on the herein matter.
4. Applicant proposes to perform transportation services for one customer only, to-wit: Milne-Cleary in Monte Vista, Colorado.
5. Applicant has sufficient equipment which he shall use in performing the transportation services applied for.
6. Applicant has sufficient experience and net worth, both of which are ample and suitable for the operation of the authority applied for herein.
7. Applicant is sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promises to abide by said rules and regulations, as well as the safety requirements of the Commission.
8. Applicant is amply insured.
9. There is a present and special need for the service of Applicant.

10. Applicant presently has a contract or contracts with his customers.

11. 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.

12. The authority sought by Applicant will be in the public interest.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded, that:

1. Applicant has established, as a matter of fact, that he intends to and will perform services as a contract carrier by motor vehicle for hire.

2. The authority sought by Applicant should be granted, and such grant should be restricted as hereinafter set forth.

3. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That Homer Lewis, 466 Jefferson, Monte Vista, Colorado, be, and hereby is, authorized to operate as a Class "B" contract carrier by motor vehicle for hire, for the following:

"Transportation of

(1) Potatoes

Between all points within a twenty-five (25) mile radius of Monte Vista, Colorado.

RESTRICTION:

This Permit is restricted as follows:

(a) Restricted to rendering transportation service for one customer only, viz: Milne-Cleary, Monte Vista, Colorado";

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

3. 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.

5. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Christian O. Izenberg
Examiner
rm/h.j

(Decision No. 75251)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE NORDEN, ROUTE 1, BOX 192,)
FORT LUPTON, COLORADO, FOR A CLASS)
"B" PERMIT TO OPERATE AS A CONTRACT)
CARRIER BY MOTOR VEHICLE FOR HIRE.)
- - - - -

APPLICATION NO. 24167-PP

RECOMMENDED DECISION OF
CHRISTIAN O. IGENBERGS,
EXAMINER.

- - - - -
June 29, 1970
- - - - -

Appearances: George Norden, Fort Lupton,
Colorado, pro se.

PROCEDURE AND RECORD

Under date of January 22, 1970, Applicant filed the above-entitled application with this Commission for authority to operate as a Class "B" contract carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

The Commission assigned No. 24167-PP to the application for permanent authority. Pursuant to law, the Commission designated Christian O. Igenbergs as Examiner for the purpose of conducting a hearing on this application and, after due and proper notice to all interested persons, firms or corporations, set the herein matter for a hearing to be held in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on June 4, 1970, at 10 a.m. The hearing was held at the aforesaid time and place.

George Norden testified in support of the application. No person appeared at the hearing to protest the granting of the authority petitioned for in the application, and no written protests or petitions for intervention were received.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. Applicant is an individual.
2. Applicant in this matter proposes to operate as a contract carrier by motor vehicle and, pursuant to Chapter 115, CRS 1963, as amended, this Commission has jurisdiction over said Applicant and the subject matter of this proceeding.
3. Applicant does not hold previously granted authority from this Commission.
4. Applicant proposes to and will use equipment suitable and sufficient for the transportation services requested, to-wit: One (1) truck.
5. Applicant has sufficient experience and net worth, both of which are ample and suitable for the operation of the authority applied for herein.
6. Applicant is sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promises to abide by said rules and regulations, as well as the safety requirements of the Commission.
7. Applicant is amply insured.
8. There is a present and special need for the service of Applicant.
9. Applicant presently has a contract or contracts with his customers.

10. 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.

11. The authority sought by Applicant will be in the public interest.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded, that:

1. Applicant has established, as a matter of fact, that he intends to and will perform services as a contract carrier by motor vehicle for hire.

2. The authority sought by Applicant should be granted, and such grant should be restricted as hereinafter set forth.

3. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That George Norden, Route 1, Box 192, Fort Lupton, Colorado, be, and hereby is, authorized to operate as a Class "B" contract 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 one hundred (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 one hundred (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 one hundred (100) miles of said jobs;

(4) 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;

(5) Sugar beets and natural fertilizer

Between all points within an area comprised of the Counties of Adams and Weld, State of Colorado.

RESTRICTIONS:

This Permit is restricted as follows:

- (a) All transportation service rendered shall be restricted to the following named customers:
 - (1) D M & H Feed Lot, Henderson, Colorado;
 - (2) Anschutz Feed Lot, Hudson, Colorado;
 - (3) Tuttle Feed Lot, Greeley, Colorado;
- (b) Items (1), (2), (3), and (4) of this Permit are 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.

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

3. 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.

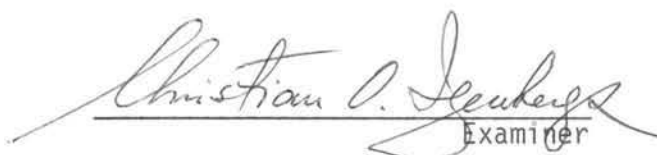
4. That the right of Applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

5. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

6. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as

the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner

rm/hj

(Decision No. 75252)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HARMACK GRAIN CO. NO. 2, RFD PLATNER,)
OTIS, COLORADO, FOR TEMPORARY AUTHOR-)
ITY TO EXTEND OPERATIONS UNDER PERMIT)
NO. B-7290.)

APPLICATION NO. 24411-PP-Extension-TA
ORDER GRANTING TEMPORARY AUTHORITY

July 2, 1970

The above-entitled application under CRS 1963, 115-6-20(1),
being under consideration, and

It appearing, That there is an immediate and urgent need for
the motor carrier service described in the appendix attached hereto, and
that there is no carrier service available capable of meeting such need.

It is ordered, That applicant be, and is hereby, granted tempo-
rary authority, conditioned upon full compliance with all applicable
statutory and Commission requirements, rules and regulations, to engage
in the business of transportation by motor vehicle to the extent and in
the manner set forth in the appendix attached hereto.

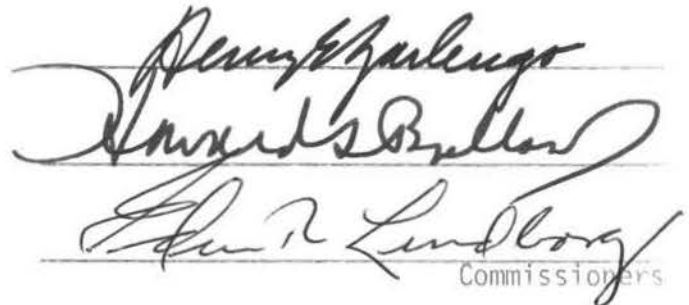
It is further ordered, That the service provided for in this
order shall not be commenced until all requirements have been met and appli-
cant has received notice in writing from the Commission that compliance
has been effected and service may be instituted.

It is further ordered, That upon the authority herein granted
becoming effective, failure of the applicant to maintain compliance with
statutory and Commission requirements shall constitute sufficient grounds
for suspension, change or revocation of the said authority.

It is further ordered, That if applicant fails to comply with
all applicable statutory and Commission requirements, rules and regula-
tions within fifteen (15) days from the date hereof, this order shall be
of no further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
2nd day of July, 1970.

vr

(Decision No. 75252)
July 2, 1970

APPENDIX

Application No. 24411-PP-Extension-TA

Harmack Grain Co. No. 2
RFD Platner
Otis, Colorado

By order of the Commission which this appendix is a part hereof, entered under the name and number shown above, applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 180 days or until such time as the decision of the Commission on the corresponding permanent application of the applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary authority to extend operations under Permit No. B-7290 with authority as follows:

"Transportation of

- (1) Grain and processed feed

Between Denver, Colorado, and a five (5) mile radius thereof, on the one hand, and Wray, Colorado, and a five (5) mile radius thereof, on the other hand.

RESTRICTION: This authority is restricted as follows:

- (a) All transportation service rendered shall be for one customer only, viz: Wray Feed Company.
- (b) Restricted against transportation of liquid commodities, in bulk, in tank vehicles."

(Decision No. 75253)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF MORGAN COUNTY RURAL ELECTRIC)
ASSOCIATION, A COLORADO CORPORA-)
TION, P. O. BOX 738, FORT MORGAN,)
COLORADO, FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY)
TO SERVE CERTAIN AREAS AND COUNTIES)
OF WELD, ADAMS, MORGAN, WASHINGTON)
AND LOGAN, WITH ELECTRICAL ENERGY.)

APPLICATION NO. 20555
SUPPLEMENTAL ORDER

June 30, 1970

Appearances: Raphael J. Moses, Esq., Boulder, Colorado,
and
George A. Epperson, Fort Morgan, Colorado,
and
Donald F. McClary, Fort Morgan, Colorado,
for Applicant;
Lee, Bryans, Kelly & Stansfield, Esqs.,
Denver, Colorado, by
Bryant O'Donnell, Esq., Denver, Colorado,
and
C. H. Anderson, Esq., Brush, Colorado,
for Public Service Company of Colorado;
Leonard M. Campbell, Esq., Denver, Colorado,
for Intermountain Rural Electric Assn.;
Raymond Danks, Esq., Denver, Colorado,
and
Warren Terry, Manager of Home Light and
Power Company.

S T A T E M E N T

BY THE COMMISSION:

By Decision No. 65162 of June 28, 1965, in the above-entitled application, this Commission authorized the transfer of certain customers by and between Morgan County Rural Electric Association and the Public Service Company of Colorado. The transfers were to be accomplished by July 1, 1970.

On June 12, 1970, the Public Service Company of Colorado by letter informed this Commission that one of the customers, presently served by Morgan County Rural Electric Association and to be transferred to Public Service Company of Colorado, is the Department of the Air Force at its Missile Site N-5 located in Section 33, Township 8 North, Range 57 West. This Missile Site is one of several sites served by Morgan County under a single contract which expires on January 15, 1974. To accomplish this transfer in 1970 as required by the Commission decision would require a considerable amount of contract negotiations and contract preparation between Morgan County and the Air Force and between Public Service Company and the Air Force.

In view of the foregoing, the Department of the Air Force has requested the transfer of service of Missile Site N-5 be deferred until January 1974.

The Public Service Company of Colorado and Morgan County Rural Electric Association are in agreement that it would be for the best interests of all parties concerned to extend the transfer date of Missile Site N-5 to January of 1974 and both have petitioned the Commission in writing for this extension of time.

F I N D I N G S

THE COMMISSION FINDS:

That the joint request of Public Service Company of Colorado and Morgan County Rural Electric Association for an extension of time from July 1, 1970, to January 15, 1974, for the transfer of service for Missile Site N-5 from Morgan County to Public Service Company should be granted and the transfer of service be deferred until January 15, 1974.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 65162 of June 28, 1965, be, and hereby is, amended to defer the transfer of service to Missile Site N-5 from Morgan

County Rural Electric Association to Public Service Company of Colorado until January 15, 1974.

That except as herein amended Decision No. 65162 shall remain in full force and effect.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

COMMISSIONER EDWIN R. LUNDBORG NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado, this
30th day of June, 1970.

vr

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 4036

By: Mr. Tony Bravo
2817 Hilbert
Pueblo, Colorado 81001

Respondent.)

CASE NO. 85 - AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 30th day of June, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 4317

By: Lee E. Cardenas
607 North
Boulder, Colorado 80301

Respondent.)

CASE NO. 86 - AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

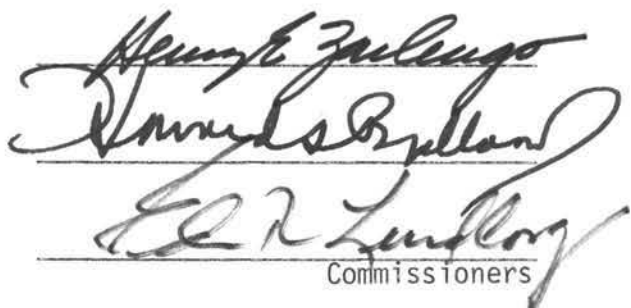
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 30th day of June, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 4340

By: Don Shields Disposal
3450 Fordham Ct.
Boulder, Colorado 80301

Respondent.)

CASE NO. 87-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

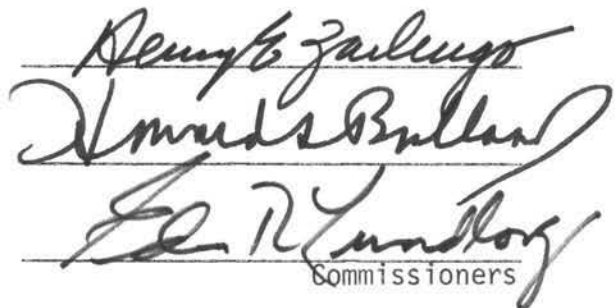
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 30th day of June, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

(Decision No. 75257)

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 4353

By: Morgan County Rubbish Removal
Rt. 1, Box 614
Ft. Morgan, Colorado 80701

Respondent.)

CASE NO. 88-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 30th day of June, 19 70

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 5336

By: Henry Lee Yates
943 E Las Animas
Colorado Springs, Colorado 80903

Respondent.)

CASE NO. 89-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

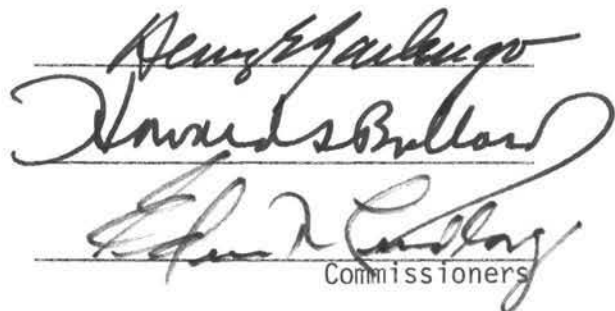
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 30th day of June, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 5362

By: Lee Bros. Ash & Trash Disposal
2829 Harrison Street
Denver, Colorado 80205

Respondent.)

CASE NO. 90 - AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 1970, 19 , at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 30th day of June, 19 70.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1,110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 5861

By: Thomas H. Linzy
Long Rd. Rt. 2
Littleton, Colorado 80120

Respondent.)

CASE NO. 91 - AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 30th day of June, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zuckerman
Howard S. Bullen
Ed R. Campbell
Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 6815

By: Lamb Construction Co.
229 Park
Lyons, Colorado 80540

Respondent.)

CASE NO. 92 - AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

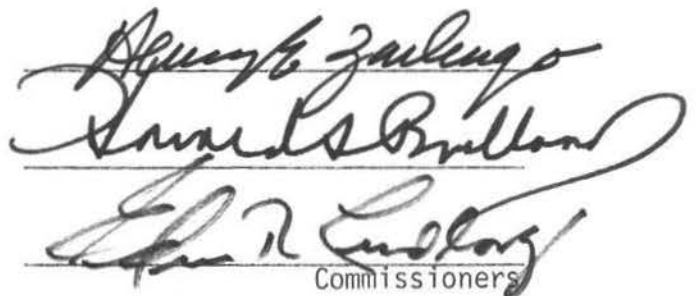
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 30th day of June, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 3671

By: Richard F. Thomas
4095 So. Vincennes Ct.
Denver, Colorado 80237

Respondent.)

CASE NO. 93 - AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 30th day of June, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 3861

By: Luie's Trash Service
Rt. 2, Box 513
Pueblo, Colorado 81004

Respondent.)

CASE NO. 94 - AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

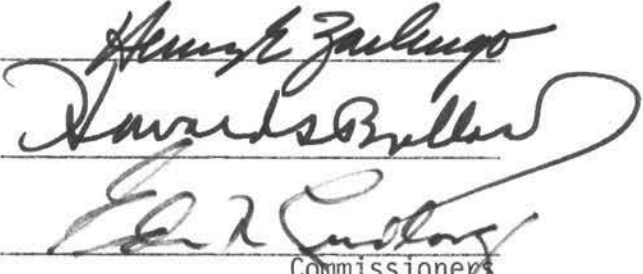
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 30th day of June, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 4923

By: Morey's Light Haul
412 21st Avenue
Greeley, Colorado 80630

Respondent.)

CASE NO. 95 - AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

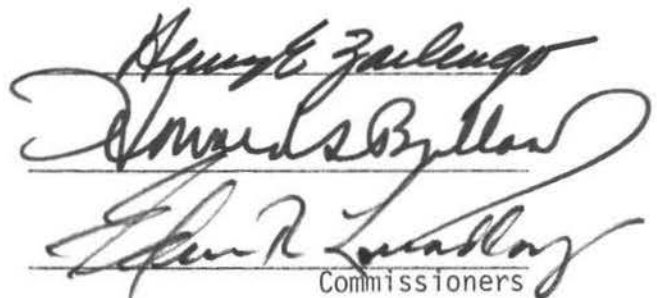
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 30th day of June, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Certificate of Authority, PUC
No. 3188

By: Knaus Rubbish Removal Service
1230 So. Harlan St.
Denver, Colorado 80226

Respondent.)

CASE NO. 96 - AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

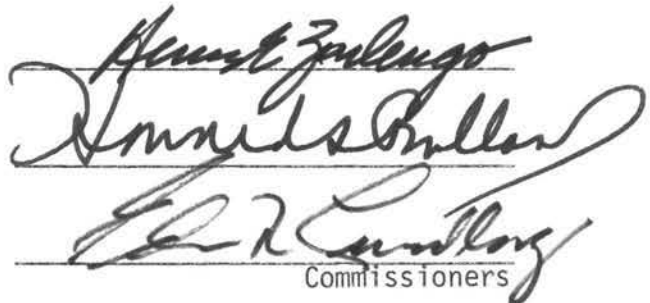
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 13, 19 70, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 30th day of June, 19 70.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

(Decision No. 75266)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
IMPERIAL WAREHOUSE CORPORATION, 935)
WEST 45TH AVENUE, DENVER, COLORADO)
80221, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO OPERATE)
AS A CONSOLIDATOR AND/OR FORWARDER.)

APPLICATION NO. 23811

June 30, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-styled application, filed with the Commission on June 18, 1969, Applicant herein seeks a certificate of public convenience and necessity to operate as a consolidator and/or freight forwarder.

Said matter is still pending with no request for hearing.

As the Commission is desirous of closing its docket on long-pending matters, the Commission states and finds that unless written request for setting of the above-entitled matter for hearing shall be received by the Commission before the effective date of this Order, the application should be dismissed for want of prosecution.

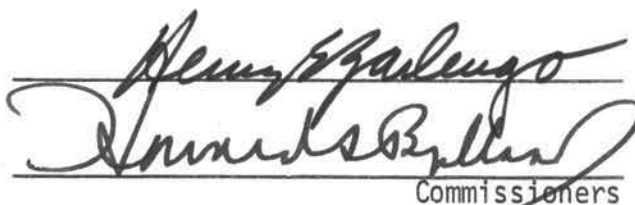
O R D E R

THE COMMISSION ORDERS:

That the application herein filed be, and hereby is, dismissed, unless written request for hearing shall be received by the Commission before the effective date of this Order.

This Order shall become effective ten (10) days from 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
30th day of June, 1970.

vr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
VAIL LIMOUSINE SERVICE, INC., 1421)	
COURT PLACE, DENVER, COLORADO, FOR)	
A CERTIFICATE OF PUBLIC CONVENIENCE	)	<u>APPLICATION NO. 24122</u>
AND NECESSITY TO OPERATE AS A COMMON)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	

June 30, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-styled application, filed with the Commission on December 17, 1969, Applicant herein seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire.

Said matter is still pending with no request for hearing.

As the Commission is desirous of closing its docket on long-pending matters, the Commission states and finds that unless written request for setting of the above-entitled matter for hearing shall be received by the Commission before the effective date of this Order, the Application should be dismissed for want of prosecution.

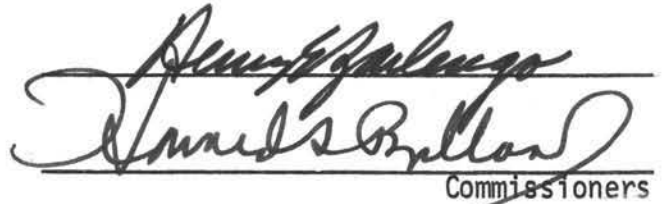
O R D E R

THE COMMISSION ORDERS:

That the application herein filed be, and hereby is, dismissed, unless written request for hearing shall be received by the Commission before the effective date of this Order.

This Order shall become effective ten (10) days from 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
30th day of June, 1970.

vr

(Decision No. 75268)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF ASPEN AIRWAYS, INC., SARDY FIELD,)
ASPEN, COLORADO 81611, FOR A CERTI-)
FICATE OF PUBLIC CONVENIENCE AND)
NECESSITY AUTHORIZING EXTENSION OF)
OPERATIONS UNDER PUC NO. ACS-25.)

APPLICATION NO. 23324-Extension

June 30, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-styled application, filed with the Commission on July 23, 1968, Applicant herein seeks a certificate of public convenience and necessity authorizing extension of operations under PUC No. ACS-25.

Said matter is still pending with no request for hearing.

As the Commission is desirous of closing its docket on long-pending matters, the Commission states and finds that unless written request for setting of the above-entitled matter for hearing shall be received by the Commission before the effective date of this Order, the application should be dismissed for want of prosecution.

O R D E R

THE COMMISSION ORDERS:

That the application herein filed be, and hereby is, dismissed, unless written request for hearing shall be received by the Commission before the effective date of this Order.

This Order shall become effective ten (10) days from 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
30th day of June, 1970.

vr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
AIR CHARTERS OF DENVER, INC., STAPLETON)	
INTERNATIONAL AIRPORT, DENVER, COLORADO,)	
TO REINSTATE PUC NO. AC-10 FOR PURPOSE)	
OF TRANSFER AND TO TRANSFER PUC NO.)	
AC-10 TO METRO COMMUTER AIRLINES, INC.,	)	<u>APPLICATION NO. 23566-Transfer</u>
HANGAR 4, STAPLETON INTERNATIONAL)	
AIRPORT, DENVER, COLORADO.)	

June 30, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-styled application, filed with the Commission on January 15, 1969, Transferor herein seeks to reinstate PUC No. AC-10 for purpose of transfer and to transfer said PUC No. AC-10 to Transferee herein.

Said matter is still pending with no request for hearing.

As the Commission is desirous of closing its docket on long-pending matters, the Commission states and finds that unless written request for setting of the above-entitled matter for hearing shall be received by the Commission before the effective date of this Order, the application should be dismissed for want of prosecution.

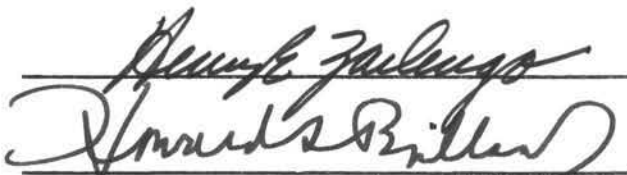
O R D E R

THE COMMISSION ORDERS:

That the application herein filed be, and hereby is, dismissed, unless written request for hearing shall be received by the Commission before the effective date of this Order.

This Order shall become effective ten (10) days from 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
30th day of June, 1970.

vr

(Decision No. 75270)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILLIAM V. MURPHY, DOING BUSINESS AS)
SKYWAYS AIR FREIGHT, STAPLETON INTER-)
NATIONAL AIRPORT, DENVER, COLORADO)
80207, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO OPERATE)
AS A CONSOLIDATOR AND/OR FREIGHT)
FORWARDER.)

APPLICATION NO. 23741

June 30, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By the above-styled application, filed with the Commission on May 6, 1969, Applicant herein seeks a certificate of public convenience and necessity to operate as a consolidator and/or freight forwarder.

Said matter is still pending with no request for hearing.

As the Commission is desirous of closing its docket on long-pending matters, the Commission states and finds that unless written request for setting of the above-entitled matter for hearing shall be received by the Commission before the effective date of this Order, the application should be dismissed for want of prosecution.

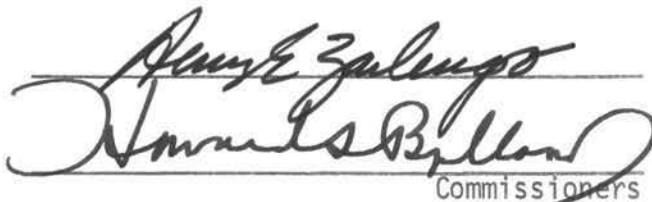
O R D E R

THE COMMISSION ORDERS:

That the application herein filed be, and hereby is, dismissed, unless written request for hearing shall be received by the Commission before the effective date of this Order.

This Order shall become effective ten (10) days from 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
30th day of June, 1970.

vr

(Decision No. 75271)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)	APPLICATION NO. 24231-
OF UNITED PARCEL SERVICE, INC.,)	<u>Clarification-Amended</u>
FOR CLARIFICATION OR AMENDMENT)	
OF CERTIFICATE OF PUBLIC CONVEN-)	RECOMMENDED DECISION OF
IENCE AND NECESSITY PUC NO. 572.)	HOWARD S. BJELLAND,
-----	<u>COMMISSIONER.</u>

June 30, 1970

Appearances: Hans W. Johnson, Esq.,
Denver, Colorado, and
Irving R. Segal, Esq.,
Philadelphia, Pennsylvania,
for United Parcel Service, Inc.,
Applicant.
Lloyd C. Espinosa,
Denver, Colorado, and
Dalton O. Ford,
Denver, Colorado, of the
Staff of the Commission.

PROCEDURE AND RECORD

This application came on regularly for hearing upon Applicant's request for clarification or amendment of Certificate of Public Convenience and Necessity PUC No. 572. Proper notice of said application was given, and no protests have been filed. All testimony was submitted, and the entire matter is now ready for decision.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes 1963, as amended, Commissioner Howard S. Bjelland now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

After due and careful consideration of the record in this proceeding, the Hearing Commissioner, from such record, finds as fact that:

1. Applicant, United Parcel Service, Inc., is an Ohio corporation, duly organized and existing under the laws of the State of Ohio.

2. Applicant has been and is duly authorized to do business in the State of Colorado.

3. Applicant is a wholly owned subsidiary of United Parcel Service of America, Inc., a Delaware corporation.

4. Subsequent to the filing of this Application for Clarification or Amendment, this Commission issued its decision in Application No. 22690-Amended, wherein United Parcel Service, Inc., was granted an extension of authority, which decision has now become final, and Applicant is operating pursuant to said decision.

5. Public convenience and necessity require that the Applicant, United Parcel Service, Inc., be authorized to conduct its transportation service under Certificate No. 572, clarified and amended to read as follows:

"Transportation of General Commodities

Between all points within that portion of the State of Colorado lying within and east of the following-named counties: Larimer, Boulder, Gilpin, Clear Creek, Park, Lake, Chaffee, Saguache, Rio Grande and Conejos.

RESTRICTION:

This Certificate is restricted as follows:

- (a) Restricted against transporting any package or article which weighs in excess of fifty (50) pounds or which measures more than one hundred eight (108) inches in length and girth combined, and each package or article shall be considered as a separate and distinct shipment.
- (b) Restricted against transporting shipments that in the aggregate weigh more than one hundred (100) pounds, from any one consignor to any one consignee on any one day."

CONCLUSIONS ON FINDINGS OF FACT

Based on the findings of fact hereinabove set forth, the Hearing Commissioner concludes that:

1. Applicant's request for clarification or amendment of its authority should be, and hereby is, granted.

2. Public convenience and necessity require the proposed service to the extent and subject to the conditions and restrictions set forth in the Order herein.

3. United Parcel Service, Inc., Applicant herein, is fit and qualified to provide the proposed service.

4. Applicant's authority under Certificate of Public Convenience and Necessity PUC No. 572 should be clarified and amended as specifically set forth in the Findings of Fact, Paragraph No. 5.

5. Pursuant to Section 115-6-9 (2), CRS 1963, as amended, it is recommended by the Commissioner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

That, subject to the provisions of Paragraph 8 of this Order,

1. Applicant's authority under Certificate of Public Convenience and Necessity PUC No. 572 shall be, and hereby is, clarified and amended, and henceforth shall read and be as follows:

"Transportation of general commodities

Between all points within that portion of the State of Colorado lying within and east of the following-named counties: Larimer, Boulder, Gilpin, Clear Creek, Park, Lake, Chaffee, Saguache, Rio Grande and Conejos.

RESTRICTION:

This Certificate is restricted as follows:

- (a) Restricted against transporting any package or article which weighs in excess of fifty (50) pounds or which measures more than one hundred eight (108) inches in length and girth combined, and each package or article shall be considered as a separate and distinct shipment.
- (b) Restricted against transporting shipments that in the aggregate weigh more than one hundred (100) pounds, from any one consignor to any one consignee on any one day."

2. Applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty (20) days from date.

3. The same relief granted to Package Delivery Service by Decision No. 48213, dated June 24, 1957, insofar as "ratings, rates, bills of lading, C.O.D.'s and minimum charges are concerned" is hereby granted Applicant in connection with the rendition of service as authorized herein.

4. Applicant shall operate in accordance with the Order of the Commission, except when prevented by an Act of God, the public enemy or extreme conditions.

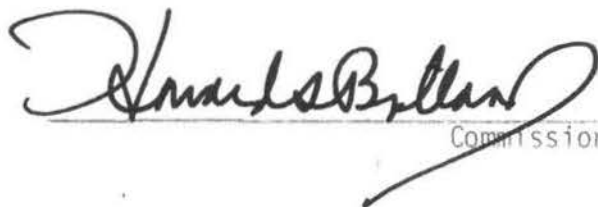
5. This Order is subject to compliance by Applicant with all present and future laws and rules and regulations of the Commission.

6. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case.

7. Jurisdiction is retained by this Commission to make such further order or orders as may be deemed necessary in the matter.

8. As provided by Section 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing, this Recommended Decision, if approved, shall be the Decision of the Commission.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioner
vr

(Decision No. 75272)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF RULES AND)	
REGULATIONS GOVERNING COMMON)	CASE NO. 5176
CARRIERS BY MOTOR VEHICLE.)	<u>NUNC PRO TUNC</u>

June 30, 1970

S T A T E M E N T

BY THE COMMISSION:

On June 26, 1970, the Commission entered its Decision No. 75129, wherein it stated, among other things, that a hearing would be held on Thursday, July 6, 1970, at 10:00 o'clock A.M., in the Hearing Room of the Commission. The aforesaid date should, in fact, have been Thursday, August 6, 1970 at 10:00 o'clock A.M., 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, and the aforesaid Decision should be amended, nunc pro tunc, to reflect such change.

O R D E R

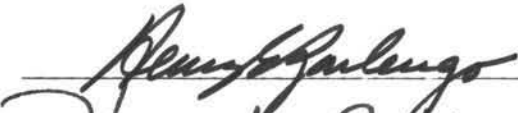


THE COMMISSION ORDERS:

That Decision No. 75129 be, and hereby is, amended nunc pro tunc, to correct the hearing date as stated in said Decision from Thursday, July 6, 1970 to Thursday, August 6, 1970.

That except as amended herein, said Decision No. 75129 shall remain in full force and effect.

This Order is effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 30th day of June, 1970.
hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF

J.L. Heard
Box 1637
Vernon, Texas 76384

AUTHORITY NO. 2840-I

CASE NO. 2045-H-Ins.

June 30, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 6, 1970 , 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.

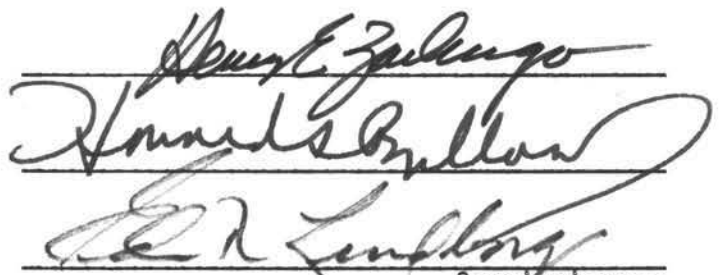
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 30 day of June, 1970

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF

CHRIS BRAVO DBA
BRAVO TRASH SERVICE
1327 Roselawn Road
Pueblo, Colorado 81004

AUTHORITY NO. M 5856

CASE NO. 5669-M-Ins.

June 30, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 22, 1970 , 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.

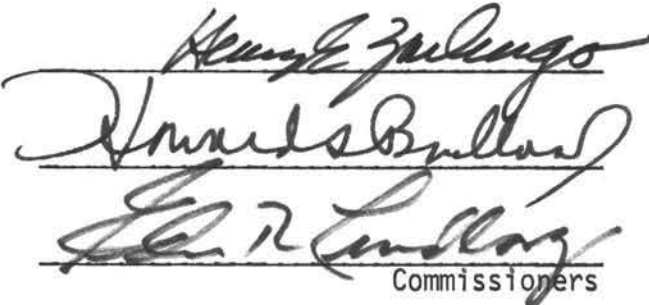
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 30th day of June, 1970 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GREELEY GAS COMPANY, A COLORADO)
CORPORATION, 1500 GRANT STREET,)
DENVER, COLORADO, 80203, FOR AN)
ORDER AUTHORIZING IT TO FILE AND)
PLACE INTO EFFECT NEW AND REVISED)
SCHEDULE OF RATES FOR THE SALE OF)
NATURAL GAS IN ITS CRAIG, MOFFAT)
COUNTY, COLORADO, SERVICE AREA.)

APPLICATION NO. 24301

RECOMMENDED DECISION OF
CHRISTIAN O. IGENBERGS,
EXAMINER.

June 30, 1970

Appearances: Donald Cawelti, Esq., of
Lee, Bryans, Kelly & Stansfield,
Esqs., Denver, Colorado, for
Applicant.
Girts Krumins, Esq., Denver,
Colorado, for the Staff of the
Commission.

PROCEDURE AND RECORD

Under date of April 17, 1970, Applicant filed the above-entitled application seeking to increase its rates for firm gas service to its customers in the Craig, Moffat County, Colorado, service area.

The Commission, pursuant to law, designated Christian O. Igenbergs as Examiner for the purpose of conducting the hearing on this application and, after due and proper notice to all interested persons, firms or corporations, set the herein matter for a hearing to be held in the Hearing Room, District Court, Courthouse, Craig, Colorado, on June 9, 1970, at 9 a.m. The hearing was held at the aforesaid time and place.

L. E. Schlessman and Earl Cochran, President and Treasurer/Assistant Vice-President, respectively, of Applicant corporation, testified in support of the application. No person appeared at the hearing to protest the granting of the authority petitioned for in the application, and no written protests or petitions for intervention were received.

Applicant's Exhibits marked for identification A, B, C, D, E, F, G, H, and I were tendered and admitted into evidence.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. Applicant is a Colorado corporation and a public utility operating company engaged primarily in the business of purchase, distribution and sale of natural gas, and is subject to the jurisdiction of this Commission.

2. The subject matter of the application is within the jurisdiction of this Commission.

3. The application concerns the rates charged for the sale of natural gas by Applicant in its Craig, Moffat County, Colorado, service area. Applicant is also engaged in the purchase, distribution, and sale of natural gas in other towns, cities, and unincorporated areas in the State of Colorado as well as in Kansas and Minnesota.

4. Applicant was last authorized to increase its rates in its Craig service area by Commission Decision No. 70759, dated January 26, 1968, and the calendar year 1969, which is the test year in these proceedings, was the first full year of operation under the increased rates.

5. The proper rate base of Applicant for its Craig service area applicable to the test year 1969 is an average rate base of \$241,343. Operating revenues for the test period amounted to \$286,225. Operating

expenses were \$273,447 and income taxes on utility operations only were \$575, resulting in net operating income of \$12,203 and a rate of return of 5.06% which is far short of the rate of return authorized in 1968, and below a fair and reasonable return.

6. The failure of Applicant to earn the rate of return for which the 1968 rates were designed can be attributed to increases in operating expense because of inflation and the absence of growth in new customers and revenues. The Craig market is saturated and because of the lack of population growth, the revenue situation has been static and opportunities for improvement are not present. Additionally, the reserve for depreciation applicable to Applicant's plant serving its Craig service area is substantial, resulting in a relatively low rate base. Consequently, a comparatively small change in the dollar amount of operating expenses and the resulting change in net operating income has a marked effect on the rate of return earned, thereby rendering the rate of return an unreliable measurement for the purpose of determining just and reasonable rates for a small segment of Applicant's total utility operations.

7. The rates proposed by Applicant will result in increased revenue of \$16,886 annually. After normalization and other proper in-period adjustments, net operating earnings of \$20,869 in the Craig service area are estimated on a pro-forma basis after the proposed rate increase, indicating a rate of return on the rate base of approximately 8.6%. It is doubtful, however, that Applicant's Craig service area operations would ever, under the proposed rates, produce an 8.6% return for the reasons enumerated in Finding of Fact No. 6 above.

8. The rates proposed by Applicant would produce an operating ratio (operating expenses before income taxes divided by operating revenue) of 90.28% which is higher than the operating ratio of 88.22% experienced by Applicant in its other Colorado operations. An operating ratio of 88% is not below a reasonable operating ratio for a gas distribution utility.

9. It is not necessarily essential to determine a fair rate of return when the rates in only a small area of a utility's operations are involved. The increased rates proposed by Applicant in its Craig service area will not result in its Craig customers contributing a disproportionate share of the net operating income required by Applicant from its Colorado operations in order to maintain its financial integrity.

10. During the test year of 1969, Applicant's total Colorado operations resulted in net operating income of approximately \$282,000 on an average rate base of approximately \$4,075,000 without any in-period adjustments. The increased net operating income from Applicant's Craig service area would result in a rate of return on Applicant's total Colorado operations of approximately 7% which is not in excess of a fair and reasonable return.

11. The rates proposed by Applicant as shown on Sixth Revised Sheet No. 13 of its Colorado PUC Tariff No. 6, introduced into evidence as Exhibit "I", considering all the factors enumerated in the Findings above, are just and reasonable, not unjustly discriminatory and will not, in the future, result in excessive earnings by Applicant.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded, that:

1. Authority as sought by Applicant to increase its rates for firm gas service to its customers in the Craig, Moffat County, Colorado, service area should be granted as hereinafter set forth.

2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS THAT:

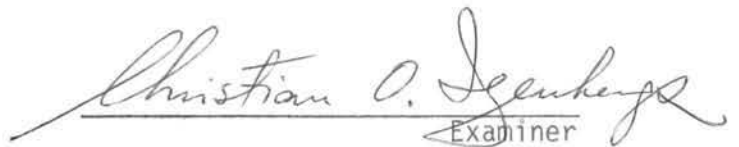
1. The application herein be, and hereby is, granted, and Applicant is authorized to file new schedule of rates applicable to its Craig, Moffat County, Colorado, service area in substantially the same form as set

forth in Exhibit "I" herein, such new schedule of rates to become effective upon not less than five (5) days' notice to the Commission.

2. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

3. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner

rm/hj

(Decision No. 75276)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
R. W. BRYAN)
P.O. BOX 2246)
GRAND JUNCTION, COLORADO)
81501)

PUC NO. 7567-I

July 1, 1970

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 2, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1970.
hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
HAZEL C. WILLIAMS) PERMIT NO. B-7342
602 North Ash)
Cortez, Colorado 81321)

July 1, 1970

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.

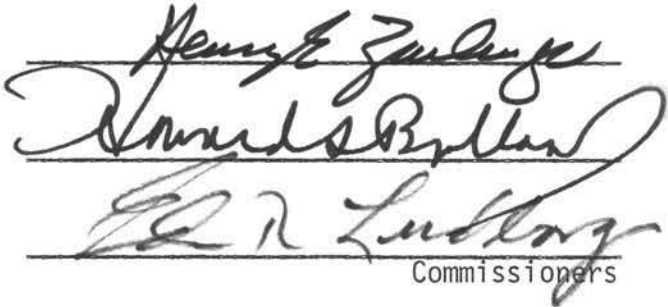
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 13, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1970.
hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
RAY H. FORREY)
Route 1, Box 9) PERMIT NO. B-6625
Del Norte, Colorado 81132)

July 1, 1970

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.

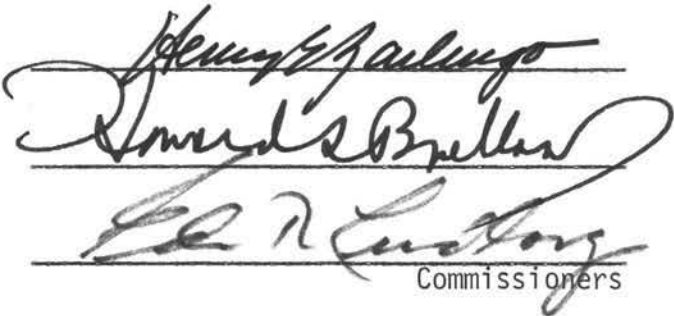
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 8, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1970.
hj

(Decision No. 75279)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF	}	
ROTELLO BROTHERS TRUCKING CO., INC.	}	<u>PUC NO. 7089-I</u>
303 Jones Street	}	
Navasota, Texas 77868	}	

July 1, 1970

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.

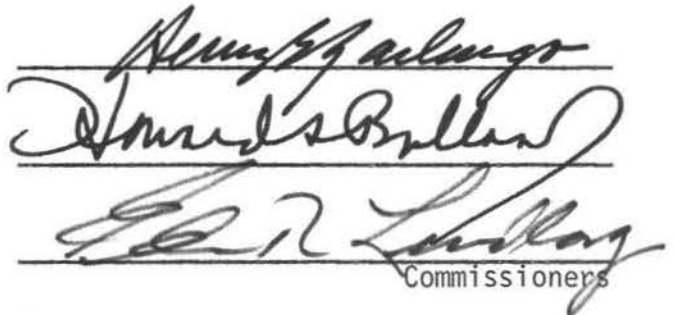
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 20, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1970.
hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)	
)	
C. E. Janson doing business as)	
PERK-UP-COFFEE SERVICE	)	<u>PERMIT NO. M-11828</u>
Box 172)	
LaPorte, Colorado 80535)	

July 1, 1970

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.

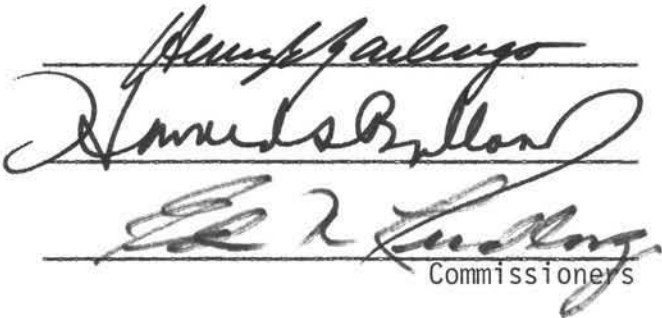
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 5, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1970.
hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Louis L. Hays, doing business as) PERMIT NO. M-13062
West End Trade Center)
Box 624)
Nucla, Colorado 81424)

July 1, 1970

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.

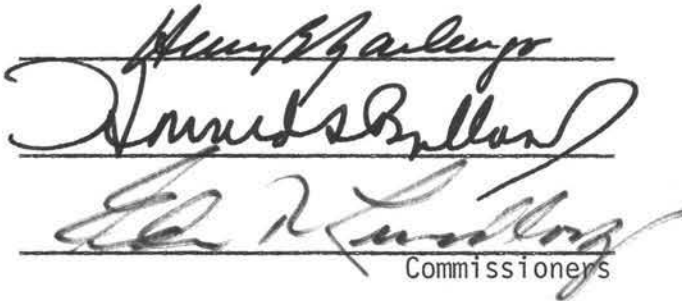
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 28, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1970.
hj

(Decision No. 75282)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Miller's Supermarket, Inc.)
702 South Main Street)
Moab, Utah)

PERMIT NO. M-11695

July 1, 1970

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.

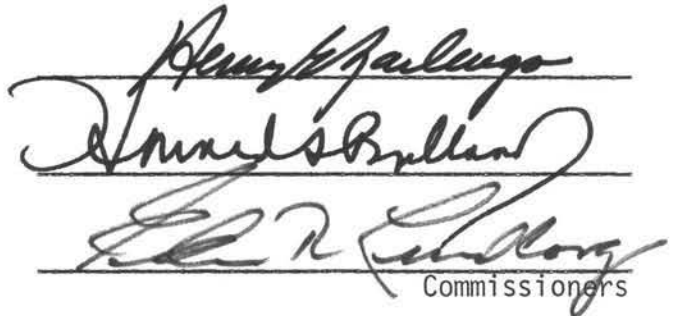
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 12, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1970.

hj

(Decision No. 75283)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
THE CARROLL COMPANY)
1323 Wall Street)
Dallas, Texas 75215)

PERMIT NO. M-11490

July 1, 1970

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.

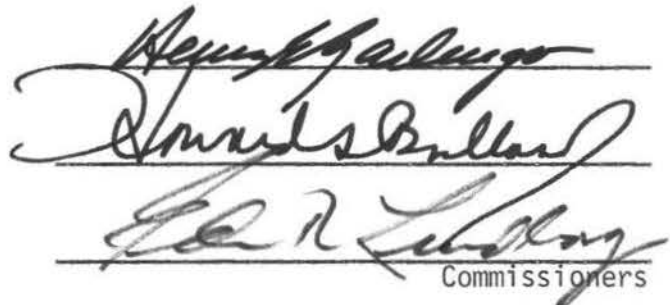
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 17, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1970.
hj

(Decision No. 75284)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Glen D. Gorham doing business)
as KELIM STORE)
Route 1, Box 221)
Loveland, Colorado 80537)

PERMIT NO. M-1621

July 1, 1970

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.

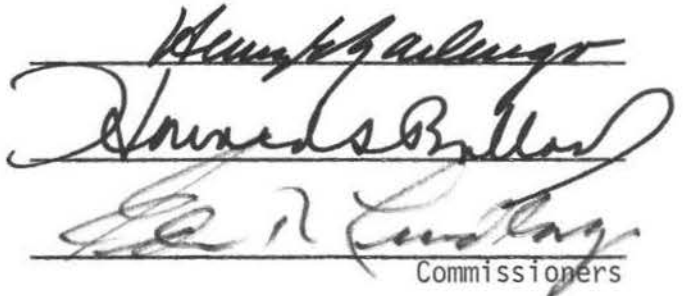
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 8, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1970.
hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

PETE DOSEN)

Box 588)

Aguilar, Colorado 81020)

PERMIT NO. B-5469

July 1, 1970

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 23, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1970.
hj

(Decision No. 75286)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
ROBERSON TRUCKING) PERMIT NO. M-2116
101 East Eighteenth St.)
Portales, New Mexico 88130)

July 1, 1970

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.

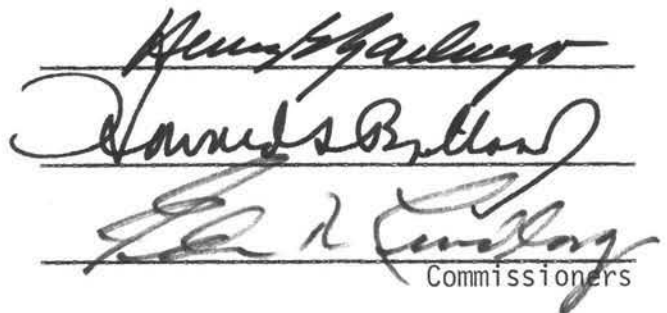
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 25, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1970.
hj

(Decision No. 75287)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

GOODMAN LUMBER CO.)
Montezuma, Colorado 80464)

PERMIT NO. M-2682

July 1, 1970

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.

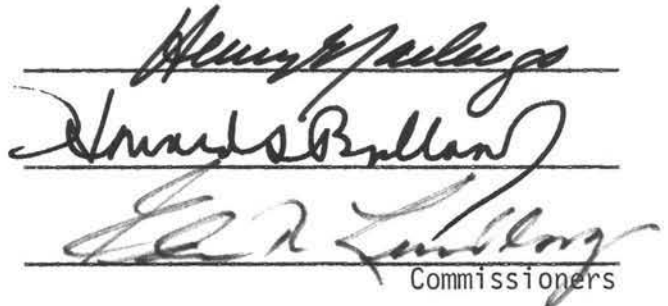
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 15, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1970.

hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
Leon S. Kucera doing business as) PERMIT NO. M-5578
Kucera's Department Store)
201 - 9 North Main Street)
Ennis, Texas 75119)

July 1, 1970

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.

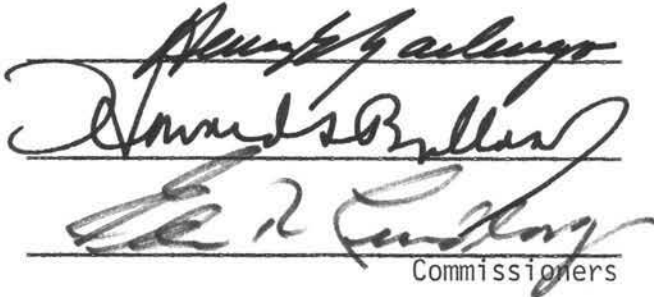
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 18, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1970.
hj

(Decision No. 75289)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Edward Washburn d/b/a)
Foothills Mobile Homes)
11600 West Colfax Avenue)
Denver, Colorado)

PERMIT NO. M-6480

July 1, 1970

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.

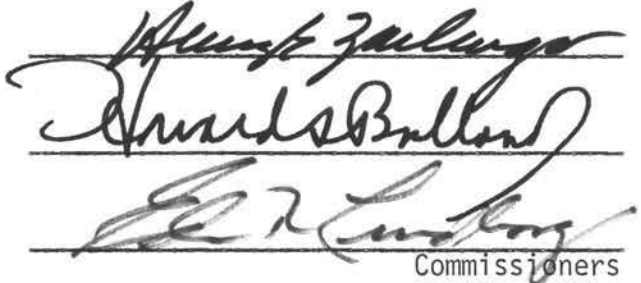
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 16, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1970.

hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)	
)	
LINVILLE & HORSEMAN TRAILER CO.	)	<u>PERMIT NO. M-8001</u>
Route 3, Box 274A)	
Pueblo, Colorado 81001)	

July 1, 1970

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.

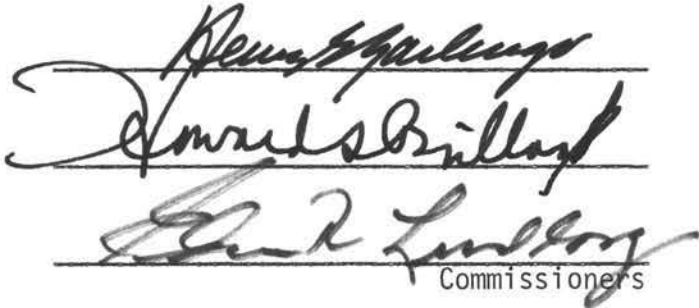
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 25, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1970.
hj

(Decision No. 75291)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JAMES H. PEEK)
Route 1, Box 146)
Paonia, Colorado 81428)

PERMIT NO. M-9620

July 1, 1970

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.

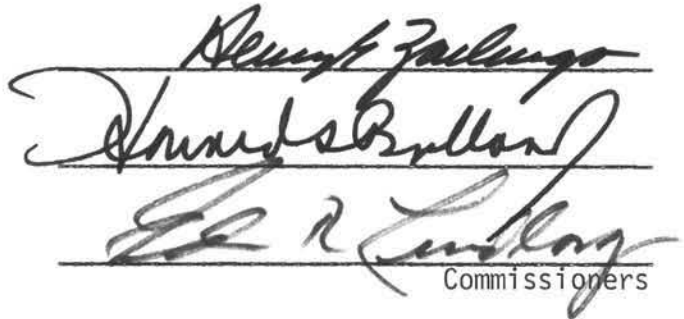
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 10, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1970.
hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
CLIFTON F. AUGUSTINE)
P. O. Box 882) PERMIT NO. M-10387
Lamar, Colorado 81052)

- - - - -
July 1, 1970
- - - - -

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.

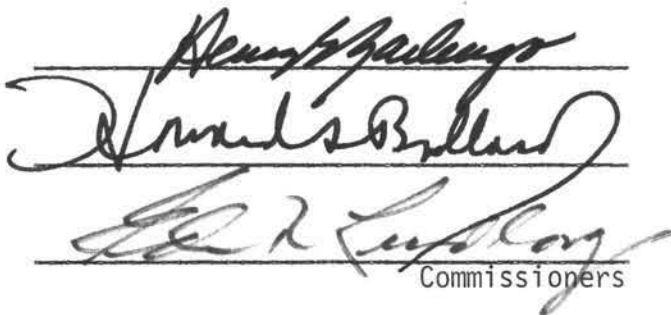
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 17, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1970.
hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JORDAN'S TIRE SERVICE) PERMIT NO. M-11626
3609 Meadowland Blvd.)
Colorado Springs, Colo. 80907)

July 1, 1970

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.

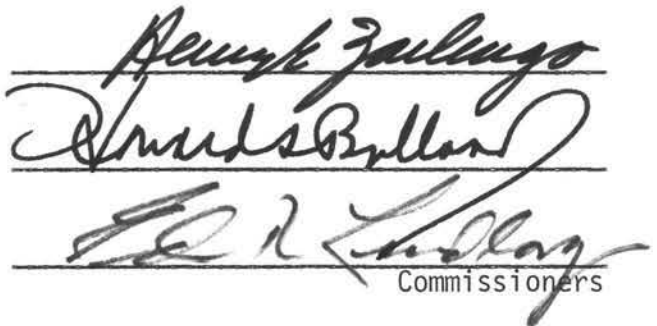
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 22, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1970.

hj

(Decision No. 75294)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
HOXIE GAS SERVICE INC.)
5401 West 52nd Avenue)
Arvada, Colorado 80002)

PERMIT NO. M-12522

July 1, 1970

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.

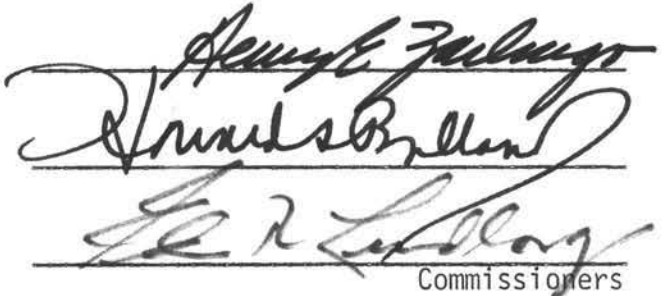
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 21, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 1st day of July, 1970.
hj

(Decision No. 75295)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF KANSAS-NEBRASKA NATURAL GAS)
COMPANY, INC., FOR AN ORDER AU-)
THORIZING THE ISSUE AND SALE OF)
DEBENTURES.)

APPLICATION NO. 24343 - Securities

July 1, 1970

Appearances: Lee, Bryans, Kelly and Stansfield,
Esqs., Denver, Colorado, by
E. A. Stansfield, Esq., for Applicant;
Girts Krumins, Esq., Denver, Colorado,
for the Staff of the Commission, and
M. R. Garrison, Denver, Colorado,
of the Staff of the Commission.

PROCEDURE AND RECORD

By the above-captioned application filed on May 18, 1970, Kansas-Nebraska Natural Gas Company, Inc., a corporation herein called "Applicant," authorized and doing business in Colorado, seeks an Order from the Commission, pursuant to Section 115-1-4, CRS 1963, authorizing it to issue and sell Sinking Fund Debentures, due 1990, in the principal amount of \$15,000,000. These Debentures are to be sold at a price and at an interest rate to be negotiated with a group of underwriters. The proposed Debentures are to be issued as a new series under and to be secured by a Supplemental Indenture dated as of July 1, 1970, to Original Indenture dated as of February 1, 1948, to Continental Illinois National Bank and Trust Company of Chicago, Illinois, as Trustee.

Due and proper notice of a public hearing thereon at 2 p.m. on July 4, 1970, was given to all interested parties on May 19, 1970. On June 1, 1970, Applicant requested a continuance of said hearing date to June 26, 1970. By Order dated June 4, 1970, said continuance was approved and said hearing was reset for June 26, 1970, at 10 a.m. in the Hearing Room of the Commission, 507 Columbine Building, 1845 Sherman Street, Denver, Colorado, at which time and place the matter was duly

heard by Commissioner Howard S. Bjelland to whom the matter was assigned. At the conclusion of the hearing, the matter was taken under advisement.

No petitions of intervention were filed with the Commission prior to the hearing, and no one appeared at the hearing in opposition to the application. Upon verbal motion of Applicant's attorney made at the commencement of said hearing, Paragraph 6 and the description of Exhibit 9 in Paragraph 12 of the original application as filed with the Commission were amended by interlineation to delete the date "June 1" wherever the same may appear in said paragraphs and by the substitution in its place of the date "July 1," and the words "June and December" in line 3 of Paragraph 6 of said application were deleted, and the words "July and January" substituted therefor.

The Applicant is incorporated under the laws of the State of Kansas, with its principal place of business in Phillipsburg, Kansas, and is properly qualified to do business in the State of Colorado.

The Applicant is directly engaged in the public utility business in the States of Kansas, Nebraska, Colorado and Wyoming, and is a natural gas utility, transporting and distributing natural gas from and in the States of Kansas, Nebraska, Colorado and Wyoming. It also conducts certain natural gas pipeline operations in Texas and Oklahoma from which it obtains a portion of its gas supply. In Colorado, pursuant to certificates of public convenience and necessity issued by this Commission, Applicant distributes natural gas at retail in the Towns of Akron, Eckley, Fleming, Haxtun, Holyoke, Iliff, Julesburg, Otis, Ovid, Paoli, Wray and Yuma, and in the rural areas adjacent to its pipelines in Washington, Logan, Phillips, Sedgwick and Yuma Counties, Colorado, and in Weld County for pumping oil; Applicant also delivers gas to the town border stations of the Towns of Sterling and Atwood for distribution therein by Iowa Electric Light and Power Company.

The evidence shows that the Applicant has heretofore executed and delivered a certain Indenture dated February 1, 1948, and proposes to execute a Supplemental Indenture thereto to be dated as of July 1, 1970, to the Continental Illinois National Bank and Trust Company of Chicago, Illinois, as Trustee, which authorizes the issuance of said Debentures. In accordance with the terms of the Indenture and Supplemental Indenture, it is contemplated that the Debentures of Applicant in the aggregate principal amount of \$15,000,000 will be issued under and in accordance with the terms of said Indenture and Supplemental Indenture.

From the evidence, it appears that the Company incurred short-term bank loans to finance the carrying out of its corporate powers including its 1969-70 construction program and that the proceeds of the Debentures will be used to retire approximately \$15,000,000 (before expenses) of said short-term loans.

There were introduced and admitted in evidence in these proceedings, exhibits which include (1) a composite copy of Applicant's Articles of Incorporation with all amendments to date; (2) Statements of Construction and Financing for 1969 and 1970; (3) Actual Consolidated Balance Sheet as of December 31, 1969, and pro forma balance sheet, after giving effect to new construction, financing, and cash generated from operations; (4) Consolidated Income Statement for the twelve months ending December 31, 1969; (5) Plant and Property Account as of December 31, 1969; (6) Basis of Application and Ratios of Consolidated Funded Debt to Capital; (7) Resolution of the Board of Directors of the Company, authorizing the Debenture issue and this application; (8) Copy of Registration Statement filed on June 4, 1970, with the Securities and Exchange Commission; (9) Proof Copy of Supplemental Indenture, dated July 1, 1970; (10) Proof Copy of Underwriting Agreement. The above-named exhibits, which are respectively Exhibits No. 1 through No. 10 in these proceedings, are hereby made a part of this Statement, by reference.

From the evidence, it further appears that after giving effect to the issuance of \$15,000,000 Sinking Fund Debentures, due 1990, as herein applied for, the aggregate principal amount of funded indebtedness of the Company which will be outstanding after the issuance of said Debentures will be 47.5% of the total capital structure of the Company; and that earnings available for interest of the Debentures and funded debt of the Company will be adequate.

The annual sinking fund requirements of the \$15,000,000 Sinking Fund Debentures, due 1990, are payable on June 30 of each year and will be in the annual amount of \$200,000 per year for the years 1971 to 1976, inclusive; \$450,000 per year for the years 1977 to 1981, inclusive; \$800,000 per year for the years 1982 to 1985, inclusive; \$1,600,00 per year for the years 1986 to 1987, inclusive; \$1,700,000 per year for the years 1988 to 1989, inclusive; and \$1,750,000 for the year 1990. The Debentures are redeemable on any date prior to maturity, from time to time on notice and in the manner provided for in the Supplemental Indenture dated July 1, 1970, at a premium for the period ending July 1, 1971, and with a gradual reduction each year thereafter to and including July 1, 1990, together with interest thereon to the date of redemption, provided, however, that during the period ending July 1, 1975, no Debentures of this series can be redeemed (other than for sinking fund purposes) from moneys borrowed by Applicant at an interest cost of less than said Debentures.

By the proposed issuance and sale of Debentures Applicant expects to receive approximately \$15,000,000 (before expenses) which will be added to Applicant's general funds and used to retire that amount of Applicant's short-term notes which were issued to cover the costs of Applicant's 1969 and 1970 construction program to date. Applicant's witness stated that additional short-term borrowing would be necessary to cover the balance of Applicant's 1970 construction program.

\$675,000 of the proceeds from the sale of the proposed Debentures will be used for the retirement of short-term loans that may be considered to have been used for the purchase and construction of plant facilities in the State of Colorado. As of December 31, 1969, Applicant's utility plant in Colorado totaled \$8,792,968, as compared to that of the total Company utility plant of \$152,240,590.

Applicant expects to be able to sell the Debentures at an effective interest rate of between $9\frac{1}{2}\%$ and 10%. Applicant will negotiate with a group of underwriters to obtain the price and interest rate that will provide it with the lowest annual cost of money. Applicant reserves the right to terminate negotiations and revoke the proposed sale at any time prior to acceptance of an offer from said underwriters.

Applicant's Registration Statement on Form S-9, as filed with the Securities and Exchange Commission on June 4, 1970, was received in evidence. Applicant anticipates the Registration Statement to become effective on July 22, 1970, with the expectation that closing of the sale of said Debentures to the underwriters could take place on or about July 30, 1970.

FINDINGS OF FACT

From the record herein, the Commission finds as fact, that

1. Applicant, Kansas-Nebraska Natural Gas Company, Inc., a Kansas corporation, is a public utility as defined in Section 115-1-3, CRS 1963.

2. The Commission has jurisdiction of said Applicant and the subject matter of the application herein.

3. The Commission is fully advised in the premises.

The facts contained in the foregoing Statement shall be made a part of these Findings, by reference.

4. The proposed issue and sale by the Applicant of \$15,000,000 principal amount of Sinking Fund Debentures, as hereinabove set forth, for the purposes of providing funds for refunding presently outstanding short-term obligations of the Company incurred to carry out its corporate powers

including construction, completion, extension and improvement of facilities, is consistent with, and permitted by, the provisions of Chapter 115, Colorado Revised Statutes, 1963, and not inconsistent with the public interest and the purpose or purposes thereof.

5. The issuance by the Applicant of the Sinking Fund Debentures proposed to be issued as hereinabove set forth is reasonably required and necessary for its corporate financing and for the repayment of its indebtedness, as aforesaid.

6. The Commission finds upon the record that due and timely execution of its functions imperatively and unavoidably requires that the recommended decision of the Hearing Commissioner be omitted and that the Commission make the initial decision in this case, even though it has not presided at the taking of evidence.

CONCLUSION

It is the conclusion of the Commission that the authorization sought in the aforesaid application should be granted, and the following Order should be entered.

O R D E R

THE COMMISSION ORDERS:

That Kansas-Nebraska Natural Gas Company, Inc., be, and it hereby is, authorized to issue \$15,000,000 principal amount of Sinking Fund Debentures, due 1990, as authorized by the Indenture dated February 1, 1948, and the Supplemental Indenture dated July 1, 1970, to the Continental Illinois National Bank and Trust Company of Chicago, Chicago, Illinois, as Trustee, hereinabove described, and to sell such Sinking Fund Debentures at the best price obtainable through negotiation with a group of underwriters at an effective interest rate of between 9½% and 10%.

That each security issued by the Applicant, as proposed, shall bear a distinguishing number which may consist of "Colo. Pub. Utilities Comm. No. 24343."

That Applicant be, and it hereby is, authorized to use and apply the proceeds derived from the issuance and sale of said Sinking Fund Debentures for the lawful refunding of approximately \$15,000,000 of the presently outstanding short-term obligations of the Applicant.

That the Applicant shall negotiate for the sale of the Debentures authorized hereunder and if agreement is reached, shall, as soon as possible thereafter, file a statement with the Commission showing the stated interest rate, the price to Applicant, and the actual cost of money to Applicant.

That the Applicant shall make a certified report to the Commission not later than three months after completion of the sale of the securities heretofore authorized, stating the moneys received therefrom and the detailed expenses incident to such sale, accompanying the same with copies of the entries recorded on the books of the Company as a result of the consummation of the financing as before provided, and a conformed copy of the Supplemental Indenture dated as of July 1, 1970, pertaining to such securities.

That Applicant be, and it hereby is, authorized in reflecting in its accounts the consummation of the financing outlined above, to make and record the proper accounting entries in accordance with the Uniform System of Accounts for Gas Utilities prescribed by the National Association of Regulatory Utility Commissioners, and adopted by this Commission.

That nothing herein shall be construed to imply any recommendation or guaranty of, or any obligation with respect to said Sinking Fund Debentures due 1990, on the part of the State of Colorado.

That the Commission retains jurisdiction of this proceeding to the end that it may make such further order in the premises as to it may seem to be proper and desirable.

That the authority granted herein shall be authorized from and after this date, this Order hereby being made effective forthwith.

That the within Decision and Order shall be the initial Decision and Order of the Commission as provided for in Chapter 115-6-9 (6), CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
1st day of July, 1970.

vr

(Decision No. 75296)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE RULES AND REGULATIONS)
OF DELTA-MONTROSE RURAL POWER LINES ASSOCIA-)
TION, P.O. BOX 59, DELTA, COLORADO 81416;)
LAS ANIMAS MUNICIPAL LIGHT & POWER, LAS ANIMAS,)
COLORADO 81054; SANGRE DE CRISTO ELECTRIC)
ASSOCIATION, INC., P.O. DRAWER J, BUENA VISTA,)
COLORADO 81211; SAN ISABEL ELECTRIC SERVICES,)
INC., P.O. BOX 892, PUEBLO, COLORADO 81002;)
SPRINGER ELECTRIC COOPERATIVE, INC., P.O. BOX)
698, SPRINGER, NEW MEXICO 87747; UTILITIES)
BOARD OF THE CITY OF LAMAR, COLORADO, 100 NORTH)
SECOND STREET, LAMAR, COLORADO 81052; GRAND)
VALLEY RURAL POWER LINES, INC., 2727 GRAND AVE-)
NUE, GRAND JUNCTION, COLORADO 81501; THE HOLY)
CROSS ELECTRIC ASSOCIATION, INC., 914 GRAND)
AVENUE, GLENWOOD SPRINGS, COLORADO 81601;)
GUNNISON COUNTY ELECTRIC ASSOCIATION,)
P.O. BOX 408, CRESTED BUTTE, COLORADO 81224;)
AND INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION,)
2100 WEST LITTLETON BOULEVARD, P.O. BOX 1130,)
LITTLETON, COLORADO 80120.)

INVESTIGATION AND SUSPENSION
DOCKET NO. 653

June 30, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 22, 1970, the Commission by Decision No. 74764 in Case No. 5320 adopted certain changes in the rules regulating the service of electric utilities. The modified rules required all electric utilities to file their deposit policies on or before July 1, 1970, as follows:

"Each utility shall file as part of its tariffs a brief statement explaining its deposit requirement policy, explaining under what circumstances a deposit shall be required and when such deposit shall be returned."

Listed below are some of the electric utilities who have filed tariff provisions pursuant to the above requirement and identification of the tariff sheet involved:

Delta-Montrose Rural Power Lines Association -
 Second Revised Sheet No. 15
 Las Animas Municipal Light & Power - Original Sheet No. 19
 Sangre De Cristo Electric Association, Inc. -
 First Revised Sheet No. 22
 San Isabel Electric Services, Inc. - First Revised Sheet No. 21
 Springer Electric Cooperative, Inc. - First Revised Sheet No. 24
 Utilities Board of the City of Lamar - Second Revised Sheet No.
 10.1
 Grand Valley Rural Power Lines, Inc. - Second Revised Sheets No.
 11E and 11F
 The Holy Cross Electric Association, Inc. -
 First Revised Sheet No. 36
 Original Sheet No. 37
 Gunnison County Electric Association, Inc. -
 First Revised Sheet No. 29
 Original Sheet No. 29A
 Intermountain Rural Electric Association -
 First Revised Sheet No. 38
 Original Sheet No. 38.1
 First Revised Sheet No. 39

The Commission finds that further investigation of the above filings is necessary and that the effective date thereof should be suspended on its own motion until Thursday, October 29, 1970.

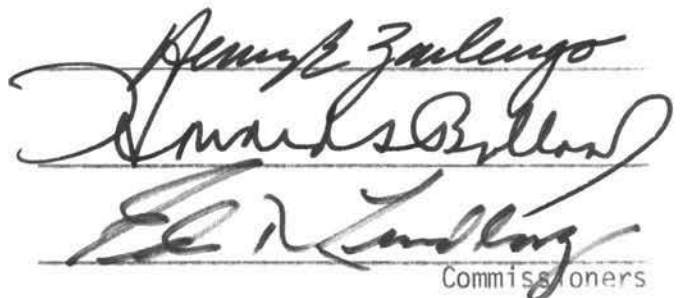
O R D E R

THE COMMISSION ORDERS:

That the effective dates of the tariff sheets listed hereinabove be, and hereby are, suspended until October 29, 1970, for further investigation.

That this Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
 OF THE STATE OF COLORADO


 Commissioners

Dated at Denver, Colorado, this
 30th day of June, 1970.

vr

(Decision No. 75297)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE RULES AND)
REGULATIONS OF CITIZENS UTILITIES)
COMPANY, P. O. BOX 531, LA JUNTA,)
COLORADO 81050; AND PLATEAU NATURAL)
GAS COMPANY, P. O. BOX 1357, 20)
BOULDER CRESCENT, COLORADO SPRINGS,)
COLORADO 80901.)

INVESTIGATION AND SUSPENSION
DOCKET NO. 654

June 30, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 22, 1970, the Commission by Decision No. 74765 in Case No. 5321 adopted certain changes in the rules regulating the service of gas utilities. The modified rules required all gas utilities to file their deposit policies on or before July 1, 1970, as follows:

"Each utility shall file as part of its tariffs a brief statement setting forth its deposit requirement policy, explaining under what circumstances a deposit shall be required and when such deposit shall be returned."

Listed below are some of the gas utilities who have filed tariff provisions pursuant to the above requirement and identification of the tariff sheet involved:

Citizens Utilities Company - 11th Revised Sheet No. 2
1st Revised Sheet No. 13
Plateau Natural Gas Company - First Revised Sheet No. 13

The Commission finds that further investigation of the above filings is necessary and that the effective date thereof should be suspended on its own motion until Thursday, October 29, 1970.

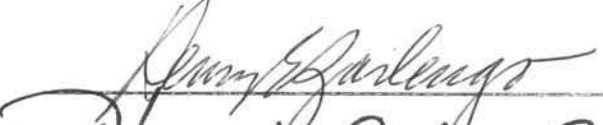
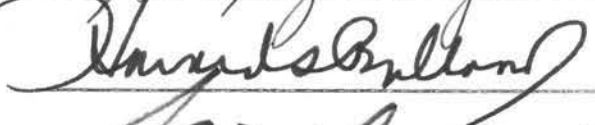

O R D E R

THE COMMISSION ORDERS:

That the effective dates of the tariff sheets listed hereinabove be, and hereby are, suspended until October 29, 1970, for further investigation.

That this Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
30th day of June, 1970.
vr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE RULES AND REGULATIONS)
OF S & T TELEPHONE COOPERATIVE ASSOCIATION,)
BREWSTER, KANSAS 67732; EAGLE VALLEY TELE-)
PHONE COMPANY, P.O. BOX I, EAGLE, COLORADO)
81631; EL PASO COUNTY MUTUAL TELEPHONE CO.,)
R.R. 2, COLORADO SPRINGS, COLORADO; PINE)
DRIVE TELEPHONE COMPANY, ROUTE 1, BOX 75,)
BEULAH, COLORADO 81023; EASTERN SLOPE)
RURAL TELEPHONE ASSOCIATION, INC., P.O.)
BOX 397, HUGO, COLORADO 80821; THE PIONEER)
TELEPHONE ASSOCIATION, INC., P.O. BOX 707,)
ULYSSES, KANSAS 67880; AND UNIVERSAL TELE-)
PHONE COMPANY OF COLORADO, BOX 397, PAGOSA)
SPRINGS, COLORADO 81147.)

INVESTIGATION AND SUSPENSION
DOCKET NO. 655

June 30, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 22, 1970, the Commission by Decision No. 74767 in Case No. 5323 adopted certain changes in the rules regulating the service of telephone utilities. The modified rules required all telephone utilities to file their deposit policies on or before July 1, 1970, as follows:

"Each utility shall file as part of its tariffs a brief statement setting forth its deposit requirement policy, explaining under what circumstances a deposit shall be required and when such deposit shall be returned."

Listed below are some of the telephone utilities who have filed tariff provisions pursuant to the above requirement and identification of the tariff sheet involved:

S & T Telephone Cooperative Association - First Revised Sheet No. 14
Eagle Valley Telephone Company - First Revised Sheet No. 21
El Paso County Mutual Telephone Co. - First Revised Sheet No. 7
Pine Drive Telephone Company - Second Revised Sheet No. 11
Eastern Slope Rural Telephone Association, Inc. -
First Revised Sheet No. 6
Second Revised Sheet No. 6A
First Revised Sheet No. 6B
Pioneer Telephone Association, Inc. -
First Revised Section 1, Sheet No. 1 of 6
First Revised Section 1, Sheet No. 2 of 6
Universal Telephone Company of Colorado - First Revised Sheet
No. 12

The Commission finds that further investigation of the above filings is necessary and that the effective date thereof should be suspended on its own motion until Thursday, October 29, 1970.

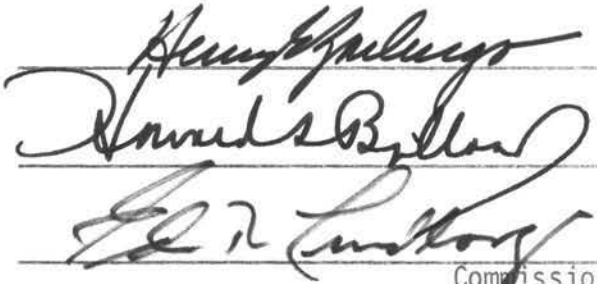
O R D E R

THE COMMISSION ORDERS:

That the effective dates of the tariff sheets listed hereinabove be, and hereby are, suspended until October 29, 1970, for further investigation.

That this Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Date at Denver, Colorado, this
30th day of June, 1970.

vr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF

Chris Brayo dba
Brayo Trash Service
1327 Roselawn Road
Pueblo, Colorado 81001

AUTHORITY NO. 2427

CASE NO. 2180-H-Ins.

July 1, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 22, 1970 , 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.

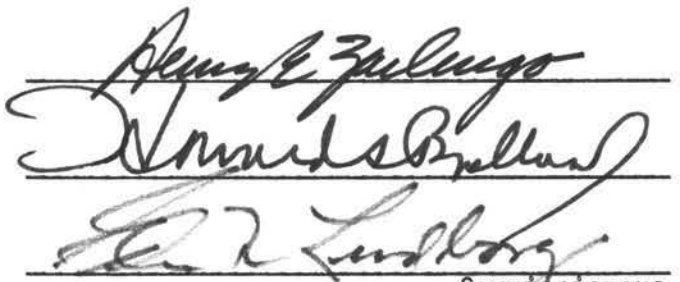
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 1 day of July, 1970 .

(Decision No. 75300)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF UNITED PARCEL SERVICE, INC.,)
FOR CLARIFICATION OR AMENDMENT)
OF PERMIT NO. B-413.)

APPLICATION NO. 24232-
Clarification-Amended

RECOMMENDED DECISION OF
HOWARD S. BJELLAND,
COMMISSIONER

July 1, 1970

Appearances: Hans W. Johnson, Esq.,
Denver, Colorado, and
Irving R. Segal, Esq.,
Philadelphia, Pennsylvania, for
United Parcel Service, Inc.,
Applicant.
Lloyd C. Espinosa,
Denver, Colorado, and
Dalton O. Ford,
Denver, Colorado, of the
Staff of the Commission.

PROCEDURE AND RECORD

This application came on regularly for hearing upon Applicant's request for clarification or amendment of Permit No. B-413. Proper notice of said application was given, and the protests which were filed by Joseph F. Nigro, for and on behalf of several members of the Colorado Transfer & Warehousemen in Colorado Springs and Denver, have been withdrawn; hence, no protests were of record. All testimony was submitted and the entire matter is now ready for decision.

Preston W. Davis, Vice President of Applicant, testified in support of the application and Exhibits Nos. 1, 2 and 3 were admitted into evidence.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes 1963, as amended, Commissioner Howard S. Bjelland now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

After due and careful consideration of the record in this proceeding, the Hearing Commissioner, from such record, finds as fact that:

1. Applicant, United Parcel Service, Inc., is an Ohio corporation, duly organized and existing under the laws of the State of Ohio.
2. Applicant has been and is duly authorized to do business in the State of Colorado.
3. Applicant is a wholly owned subsidiary of United Parcel Service of America, Inc., a Delaware corporation.
4. It is deemed in the best interests of the public, the Applicant and the Commission that the existing authority be clarified or amended.
5. The same relief granted to Package Delivery Service by Decision No. 48213, dated June 24, 1957, insofar as "ratings, rates, bills of lading, C.O.D.'s and minimum charges are concerned" should be granted Applicant in connection with the rendition of service as authorized herein.
6. Permit No. B-413 should be clarified and amended to read as follows:

"Transportation of (1) retail store merchandise, fixtures and equipment, when moving between May-D&F Company, Denver Dry Goods Company and Montgomery Ward & Co., their stores and the branches or warehouses thereof; and (2) uncrated and unpacked furniture, and related merchandise when moving in mixed shipments with uncrated and unpacked furniture, when moving from May-D&F Company, Denver Dry Goods Company and Montgomery Ward & Co., their stores and their branches and warehouses to the premises of the customers of such stores:

- (a) Between all points within 35 miles of Denver, including points within Denver;
- (b) Between points within the area described in (a) above, on the one hand, and, on the other, Colorado Springs, Colorado.
- (c) Between points in the areas described in (a) and (b) above, on the one hand, and, on the other, Fort Collins and Greeley, restricted to service performed for the account of the Denver Dry Goods Company only."

CONCLUSIONS ON FINDINGS OF FACT

Based on the Findings of Fact hereinabove set forth, the Hearing Commissioner concludes that:

1. The Applicant's request for clarification or amendment of its authority should be, and hereby is, granted to the extent reflected in this recommended decision.
2. There is a need for the proposed contract carrier service to the extent and subject to the conditions and restrictions set forth in the Order herein.
3. Applicant shall be restricted to serving the three named customers, to-wit: May-D&F Company, Denver Dry Goods Company and Montgomery Ward & Co., their stores, branches and warehouses, and Applicant shall file with the Commission copies of Applicant's service contracts with each of said named customers.
4. United Parcel Service, Inc., Applicant herein, is fit and qualified to provide the proposed service.
5. Applicant's authority under Permit No. B-413 should be clarified and amended as specifically set forth in the Findings of Fact, Paragraph No. 6.
6. Pursuant to Section 115-6-9 (2), CRS 1963, as amended, it is recommended by the Commissioner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

That, subject to the provisions of Paragraph 9 of this Order,

1. Applicant's authority under Permit No. B-413 shall be, and hereby is, clarified and amended, and henceforth shall read and be as follows:

"Transportation of (1) retail store merchandise, fixtures and equipment, when moving between May-D&F Company, Denver Dry Goods Company and Montgomery Ward & Co., their stores and the branches or warehouses thereof; and (2) uncrated and unpacked furniture, and related merchandise when moving in mixed shipments with uncrated and unpacked furniture, when moving from May-D&F Company, Denver Dry Goods Company and Montgomery Ward & Co., their stores and their branches and warehouses to the premises of the customers of such stores:

- (a) Between all points within 35 miles of Denver, including points within Denver;
- (b) Between points within the area described in (a) above, on the one hand, and, on the other, Colorado Springs, Colorado.
- (c) Between points in the areas described in (a) and (b) above, on the one hand, and, on the other, Fort Collins and Greeley, restricted to service performed for the account of the Denver Dry Goods Company only."

2. Applicant shall file tariffs or rates, rules and regulations as required by the rules and regulations of this Commission within twenty (20) days from date. Applicant shall also file with the Commission copies of its service contracts with each of the three authorized customers.

3. The same relief granted to Package Delivery Service by Decision No. 48213, dated June 24, 1957, insofar as "ratings, rates, bills of lading, C.O.D.'s and minimum charges are concerned" is hereby granted Applicant in connection with the rendition of service as authorized herein.

4. Applicant shall operate in accordance with the Order of the Commission, except when prevented by an Act of God, the public enemy or extreme conditions.

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

6. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case.

7. Applicant is granted forty (40) days from the effective date of this Decision to terminate any service which it is now rendering under Permit No. B-413, but which is not authorized under the provisions of this decision.

8. Jurisdiction is retained by this Commission to make such further order or orders as may be deemed necessary in the matter.

9. As provided by Section 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty

(20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing, this Recommended Decision, if approved, shall be the Decision of the Commission.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioner
vr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAYMOND J. HENRY, BOX 505, JOHNSTOWN,)
COLORADO, FOR TEMPORARY APPROVAL TO)
TRANSFER PERMIT NO. B-4446 TO RICHARD)
McVAUGH, BOX 375, JOHNSTOWN, COLORADO.)

APPLICATION NO. 24408-PP-Transfer-TA
ORDER GRANTING TEMPORARY APPROVAL

July 2, 1970

The above-entitled application under CRS 1963, 115-6-20(2), being under consideration, and

It appearing, That Applicant has established the following: That appropriate application has been made to this Commission for permanent authority to transfer Permit No. B-4446 to the above-named transferee.

It further appearing, That failure to grant temporary approval may result in destruction of, or injury to, the Applicant or interfere substantially with their future usefulness in the performance of adequate and continuous service to the public.

It is ordered, That Applicant be, and is hereby, granted temporary approval, conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations, to engage in the business of transportation by motor vehicle to the extent and in the manner set forth in the appendix attached hereto.

It is further ordered, That the service provided for in this order shall not be commenced until all requirements have been met and Applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

It is further ordered, That upon the approval herein granted becoming effective, failure of the Applicant to maintain compliance with statutory and Commission requirements shall constitute sufficient grounds for suspension, change or revocation of the said authority.

It is further ordered, That if Applicant fails to comply with all applicable statutory and Commission requirements, rules and regulations within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

It is further ordered, That the approval herein granted shall create no presumption that corresponding permanent approval will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 2nd day of July, 1970.
sll

(Decision No. 75301)
July 2, 1970

APPENDIX

Application No. 24408-PP-Transfer-TA

Richard McVaugh
Box 375
Johnstown, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engaged in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY APPROVAL IS GRANTED - 165 days or until such time as the decision of the Commission on the corresponding permanent application of the applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary approval to operate under Permit No. B-4446 with authority as follows:

"Transportation of milk in cans, from points within a radius of 17 miles of Platteville, Colorado, to Carnation Company at Johnstown, Colorado, with return of empty containers."

(Decision No. 75302)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROY T. CARPENTER, 132 LAPORTE AVENUE,)
FORT COLLINS, COLORADO, FOR TEMPORARY)
APPROVAL TO TRANSFER ALL THE OUTSTAND-)
ING CAPITAL STOCK AND CONTROL IN AND)
TO "TED CARPENTER & SON, INC.," RECORD)
OWNER OF CERTIFICATE OF PUBLIC CON-)
VENIENCE AND NECESSITY PUC NO. 1017)
AND PUC NO. 1017-I, TO THOMAS J. HILL)
AND VIRGIL H. PUGH, 132 LAPORTE AVENUE,)
FORT COLLINS, COLORADO.)

APPLICATION NO. 24403-Stock Transfer-TA
ORDER GRANTING TEMPORARY APPROVAL

July 2, 1970

The above-entitled application under CRS 1963, 115-6-20(2), being under consideration, and

It appearing, That Applicants have established the following: That appropriate application has been made to this Commission for permanent authority to transfer all the outstanding capital stock and control in and to Certificate of Public Convenience and Necessity, PUC No. 1017 and PUC No. 1017-I to the above-named transferee.

It further appearing, That failure to grant temporary approval may result in destruction of, or injury to, the Applicant or interfere substantially with their future usefulness in the performance of adequate and continuous service to the public.

It is ordered, That Applicant be, and is hereby, granted temporary approval, conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations, to engage in the business of transportation by motor vehicle to the extent and in the manner set forth in the appendix attached hereto.

It is further ordered, That the service provided for in this order shall not be commenced until all requirements have been met and Applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

It is further ordered, That upon the approval herein granted becoming effective, failure of the Applicant to maintain compliance with statutory and Commission requirements shall constitute sufficient grounds for suspension, change or revocation of the said approval.

It is further ordered, That if Applicant fails to comply with all applicable statutory and Commission requirements, rules and regulations within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

It is further ordered, That the approval herein granted shall create no presumption that corresponding permanent approval will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 2nd day of July, 1970.
cj

(Decision No. 75302)
July 2, 1970

APPENDIX

Application No. 24403-Stock Transfer-TA

Thomas J. Hill and Virgil H. Pugh
132 Laporte Avenue
Fort Collins, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY APPROVAL IS GRANTED - 180 days or until such time as the decision of the Commission on the corresponding permanent application of the applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Common

SERVICE AUTHORIZED:

Temporary approval is hereby granted to Thomas J. Hill and Virgil H. Pugh to acquire operational control of Ted Carpenter & Son, Inc., for a period of 180 days as herein above set forth, and upon the terms and conditions as provided in the stock agreement, dated April 23, 1970.

(Decision No. 75303)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAYMOND J. HENRY, BOX 505, JOHNSTOWN,)
COLORADO, FOR TEMPORARY APPROVAL TO)
TRANSFER PERMIT NO. A-577 TO RICHARD)
McVAUGH, BOX 375, JOHNSTOWN, COLORADO.)

APPLICATION NO. 24407-PP-Transfer-TA
ORDER GRANTING TEMPORARY APPROVAL

July 2, 1970

The above-entitled application under CRS 1963, 115-6-20(2), being under consideration, and

It appearing, That Applicant has established the following: That appropriate application has been made to this Commission for permanent authority to transfer Permit No. A-577 to the above-named transferee.

It further appearing, That failure to grant temporary approval may result in destruction of, or injury to, the Applicant or interfere substantially with their future usefulness in the performance of adequate and continuous service to the public.

It is ordered, That Applicant be, and is hereby, granted temporary approval, conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations, to engage in the business of transportation by motor vehicle to the extent and in the manner set forth in the appendix attached hereto.

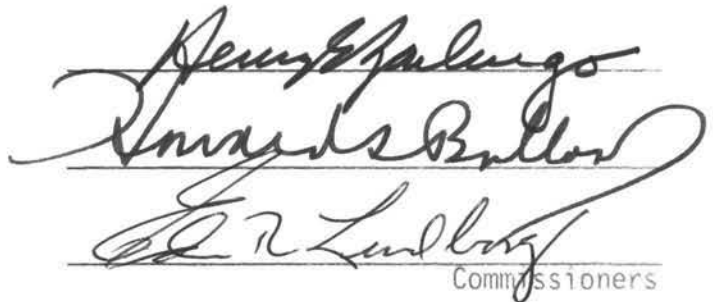
It is further ordered, That the service provided for in this order shall not be commenced until all requirements have been met and Applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

It is further ordered, That upon the approval herein granted becoming effective, failure of the Applicant to maintain compliance with statutory and Commission requirements shall constitute sufficient grounds for suspension, change or revocation of the said authority.

It is further ordered, That if Applicant fails to comply with all applicable statutory and Commission requirements, rules and regulations within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

It is further ordered, That the approval herein granted shall create no presumption that corresponding permanent approval will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 2nd day of July, 1970.
sll

(Decision No. 75303)
July 2, 1970

APPENDIX

Application No. 24407-PP-Transfer-TA

Richard McVaugh
Box 375
Johnstown, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY APPROVAL IS GRANTED - 165 days or until such time as the decision of the Commission on the corresponding permanent application of the applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary approval to operate under Permit No. A-577 with authority as follows:

"Transportation of milk, from points in the area described as: beginning at Johnstown; thence north to U.S. Highway No. 34; thence east along said highway to the northeast corner of Section 12, Township 5-North, Range 66-West; thence south to the southeast corner of Section 13, Township 4-North, Range 66 West; thence west to the southwest corner of Section 16, Township 4-North, Range 67 West; thence north to the point of beginning; to Johnstown, Colorado, with back-haul of empty cans; milk, only, to Johnstown, Colorado, from the territory described as: Sections 7, 8, 9, 10, 15, 16, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34, in Township 4-North, Range 67 West, and Sections 11, 12, 13, 14, 23, 24, 25, 26, 35 and 36, in Township 4-North, Range 68-West, and Sections 3 to 10, inclusive, in Township 3-North, Range 67 West, and Sections 1, 2, 11, and 12, in Township 3-North, Range 68 West, with back-haul of empty cans;

milk, only, to Johnstown, Colorado, from the territory described as: Sections 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34, in Township 4-North, Range 67 West, and Sections 11, 12, 13, 14, 23, 24, 25, 26, 35, and 36, in Township 4-North, Range 68 West, and Sections 3 to 10, inclusive, in Township 3-north, Range 67-West, and Sections 1, 2, 11, and 12, in Township 3-North, Range 68-West, and back-haul of empty cans."

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
KENNETH F. HALLS AND A. H. BRICKLEY,)
DOING BUSINESS AS "A-B TRASH COMPANY,")
2950 PEARL ST., BOULDER, COLORADO,)
FOR TEMPORARY APPROVAL TO TRANSFER)
CERTIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY PUC NO. 3717 TO REX R.)
WALKER AND DAN L. SOUDERS, DOING)
BUSINESS AS "WESTERN DISPOSAL,")
1262 CHERRYVALE, BOULDER, COLORADO.)

APPLICATION NO. 24413-Transfer-TA
ORDER GRANTING TEMPORARY APPROVAL

July 2, 1970

The above-entitled application under CRS 1963, 115-6-20(2), being under consideration, and

It appearing, That Applicant has established the following: That appropriate application has been made to this Commission for permanent authority to transfer Certificate of Public Convenience and Necessity PUC No. 3717 to the above-named transferee.

It further appearing, That failure to grant temporary approval may result in destruction of, or injury to, the Applicant or interfere substantially with their future usefulness in the performance of adequate and continuous service to the public.

It is ordered, That Applicant be, and is hereby, granted temporary approval, conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations, to engage in the business of transportation by motor vehicle to the extent and in the manner set forth in the appendix attached hereto.

It is further ordered, That the service provided for in this order shall not be commenced until all requirements have been met and Applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

It is further ordered, That upon the approval herein granted becoming effective, failure of the Applicant to maintain compliance with statutory and Commission requirements shall constitute sufficient grounds for suspension, change or revocation of the said authority.

It is further ordered, That if Applicant fails to comply with all applicable statutory and Commission requirements, rules and regulations within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

It is further ordered, That the approval herein granted shall create no presumption that corresponding permanent approval will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 2nd day of July, 1970.
cj

(Decision No. 75304)
July 2, 1970

APPENDIX

Application No. 24413-Transfer-TA

Rex R. Walker and Dan L. Souders
Doing Business As
"Western Disposal"
1262 Cherryvale
Boulder, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY APPROVAL IS GRANTED - 165 days or until such time as the decision of the Commission on the corresponding permanent application of the applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Common

SERVICE AUTHORIZED:

Temporary approval to operate under Certificate PUC No. 3717 with authority as follows:

"Transportation of

Ashes, trash, and other refuse

From all points within the City of Boulder, State of Colorado, to dumps and disposal sites designated by the City of Boulder, State of Colorado."

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: ADDITIONAL CHARGE; APPLICATION OF)	
RATES AT INTERMEDIATE POINTS; ARTICLES)	
SEVEN FEET IN HEIGHT OR LENGTHY ARTICLES;)	
CHARGES FOR VEHICLES ORDERED BUT NOT)	
USED; EXTENDED DELIVERY; MINIMUM CHARGE;)	
MORE THAN ONE DELIVERY AT DESTINATION	)	CASE NO. 1585
OR MORE THAN ONE PICK UP AT ORIGIN;)	
SPECIAL TRIPS; STOPPING-IN-TRANSIT;)	
AND CHANGES IN COMMODITY ITEMS)	
(VARIOUS))	
-----)	

July 2, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 27, 1970, J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, as Agent, filed revised pages to its Local and Joint Class and Commodity Tariff No. 12-B, Colorado PUC No. 19, as set forth in Appendix "A" attached hereto, scheduled to become effective July 6, 1970.

In support of the changes, the Commission is in receipt of letters by the carriers parties to the above tariff, and excerpts therefrom are as follows:

Item 60 (additional charge). Under the provisions of Decision No. 74746, dated April 17, 1970, Goldstein Transportation and Storage, Inc., was granted a certificate to serve from Denver to Trinidad and intermediate points. The addition in Item 60 will allow Goldstein to continue to collect the additional charge which it previously had done under contract carrier authority.

Item 220 (Articles seven feet in height or lengthy articles) the General Traffic Manager of Rio Grande Motor Way states in his letter of April 20, 1970:

"The present provision in the item refers to the Class 100 rate but does not specifically state which Class 100 rate. The proposal is an attempt to clarify the item and to make it clear and concise as to the Class 100 rate which reference is made thereof. The proposed provision will leave no doubt to the

tariff user that the Class 100 rate to be assessed is the Class 100 rate applicable to the actual weight of the shipment, subject to the provisions of Item 240. Presently, if a 5,000 pound shipment was to be rated under the provisions of Item 220, it is unclear as to whether the Class 100 Rate at 5,000 pounds would be utilized or whether an LTL Class 100 rate would be applied."

Item 310 (extended delivery) is being amended extensively and the proponent supports these changes, effecting increased rates and charges on the following basis:

"The present charges under the first weight grouping, including the minimum charge of \$1.58, is no longer compensatory for the carrier to provide this service to or from an extended delivery area. Both Rio Grande Motor Way and Larson Transportation Company are experiencing more and more the handling of these type of shipments. For example, the Mt. Werner Ski Area outside of Steamboat Springs, the Snowmass-at-Aspen area and in the near future Aspen Wildcat, the Purgatory Ski Area north of Durango, etc., are developments in which many deliveries are required outside the scope of the normal delivery limits. The majority of these shipments are LTL in nature and represent a substantial cost to the carrier for delivering beyond the normal limits. The explanation of what constitutes an extended delivery has been broadened to include all off-route consignees who maintain a Post Office address within a specific city or town but who actually require delivery beyond that city or town delivery limits."

Item 420 (F) (Minimum charge) the supporting reasons for account of Las Animas Transfer for the elimination of its participation in a minimum charge for single shipments currently applicable as \$2.10 to \$2.99, is that it has been found that the continuing increase in the cost of all supplies, equipment and services utilized in the conduct of its business makes it unrealistic and unprofitable to continue maintaining the depressed minimum charge. The carrier is not certain that this change will produce the result desired, but desires to gain some operating experience from use of the \$2.99 charge before deciding whether or not to propose joining the other carriers in assessing the charges in Item 420 (I) on its local traffic.

Since the carrier desires to accumulate cost figures before going to the higher scale, the Staff of the Commission will expect a comprehensive report for such change in the future. This is to be submitted concurrently when and if said change is made.

Item 420 (I) (Minimum charge) for the account of Joseph T. Zoline, d/b/a Telluride Transfer Company, operating under Certificate No. 60. By joining this item the carrier will increase its minimum charge from the

present level of \$2.99 to the scale provided in Item 420 (I) which varies according to weight and distance.

It is represented that during the past year an estimated total number of 2,100 shipments have been handled. Approximately 60% (1300) of these were minimum shipments, with 1000 being hauled on joint line traffic and 300 hauled on single line traffic. However, on the Grand Junction to Telluride haul, 75% of the shipments were minimum charge. The Company's financial statements reflect a deficit in earnings and a need for additional revenues.

Item 610 (Special Trips) applicable to all carriers participating in this tariff with the exception of Larson Transportation Company, North Eastern Motor Freight, Inc., Ringsby Truck Lines, Inc., or Rio Grande Motor Way, Inc. The increase effected here is caused by cancellation of reference to trucks with rated capacities of 1/2-ton and over 1/2-ton up to a tractor with single or tandem axle, semi-trailer, and placing all trucks of a lesser capacity under a general heading of straight trucks. The resulting increase for straight and overtime is \$1.63 per hour, subject to a four (4) hour minimum.

A typical example supporting this hourly increase indicates the labor cost per man hour as follows:

Straight wages or 37½ productive hours per week	\$ 4.13
Social Security	.19
Vacation pay (average 11 days per year)	.20
Holiday pay	.16
Health and Welfare	.28
State compensation	.10
Pension Fund	.06
Unemployment Insurance	.02
Insurance	.01
Total	\$ 5.15

On this basis the labor cost alone would be \$20.60 for four hours, the revenue would be \$25.96, leaving only \$5.36 to cover the cost of operating the truck for four hours, plus the overhead.

Labor contracts which have been signed by several of the short line carriers will add substantial increases to the labor costs for this and the next two years.

Item 1210 (sulphuric acid) for account of Denver Climax Truck Line, Inc., transported in bulk, in tank vehicles. The existing item requires that the rate of \$4.25 per ton of 2000 pounds applies only when a

return load of Tailings, Pyrites Ore in bulk is transported on the return trip. The item also includes rates on acids between other points. Item 1210 is being eliminated and the bulk acid rates transferred to an individual tariff of Denver Climax Truck Line, Inc., designated as Colorado PUC No. 12. There is currently provided in Item 3160 a rate applicable to Tailings, Pyrite Ore from Climax to Denver. The rate is being increased from \$4.90 to \$5.50 per ton of 2000 pounds. Upon investigation by the Staff of the Commission, it is found that Allied Chemical used the tailings in the production of acid. However, due to problems concerning air pollution, this has been discontinued.

The American Metals Corporation has been notified of the changes and has not filed objections with the Commission.

In support of its increased rate from Climax to Denver on the tailings, the following was submitted:

8 hours minimum driving guarantee	@ \$3.88	=	\$31.04
1 hour loading at Climax and 1 hour unloading at Denver, total of 2 hours	@ \$3.88	=	7.76
Overhead per driver:			
Health & Welfare, Pension, Holiday, Vacation and Social Security, etc., per trip		=	7.70
Tractor and dump trailer plus ton mile tax, 204 miles @ 35 cents per mile		=	<u>71.40</u>
Total basic cost without office billing and collecting		=	\$117.90

It is also stated that to justify the haul, the rate should be \$5.50 per net ton based on minimum weight of 45,000 pounds which would produce \$123.75 per trip.

An oversight on the part of the publishing agent in Item 1210 published a minimum of 40,000 pounds. The Chief of Tariff Bureau informs the Rate Department that correction will be accomplished shortly.

Item 1985 (Foodstuff, groceries) for the account of North Park Transportation Co., is being amended as indicated. Mr. Kooi, President, informs the Commission the changes are required due to changes in tonnage purchased by his customers; that there has been discussion between the several consignees and himself with mutual agreement; and from his studies the revenues will be adequate for the time being.

Item 2500 (meat, fresh, loose, etc.) for the account of N.W. Transport Service, Inc., for operation over the portion of North Eastern

Motor Freight, Inc., Certificate No. 374, operated by N.W. Transport under a stock ownership, is, by its proposal, effective July 6, 1970, partially reinstating a portion that was permitted to expire. Negotiations between the carrier and shipper had transpired prior to the July 6th effective date wherein it was necessary to grant special permission to publish on less than the general required statutory notice. This was permitted under No. 15269, dated June 10, 1970, effective June 17, 1970, upon five (5) days' notice to the general public.

Items 180, 235, 430, 450 and 630, per statement of the Chief of Tariff Bureau for the Association, stating: --

"These items (rules) provide for handling of circumstances and conditions which arise frequently in the transportation business and which are likely to confront any carrier.

"Inasmuch as the items are presently restricted in their application to certain named carriers, other carriers encountering these conditions are without tariff authority to apply the remedy.

"In view of this, our purpose in this publication is to make these so-called general rules applicable for account of all carriers parties to this tariff so that their provisions may be applied without restriction.

"This Commission has already found that these rules are just and reasonable in their present application, and we represent that they are also just and reasonable for general use by all carriers.

"A further benefit from these changes is that, by removing the carrier restrictions, we are taking one more step toward tariff uniformity and simplification.

"Also, in connection with Item 630, we were requested by the Interstate Commerce Commission to amend the Item to remove what it referred to as "this potential for unlawfulness."

The objection raised by the Interstate Commerce Commission was that:

"The partial loading or unloading of the same shipment may not be an unlawful practice, but the potential for evasion of the applicable rules, resulting in less-than-truckload service at truckload rates is apparent, and something more than a mere statement prohibiting loading and unloading of freight at the same point is needed."

Reference thereto was characterized in the Interstate Commerce Commission's Stopping-in-Transit Rules and Charges, To, From and Between Points in Southern Territory, 329 ICC 353.

Since the changes as set forth in the statement and Appendix "A" attached hereto appear to represent just, fair and reasonable rates, charges and provisions, the Commission states and finds that: --

(1) The Chief of Tariff Bureau will issue a correction to Item 3160 and publish on 2nd Revised Page No. 311, amending the minimum weight factor to 45,000 pounds.

(2) An Order shall be entered prescribing the provisions, as amended with corrections, in Appendix "A" under the provisions of Rule 18 C (1) (a) of the Commission's Rules of Practice and Procedure, and Colorado Revised Statutes Governing Public Utilities, 115-11-5, as amended.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement, Findings and Appendix "A" be, and are hereby, made a part hereof.

2. That the rates and charges as amended and set forth in Appendix "A" of 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, with the exception that correction in findings (1) of the statement hereof shall be published.

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 Contract 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 July 6, 1970, 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 July 6, 1970, all Contract 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" Contract Carriers shall be

subject to the penalty rule of twenty (20) percent.

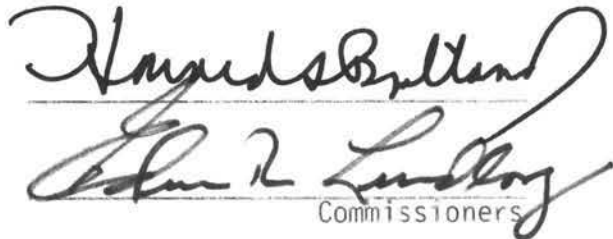
7. That this Order shall not be construed so as to compel a Contract Carrier by motor vehicle to be or become a motor vehicle Common Carrier, or to subject any such Contract Carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

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

Chairman Henry E. Zarlengo not participating.

Dated at Denver, Colorado, this
2nd day of July, 1970. av

APPENDIX "A"

Colorado Motor Carriers' Association, Agent
Local and Joint Class and Commodity Rates
Tariff No. 12-B, Colorado PUC No. 19

Scheduled to become effective July 6, 1970

RULES AND REGULATIONS																																													
Item	APPLICATION																																												
5th Revised Page 61																																													
60	<p><u>ADDITIONAL CHARGE:</u> (Subject to Items 110 and 120)</p> <p>(A) Except as otherwise provided in Paragraph (C) and in Note 1 hereof, all shipments weighing less than 2,000 pounds will be charged for at the rate applicable plus 10¢ per 100 pounds, subject to a minimum increase of 10¢ per shipment.</p> <p>(B) The additional charge provided for above will be applied to all local and joint traffic transported by the carriers named in paragraph (D) below. In instances where a joint line movement involves a carrier not named in paragraph (D), the entire proceeds of the additional charge will accrue to the carrier or carriers named in paragraph (D) participating in such joint line movement.</p> <p>(C) The additional charge provided for above will not apply in instances where the minimum charge is assessed.</p> <p>(D) The provisions of this item apply only via or in connection with the following carriers:</p> <table border="0"> <tr> <td>Frederic A. Bethke, d/b/a</td><td>Charles F. Reynolds and H. Lee</td></tr> <tr> <td>Bethke Truck Lines</td><td>Bryant, a partnership, d/b/a</td></tr> <tr> <td>Overland Motor Express, Inc.,</td><td>Hoffman Transfer Co.</td></tr> <tr> <td>d/b/a</td><td>Mauverdene Robinson, d/b/a</td></tr> <tr> <td>Boulder-Denver Truck Line</td><td>K & K Transfer Company</td></tr> <tr> <td>Burlington Truck Lines, Inc.</td><td>Larson Transportation Company</td></tr> <tr> <td>Capron Truck Co.</td><td>Miller Bros., Inc.</td></tr> <tr> <td>Colorado Cartage Company, Inc.</td><td>Milliken Johnstown Truck Line, Inc.</td></tr> <tr> <td>Denver-Climax Truck Line, Inc.</td><td>North Eastern Motor Freight, Inc.</td></tr> <tr> <td>Denver-Laramie-Walden Truck</td><td>North Park Transportation Co.</td></tr> <tr> <td>Line, Inc.</td><td>Red Ball Motor Freight, Inc.</td></tr> <tr> <td>Denver-Limon Burlington Transfer</td><td>Ringsby Truck Lines, Inc.</td></tr> <tr> <td>Company</td><td>Rio Grande Motor Way, Inc.</td></tr> <tr> <td>Denver-Loveland Transportation, Inc.</td><td>Richard H. Eshe & Lois Mae</td></tr> <tr> <td>Edson Express, Inc.</td><td>Eshe, d/b/a</td></tr> <tr> <td>Ephraim Freightways, Inc.</td><td>South Park Motor Lines</td></tr> <tr> <td>Evergreen Freight Line, Inc.</td><td>Anna Gasperetti, d/b/a</td></tr> <tr> <td>Ermon L. Tyler, d/b/a</td><td>Tri-C Transfer and Storage, The</td></tr> <tr> <td>Fowler Truck Line</td><td>Donald R. Wills, d/b/a</td></tr> <tr> <td>Garrett Freightlines, Inc.</td><td>Tweedy Transfer</td></tr> <tr> <td>♦ Goldstein Transportation and</td><td>Westway Motor Freight, Inc.</td></tr> <tr> <td>Storage, Inc.</td><td>Yuma County Transportation Co.</td></tr> </table> <p>NOTE 1: The provisions of this item WILL NOT apply on traffic transported locally by Donald G. Anderson, d/b/a Castle Rock Transfer, but will apply on traffic transported jointly between the carriers named above, on the one hand, and, on the other, Donald G. Anderson, d/b/a Castle Rock Transfer.</p>	Frederic A. Bethke, d/b/a	Charles F. Reynolds and H. Lee	Bethke Truck Lines	Bryant, a partnership, d/b/a	Overland Motor Express, Inc.,	Hoffman Transfer Co.	d/b/a	Mauverdene Robinson, d/b/a	Boulder-Denver Truck Line	K & K Transfer Company	Burlington Truck Lines, Inc.	Larson Transportation Company	Capron Truck Co.	Miller Bros., Inc.	Colorado Cartage Company, Inc.	Milliken Johnstown Truck Line, Inc.	Denver-Climax Truck Line, Inc.	North Eastern Motor Freight, Inc.	Denver-Laramie-Walden Truck	North Park Transportation Co.	Line, Inc.	Red Ball Motor Freight, Inc.	Denver-Limon Burlington Transfer	Ringsby Truck Lines, Inc.	Company	Rio Grande Motor Way, Inc.	Denver-Loveland Transportation, Inc.	Richard H. Eshe & Lois Mae	Edson Express, Inc.	Eshe, d/b/a	Ephraim Freightways, Inc.	South Park Motor Lines	Evergreen Freight Line, Inc.	Anna Gasperetti, d/b/a	Ermon L. Tyler, d/b/a	Tri-C Transfer and Storage, The	Fowler Truck Line	Donald R. Wills, d/b/a	Garrett Freightlines, Inc.	Tweedy Transfer	♦ Goldstein Transportation and	Westway Motor Freight, Inc.	Storage, Inc.	Yuma County Transportation Co.
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Item	RULES AND REGULATIONS APPLICATION
3rd Revised Page 66	
(con- tin- ued on Page 67	<p data-bbox="313 386 1113 436">180 APPLICATION OF RATES AT INTERMEDIATE POINTS: (E) *</p> <p data-bbox="313 448 1317 535">Section 1 - Commodity Rates applicable from intermediate points (subject to the provisions of Exceptions 1 and 2)</p> <p data-bbox="313 548 1426 909">(1) Subject to the provisions of Notes 1,2,5 and 6 below, from any point of origin from which a volume commodity rate on a given article to a given destination and via a given route is not published in this tariff which point is intermediate to a point from which a volume commodity rate on said article is published in this tariff via a route through the intermediate point over which such volume commodity rate applies to the same destination, apply from such intermediate point to such destination and via such route the volume commodity rate in this tariff on said article from the next point beyond from which a volume commodity rate is published in this tariff on that article to the same destination via the same route.</p> <p data-bbox="313 934 1458 1333">(2) Subject to the provisions of Notes 3,4,5 and 6 below, from any point of origin from which a less-than-truckload commodity rate on a given article to a given destination and via a given route is not published in this tariff which point is intermediate to a point from which a less-than-truckload commodity rate on said article is published in this tariff via a route through the intermediate point over which such less-than-truckload commodity rate applies to the same destination, apply from such intermediate point to such destination and via such route the less-than-truckload commodity rate in this tariff on said article from the next point beyond from which a less-than-truckload commodity rate is published in this tariff on that article to the same destination via the same route.</p> <p data-bbox="313 1358 1411 1495">NOTE 1 - When by reason of branch or diverging lines there are two or more "next beyond" points, apply the volume commodity rate from the next point beyond (in this tariff) which on that article to the same destination via the same route results in the lower charge.</p> <p data-bbox="313 1520 1473 1657">NOTE 2 - If the class rate on the same article via the same route from the intermediate point produces a lower charge than would result from applying the volume commodity rate under this item, such volume commodity rate will not apply.</p> <p data-bbox="313 1682 1442 1819">NOTE 3 - When by reason of branch or diverging lines there are two or more "next beyond" points, apply the less-than-truckload commodity rate from the next point beyond (in this tariff) which on that article to the same destination via the same route results in the lower charge.</p>

Item	RULES AND REGULATIONS APPLICATION
3rd Revised Page 67	
(con- clu- ded on Page 68)	<p data-bbox="319 401 1318 438">180 APPLICATION OF RATES AT INTERMEDIATE POINTS: (continued) (E) 4</p> <p data-bbox="319 468 1439 600">NOTE 4 -If the class rate on the same article via the same route from the intermediate point produces a lower charge than would result from applying the less-than-truckload commodity rate under this item, such less-than-truckload commodity rate will not apply.</p> <p data-bbox="319 630 1439 824">NOTE 5 - If there is in any other tariff a commodity rate (not made by use of an intermediate point rule) published for account of the same carrier or carriers on the same article from the considered intermediate point, applicable to the same destination over the same route, the provisions of this rule will not be applied from such intermediate point.</p> <p data-bbox="319 854 1439 1111">NOTE 6 - If the intermediate point is located between two points from which commodity rates on the same article are published in this tariff to the same destination over the same route, apply that one of such rates which results in the higher charge. If, due to branch or diverging routes, there are two or more next more distant points in the same direction, only that one of such points from which the lowest charge results will be considered in applying the provisions of this note.</p> <p data-bbox="319 1141 1439 1216">Section 2 - Commodity rates applicable to intermediate points (subject to the provisions of Exceptions 1 and 2)</p> <p data-bbox="319 1246 1439 1597">(1) Subject to the provisions of Notes 1,2,5 and 6 below, to any point of destination to which a volume commodity rate on a given article from a given point of origin and via a given route is not published in this tariff, which point is intermediate to a point to which a volume commodity rate on said article is published in this tariff via route through the intermediate point over which such volume commodity rate applies from the same point of origin, apply to such intermediate point from such point of origin and via such route the volume commodity rate in this tariff on said article to the next point beyond to which a volume commodity rate is published in this tariff on that article from the same point of origin via the same route.</p> <p data-bbox="319 1627 1439 2021">(2) Subject to the provisions of Notes 3,4, 5 and 6 below, to any point of destination to which a less-than-truckload commodity rate on a given article from a given point of origin and via a given route is not published in this tariff, which point is intermediate to a point to which a less-than-truckload commodity rate on said article is published in this tariff via a route through the intermediate point over which such less-than-truckload commodity rate applies from the same point of origin, apply to such intermediate point from such point of origin and via such route the less-than-truckload commodity rate in this tariff on said article to the next point beyond to which a less-than truckload commodity rate is published in this tariff on that article from the same point of origin via the same route.</p>

Item	RULES AND REGULATION APPLICATION
3rd Revised Page 68	
180 (con- clu- ded)	<p data-bbox="323 364 1295 404"><u>APPLICATION OF RATES AT INTERMEDIATE POINTS: (concluded) (E) *</u></p> <p data-bbox="323 433 1428 566">NOTE 1 - When by reason of branch or diverging lines there are two or more "next beyond" points, apply the volume commodity rate to the next point beyond (in this tariff) which on that article from the same point of origin via the same route results in the lower charge.</p> <p data-bbox="323 596 1428 729">NOTE 2 - If the class rate on the same article via the same route to the intermediate point produces a lower charge than would result from applying the volume commodity rate under this item, such volume commodity rate will not apply.</p> <p data-bbox="323 758 1428 921">NOTE 3 - when by reason of branch or diverging lines there are two or more "next beyond" points, apply the less-than-truckload commodity rate to the next point beyond (in this tariff) which on that article from the same point of origin via the same route results in the lower charge.</p> <p data-bbox="323 951 1428 1084">NOTE 4 - If the class rate on the same article via the same route to the intermediate point produces a lower charge than would result from applying the less-than-truckload commodity rate under this item, such less-than-truckload commodity rate will not apply.</p> <p data-bbox="323 1113 1397 1300">NOTE 5 - If there is in any other tariff a commodity rate (not made by use of an intermediate point rule) published for account of the same carrier or carriers on the same article to the considered intermediate point, applicable from the same origin over the same route, the provisions of this rule will not be applied to such intermediate point.</p> <p data-bbox="323 1330 1444 1562">NOTE 6 - If the intermediate point is located between two points to which commodity rates on the same article are published in this tariff from the same origin over the same route, apply that one of such rates which results in the higher charge. If, due to branch or diverging routes, there are two or more next more distant points in the same direction, only that one of such points to which the lowest charge results will be considered in applying the provisions of this Note.</p> <p data-bbox="323 1591 1451 1660">EXCEPTION 1 - The provisions of this item will not apply over carriers' irregular routes.</p> <p data-bbox="323 1690 1428 1916">EXCEPTION 2 - The following provisions apply for the account of Rio Grande Motor Way, Inc.: (1) Points on Highway 285 south of Poncha Springs and points on Highway 160 will not be considered as intermediate to or from points other than those located on Highway 260; (2) Points on Highway 550 south of Montrose will not be considered as intermediate to or from points other than those located on Highway 160 at Durango and West thereof.</p>

Item	RULES AND REGULATIONS APPLICATION
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220	<p><u>ARTICLES SEVEN FEET IN HEIGHT OR LENGTHY ARTICLES:</u></p> <p>Freight charges on articles seven feet or more in height or twenty-four feet or more in length will take the Class 100 rate Δ applicable to the actual weight of the shipment (subject to item 240) if that rate is higher than the applicable rate under the rating provided in the classification; otherwise, at the rating provided in the classification and rate provided herein.</p> <p><u>EXCEPTION:</u> The provisions of this item will not apply on single shipments on which charges are based on weights of 10,000 pounds or more.</p>
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235	<p><u>CHARGES FOR VEHICLES ORDERED BUT NOT USED:</u></p> <p>(E) ♦</p> <p>When equipment is ordered by the shipper to perform transportation services and such equipment is not used by the shipper, a rate of 50¢ per mile will be charged for each vehicle not used, subject to a minimum charge of \$50.00 for each vehicle.</p> <p>The rate per mile will be based on the round trip distance from carrier's terminal to the place to which the equipment was ordered for loading and returned to the carrier's terminal from which it was originally dispatched. Distance to be computed in accordance with the provisions of Section 4 of this tariff.</p>
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3rd Revised Page 76

310	<p><u>EXTENDED DELIVERY:</u></p> <p>♦ Applies on all shipments from or to points and places beyond the normal pick-up or delivery limits of an origin point or destination point for which this tariff provides line haul rates (except points and places intermediate between points and places served on regularly traveled routes.)</p> <p>Such shipments will be charged for at the rate applicable to the city or town plus the following charges:</p> <table border="1"><thead><tr><th rowspan="2">DISTANCE</th><th colspan="4">RATES IN CENTS PER 100 POUNDS</th></tr><tr><th>0 TO 1,999 POUNDS</th><th>2,000 TO 9,999 POUNDS</th><th>10,000 TO 19,999 POUNDS</th><th>20,000 POUNDS OR OVER</th></tr></thead><tbody><tr><td>0 TO 5 MILES</td><td>35</td><td>25</td><td>18</td><td>11</td></tr><tr><td>OVER 5 TO 10 MILES</td><td>37</td><td>27</td><td>20</td><td>13</td></tr><tr><td>OVER 10 TO 15 MILES</td><td>39</td><td>29</td><td>22</td><td>15</td></tr><tr><td>OVER 15 TO 25 MILES</td><td>44</td><td>34</td><td>25</td><td>17</td></tr></tbody></table> <p>MINIMUM ADDITIONAL CHARGE ♦ \$2.50 PER SHIPMENT.</p> <p>DISTANCES TO BE USED IN ASSESSING RATES PROVIDED IN THIS ITEM WILL BE THOSE DETERMINED AS PROVIDED IN ITEM 400 OF THIS TARIFF.</p> <p>♦ UNLESS THE BILL OF LADING IS SPECIFICALLY ENDORSED TO SHOW PREPAYMENT OF THE EXTENDED DELIVERY CHARGES, SUCH CHARGES WILL BE COLLECTED FROM THE CONSIGNEE. (THE PROVISIONS OF THIS PARAGRAPH WILL NOT APPLY VIA JOHN WINDECKER, D/B/A WINDECKER TRUCK LINE.)</p>	DISTANCE	RATES IN CENTS PER 100 POUNDS				0 TO 1,999 POUNDS	2,000 TO 9,999 POUNDS	10,000 TO 19,999 POUNDS	20,000 POUNDS OR OVER	0 TO 5 MILES	35	25	18	11	OVER 5 TO 10 MILES	37	27	20	13	OVER 10 TO 15 MILES	39	29	22	15	OVER 15 TO 25 MILES	44	34	25	17
DISTANCE	RATES IN CENTS PER 100 POUNDS																													
	0 TO 1,999 POUNDS	2,000 TO 9,999 POUNDS	10,000 TO 19,999 POUNDS	20,000 POUNDS OR OVER																										
0 TO 5 MILES	35	25	18	11																										
OVER 5 TO 10 MILES	37	27	20	13																										
OVER 10 TO 15 MILES	39	29	22	15																										
OVER 15 TO 25 MILES	44	34	25	17																										

RULES AND REGULATIONS
APPLICATION

ITEM

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420 MINIMUM CHARGE:EXCEPTIONS:

- (F) THE MINIMUM CHARGE FOR A SINGLE SHIPMENT FROM ONE CONSIGNOR TO ONE CONSIGNEE ON ONE BILL OF LADING IN ONE DAY VIA ERMON L. TYLER, D/B/A FOWLER TRUCK LINE OR (E) ♦ WILL BE \$2.10

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420
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DED)

MINIMUM CHARGE: (CONCLUDED)

- (I) THE MINIMUM CHARGE FOR A SINGLE SHIPMENT FROM ONE CONSIGNOR TO ONE CONSIGNEE ON ONE BILL OF LADING IN ONE DAY VIA OR IN CONNECTION WITH THE CARRIERS NAMED BELOW WILL BE:

WHEN WEIGHT OF SHIPMENT (IN POUNDS) IS	SINGLE LINE TRAFFIC AND LTL RATE BASIS NO. IN SECTION IS:				JOINT LINE TRAFFIC
	0	161	200	290	
	TO	TO	TO	AND	
OVER - NOT OVER	160	199	289	OVER	
MINIMUM CHARGE IN CENTS SHALL BE:					
0 - 100	375	390	400	425	450
100 - 150	415	440	450	520	555
150 - 200	455	515	565	630	670
200 - - -	495	580	665	730	770

THE PROVISIONS OF THIS PARAGRAPH APPLY ONLY VIA OR IN CONNECTION WITH THE FOLLOWING CARRIERS:

FREDERIC A. BETHKE, D/B/A
BETHKE TRUCK LINES
OVERLAND MOTOR EXPRESS, INC.,
D/B/A
BOULDER-DENVER TRUCK LINE
BURLINGTON TRUCK LINES, INC.
CAPRON TRUCK CO.
DONALD G. ANDERSON, D/B/A
CASTLE ROCK TRANSFER
COLORADO CARTAGE COMPANY, INC.
DENVER-CLIMAX TRUCK LINE, INC.
DENVER-LARAMIE-WALDEN TRUCK
LINES, INC.
DENVER-LIMON-BURLINGTON TRANSFER
COMPANY
DENVER-LOVELAND TRANSPORTATION,
INC.
EDSON EXPRESS, INC.
EPHRAIM FREIGHTWAYS, INC.
EVERGREEN FREIGHT LINE, INC.
GARRETT FREIGHTLINES, INC.
GILPIN COUNTY FREIGHT SERVICE, INC.
GOLDSTEIN TRANSPORTATION AND
STORAGE, INC.
HARP TRANSPORTATION LINE, INC.
CHARLES F. REYNOLDS AND
H. LEE BRYANT, D/B/A
HOFFMAN TRANSFER CO.
IML FREIGHT, INC.

MAUVERDENE ROBINSON, D/B/A
K & K TRANSFER COMPANY
L & E FREIGHT LINE, INC.
ELDEN G. WILLE, D/B/A
LAKE CITY TRUCK LINE
LARSON TRANSPORTATION COMPANY
MILLER BROS., INC.
MILLIKEN JOHNSTOWN TRUCK LINE, INC.
RUBY D. JACKSON, D/B/A
MOUNTAIN EXPRESS TRUCK LINE
NAVAJO FREIGHT LINES, INC. (WILL
NOT APPLY ON COLORADO INTRASTATE
TRAFFIC.)
NORTH EASTERN MOTOR FREIGHT, INC.
NORTH PARK TRANSPORTATION CO.
RED BALL MOTOR FREIGHT, INC.
RINGSBY TRUCK LINES, INC.
RIO GRANDE MOTOR WAY, INC.
RICHARD H. ESHE AND LOIS HAE
ESHE, D/B/A
SOUTH PARK MOTOR LINES
♦ JOSEPH T. ZOLINE, D/B/A
TELLURIDE TRANSFER COMPANY
ANNA GASPETETTI, D/B/A
TRI-C TRANSFER AND STORAGE, THE
DONALD R. WILLS, D/B/A
TWEEDY TRANSFER
WESTWAY MOTOR FREIGHT, INC.
JOHN B. WINDECKER, D/B/A
WINDECKER TRUCK LINE
YUMA COUNTY TRANSPORTATION CO.

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2nd Revised Page 86	
430	<p><u>MINIMUM CHARGE ON SHIPMENTS OF CLASS A OR B EXPLOSIVES:</u> (E •)</p> <p>Except as provided for in Note 1 below, the minimum charge on any shipment containing Class A or B explosives, as described in American Trucking Associations, Inc., Agent, Explosives and Dangerous Articles Tariff No. 13, MF-ICC No. 14, Colo. PUC No. 11, supplements thereto or successive reissues thereof, moving under rates named in this tariff, will be the charge for 1,000 pounds at the LTL or AQ rate applying to the highest rated Class A or B explosives in the shipment.</p> <p>NOTE 1: The provisions of this item will not apply on traffic consisting of Blasting Caps, Electric Blasting Caps, Dynamite or Shaped Charges.</p>
450	<p><u>MORE THAN ONE DELIVERY AT DESTINATION OR MORE THAN ONE PICK-UP AT ORIGIN:</u></p> <p>Any shipment from one shipper at one point of origin, on one bill of lading, received by the carrier in one day, weighing • 10,000 pounds or more, or on which a rate subject to a minimum weight of • 10,000 pounds or more is applied, will be allowed one extra pick-up at point of origin and/or one extra delivery at point of destination subject to the following conditions:</p> <ul style="list-style-type: none"> A. A charge of \$15.00 for the extra pick-up or delivery shall be assessed in addition to all other lawful charges; B. Shipper must specify on the shipping order the name of the consignee and delivery address to which the extra delivery is to be made and a description of the quantity to be unloaded at the additional delivery stop; <p>Shipper must specify on the shipping order the address where the extra pick-up is to be made and a description of the quantity to be loaded at the extra pick-up point;</p> <ul style="list-style-type: none"> C. The additional pick-up or delivery stop must be within the corporate limits of the origin or destination points; D. All charges must be prepaid or all collected from one consignee at point of destination which must be plainly specified on shipping order. <p>(E •)</p>

RULES AND REGULATIONS

Item

APPLICATION

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610

SPECIAL TRIPS:

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(Will not apply via Larson Transportation Company; North Eastern Motor Freight, Inc.; Ringsby Truck Lines, Inc., or Rio Grande Motor Way, Inc.)

In the event consignor or consignee requests that carrier transport shipments on other than regularly scheduled trips, or requests exclusive use of the vehicle, such service will be performed and will be charged for at the applicable rate per 100 pounds or the following hourly charges, whichever results in the greater total charge:

Use of Equipment and one man	HOURLY CHARGES	
	Straight Time	Overtime
Straight Truck	\$ 8.12	\$ 10.22
Tractor with single or tandem axle semi-trailer	\$16.22	18.32

Except as otherwise provided in connection with charges applicable on Saturdays, Sundays or Legal Holidays, rates are subject to a minimum charge of four hours at the rate applicable to the type of equipment furnished. (The provisions of this paragraph will not apply via Denver-Loveland Transportation, Inc., or Lafferty Moving & Storage).

Overtime shall be charged for all time worked on order of the customer in excess of 8 hours per day, for all time worked before 8:00 a.m., and/or after 5:00 p.m., on week days and for all time worked on Saturdays, Sundays or Legal Holidays, subject to a minimum of 8 hours on Saturdays, Sundays or Legal Holidays.

Time charges shall include driving time to and from the carrier's dock. Special trips between Denver and Rocky Flats on Saturdays, Sundays or Holidays, will be charged for at the weight times the applicable rate or rates, but not less than \$26.25 per trip.

EXCEPTION:

(Applies via North Park Transportation Co., only)

In the event consignor requests exclusive use of a truck with rated capacity of 1/2-ton, with driver, from the Urad Mine Site to Denver or Golden, such equipment and driver will be furnished by the carrier and will be charged for at \$25.00 per trip.

RULES AND REGULATIONS	
Item	APPLICATION

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630 Δ	STOPPING-IN-TRANSIT: (E) *
	Except as otherwise provided in individual items, and subject to the provisions of paragraphs (1) through (10) below, shipments upon which charges are based on a weight of 10,000 pounds or more may be stopped in transit for the purpose of partial loading and/or partial unloading.
	CONDITIONS
	(1) For the purpose of this item, the term "shipment" shall mean a lot of freight received from one shipper, on one day, for one consignee and covered by one bill of lading.
	(2) Stops will be made only at points directly intermediate between the point of origin and the point of final destination.
	(3) Bill of lading must specify the name of the consignee, the point of final destination, the intermediate stopoff point or points at which truck is to be stopped for partial loading or partial unloading, a description of the freight to be loaded or unloaded at each intermediate stopoff point, and the name and the address of the person at each intermediate stopoff point who is to load or unload the freight.
	(4) There shall be no substitution of other freight for that loaded at the point of origin, nor for any part of the shipment loaded at any intermediate stopoff point, and a shipment which has been stopped for partial unloading shall not be stopped subsequently for partial loading.
	(5) The provisions of this item will not apply on "COD" nor "Order Bill of Lading" shipments.
	(6) All shipments moving under the provisions of this item must be prepaid.
	CHARGES
	(7) Charges upon shipments stopped off for partial loading shall be determined on the basis of the minimum weight, or actual weight if greater, of the entire shipment, at the rate from that point where any portion of the shipment was loaded to the point of final destination which results in the highest charge.
	(8) Charges upon shipments stopped off for partial unloading shall be determined on the basis of the minimum weight, or actual weight if greater, of the entire shipment, at the rate from the point of origin to that point where any portion of the shipment was unloaded which results in the highest charge.
	(9) Charges on shipments stopped off for partial loading and partial unloading shall be determined on the basis of the minimum weight, or actual weight if greater, of the entire shipment, at the rate from the point of origin, or from any intermediate stopoff point where the shipment is stopped for partial loading, to the point of destination, or to any intermediate stopoff point where the shipment is stopped for partial unloading, which results in the highest charge.
	(10) In addition to all other charges, a charge of \$15.00 will be made for each stop in transit.

SECTION 4

Commodity Rates in cents per 100 pounds (except as noted)

For application, see Page 245

Item	Commodity	From	To	Rates	Route
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4th Revised Page 247

1210 +	(E) See Denver-Climax Truck Line, Inc., Tariff 7, Colo. PUC 12, and Item 3160 of this tariff for rates to apply.
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(Decision No. 75306)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT G. BOLANDER AND GALE R. HANKEL,)
DOING BUSINESS AS "HIGH COUNTRY TOURS,")
P. O. BOX 652, GEORGETOWN, COLORADO,)
FOR TEMPORARY AUTHORITY TO OPERATE AS)
A COMMON CARRIER BY MOTOR VEHICLE.)

APPLICATION NO. 24414-TA
ORDER GRANTING TEMPORARY AUTHORITY

July 2, 1970

The above-entitled application under CRS 1963, 115-6-20(1),
being under consideration, and

It appearing, That there is an immediate and urgent need for
the motor carrier service described in the appendix attached hereto, and
that there is no carrier service available capable of meeting such need.

It is ordered, That applicant be, and is hereby, granted tempo-
rary authority, conditioned upon full compliance with all applicable
statutory and Commission requirements, rules and regulations, to engage
in the business of transportation by motor vehicle to the extent and in
the manner set forth in the appendix attached hereto.

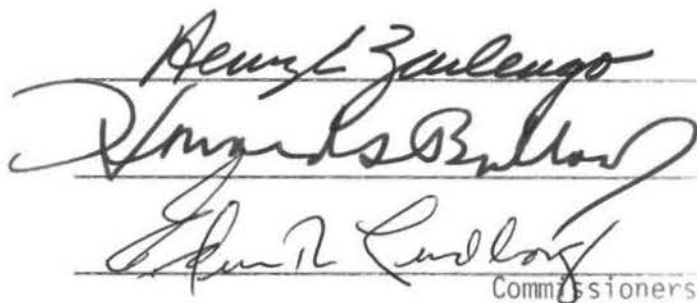
It is further ordered, That the service provided for in this
order shall not be commenced until all requirements have been met and
applicant has received notice in writing from the Commission that compli-
ance has been effected and service may be instituted.

It is further ordered, That upon the authority herein granted
becoming effective, failure of the applicant to maintain compliance with
statutory and Commission requirements shall constitute sufficient grounds
for suspension, change or revocation of the said authority.

It is further ordered, That if applicant fails to comply with
all applicable statutory and Commission requirements, rules and regula-
tions within fifteen (15) days from the date hereof, this order shall be
of no further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
2nd day of July, 1970.

vr

(Decision No. 75306)
July 2, 1970

APPENDIX

Application No. 24414-TA

Robert G. Bolander and Gale R. Hankel
Doing Business As
"High Country Tours"
P. O. Box 652
Georgetown, Colorado

By order of the Commission which this appendix is a part hereof, entered under the name and number shown above, applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 180 days or until such time as the decision of the Commission on the corresponding permanent application of the applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Common

SERVICE AUTHORIZED:

Temporary authority to operate as a common carrier by motor vehicle with authority as follows:

"Transportation -- in sightseeing service -- of

(1) Passengers

Between points within Clear Creek County, State of Colorado.

RESTRICTION: This authority is restricted as follows:

- (a) All transportation service rendered under this authority shall both originate and terminate at the same point within one of the following towns:
 - a) Georgetown, Colorado
 - b) Silver Plume, Colorado
 - c) Empire, Colorado
 - d) Idaho Springs, Colorado
- (b) Restricted to the use of four (4) wheel drive vehicles, snow cats, snow mobiles, or all-terrain vehicles (land, snow or water vehicles)."

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROCKY MOUNTAIN MOBILE HOME TOWING)
SERVICE, INC., 2202 TOWER ROAD,)
AURORA, COLORADO, FOR TEMPORARY AU-)
THORITY TO EXTEND OPERATIONS UNDER)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY PUC NO. 3016.)

APPLICATION NO. 24389-Extension-TA
ORDER DENYING TEMPORARY AUTHORITY

July 2, 1970

The above-entitled application under CRS 1963, 115-6-20(1),
being under consideration, and

It appearing, That the Applicants have not shown that there
is an immediate and urgent need for the relief herein sought

It is ordered, That the application for temporary authority
be, and is hereby, denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
2nd day of July, 1970.
vr

(Decision No. 75308)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
WALTER L. McCART, 840 TUCKER STREET,)	
CRAIG, COLORADO, FOR TEMPORARY AUTHOR-)	APPLICATION NO. 24415-PP-TA
ITY TO OPERATE AS A CLASS "B" CONTRACT)	<u>ORDER GRANTING TEMPORARY AUTHORITY</u>
CARRIER BY MOTOR VEHICLE.)	

July 2, 1970

The above-entitled application under CRS 1963, 115-6-20(1),
being under consideration, and

It appearing, That there is an immediate and urgent need for
the motor carrier service described in the appendix attached hereto, and
that there is no carrier service available capable of meeting such need.

It is ordered, That applicant be, and is hereby, granted tempo-
rary authority, conditioned upon full compliance with all applicable
statutory and Commission requirements, rules and regulations, to engage
in the business of transportation by motor vehicle to the extent and in
the manner set forth in the appendix attached hereto.

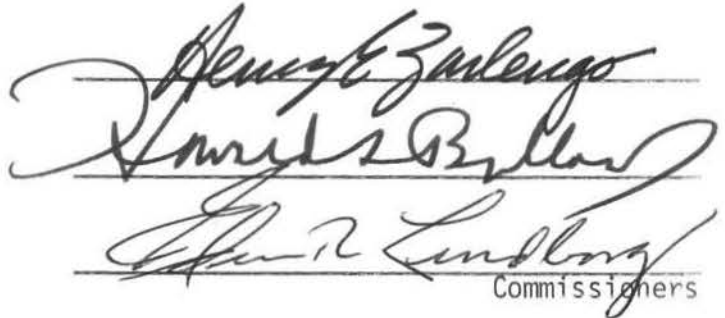
It is further ordered, That the service provided for in this
order shall not be commenced until all requirements have been met and
applicant has received notice in writing from the Commission that compli-
ance has been effected and service may be instituted.

It is further ordered, That upon the authority herein granted
becoming effective, failure of the applicant to maintain compliance with
statutory and Commission requirements shall constitute sufficient grounds
for suspension, change or revocation of the said authority.

It is further ordered, That if applicant fails to comply with
all applicable statutory and Commission requirements, rules and regula-
tions within fifteen (15) days from the date hereof, this order shall be
of no further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
2nd day of July, 1970.

vr

(Decision No. 75308)
July 2, 1970

APPENDIX

Application No. 24415-PP-TA

Walter L. McCart
840 Tucker Street
Craig, Colorado

By order of the Commission which this appendix is a part hereof, entered under the name and number shown above, applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 180 days or until such time as the decision of the Commission on the corresponding permanent application of the applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary authority to operate as a class "B" contract carrier by motor vehicle 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 one hundred (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 one hundred (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 one hundred (100) miles of said jobs;

(4) 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 1, 2, 3, and 4 of this authority are restricted as follows:

- (a) Restricted against the use of tank vehicles when transporting road-surfacing materials.

(5) Coal

Between all points within an area comprised of the Counties of Moffat, Routt, Jackson, Rio Blanco, Garfield, Eagle, and Grand, State of Colorado.

RESTRICTION: Items 1, 2, 3, 4, and 5 of this authority are restricted as follows:

- (a) All transportation service rendered under this authority shall be restricted to serving not more than ten (10) customers at any one time."

(Decision No. 75309)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
JAMES AND RAY VIOLA DBA
VIOLA BROTHERS
Post Office Box 66
Florence, Colorado 81226

AUTHORITY NO. M 5107

CASE NO. 5664-M-Ins.

July 2, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 8, 1970 , 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.

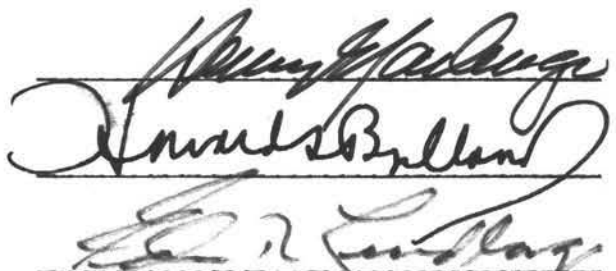
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 2nd day of July, 1970 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

PERMIT NO. B-6841 & I




July 6, 1970

BY THE COMMISSION:

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

ORDER

That the above-entitled authority be, and the same hereby is,
reinstated as of June 17, 1970.




 Commissioners

vr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
MERL G. NORRIS)
BOX 426)
DOLORES, COLORADO 81323)

PERMIT NO. B-7239
SUPPLEMENTAL ORDER

July 6, 1970

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.

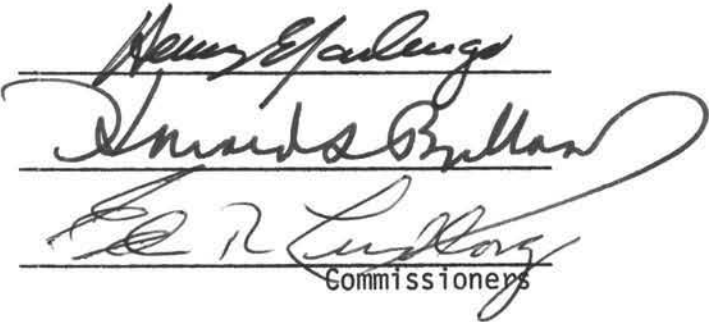
The Commission states and finds that said above-entitled authority should be cancelled and revoked as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled and revoked as of December 30, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 6th day of July, 1970.
vr

(Decision No. 75312)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
C. W. LAYTON)
201 EAST MOSLEY)
ARTESIA, NEW MEXICO 88210)

PUC NO. 6820-I
SUPPLEMENTAL ORDER

July 6, 1970

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.

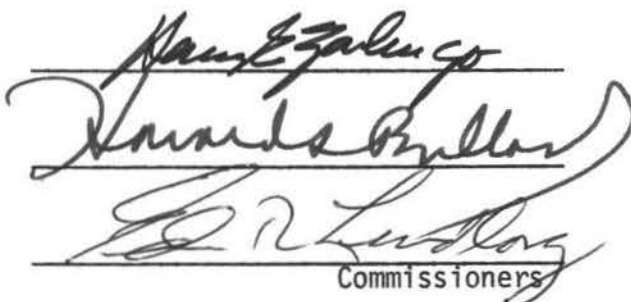
The Commission states and finds that said above-entitled authority should be cancelled and revoked as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled and revoked as of August 25, 1969.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 6th day of July, 1970.

vr

(Decision No. 75313)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
IVAN E. & EBEN L. MASSEY, DBA)
MASSEY BROTHERS)
2780 URANIUM DRIVE)
GRAND JUNCTION, COLORADO 81501)

PERMIT NO. B-5520

July 6, 1970

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.

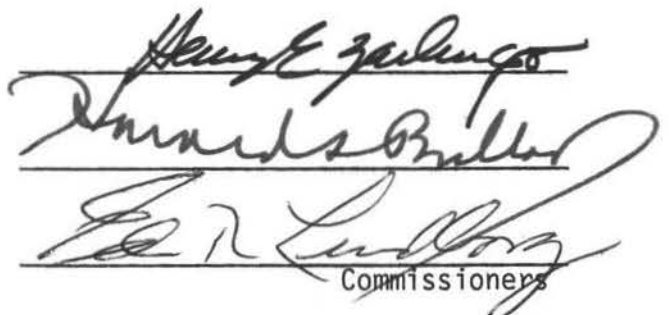
O R D E R

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 15, 1970, to and including December 15, 1970.

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 July, 1970.
vr

(Decision No. 75314)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
EBEN L. MASSEY)
2780 URANIUM ROAD)
GRAND JUNCTION, COLORADO 81501)

PERMIT NO. B-5341

July 6, 1970

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.

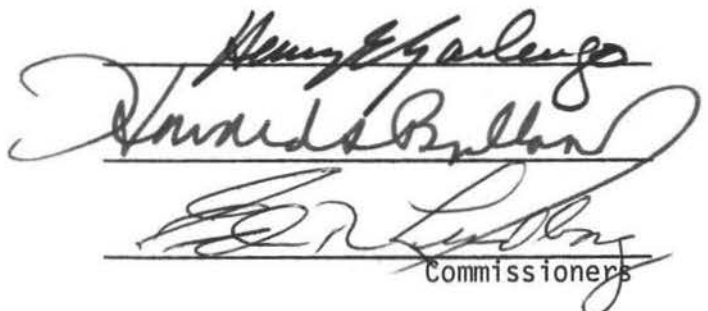
O R D E R

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 15, 1970, to and including December 15, 1970.

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 July, 1970.

vr

(Decision No. 75315)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
SIDNEY LYKE)
BOX 381)
MEEKER, COLORADO)

PERMIT NO. B-5526

July 6, 1970

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.

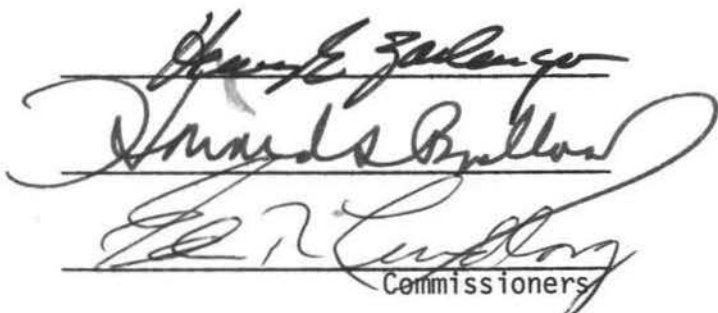
O R D E R

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 February 12, 1970, to and including August 12, 1970.

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 July, 1970.
vr

(Decision No. 75316)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
MAURICE J. DeLOYED)
7701 BRIGHTON BOULEVARD)
HENDERSON, COLORADO)

PERMIT NO. B-7300

July 6, 1970

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.

ORDER

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 14, 1970, to and including December 14, 1970.

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 July, 1970.
vr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
AVERY KELSO)
Holyoke, Colorado 80734)

AUTHORITY NO. M 4378

CASE NO. 5490-M-Ins.

July 3, 1970 -----

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 25, 1970 , 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.

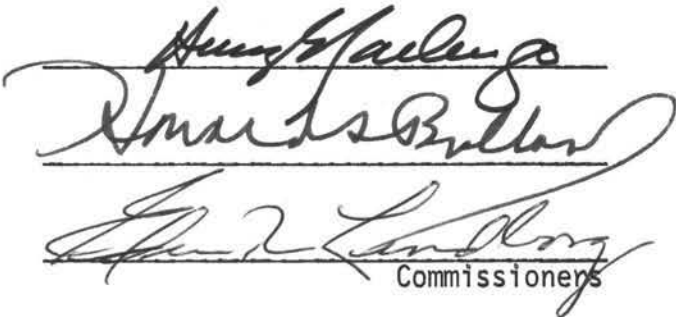
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 3rd day of July, 1970 .

(Decision No. 75318)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
AUGUST J. MODICA, PHILIP MODICA, AND)
FRANK J. MODICA, DOING BUSINESS AS)
"MODICA BROTHERS TRUCKING CO.," 922)
ROSITA STREET, TRINIDAD, COLORADO,)
FOR AUTHORITY TO TRANSFER PERMIT NO.)
B-3567 TO PHILIP MODICA AND FRANK J.)
MODICA, DOING BUSINESS AS "MODICA)
BROTHERS TRUCKING CO.," 922 ROSITA)
STREET, TRINIDAD, COLORADO.)

APPLICATION NO.
24183-PP-Transfer

RECOMMENDED DECISION OF
ROBERT L. PYLE, EXAMINER.

July 3, 1970

Appearances: Philip Modica and Frank J. Modica,
Trinidad, Colorado, pro se.

PROCEDURE AND RECORD

Under date of December 11, 1969, Applicants filed the above-entitled application with this Commission for authority to transfer Permit No. B-3567, to operate as a contract carrier by motor vehicle for hire, from August J. Modica, Philip Modica, and Frank J. Modica, doing business as "Modica Brothers Trucking Co.," to Philip Modica and Frank J. Modica, doing business as "Modica Brothers Trucking Co."

The Commission assigned No. 24183-PP-Transfer to the application for permanent authority. Pursuant to law, the Commission designated Robert L. Pyle as Examiner for the purpose of conducting a hearing on this application and, after due and proper notice to all interested persons, firms or corporations, set the herein matter for a hearing to be held in the District Court, Courthouse, Trinidad, Colorado, on May 26, 1970, at 1 p.m. The hearing was held at the aforesaid time and place.

Applicants, Philip Modica and Frank J. Modica, appeared pro se at the hearing and presented testimony. No person appeared at the hearing to protest the granting of the authority petitioned for in the application, and no written protests or petitions for intervention were received.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Robert L. Pyle now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. One of the partners, namely, August J. Modica, passed away on or about June 27, 1968, and no estate was set up nor has any Court made any order concerning the distribution of his interest in this authority.
2. August J. Modica, Deceased, has heirs at law, namely, a widow and children who are not parties to this proceeding.
3. The sole purpose of the transfer was apparently to remove the name of August J. Modica from the ownership of the authority. However, this transfer application does not include all parties in interest.

DISCUSSION

At the time of the hearing, your Examiner informed Philip Modica and Frank J. Modica concerning the need for Court Orders relative to the probate of the Estate of August J. Modica and was informed by said Philip Modica and Frank J. Modica that such information and request should be made to Carmel A. Garlutzo, Attorney at Law, First National Bank Building, Trinidad, Colorado. Thereafter, and more particularly, under date of May 27, 1970, a letter was directed to Mr. Garlutzo, with copies to Philip Modica and Frank J. Modica, explaining the situation and requesting the necessary information and Orders of Court which would have been accepted

as a late-filed exhibit. Having heard nothing whatsoever from either Mr. Philip Modica, Mr. Frank J. Modica, or the aforementioned attorney, a letter was directed to Mr. Philip Modica and Mr. Frank J. Modica under date of June 16, 1970, directing that unless some information was received on or before June 24, 1970, the case would be dismissed. Nothing was ever received from anyone nor was any contact ever made so the matter is herewith being dismissed.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded, that:

1. Application No. 24183-PP-Transfer should be dismissed.
2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That Application No. 24183-PP-Transfer, being an application to transfer Permit No. B-3567 from August J. Modica, Philip Modica, and Frank J. Modica, doing business as "Modica Brothers Trucking Co.," 922 Rosita Street, Trinidad, Colorado, to Philip Modica and Frank J. Modica, doing business as "Modica Brothers Trucking Co.," 922 Rosita Street, Trinidad, Colorado, be, and hereby is, dismissed.
2. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.
3. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision

shall become the Decision of the Commission and subject to the provisions
of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner

rm/hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
DENVER-CLIMAX TRUCK LINE, INC.,)	
DENVER, COLORADO, FOR EMERGENCY TEMP-)	APPLICATION NO. 24422-Transfer Portion-ETA
ORARY APPROVAL TO TRANSFER A PORTION)	<u>ORDER GRANTING EMERGENCY TEMPORARY APPROVAL</u>
OF CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY PUC NO. 1195 TO GILPIN)	
COUNTY EXPRESS & TRUCK LINE, INC.,)	
DENVER, COLORADO.)	

July 6, 1970

That the above-entitled application under CRS 1963, 115-6-20(2), being under consideration, and

It appearing, That Applicant has established the following: That appropriate application has been made to this Commission for permanent authority to transfer a portion of Certificate of Public Convenience and Necessity PUC No. 1195 to the above named transferee.

It further appearing, That failure to immediately grant emergency temporary approval may result in destruction of or injury to the Applicant or interfere substantially with their future usefulness in the performance of adequate and continuous service to the public.

It further appearing, That said circumstances constitute an emergency requiring the immediate issuance of emergency temporary approval.

It is ordered, That Gilpin County Express & Truck Line, Inc., be, and hereby is, granted emergency temporary approval for a period of fifteen (15) days commencing July 6, 1970, to operate under a portion of Certificate PUC No. 1195 with authority as follows:

"Transportation -- on schedule -- of

(1) General commodities

Between Denver, Colorado, and a five mile radius thereof; and Frisco, Colorado, over U. S. Highway 6 and 40 serving all intermediate points west of Mount Vernon Canyon and the following designated off-route points:

- (a) Empire, Colorado
- (b) Breckenridge, Colorado
- (c) The Public Service Construction Site on Cabin Creek
- (d) Montezuma, Colorado
- (e) Points on Colorado State Highway No. 9 north of Dillon, Colorado, to and including Silverthorne, Colorado
- (f) Points adjacent to and within one mile of U.S. Highway No. 6 commencing on east side of Loveland Pass to Dillon, Colorado



(2) General commodities

Between Idaho Springs, Colorado and Echo Lake, Colorado, via Colorado No. 103, serving all intermediate points";

Conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations, to engage in the business of transportation by motor vehicle.

It is further ordered, That the approval herein granted shall create no presumption that corresponding temporary or permanent approval will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

CHAIRMAN HENRY E. ZARLENGO, NECESSARILY
ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 6th day of July, 1970.

sll

(Decision No. 75320)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE: HOURLY RATES AND ADDITIONAL)
CHARGES FOR SPECIAL SERVICES IN)
CONJUNCTION WITH SO-CALLED CARRIERS)
OF HEAVY COMMODITIES)

Investigation and Suspension
Docket No. 651

SUPPLEMENTAL ORDER

July 6, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 26, 1970, and April 14, 1970, the following Revised pages were filed with the Commission, scheduled to become effective #May 2, 1970 and *May 21, 1970.

- | | | |
|---|---|--|
| ① <u>CMCA Tariff No. 13</u> | ② <u>Duffy Tariff No. 3</u> | ③ <u>Weicker Tariff No. 3</u> |
| #12th Revised Page No. 2 | *4th Revised Page No. 8
#3rd Revised Page No. 14 | *4th Revised Page No. 10
#6th Revised Page No. 18 |
| ① Colorado Motor Carriers' Association, Agent
Motor Freight Tariff No. 13, Colorado PUC No. 12* (*The Motor Truck Common Carriers' Association, Agent, Series) | | |
| ② Duffy Storage and Moving Company
Motor Freight Tariff No. 3, Colorado PUC No. 4, MF-ICC No. 1 | | |
| ③ The Weicker Transfer & Storage Company
Motor Freight Tariff No. 3, Colorado PUC No. 3, MF-ICC No. 7 | | |

Said Revised pages resulted in various increased rates and charges for the affected carriers.

By decision No. 74825, dated May 1, 1970, the Commission suspended the above matter and set for hearing on July 8, 1970 at 10:00 o'clock A.M. in the Commissions' Hearing Room, Denver, Colorado.

The Commission has now been informed that one of the primary Respondents is out of town and will not be available on the date presently set for hearing.

The Commission finds therefore, that the hearing on I&S Docket No. 651 now set on July 8, 1970 should be vacated and reset at a later date.


The Commission finds also that the suspension period will expire on August 30, 1970 and that this should be extended for an additional ninety days.

O R D E R

THE COMMISSION ORDERS:

1. That the hearing under I&S Docket No. 651, presently set for 10:00 o'clock A.M., on July 8, 1970, be and it is hereby, vacated.
2. That I&S Docket No. 651 be, and it is hereby reset for hearing at 10:00 o'clock A.M., on September 3, 1970, in the Commissions' Hearing Room, Denver, Colorado.
3. That the suspension period ordered by decision No. 74825 of May 1, 1970 be, and it hereby is, extended for a period of ninety days, beyond the present expiration date of August 30, 1970, to and including November 28, 1970, unless otherwise ordered by the Commission.
4. That in all other respects the Order as contained in Decision No. 74825, dated May 1, 1970, shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
6th day of July, 1970 dh

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit No. PUC A-755

By: F S F Truck Line
P.O. Box 132
Fountain, Colorado 80817

Respondent.)

CASE NO. 97- AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 19 70, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 7th day of July, 19 70

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

(Decision No. 75322)

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit No. PUC A-941 & I

By: Dean Resler
P.O. Box 309
Sterling, Colorado 80751

Respondent.)

CASE NO. 98 - AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

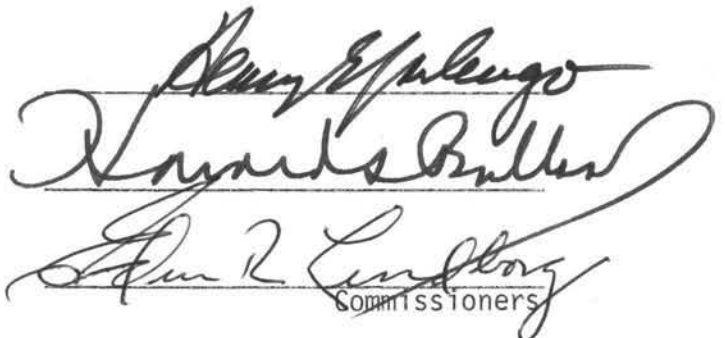
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 7th day of July, 1970. =

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit No. PUC No. B-1163

By: Elmer Ley
420 26th Street, Box 464
Greeley, Colorado 80630

Respondent.)

CASE NO. 99-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

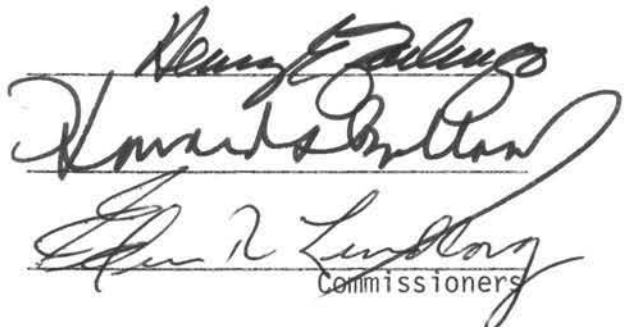
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 7th day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-1451

By: Schultz Trucking Service
508 So. Adams St.
St. Francis, Kansas 67756

Respondent.)

CASE NO. 100-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

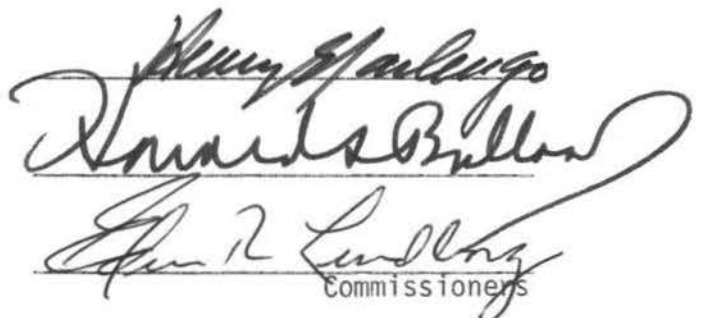
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 7th day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-1701 &
I

By: W. G. Gilchrist
P.O. Box 82
Brush, Colorado 80723

Respondent.)

CASE NO. 101-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 7th day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-1877

By: B. R. Hayes Inc.
2700 Sixth Avenue
P.O. Box 884
Greeley, Colorado 80631

Respondent.)

CASE NO. 102-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on ~~August 31~~ ^{July} 19 ~~70~~ ⁷⁰, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 7th day of July, 19 70.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-2542

By: Edw. G. Haworth
4868 So. Lipan St.
Englewood, Colorado 80110

Respondent.)

CASE NO. 103-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 7th day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-2940

By: Cecil E. Tombleson
305 No. 9th Street
Lamar, Colorado 81052

Respondent.)

CASE NO. 104-AR
NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

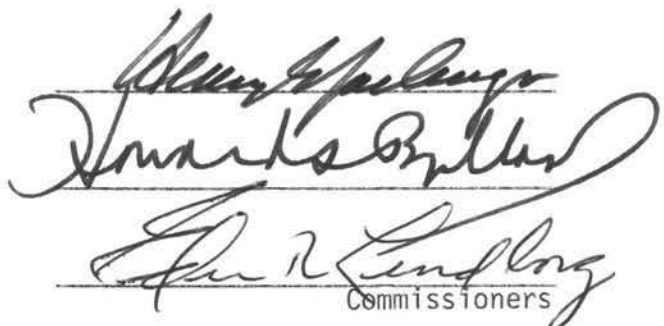
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 7th day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

(Decision No. 75329)

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-3088

By: Carl Del Duca
P.O. Box 362
Florence, Colorado 81226

Respondent.)

CASE NO. 105-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

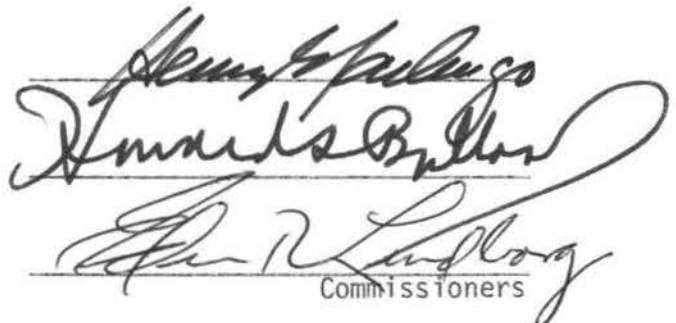
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 7th day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-3466

By: Statewide Trucking Company
P.O. Box 1116
Englewood, Colorado 80110

Respondent.)

CASE NO. 106-AR
NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 7th day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

(Decision No. 75331)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WESTWAY MOTOR FREIGHT, INC., 5231)
MONROE STREET, DENVER, COLORADO, FOR)
A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 22737

RE: MOTOR VEHICLE OPERATIONS OF)
WESTWAY MOTOR FREIGHT, INC., 5231)
MONROE STREET, DENVER, COLORADO.)

PERMIT NO. A-1268

RECOMMENDED DECISION AND ORDER
BY
COMMISSIONER EDWIN R. LUNDBORG

July 8, 1970

Appearances: Leslie R. Kehl, Esq., Denver, Colorado,
for Applicant.

Warren E. Braucher, Esq., Denver, Colorado,
for Rio Grande Motor Way, Inc.

S T A T E M E N T

On August 2, 1967, Westway Motor Freight, Inc. (hereinafter referred to by full corporate name, as Westway, or as Applicant) filed Application No. 22737 with the Commission seeking a certificate of public convenience and necessity authorizing transportation as a motor vehicle common carrier in scheduled service for the following:

"Freight, between Cortez, Dolores, Mancos, Durango, Bayfield, and Pagosa Springs, Colorado, on the one hand, and Denver, Colorado Springs, and Pueblo, Colorado, on the other hand, serving no intermediate points."

After due and proper notice to all interested persons, firms or corporations, the application was heard by Commissioner Edwin R. Lundborg on June 17 and 18, 1970, at the hearing room of the Commission in Denver,

Colorado; on June 24, 1970, at the District Court Room in Durango, Colorado; and on June 25 at the District Court Room in Cortez, Colorado. At the conclusion of the hearing the matter was taken under advisement. A protest to the application was entered on behalf of Rio Grande Motor Way, Inc.; however, following a restrictive amendment, to be hereinafter discussed, Rio Grande Motor Way, Inc. withdrew its protest. The instant application, therefore, in its amended form, is unopposed.

By written amendment at the hearing, supplemented by additional oral amendment, Applicant seeks the following authority:

"General Commodities -- except commodities in bulk in tank vehicles and household goods --

Between Denver, Colorado, and Cortez, Colorado, serving the intermediate point of Durango, Colorado, restricted against any service between Durango, Colorado, and Cortez, Colorado;

From Denver, Colorado, over U.S. Highway 285 to junction with Colorado State Highway 112 near Center, Colorado, thence via Colorado Highway 112 to junction with U.S. Highway 160 at Del Norte, Colorado, thence west on U.S. Highway 160 to Cortez, Colorado, and return over the same route;

Alternate route for operating convenience only,

From Denver, Colorado, over U.S. Highway 85-87 or Interstate Highway 25 to junction U.S. Highway 160 at Walsenburg, Colorado, thence west over U.S. Highway 160 to Cortez, Colorado, and return over the same route.

Restriction: This certificate is restricted to the transportation of traffic having both an origin and a destination at the points of Denver, Durango and Cortez, Colorado, provided, however, that Westway Motor Freight, Inc. may interline traffic with Northeastern Motor Freight, Inc. and Goldstein Transportation and Storage, Inc. to or from all points served by those carriers in regular route service, except Colorado Springs and Pueblo, Colorado."

The above and foregoing amendment being restrictive in nature was allowed and, as above stated, upon the allowance of said amendment, the protest to the application was withdrawn.

Pursuant to the provisions of Section 115-6-9 (2), CRS 1963, as amended, I, Commissioner Edwin R. Lundborg, transmit herewith to the Commission the record and exhibits of the within proceeding, together with

a written recommended decision which contains my findings of fact and conclusions thereon, together with my recommended order or requirement.

F I N D I N G S O F F A C T

Applicant, as here pertinent, operates under Contract Carrier Permit No. A-1268 which authorizes the following transportation:

"Freight, between Cortez, Dolores, Mancos, Durango, Bayfield, and Pagosa Springs, Colorado, on the one hand, and Denver, Colorado Springs and Pueblo, Colorado, on the other hand, serving no intermediate points."

During the month of May, 1970, Applicant transported 197,189 pounds of various general commodities between Denver on the one hand and Durango and Cortez on the other. In performing this service, Westway maintained terminals located at Denver and Durango, Colorado, and an agency station at Cortez, Colorado. Applicant is presently rendering and proposes to continue to render a scheduled service on a 5 day per week basis with the normal schedule leaving Denver at 10:00 o'clock p.m., arriving in Durango at 6:00 o'clock a.m.; and arriving at Cortez at 10:15 o'clock a.m. The return schedule would leave Cortez at 1:00 o'clock p.m.; arrive in Durango at 2:50 o'clock p.m.; and leave Durango at 3:00 o'clock p.m. for arrival in Denver at 11:30 o'clock p.m. Applicant will use two 40-foot trailers and two tractors to render the proposed service. This equipment will be sufficient and satisfactory to handle the available traffic. Westway holds appropriate authority from the Interstate Commerce Commission to provide a similar transportation service to that as sought in the present application. At the present time Westway is combining interstate and intrastate freight to serve the various shippers within the scope of the present application. Westway has been an existing carrier in the State of Colorado for many years. It operated at a reasonable profit during the year 1969 and is continuing to so operate during 1970. Westway is financially able to conduct the operations as proposed in the instant case.

The application was supported by 53 shippers all of whom are presently being served by Westway under its authorization as contained

in Contract Carrier Permit No. A-1268. All of the witnesses individually and collectively supported the need for the herein requested scheduled general commodity service.

Westway is presently controlled by a holding and a leasing company known as NW Transport Service, Inc. This company also controls through stock ownership Northeastern Motor Freight, Inc. which holds authority issued by this Commission under Certificate of Public Convenience and Necessity PUC No. 374 & I. This certificate authorizes the transportation of freight generally over regular routes between Denver, Colorado, and Julesburg, Colorado, serving specified intermediate points. In addition, NW Transport Service, Inc. presently has temporary authorization issued by this Commission to control the operations of Goldstein Transfer & Storage, Inc. who holds authorization issued by this Commission under Certificate of Public Convenience and Necessity No. 7728. This certificate authorizes regular route transportation between Denver, Colorado, and Trinidad, Colorado, serving all intermediate points over specified routes.

D I S C U S S I O N

Upon the making of the restrictive amendment to the application, as above set forth, the protest of record was withdrawn and, accordingly, the instant application was not protested. Westway Motor Freight, Inc. is an existing motor carrier serving under authorization issued by this Commission as a general commodity carrier serving as both a common and contract carrier. Accordingly, therefore, it is fit both financially and experiencewise to conduct the operations as sought in the present application. The testimony of the 53 supporting shippers individually and collectively established a public need for the service as sought and accordingly the public convenience and necessity requires the scheduled motor vehicle common carrier service of Westway to the extent as hereinafter set forth. Public convenience and necessity does not, however, at this time require that the Applicant be allowed full interlining privileges since such interlining was not heretofore possible under Applicant's contract carrier

authority. Nevertheless, due to the common control between the Applicant and Goldstein Transportation and Storage, Inc., and Northeastern Motor Freight, Inc., and further due to the accompanying joint use of facilities by those carriers, any interlining type of restriction should not prevent the interline of traffic between the commonly controlled carriers except to the specific points of Pueblo and Colorado Springs.

A further matter warranting consideration herein is that Westway Motor Freight, Inc. presently holds operating authority under Contract Carrier Permit No. A-1268 which duplicates to a substantial extent the authority to be recommended hereunder. It is not deemed to be in the public interest that the Applicant should be allowed to continue to hold and to operate under Contract Carrier Permit No. A-1268 in view of such substantial duplication. Accordingly, therefore, it will be made a condition to the recommended grant of authority hereunder that the specified contract carrier permit be cancelled and revoked in its entirety.

C O N C L U S I O N

From the above and foregoing findings, I conclude that the public convenience and necessity requires and will require the scheduled motor vehicle common carrier service of Westway Motor Freight, Inc. as set forth in the Order following.

That the Applicant, Westway Motor Freight, Inc., is fit, willing and able to properly perform the authorized service and to conform to the requirements of the Public Utilities Act and the Commission's rules and regulations thereunder.

That, except to the extent as granted herein, Application No. 22737 of Westway Motor Freight, Inc. be, and hereby is, denied.

That, concurrently with the issuance of the authority as herein-after specified, Contract Carrier Permit No. A-1268 shall be cancelled and revoked in its entirety.

An appropriate Recommended Order will be entered.

R E C O M M E N D E D O R D E R

1. That Westway Motor Freight, Inc. be, and hereby is, awarded a Certificate to operate as a common carrier by motor vehicle for hire in scheduled service of the following:

"Transportation - on schedule - of

General commodities -- except commodities in bulk in tank vehicles and household goods --

Between Denver, Colorado, and Cortez, Colorado, serving the intermediate point of Durango, Colorado, restricted against any service between Cortez and Durango, Colorado;

From Denver, Colorado, over U.S. Highway 285 to junction with Colorado Highway 112 near Center, Colorado, thence via Colorado Highway 112 to junction with U.S. Highway 160 at Del Norte, Colorado, thence west on U.S. Highway 160 to Cortez, Colorado, and return over the same route;

Alternate route for operating convenience only,

From Denver, Colorado, over U.S. Highway 85-87 or Interstate Highway 25 to junction U.S. Highway 160 at Walsenburg, Colorado, thence west over U.S. Highway 160 to Cortez, Colorado, and return over the same route.

Restriction: This certificate is restricted to the transportation of traffic having both an origin and a destination at the points of Denver, Durango and Cortez, Colorado, provided, however, that Westway Motor Freight, Inc. may interline traffic with Northeastern Motor Freight, Inc. and Goldstein Transportation and Storage, Inc. to or from all points served by those carriers in regular route service, except Colorado Springs and Pueblo, Colorado."

and this Order shall be taken, deemed and held to be a Certificate of Public Convenience and Necessity therefor.

2. That the application of Westway Motor Freight, Inc. in No. 22737 is, in all other respects, denied.

3. That Contract Carrier Permit No. A-1268 in the name of Westway Motor Freight, Inc. be, and is hereby, cancelled and revoked in its entirety.

4. That the Applicant shall file tariffs of rates, rules and practices as required by law and the rules and regulations of this Commission.

5. That the holder of this Certificate shall operate in accordance with the Order of the Commission, except when prevented by Act of God, public enemy or extreme conditions.

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

7. That jurisdiction is retained by this Commission to make such further order or orders as may be necessary or proper.

8. That, in the absence of timely filing of exceptions or a stay by the Commission on its own motion, this Recommended Order shall become the Decision of the Commission and shall become effective 21 days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioner
hj

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-3891

By: Bazzel Tipps
P.O. Box 733
Rangely, Colorado 81648

Respondent.)

CASE NO. 107-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

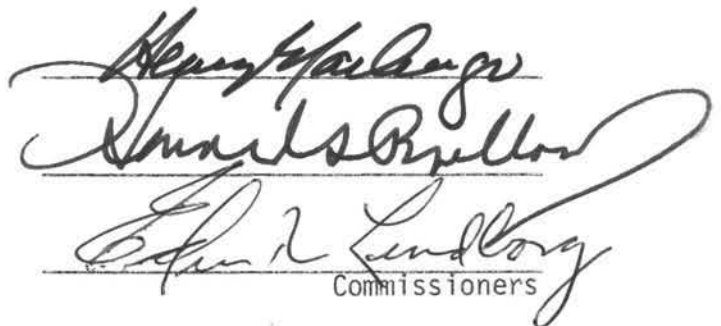
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 19 70, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 8th day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

(Decision No. 75333)

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-4277

By: Donald G. Smith Excavating Inc.
4960 E Pearl
Boulder, Colorado 80302

Respondent.)

CASE NO. 108-AR
NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 8th day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

(Decision No. 75334)

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-4314

By: Alfred Hurtado
1721 W 38th Avenue
Denver, Colorado 80211

Respondent.)

CASE NO. 109-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

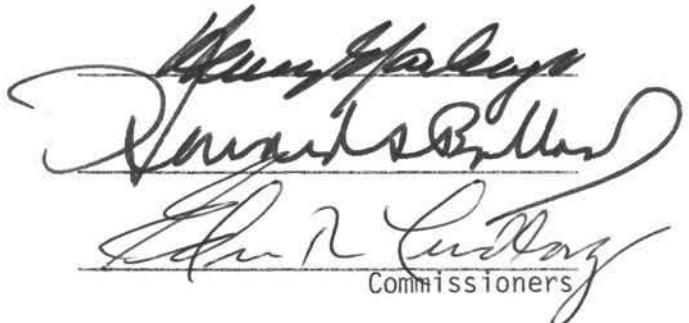
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 8th day of July, 19 70.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-4372

By: David B. Iles, Jr.
364½ Rosevale Rd.
Grand Junction, Colorado 81501

Respondent.)

CASE NO. 110-R

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

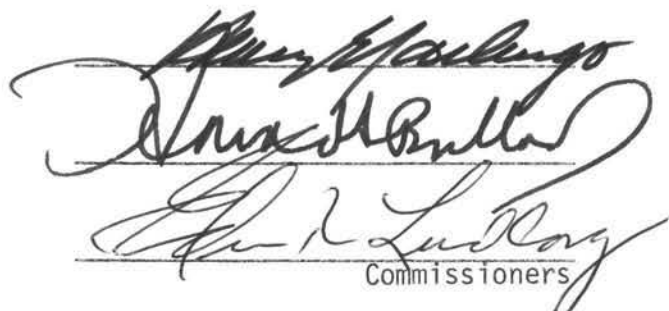
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 8th day of July, 19 70.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-4726

By: M. E. Bennett
204 5th Avenue
Longmont, Colorado 80501

Respondent.)

CASE NO. 111-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 8th day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-4806

By: Bacon Water Service
Woodrow, Colorado 80757

Respondent.)

CASE NO. 112-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 8th day of July, 19 70.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-4831

By: Earl Stoops d/b/a Padroni Hay Co.
Box 37 B
Padroni, Colorado 80745

Respondent.)

CASE NO. 113-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

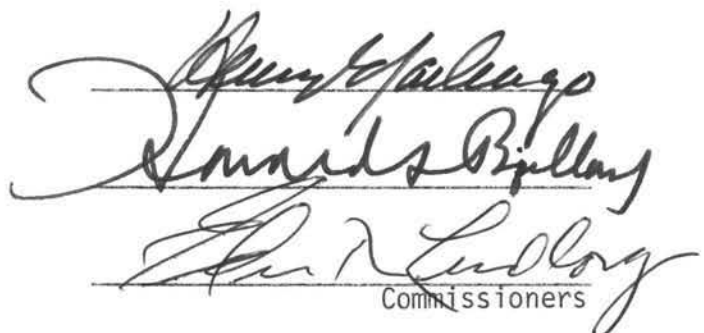
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 8th day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-5238

By: David Nava
501 N. 12th Street
Rocky Ford, Colorado 81067

Respondent.)

CASE NO. 114-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 8th day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1,110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-5519

By: Nick Coca
Rt. 1, Box 125
Rocky Ford, Colorado 81067

Respondent.)

CASE NO. 115-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 8th day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-5560

By: H & D Meir
6509 E 104th Avenue
Denver, Colorado 80229

Respondent.)

CASE NO. 116-AR)

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

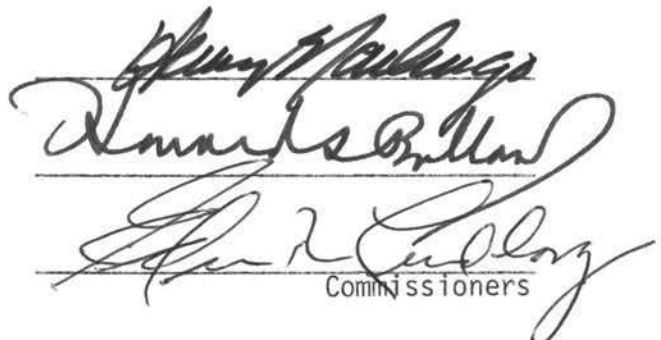
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 8th day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

(Decision No. 75342)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

DANNY L. KIRK
1919 South 2nd
Blackwell, Oklahoma 74631)

AUTHORITY NO. M 12868

CASE NO. 5636-M-Ins.

July 7, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 25, 1970 , 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.

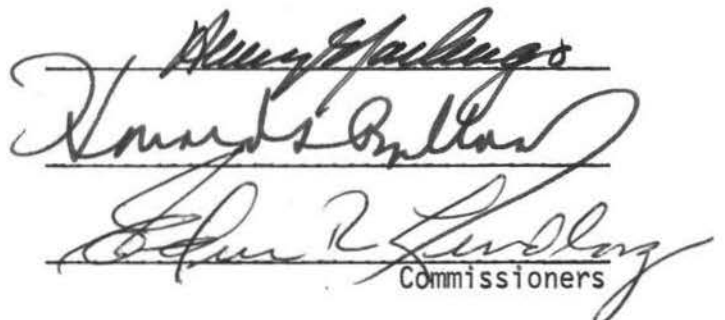
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 7th day of July, 1970 .

1. Home Light and Power Company, the Applicant herein, is a Colorado corporation and a public utility engaged in the business of purchase, transmission, distribution and sale of electricity within the State of Colorado.

2. The public utility operations of the Applicant and the subject matter of these proceedings are within the jurisdiction of the Commission.

3. On May 4, 1970, the Board of Trustees of the Town of Evans, State of Colorado, duly passed and adopted and the Mayor of said Town signed and approved Ordinance No. 213 entitled:

"AN ORDINANCE GRANTING A FRANCHISE BY THE TOWN OF EVANS, WELD COUNTY, COLORADO, TO HOME LIGHT AND POWER COMPANY, A CORPORATION, ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO LOCATE, BUILD, CONSTRUCT, ACQUIRE, PURCHASE, MAINTAIN AND OPERATE INTO, WITHIN AND THROUGH THE TOWN OF EVANS, A PLANT OR PLANTS SUBSTATIONS, AND WORKS, FOR THE GENERATION, PURCHASE, TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY, AND TO FURNISH, SELL AND DISTRIBUTE SAID ELECTRICAL ENERGY TO THE TOWN OF EVANS, AND THE INHABITANTS THEREOF, FOR LIGHT, HEAT AND POWER OR OTHER PURPOSES BY MEANS OF CONDUITS, CABLES, POLES AND WIRES STRUNG THEREON, OR OTHERWISE, ON, OVER, UNDER, ALONG, ACROSS AND THROUGH ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES, AND OTHER PUBLIC WAYS AND PLACES IN SAID TOWN OF EVANS, AND FIXING THE TERMS AND CONDITIONS THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith."

4. The Applicant has accepted the franchise granted by the franchise ordinance described in Finding 3 above.

5. The Applicant now provides, and has for a considerable time previously so provided, electric service in the said Town of Evans, State of Colorado.

6. Applicant is fully qualified and fit in every way to continue providing electric service as a public utility in the Town of Evans, State of Colorado, in accordance with the terms of the franchise ordinance described hereinabove, which franchise ordinance is incorporated herein by reference.

7. The ordinance contains a provision for a franchise tax of 3% of the gross revenue derived from the sale of electricity within the corporate limits of the Town, and excludes all revenue in excess of \$5,000.00 per annum to any one customer, at any one location.

8. The population of the Town of Evans is estimated to be 2,200 and the total number of meters served as of December 31, 1969, is 1,058.

9. Public convenience and necessity requires, and will require, the exercise of the franchise rights by Applicant that have been granted to it in said franchise ordinance of the Town of Evans as hereinabove described.

CONCLUSIONS

The Hearing Commissioner concludes that a certificate of public convenience and necessity should be granted to Applicant to exercise franchise rights in the Town of Evans and that the following Order should be entered.

RECOMMENDED ORDER

THE COMMISSION ORDERS THAT:

1. A certificate of public convenience and necessity be, and hereby is, granted to Home Light and Power Company to exercise franchise rights granted to Applicant by franchise Ordinance No. 213 of the Town of Evans in accordance with the terms of said franchise ordinance, which is hereby incorporated herein by reference, and this Order shall constitute the CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.

2. The Applicant shall continue its public utility operations in accordance with all rules, regulations and requirements of the Commission with respect to electric utilities as now existing or as the same may hereafter be amended or changed pursuant to law.

As provided by Section 115-6-9 (2), CRS 1963, as amended, copies of this Hearing Commissioner's Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon

its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of Section 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioner

hj

(Decision No. 75344)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
BATES AND SONS, INC.
P. O. BOX 45
HYGIENE, COLORADO 80533

PERMIT NO. M-6426

July 7, 1970

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.

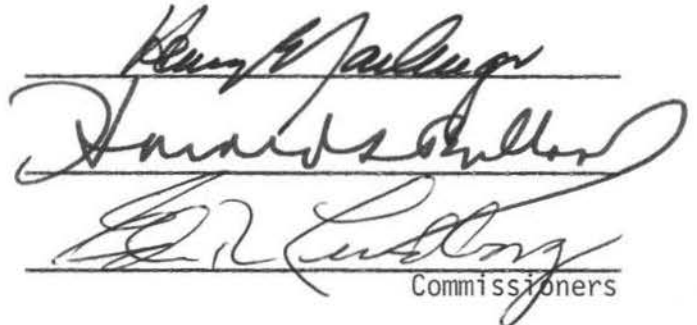
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 29, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 7th day of July, 1970.
vr

(Decision No. 75345)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
FAITH CONSTRUCTION CO., INC.)
1245 BOSTON AVENUE)
LONGMONT, COLORADO 80501)

PERMIT NO. M-10617

July 7, 1970

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.

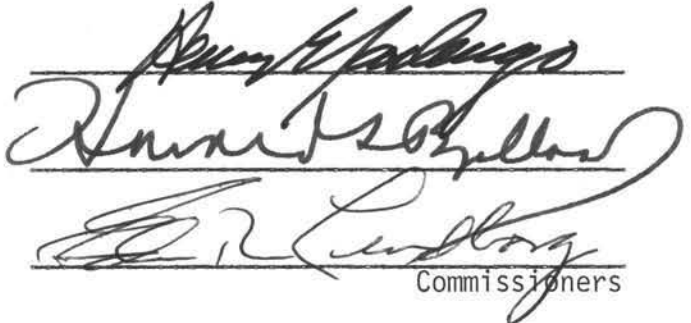
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective July 1, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 7th day of July, 1970.

vr

(Decision No. 75346)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
LIVRAN ELECTRIC SUPPLY CO. OF)
GRAND JUNCTION)
P. O. BOX 1299)
GRAND JUNCTION, COLORADO 81502)

PERMIT NO. M-13410

July 7, 1970

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.

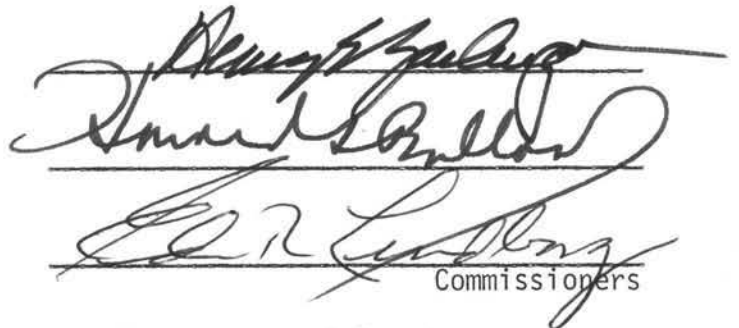
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 30, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 7th day of July, 1970.
yr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
WILLARD L. SMITH, DOING BUSINESS)
AS SMITH EXCAVATION)
ROUTE #3, BOX 156)
DURANGO, COLORADO 81301)

PERMIT NO. M-13480

July 7, 1970

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.

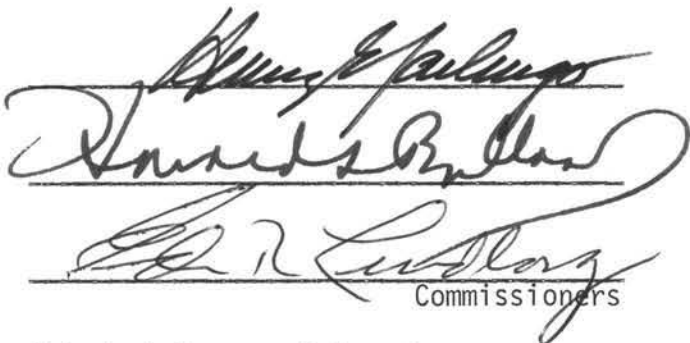
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective July 26, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 7th day of July, 1970.
vr

(Decision No. 75348)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
RAY BRADSHAW SERVICE STATION)
3RD & RATON)
LA JUNTA, COLORADO 81050)

PERMIT NO. M-14383

July 7, 1970

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 29, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 7th day of July, 1970.
vr

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No.B-5601

By: Wm. R. DeQuasie
De Quasie Trucking
608 Duncce Street
Lafayette, Colorado 80026

Respondent.)

CASE NO. 117-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 19 70, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 8thday of July, 19 70.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-5937

By: Joe N. Abeyta & S. Frank Abeyta
Saguache, Colorado 81149

Respondent.)

CASE NO. 118-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

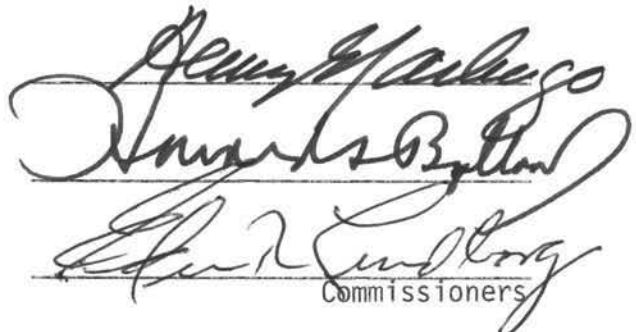
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 19 70, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 8th day of July, 19 70.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-6045

By: Arthur Z. Scott
P.O. Box 203
Granby, Colorado 80446

Respondent.

CASE NO. 119-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

ORDER

THE COMMISSION ORDERS:

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 8th day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




 Commissioners

(Decision No. 75352)

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-6222

By: Bennet & White Trucking
617 21st Street
Greeley, Colorado 80630

Respondent.)

CASE NO. 120-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

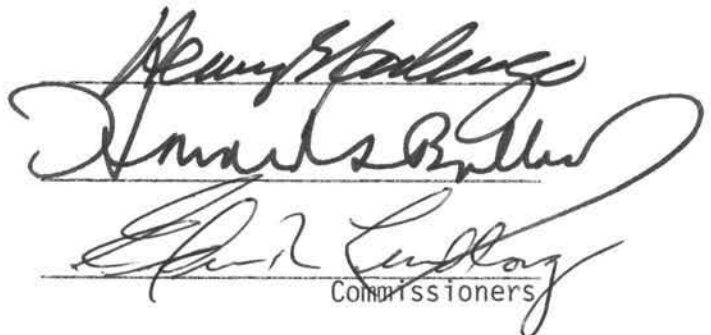
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 8th day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

(Decision No. 75353)

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-6328

By: Herbert Gilder
219 Monroe
Monte Vista, Colorado 80144

Respondent.)

CASE NO. 121-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 19 70, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 8th day of July, 19 70.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110 BEFORE THE PUBLIC UTILITIES COMMISSION
 OF THE STATE OF COLORADO
 * * *

RE: MOTOR VEHICLE OPERATIONS UNDER Permit of Authority, PUC No. B-6531)	
By: G. R. Marquardt	)	CASE NO. <u>122-AR</u>
Atwood, Colorado 80722	)	NOTICE OF HEARING
	)	AND
	)	ORDER TO SHOW CAUSE
Respondent.))	

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:
Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31 , 19 70 , at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 8th day of July , 19 70 .

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-7020

By: Abeyta Trucking
P.O. Box 212
Saguache, Colorado 81149

Respondent.)

CASE NO. 124- AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 8th day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-7136

By: Ronald D. Erickson
2525 West "C" Street
Greeley, Colorado 80631

Respondent.)

CASE NO. 125-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

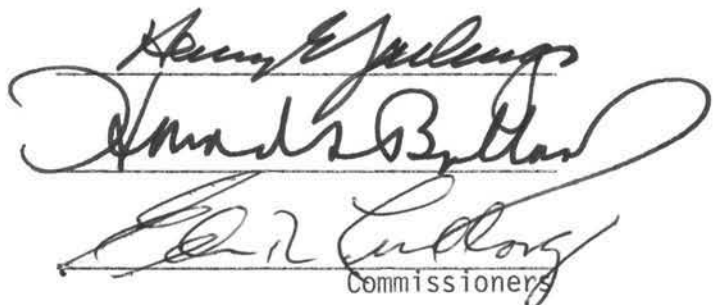
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 8th day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-7230

By: Jon Scott
P.O. Box 182
Jamestown, Colorado 80455

Respondent.)

CASE NO. 126-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

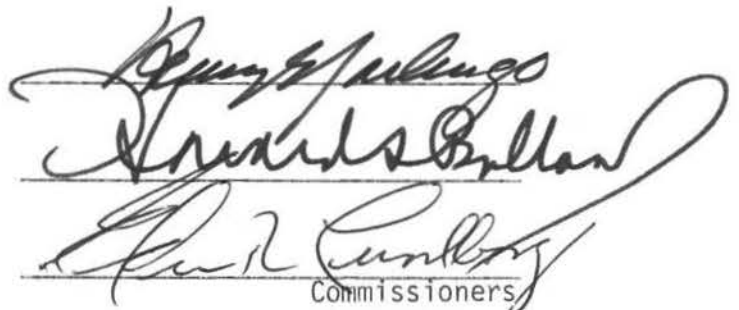
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 19 70, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 8th day of July, 19 70.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

(Decision No. 75359)

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-7262

By: John M. King d/b/a
Mountain King Construction Co.
P.O. Box 497
Granby, Colorado 80446

Respondent.)

CASE NO. 127-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 8th day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-7280

By: Dee & James Stryken
Route 1, Box 281A
Montrose, Colorado 81401

Respondent.)

CASE NO. 128-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

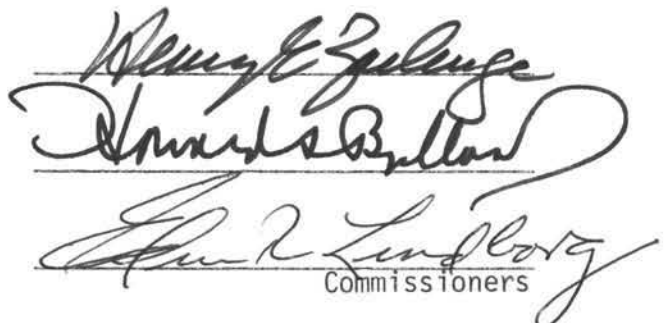
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on August 31, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 8th day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

(Decision No. 75361)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT D. BLISS, 2109 GLENFAIR ROAD,)
GREELEY, COLORADO, FOR AUTHORITY TO)
TRANSFER PERMIT NO. B-3768 TO NORMAN)
& SIPPLE, INCORPORATED, 2625 11TH)
AVENUE, GREELEY, COLORADO.)

APPLICATION NO. 24246-PP-Transfer

RECOMMENDED DECISION OF
CHRISTIAN O. IGENBERGS,
EXAMINER.

July 8, 1970

Appearances: John C. Mulvihill, Esq.,
Denver, Colorado, for
Applicants.

PROCEDURE AND RECORD

Under date of March 11, 1970, Applicants filed the above-entitled application with this Commission for authority to transfer Permit No. B-3768, to operate as a contract carrier by motor vehicle, from Robert D. Bliss to Norman & Sipple, Incorporated.

The Commission, pursuant to law, designated Christian O. Igenbergs as Examiner for the purpose of conducting a hearing on this application and, after due and proper notice to all interested persons, firms or corporations, set the herein matter for a hearing to be held in the Hearing Room, District Court, Greeley, Colorado, on May 11, 1970, at 10:00 o'clock A.M. The hearing was held at the aforesaid time and place.

Robert D. Bliss, Transferor, and Vern Norman and Gordon Sipple, Transferees, testified in support of the application. No person appeared at the hearing to protest the granting of the authority petitioned for in the application, and no written protests or petitions for intervention were received.

Applicants' Exhibits numbered 1 and 2 were tendered and admitted into evidence.

Official notice was taken of the following documents on file with the Commission, to-wit: Sales Agreement, List of Equipment, Articles of Incorporation, and Financial Statement.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. Transferor herein is the present owner and operator of Permit No. B-3768, 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 presently holds authority from this Commission, to-wit: PUC No. 7436-I and Permit No. M-9733, which have no bearing on the herein transfer proceeding.
4. Transferee corporation proposes to restrict its services to the following nine named customers, to-wit:

John Ewing Company;
O. L. Cogburn Produce Co.;
Eaton Brokerage;
Bliss Produce Co.;
Highland Feeders, Inc.;
American Potato Co.;
Simeone Brothers Potato Co., Inc.;
Fort Lupton Produce Co.;
Carlson Brokerage & Sales Co.

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 Permit is free and clear of any debts, encumbrances or obligations.

7. Transferee owns sufficient equipment, has sufficient experience and net worth, all of which are ample and suitable for the operation of the authority sought to be transferred herein.

8. The chief corporate officers as well as the employees of the Transferee corporation are sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promise to 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 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.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded, that:

1. The transfer as sought by Applicants should be granted as hereinafter set forth.

2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That Robert D. Bliss, 2109 Glenfair Road, Greeley, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to Permit No. B-3768 to Norman & Sipple, Incorporated, 2625 11th Avenue, Greeley, Colorado, subject to encumbrances, if any, against said authority.

2. That henceforth the full and complete authority under Permit No. B-3768 shall read and be as follows, to-wit:

"Transportation of

(1) Farm products

From farms located within a fifty (50) mile radius of Evans, Colorado, to all points located within said radius.

RESTRICTION:

Item (1) of this Permit is restricted as follows:

- (a) Restricted against the transportation of livestock.
- (b) All transportation service rendered shall be restricted to the following named customers:
 - (1) John Ewing Company, La Salle, Colorado,
 - (2) O. L. Cogburn Produce Co., Eaton, Colorado,
 - (3) Eaton Brokerage, Eaton, Colorado,
 - (4) Bliss Produce Co., Greeley, Colorado,
 - (5) Highland Feeders, Inc., Ault, Colorado,
 - (6) American Potato Co., Denver, Colorado,
 - (7) Simeone Brothers Potato Co., Inc., Denver, Colorado,
 - (8) Fort Lupton Produce Co., Fort Lupton, Colorado,
 - (9) Carlson Brokerage & Sales Co., Greeley, Colorado.

(2) Building materials and farm supplies

Between all points located within a fifty (50) mile radius of Evans, Colorado.

(3) Coal

From mines located within the northern Colorado coal fields to all points located within a fifty (50) mile radius of Evans, Colorado.

(4) Sand, gravel, and other road-surfacing materials used in the construction of highways

From pits and supply points within the State of Colorado to road jobs within a fifty (50) mile radius 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 fifty (50) mile radius of said jobs.

RESTRICTIONS:

Items (4) and (5) of this Permit are restricted as follows:

- (a) Restricted against rendering transportation service within the Counties of Boulder, Clear Creek, and Gilpin, State of Colorado.
- (b) Restricted against rendering transportation service between points served by the Union Pacific Railroad Company within a fifty (50) mile radius of Evans, Colorado.

RESTRICTION:

Items (2), (3), (4), and (5) of this Permit are restricted as follows:

- (a) Restricted to serving not more than ten (10) customers at any one time."

3. 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.

4. The right of Transferee to operate under this Order shall depend upon its compliance with all present and future laws and rules and regulations of the Commission, and the prior filing of an annual report by Transferor herein covering the operations under the Permit up to the time of the transfer of said Permit.

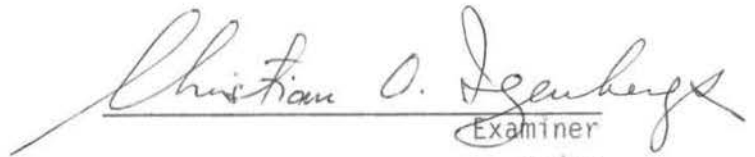
5. This Order is made a part of the Permit authorized to be transferred.

6. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

7. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such

time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner
rm/vr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF

Ervin Heggie
South Fork
Colorado 81154

AUTHORITY NO. B-6679

CASE NO. 2194-H-Ins.

July 8, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 22, 1970 , 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.

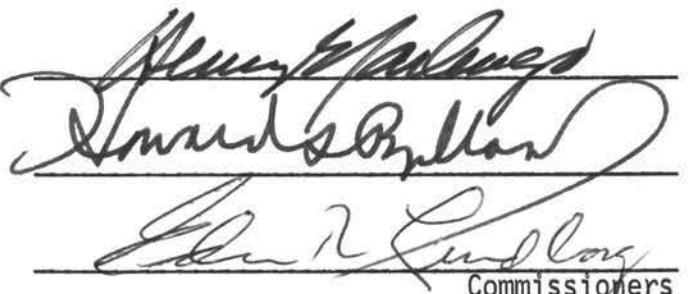
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 8 day of July, 1970 .

(Decision No. 75363)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF KANSAS-NEBRASKA NATURAL GAS)
COMPANY, INC., FOR AN ORDER AU-)
THORIZING THE ISSUE AND SALE OF)
DEBENTURES.)

APPLICATION NO. 24343 - Securities

July 9, 1970

Appearances: Lee, Bryans, Kelly and Stansfield, Esqs.,
Denver, Colorado, by
E. A. Stansfield, Esq., for Applicant;
Girts Krumins, Esq., Denver, Colorado,
for the Staff of the Commission, and
M. R. Garrison, Denver, Colorado,
of the Staff of the Commission.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 1, 1970, the Commission entered its Decision and Order No. 75295 in the above-entitled matter. Two typographical errors occurred in the Procedure and Record portion.

The correct date at the beginning of the sixth line from the bottom of page 1 should be "June 4, 1970" rather than "July 4, 1970" and at the end of the twelfth and the beginning of the thirteenth lines on page 4 the correct amount should be "\$1,600,000 per year for the years 1986 to 1987" rather than "\$1,600,00 per year for the years 1986 to 1987".

In view of the above and foregoing, the Commission states and finds that Decision No. 75295, dated July 1, 1970, should be amended nunc pro tunc to reflect the corrections as set forth above.

O R D E R

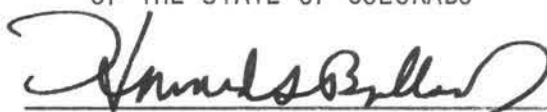
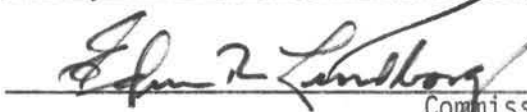
THE COMMISSION ORDERS:

That Decision No. 75295 dated July 1, 1970, shall be, and the same hereby is, amended, nunc pro tunc, as of the said 1st day of July, 1970, by deleting therefrom the date of "July 4, 1970" from the beginning of the sixth line from the bottom of page 1 and inserting therein and substituting therefor, the date "June 4, 1970"; and by deleting \$1,600,00 per

year for the years 1986 to 1987" from the end of the twelfth and the beginning of the thirteenth lines on page 4 and inserting therein and substituting therefor, \$1,600,000 per year for the years 1986 to 1987".

That, except as herein amended, Decision No. 75295 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

CHAIRMAN HENRY E. ZARLENGO NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado, this
9th day of July, 1970.
vr

(Decision No. 75364)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
KANSAS-NEBRASKA NATURAL GAS COMPANY,)
INC., FOR AN ORDER AUTHORIZING THE)
ISSUE AND SALE OF DEBENTURES.)

APPLICATION NO. 24343 - Securities

SUPPLEMENTAL ORDER

July 9, 1970

Appearances: Lee, Bryans, Kelly and Stansfield, Esqs.,
Denver, Colorado, by
E. A. Stansfield, Esq., for Applicant;
Girts Krumins, Esq., Denver, Colorado,
for the Staff of the Commission, and
M. R. Garrison, Denver, Colorado,
of the Staff of the Commission.

STATEMENT AND FINDINGS OF FACT

On July 1, 1970, the Commission issued its Order and Decision No. 75295 authorizing the Applicant, Kansas-Nebraska Natural Gas Company, Inc., to issue \$15,000,000 principal amount of Sinking Fund Debentures due 1990 as authorized by the Indenture dated February 1, 1948, and the Supplemental Indenture dated July 1, 1970, to the Continental Illinois National Bank and Trust Company of Chicago, Chicago, Illinois, as Trustee, and to sell such Sinking Fund Debentures at the best price obtainable through negotiations with a group of underwriters at an effective interest rate of between 9½% and 10%.

On July 8, 1970, Applicant, through its attorney, filed a petition stating that indications are that the money market, at the proposed time of issue of these Debentures on or about July 21, 1970, may be such that an effective rate of 10% may be unattainable and, therefore, Applicant petitions the Commission to amend its Decision and Order No. 75295 so as to permit Applicant to sell such Sinking Fund Debentures at the best price obtainable through its underwriters but not less than 98% of

the principal amount thereof, plus accrued interest from July 1, 1970, to date of delivery, to be dated July 1, 1970, to mature July 1, 1990, and to bear interest at a rate to be negotiated by Applicant to provide it with the lowest cost of money.

By Decision Order No. 75295, the Commission retains jurisdiction of this proceeding, Application No. 24343 - Securities, to the end that it may make such further order or orders in the premises as to it may seem to be proper and desirable.

It is the conclusion of the Commission that Applicant's petition for removing the effective interest rate limitation should be granted and the following Order should be entered.

O R D E R

THE COMMISSION ORDERS:

That the Commission's Decision and Order No. 75295 be amended as follows:

(1) By substituting the following paragraph for the second paragraph on page 5 of the Commission's Decision and Order:

Applicant expects to be able to sell the Debentures at an interest rate of between 9½% and 10%. Applicant will negotiate with a group of underwriters to obtain the price and interest rate that will provide it with the lowest annual cost of money. Applicant reserves the right to terminate negotiations and revoke the proposed sale at any time prior to acceptance of an offer from said underwriters; and



(2) by substituting the following paragraph for the first paragraph of the Order portion, page 6, of the Commission's Decision and Order No. 75295:

That Kansas-Nebraska Natural Gas Company, Inc., be, and it hereby is, authorized to issue \$15,000,000 principal amount of Sinking Fund Debentures, due 1990, as authorized by the Indenture dated February 1, 1948, and the Supplemental

Indenture dated July 1, 1970, to the Continental Illinois National Bank and Trust Company of Chicago, Chicago, Illinois, as Trustee, hereinabove described, and to sell such Sinking Fund Debentures at the best price obtainable through negotiation with a group of underwriters but not less than 98% of the principal amount thereof plus accrued interest from July 1, 1970, to date of delivery, to be dated July 1, 1970, to mature July 1, 1990, and to bear interest at a rate to be negotiated by Applicant to provide it with the lowest cost of money.

That all other parts than the paragraphs noted above of the Commission's Decision and Order No. 75295, remain unchanged in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

CHAIRMAN HENRY E. ZARLENGO NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado, this
9th day of July, 1970.

vr

(Decision No. 75365)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MRS. O. L. HUTCHERSON, MRS. JERALD E.)
WATSON AND MRS. BETTY YOUNG ON BEHALF)
OF THEMSELVES AND OTHERS SIMILARLY)
SITUATED FOR AN ORDER AUTHORIZING)
PUBLIC SERVICE COMPANY OF COLORADO)
TO RENDER STREET LIGHTING SERVICE IN)
AN UNINCORPORATED AREA IN JEFFERSON)
COUNTY.)

APPLICATION NO. 23818

July 10, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 27, 1969, the above-styled application was filed with this Commission. Shortly after the filing thereof an election was held creating the City of Wheat Ridge, Colorado. The area included in this application is a part of the City of Wheat Ridge, and therefore the tariff of the Public Service Company of Colorado, PUC No. 4 - Electric, Eighth Revised Sheet No. 262, Third Revised Sheet No. 262A and Original Sheet No. 262B is no longer applicable to the area.

Since the tariff is no longer applicable to the area, the application must be dismissed.


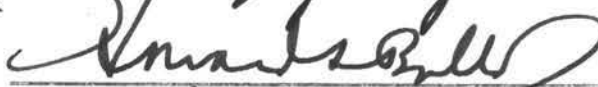
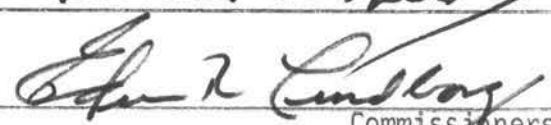
ORDER

THE COMMISSION ORDERS:

That Application No. 23818, being a petition to authorize Public Service Company of Colorado to render street lighting service, 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
10th day of July, 1970.
vr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION
OF RINGSBY TRUCK LINES, INC.,
3201 RINGSBY COURT, DENVER, COLO-
RADO, FOR TEMPORARY APPROVAL TO
TRANSFER CERTIFICATE PUC NO. 717
AND PUC NO. 717-I TO HARP TRANS-
PORTATION LINE, INC., DOING BUSI-
NESS AS "HARP TRANSPORTATION LINE,"
MEEKER, COLORADO.

APPLICATION NO. 24316-Transfer-TA

IN THE MATTER OF THE APPLICATION
OF RINGSBY TRUCK LINES, INC.,
3201 RINGSBY COURT, DENVER, COLO-
RADO, FOR TEMPORARY APPROVAL TO
TRANSFER PERMIT NO. A-329 TO HARP
TRANSPORTATION LINE, INC., DOING
BUSINESS AS "HARP TRANSPORTATION
LINE," MEEKER, COLORADO.

APPLICATION NO. 24317-PP-Transfer-TA

IN THE MATTER OF THE APPLICATION
OF RINGSBY TRUCK LINES, INC.,
3201 RINGSBY COURT, DENVER, COLO-
RADO, FOR TEMPORARY APPROVAL TO
TRANSFER PERMIT NO. A-347 TO HARP
TRANSPORTATION LINE, INC., DOING
BUSINESS AS "HARP TRANSPORTATION
LINE," MEEKER, COLORADO.

APPLICATION NO. 24318-PP-Transfer-TA

SUPPLEMENTAL ORDER

July 10, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 21, 1970, the above-entitled applications for Temporary Authority were denied by the Commission by Decision No. 74940. On June 16, the Petition for Reconsideration of the said Decision No. 74940 was denied by the Commission in Decision No. 75110.

On June 29, 1970, Applicants, by and through their attorney Truman A. Stockton, Jr., filed a Petition again requesting the Commission to issue an order granting temporary authority in the above-entitled applications.

On July 1, 1970, Rio Grande Motor Way, Inc., by and through its attorney Warren D. Braucher, filed a Motion To Strike Or In The Alternative To Deny Petition For Temporary Authority.

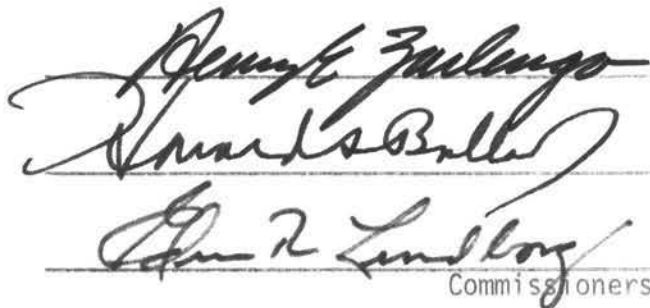
The Commission finds that the Petitioners have not shown that there is an immediate and urgent need for the relief herein sought and that the said Petition should be denied.

O R D E R

THE COMMISSION ORDERS:

1. That the Petition of Applicants for temporary approval be, and hereby is, denied.
2. That the Motion To Strike Or Deny by Rio Grande Motor Way, Inc., be, and hereby is, disposed of in the manner consistent with this Order.
3. That this Order shall be effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
10th day of July, 1970.

vr

(Decision No. 75367)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
R. R. REICHERT, DOING BUSINESS AS)
"REICHERT TRANSPORT," P.O. BOX 476,)
LOVELAND, COLORADO 80537, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A COM-)
MON CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 24354

July 10, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 15, 1970, R. R. Reichert, doing business as "Reichert Transport," by and through its attorney William Andrew Wilson, filed the above-entitled application seeking authority for a Certificate of Public Convenience and Necessity to operate as a common carrier by motor vehicle for hire.

On July 1, 1970, William Andrew Wilson, Esq., counsel for Applicant, requested permission to withdraw in the above-captioned application, stating as his reasons therefor that at the time of the filing of the application he was not aware there would be a conflict of interest on his part and that this conflict would be in violation of the Canon of Ethics if he continued to represent the Applicant.

The Commission states and finds that the request of counsel for Applicant is in the public interest and that permission to withdraw in the above-captioned application should be granted.



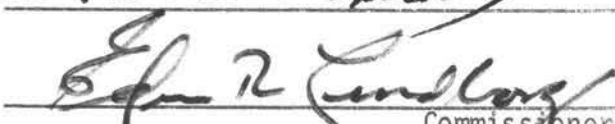
O R D E R

THE COMMISSION ORDERS:

That William Andrew Wilson, Esq., be, and hereby is, granted permission to withdraw as counsel for Applicant in the above-captioned application.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
10th day of July, 1970.

vr

(Decision No. 75368)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

Marvin G. Plunk)
Box 126)
Eastlake, Colorado 80614)

AUTHORITY NO. B-4598

CASE NO. 2193-H-Ins.

- - - - -

- - - - -
July 9, 1970
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 8, 1970 , 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.

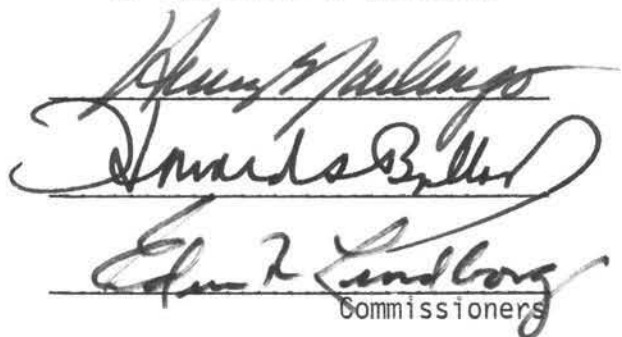
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 9 day of July, 1970

be

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE COUNTY OF ADAMS FOR AUTHORITY TO)
INSTALL GRADE CROSSING PROTECTION)
DEVICES AT 80TH AVENUE IN ADAMS)
COUNTY, COLORADO, WHERE THE SAME)
CROSS THE CHICAGO, BURLINGTON &)
QUINCY RAILROAD COMPANY'S MAIN)
LINE TRACKS.)

APPLICATION NO. 24319

IN THE MATTER OF THE APPLICATION OF)
THE COUNTY OF ADAMS FOR AUTHORITY TO)
INSTALL GRADE CROSSING PROTECTION)
DEVICES AT 80TH AVENUE IN ADAMS)
COUNTY, COLORADO, WHERE THE SAME)
CROSSES OVER THE MAIN LINE TRACK)
OF BURLINGTON NORTHERN, INC.)

APPLICATION NO. 24319-Amended

July 14, 1970

Appearances: Robert Gehler,
Assistant County Attorney,
Commerce City, Colorado, for
Applicant, County of Adams;
W. L. Peck, Esq.,
Denver, Colorado, for
Burlington Northern, Inc.;
J. L. McNeill,
Denver, Colorado, of the
Staff of the Commission.

PROCEDURE AND RECORD

Under date of April 24, 1970, Applicant, under the provisions of 115-4-6, CRS 1963, as amended, filed the above-entitled application seeking an order of this Commission authorizing construction, operation and maintenance of automatic grade crossing protection devices at 80th Avenue in the County of Adams, State of Colorado, where the main line of the Chicago, Burlington & Quincy Railroad Company crosses said 80th Avenue, at its Milepost 534.03.

The Commission assigned No. 24319 to said application, and with due and proper notice to all interested persons, firms or corporations,

set the matter for a hearing at the Commission Hearing Room, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, on the date of June 19, 1970, at 10:00 o'clock A.M.

On June 19, 1970, public hearing was held as scheduled, by Commissioner Howard S. Bjelland, and the matter thereafter taken under advisement.

In considering preliminary matters at the opening of the hearing, it was further verified by the Hearing Commissioner that there were no public witnesses and no objections appear in the Commission file.

Upon agreement of all parties, the Commissioner made his order consolidating this application for hearing with a companion application; namely, Application No. 24321 which relates to installation of protective devices at the crossing of 88th Avenue over the main line of Chicago, Burlington & Quincy Railroad Company at Milepost 532.65, with a separate order to issue for each application.

Official notice was also received from W. L. Peck, Attorney for Burlington Northern, Inc., to the effect that as of March 3, 1970, Chicago, Burlington & Quincy Railroad Company was merged into Burlington Northern, Inc. He requested that for further proceedings in the matter, reference be made to Burlington Northern, Inc., as the survivor corporation.

Testimony in support of the application was given by the following:

E. G. Waymire - County Commissioner and Road Commissioner -
Adams County

Robert L. Sandquist - Director of Public Works and former
County Engineer - Adams County

Robert C. Gustafson - Division Engineer, McCook-Alliance
Division - Burlington Northern, Inc.

M. R. Roberts - Regional Signal Engineer, Omaha Region -
Burlington Northern, Inc.

Applicants' exhibits as follows were tendered and admitted into evidence:

Exhibit No. 3 -

Resolution - Board of Adams County Commissioners.

Acceptance of 80th Avenue crossing agreement proposed by Chicago, Burlington & Quincy Railroad Company.

Exhibit No. 4 -

Fully executed Agreement, dated January 16, 1970, between Chicago, Burlington & Quincy Railroad and Adams County pertaining to proposed signal installation at 80th Avenue. Includes enclosures marked Exhibit B - Diagram of signal device and Drawing 1164-27~~8~~ - Part of Ladora station map to show crossing situation at MP 534.03.

Exhibit No. 5 -

Portion of Adams County Zoning Map. Shows locations and development features at Crossing of 80th Avenue and 88th Avenue over Chicago, Burlington & Quincy Main-line Trackage.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. The purpose of this application is to secure Commission approval for the proposed installation and maintenance of automatic flashing light railroad signals and bell at the grade crossing of 80th Avenue over the single main line track of Burlington Northern, Inc., at Railroad Milepost 534.03, Adams County, Colorado; and for an allocation of the costs for said signal devices and installation in accordance with the provisions of 115-4-6, CRS 1963, as amended, relating to financial assistance through the Commission Grade Crossing Protection Fund.
2. The Commission has jurisdiction over the instant matter.
3. No one appeared to intervene or to protest the granting of the authority as requested.

4. The instant parties have entered into an Agreement for the proposed signal work (Exhibit No. 4) and for which the estimated cost is \$12,000.

5. 80th Avenue is a part of the Adams County Road System. County funds in the amount of 10% of the estimated signal cost have been budgeted as the County share thereof.

6. 80th Avenue is a 60 foot wide street, with asphalt paved roadway at 24 feet wide over the crossing. During past years it has been re-aligned from the east-west section line to provide a near right-angular crossing over the rail line. Traffic count data of 1969 showed an average of 5,500 vehicles per day over the crossing. Use involves a mixed traffic flow of private automobiles, commercial and oil tank trucks, concrete mixer equipment, and school buses, as well as pedestrians.

7. 80th Avenue is developing into a major east-west collector street between nearby Colorado No. 2 and U.S. 6-85 - Brighton Blvd. There is considerable congestion within the limited area at the crossing approaches due to vehicle turning movements at the adjacent Colorado 2 intersection on the east and at another intersection on the west with the local Rosemary Street which extends north from 80th Avenue.

8. Increased need for improved crossing protection is now indicated by recent zoning to establish the site for a new Junior High School at the north side of 80th Avenue and some eight blocks west from the crossing. 80th Avenue has been an established school bus route that is used by 24 buses each school day.

9. Rail traffic averages 14 trains daily, including three scheduled passenger train movements. Maximum permissible speeds are 79 miles per hour for passenger trains and 60 miles per hour for freight trains. Crossing movements and speeds are variable according to seasonal movements of grains, sugar beets, and local switching operations.

10. Present protection at the crossing consists of two standard reflectorized railroad crossbuck signs supplemented with two red STOP signs placed by Adams County.

11. Proposed signal devices to be placed near the roadway at each side of the track crossing will consist of a curbside mast with reflectorized crossbuck sign and four red flasher lights placed back-to-back to show a warning in each direction along the roadway. One signal mast will have a bell. Track circuiting is designed to provide a minimum warning time of 20 seconds before the approach of a train from either direction, and be in conformance with standards of the Association of American Railroads.

12. A single pair of flasher signals will be added to the north-side mast to provide a warning in the northward direction toward Rosemary Street. Adams County offered to participate in the additional expense.

13. Ordering of materials for the instant signal devices is a management function which is subject to Commission approval or changes of the proposed work. Expedited handling of management approval, material ordering and installation work is pledged.

14. A detailed estimate of costs for the new work will be provided for the Commission files. On the basis of Adams County budgeting and railroad planning there was agreement that allocation of costs for the new signal devices be: 10 percent to Adams County, 10 percent to Burlington Northern, and the remainder, or 80 percent, from the Crossing Protection Fund.

15. Burlington Northern, Inc., will provide all maintenance for the signal devices following installation.

16. No part of the cost of the proposed signal devices would be paid from funds available under any federal or federal-aid highway act.

17. There is a sincere concern for public safety on the part of both Adams County and the railroad. Installation of the proposed signal devices will provide increased public safety for rail, vehicular and pedestrian traffic at the crossing. Accidents may be prevented and the safety of the public promoted by installation of automatic flasher signal devices and bell as proposed for the grade crossing of 80th Avenue over the main line of Burlington Northern, Inc., Adams County, Colorado.

CONCLUSIONS ON FINDINGS OF FACT

Based on all the evidence of record and the above and foregoing findings of fact, it is concluded, that:

1. Such devices as herein contemplated are required so as to promote the public safety.
2. The order sought in the instant application should be granted and installation costs prorated as follows:
 - 10 percent to the County of Adams;
 - 10 percent to Burlington Northern, Inc.;
 - 80 percent to the Commission Crossing Protection Fund.
3. Continuing maintenance work should be performed by Burlington Northern, Inc., at its own expense for the life of the crossing so protected.
4. The signal devices and installation shall be in conformance with the current bulletin of the Association of American Railroads' Joint Committee on Railroad Crossing Protection.
5. As provided by 115-6-9 (6), CRS 1963, as amended, the authority sought in the instant application should be granted by initial decision of the Commission; since due and timely execution of its functions imperatively and unavoidably so requires.

O R D E R

THE COMMISSION ORDERS:

1. Burlington Northern, Inc., upon the application of the County of Adams, State of Colorado, be, and hereby is, authorized and

directed to install, operate, and maintain standard automatic railroad flashing signals and bell at the 80th Avenue grade crossing over Burlington Northern, Inc. (Chicago, Burlington & Quincy M.P. 534.03), Adams County, Colorado, in accordance with the plans and specifications which are incorporated into the record of this proceeding and which are hereby approved.

2. The installation and maintenance of the signal devices shall be done by Burlington Northern, Inc., as set forth in the Agreement (Exhibit 4) entered into by the parties herein, which Agreement, by reference, is made a part hereof.

3. A fair, just and equitable distribution of the total cost of the installation of the proposed automatic railroad flashing light signals and bell shall be as follows:

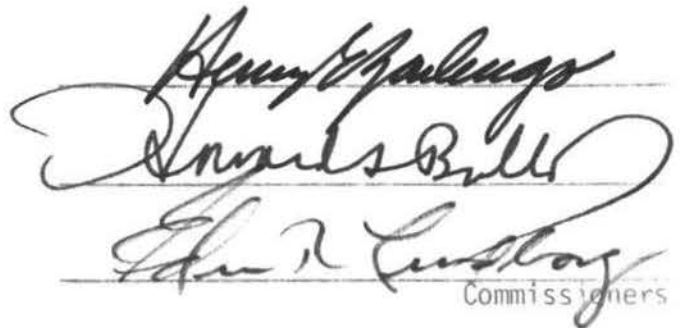
- (a) Adams County to pay 10 percent thereof to cover its share of benefits received from such installation. Upon completion of the proposed work, an itemized statement of the actual costs, and a bill covering said 10 percent shall be forwarded by Burlington Northern, Inc., to Adams County, which bill shall be paid to Burlington Northern, Inc., within thirty (30) days of receipt thereof.
- (b) Burlington Northern, Inc., shall contribute out of its own funds 10 percent of the cost of said installations and shall thereafter maintain said signals and bell to cover its share of the benefits therefrom.
- (c) The remainder of the cost, or 80 percent, shall be paid out of the Commission Highway Crossing Protection Fund. Upon completion of the proposed work, an itemized statement of the actual cost and a bill covering such 80 percent shall be forwarded by Burlington Northern, Inc., to the Commission, which bill shall be paid within thirty (30) days after receipt thereof.

4. The signal devices and installation shall all be in conformance with the current bulletin of the Association of American Railroads' Joint Committee on Railroad Crossing Protection.

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

6. This Order shall become effective forthwith as the initial decision of the Commission.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
14th day of July, 1970.

vr

(Decision No. 75370)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
OVERLAND MOTOR EXPRESS, INC., DOING)
BUSINESS AS "BOULDER-DENVER TRUCK)
LINE," 31ST & WALNUT, BOULDER, COLO-)
RADO, FOR EMERGENCY TEMPORARY AUTH-)
ORITY TO OPERATE AS A COMMON CARRIER)
BY MOTOR VEHICLE.)

APPLICATION NO. 24443-ETA
ORDER DENYING EMERGENCY TEMPORARY
AUTHORITY

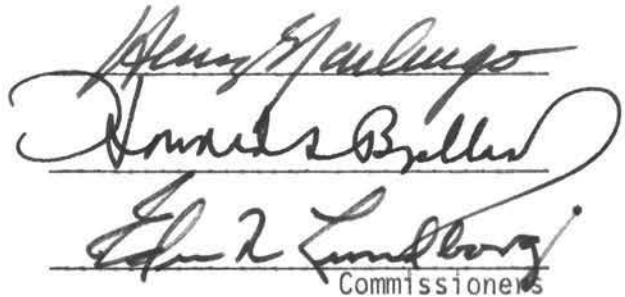
July 10, 1970

The above-entitled application under CRS 1963, 115-6-20(4), being under consideration, and

It appearing, That the Applicant has not shown that there is an immediate and urgent need for the relief herein sought.

It is ordered, That the application for emergency temporary authority be, and is hereby denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 10th day of July, 1970.
cj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
G. R. MARQUARDT, ROUTE 1, ATWOOD,)	APPLICATION NO. 24280-PP-
COLORADO, FOR AUTHORITY TO TRANSFER)	<u>Transfer</u>
PERMIT NO. B-6531 TO MARQUARDT)	
TRUCKING, INC., ROUTE 1, ATWOOD,)	RECOMMENDED DECISION OF
COLORADO.)	<u>CHRISTIAN O. IGENBERGS,</u>
-----)	<u>EXAMINER.</u>

July 10, 1970

Appearances: Graydon F. Dowis, Jr., Esq.,
Sterling, Colorado, for Applicants.

PROCEDURE AND RECORD

Under date of April 1, 1970, Applicants filed the above-entitled application with this Commission for authority to transfer Permit No. B-6531, to operate as a contract carrier by motor vehicle for hire, from G. R. Marquardt to Marquardt Trucking, Inc.

The Commission, pursuant to law, designated Christian O. Igenbergs as Examiner for the purpose of conducting a hearing on this application and, after due and proper notice to all interested persons, firms or corporations, set the herein matter for a hearing to be held in the District Court, Court-house, Sterling, Colorado, on June 16, 1970, at 10:30 o'clock A.M. The hearing was held at the aforesaid time and place.

At the time of hearing, Applicant moved to amend the application to restrict the services proposed to not more than ten (10) contract customers at any one time. The amendment, being restrictive in nature, was granted by the Examiner.

Cliff C. Marquardt testified in support of the application. No person appeared at the hearing to protest the granting of the authority petitioned for in the application, and no written protests or petitions for intervention were received.

Official notice was taken of the following documents on file with this Commission, to-wit: Articles of Incorporation, Financial Statement, and Equipment List.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. Transferor herein is the present owner and operator of Permit No. B-6531, 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 is to place the authority under corporate status.
4. Transferee does not hold previously granted authority from this Commission.
5. The Permit is free and clear of any debts, encumbrances or obligations.
6. Transferee corporation owns sufficient equipment, has sufficient experience and net worth, all of which are ample and suitable for the operation of the authority sought to be transferred herein.
7. The chief corporate officers as well as the employees of the Transferee corporation are sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is

granted, promise to abide by said rules and regulations, as well as the safety requirements of the Commission, and have or will make adequate provision for insurance.

8. If this transfer is approved, Transferee intends to and will engage in bona fide motor carrier operations under the operating rights set forth herein.

9. The transfer is compatible with the public interest.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded, that:

1. The transfer as sought by Applicants should be granted, and such grant should be restricted as hereinafter set forth.

2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That G. R. Marquardt, Route 1, Atwood, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to Permit No. B-6531 to Marquardt Trucking, Inc., a Colorado corporation, Route 1, Atwood, Colorado, subject to encumbrances, if any, against said authority.

2. That henceforth the full and complete authority under Permit No. B-6531 shall read and be as follows, to-wit:

"Transportation of

(1) Natural fertilizer

From supply points located within Logan County
to all points within Logan County.

(2) Farm products

From farms to feed lots located within Logan
County, Colorado.

RESTRICTION:

This Permit is restricted as follows:

Restricted to serving not more than ten (10)
customers at any one time."

3. 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.

4. The right of Transferee to operate under this Order shall depend upon its compliance with all present and future laws and rules and regulations of the Commission, and the prior filing of an annual report by Transferor herein covering the operations under the Permit up to the time of the transfer of said Permit.

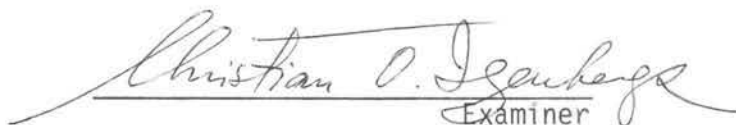
5. This Order is made a part of the Permit authorized to be transferred.

6. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

7. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such

Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner

rm/hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
NORTHERN NATURAL GAS COMPANY, 2223)	
DODGE STREET, OMAHA, NEBRASKA 68102,)	
FOR AN ORDER AUTHORIZING THE ISSUANCE	)	<u>APPLICATION NO. 24404-Securities</u>
OF SUBORDINATED DEBENTURES IN THE)	
PRINCIPAL AMOUNT OF \$40,000,000 AND)	
WARRANTS TO PURCHASE SHARES OF MOBIL)	
OIL CORPORATION CAPITAL STOCK.)	

July 10, 1970

Appearances: Dean W. Wallace, Esq., Omaha, Nebraska,
for Applicant.
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:

Northern Natural Gas Company (Applicant) filed Application No. 24404-Securities with this Commission on June 15, 1970. With such application, Applicant seeks authority of this Commission to issue Subordinated Debentures in the principal amount of \$40,000,000 and Warrants to purchase shares of Mobil Oil Corporation capital stock. Said application was set for hearing after due notice to all interested parties, in compliance with the statutes of the State of Colorado and the rules and regulations of this Commission, at 10 o'clock a.m., Tuesday, July 7, 1970, in Room 507, Columbine Building, Denver, Colorado, and, at such time and place, was heard by Commissioner Howard S. Bjelland, to whom the matter was assigned pursuant to law.

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

At the conclusion of the hearing, the matter was taken under advisement.

Applicant is a Delaware corporation and a certified copy of the Certificate of Incorporation was filed as Exhibit A-1 with Application No. 24124-Securities. The principal office and address of Applicant is 2223 Dodge Street, Omaha, Nebraska 68102.

Applicant owns and operates a pipeline system through which it transmits natural gas purchased principally in the States of New Mexico, Texas, Oklahoma and Kansas to points in the States of Colorado, Kansas, Nebraska, South Dakota, Iowa, Illinois, Minnesota, Wisconsin and Michigan, where such gas is either distributed locally through Applicant's Peoples Natural Gas Division or sold at town borders for consumption and resale by non-affiliated gas utilities and municipalities. In Colorado such gas is distributed locally by Applicant's Peoples Natural Gas Division. Applicant and its subsidiaries also are engaged in the production, transportation and sale of liquefied petroleum gas, natural gasoline, helium and chemicals.

The authorized capital of Applicant is \$305,000,000, consisting of 15,000,000 authorized shares of common stock, par value \$10 per share, aggregate par value \$150,000,000; 1,500,000 authorized shares of cumulative preferred stock, par value \$100 per share, aggregate par value \$150,000,000; and 5,000,000 authorized shares of second preferred stock, par value \$1 per share, aggregate par value \$5,000,000. The exact amount of Applicant's capital stock outstanding as of December 31, 1969, was 9,331,613 shares of common stock, par value \$10 per share, and 815,597 shares of preferred stock, par value \$100 per share.

A description and amount of long-term debt of the Applicant outstanding as of December 31, 1969, is contained in Exhibit A-9, and provisions of the indentures under which such indebtedness was issued is contained in Exhibit A-11, both of which were offered and admitted into evidence.

As of December 31, 1969, Applicant had outstanding short-term bank loans of \$51,800,000, short-term commercial paper of \$29,950,000 and subsidiary companies had short-term loans of \$3,660,000.

Applicant proposes, pursuant to appropriate resolutions of its Board of Directors, to create and issue \$40,000,000 of Subordinated Debentures due May 1, 1990 and Warrants to purchase 800,000 shares of capital stock of Mobil Oil Corporation. The \$40,000,000 principal amount of the Subordinated Debentures is to be issued under and pursuant to the provisions of an Indenture to be dated as of August 1, 1970, between Applicant and First National City Bank, trustee. The interest rate is expected to be approximately 10%. Principal and interest are to be payable, in such coin or currency of the United States of America as at the time of payment shall be legal tender for the payment of public and private debts, at the office of First National City Bank, New York, New York. The terms of the Subordinated Debentures are fully set out in the preliminary copy of the proposed Indenture and were offered as Exhibit A-11 and admitted to evidence.

The Warrants to purchase 800,000 shares of Mobil Oil Corporation capital stock are to be issued pursuant to the provisions of an Escrow and Warrant Agreement dated as of August 1, 1970 between Applicant and First National City Bank, Escrow Agent. The terms of the Warrants are fully set out in the preliminary copy of the Escrow and Warrant Agreement submitted at the hearing as Exhibit A-12.

Applicant will negotiate the sale of the Securities with a group of underwriters, who in turn will make a public offering. The negotiations will include a determination of the interest rate, the exercise price of the Warrants, the price which is to be paid to Applicant by the underwriters, and the price to the public. All of these matters will be agreed upon by Applicant and the underwriters immediately prior to the public offering, and an amendment to Applicant's Registration Statement under the Securities Act of 1933, including a revised Prospectus, will be filed with the Securities and Exchange Commission incorporating the interest rate and the exercise price of the Warrants. A preliminary copy of the proposed Underwriting Agreement was offered as Exhibit A-10 and admitted into evidence. It is anticipated that the interest rate and other matters will be determined on or about July 29, 1970. Likewise, a copy of Applicant's Registration

Statement, as now filed with the Securities and Exchange Commission, was offered as Exhibit A-2 and admitted into evidence.

Applicant represents it will incur reasonable expenses, including underwriters' discounts or commission, in connection with the proposed issue and sale of the Securities and that the proceeds thereof will be used by Applicant to repay short-term borrowings and to pay a portion of the costs of the 1970 construction program of Applicant and its subsidiaries. Thus, the proceeds of the contemplated financing are ultimately to be used to a large degree for capital expenditures involving non-utility property. The Commission, therefore, is concerned that continued debt financing at high interest rates for these purposes may ultimately adversely affect Applicant's utility operations in the State of Colorado.

Applicant believes that the use of the capital to be acquired by the issue and sale of the Securities is reasonably required for the purposes of Applicant, that the funds derived from the issue and sale of the Securities are to be applied to lawful corporate purposes, and that the issue and amount are essential to the successful carrying out of those purposes.

Applicant estimates that the cost of issuing the Securities covered by this application will approximate \$150,000.

Exhibits A-1 through A-12 were offered and admitted into evidence, which included balance sheet of Applicant and its subsidiaries at December 31, 1969; Applicant's and its subsidiaries' income statement for the twelve (12) months ended December 31, 1969; Applicant's and its subsidiaries' statement of earned surplus for the twelve (12) months ended December 31, 1969; and Applicant's and its subsidiaries' actual and pro forma capital structure at December 31, 1969. In addition, the Hearing Commissioner directed that the financial statements of Applicant as of December 31, 1969, filed with the application as Exhibit I, become a part of the official record and have the same effect as if it had been offered as an exhibit by Applicant and admitted into evidence.

FINDINGS OF FACT

From the record herein, the Commission finds as fact that:

1. Applicant, Northern Natural Gas Company, a Delaware corporation, is authorized to do business in the State of Colorado.
2. This Commission has jurisdiction over the Applicant and the subject matter of this application under Chapter 115, Colorado Revised Statutes, 1963.
3. The above and foregoing Statement is made a part of these Findings by reference.
4. The Commission is fully advised in the premises.
5. The proposed issuance by Applicant of Subordinated Debentures in the principal amount of \$40,000,000, due May 1, 1990 and Warrants to purchase 800,000 shares of Mobil Oil Corporation capital stock, all as hereinbefore set forth, is reasonably required and necessary for Applicant's proper corporate financing.
6. The proposed securities issuances are not inconsistent with the public interest; and the purpose or purposes thereof are permitted by law and are consistent with the provisions of Chapter 115, Colorado Revised Statutes, 1963, as amended.
7. Since Chapter 115-1-4, Colorado Revised Statutes, 1963, requires that security applications be disposed of within thirty (30) days, the Commission finds that due and timely execution of its functions imperatively and unavoidably requires that the recommended decision of the Hearing Commissioner be omitted and that this Decision should be the initial Decision of the Commission.

It is the conclusion of the Commission that the application should be granted and the following Order should be entered.

O R D E R

THE COMMISSION ORDERS:

That the Applicant, Northern Natural Gas Company, be, and it hereby is, authorized to issue Subordinated Debentures in the principal amount of

\$40,000,000 due May 1, 1990 and Warrants to purchase 800,000 shares of Mobil Oil Corporation capital stock which will provide the lowest possible cost of money to Applicant.

That the Subordinated Debentures authorized to be issued and sold hereunder shall bear on their face a serial number for proper and easy identification; and within ninety (90) days from the issuance and delivery of said Debentures, Applicant shall make a verified report to this Commission of such serial numbers placed on such bonds as are initially issued.

That within ninety (90) days after the issuance and sale of such Debentures and Warrants, Applicant shall file with this Commission a copy of all amendments to its Registration Statement filed with the Securities and Exchange Commission; a conformed copy of the Indenture to be dated as of August 1, 1970, as executed, covering the issuance of Debentures to be sold hereunder; a conformed copy of the Escrow and Warrant Agreement to be dated as of August 1, 1970, as executed, covering the Warrants to be sold hereunder; and shall make a verified report to this Commission showing the issuance of such Debentures and Warrants including date of sale, interest rate, principal amount, exercise price of Warrants and the costs and expenses incurred by the Applicant incident to such issue and the journal entries reflecting such transactions on the books of Northern Natural Gas Company.



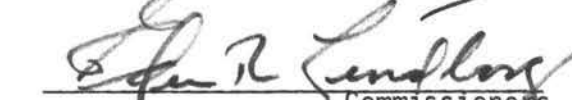
That nothing herein contained shall be construed to imply any recommendation or guarantee of, or any obligation with regard to, said securities on the part of the State of Colorado.

That the Commission retain jurisdiction of this proceeding to the end that it may make such further order or orders in the premises as to it may seem to be proper or desirable.

That the authority herein granted shall be exercised from and after the date of this Order and the Order herein contained shall be effective forthwith.

That the within Decision and Order shall be the initial Decision and Order of the Commission as provided for in Chapter 115-6-9 (6), Colorado Revised Statutes, 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 10th day of July, 1970.
hj

(Decision No. 75373)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF
MARVIN G. PLUNK
Box 126
Eastlake, Colorado 80614

AUTHORITY NO. M 12200

CASE NO. 5690-M-Ins.

July 10, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 8, 1970 , 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.

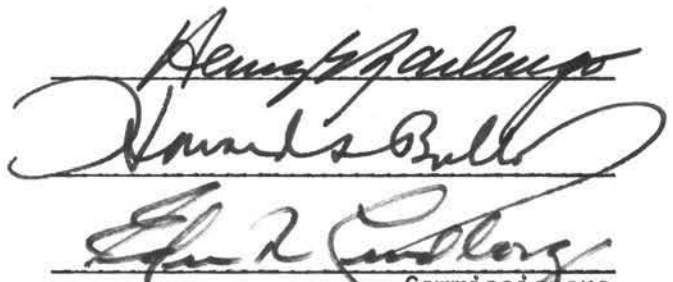
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 10th day of July, 1970 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INVESTIGATION AND SUSPENSION)
OF TARIFF SHEETS ACCOMPANYING)
ADVICE LETTER NO. 579 FILED BY)
MOUNTAIN STATES TELEPHONE AND)
TELEGRAPH COMPANY FOR REVISION)
OF TARIFF COLO. PUC NO. 5 CON-)
TAINING "METROPAC.")

INVESTIGATION AND SUSPENSION
DOCKET NO. 656

July 10, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 18, 1970, under Advice Letter No. 579, Mountain States Telephone and Telegraph Company filed certain tariff revisions to become effective on July 19, 1970. Among the tariff sheets involved are:

COLO. P.U.C. NO. 5 TELEPHONE

Colo. P.U.C.		Title of Sheet	Cancels	
Sheet	Revision		Colo. P.U.C.	
No.	No.		Sheet	Revision
			No.	No.
<u>Local Exchange Tariff - Colorado</u>				
1	1st	Table of Contents	1	Original
		Section 2 - Metropolitan Preferred Area Calling Service	1	Original
			2	Original*
			3	Original*
			4	Original*
			5	1st
		Supplement to Local Exchange Tariff	2	Original
<u>General Exchange Tariff - Colorado</u>				
6	8th	Section 31 - Explanation of Terms	6	7th
<u>Long Distance Message Telecommunications Service Tariff - Colorado</u>				
1	2nd	Index	1	1st
7	2nd	Regulations	7	1st
7A	Original			
44	Original	Metropolitan Preferred Area Calling Service		
45	Original			
46	Original			
47	Original			

*Substitute

The effect of this revision, if permitted to become effective, would be to withdraw the present METROPAC offering in the Bailey, Elizabeth, Erie, Fort Lupton and Longmont Exchanges and as a substitute offer measured METROPAC service.

The METROPAC service was introduced in the five exchanges mentioned, pursuant to Commission Decision No. 73263 of July 19, 1969, on an experimental basis. Said Commission decision required Mountain States Telephone and Telegraph Company to report to the Commission whether or not this offering was successful within one year of the initial offering, and, if successful, the Company was ordered to extend this service throughout the State of Colorado within 18 months of the date of the decision. In Advice Letter No. 579 the Company claims that the offering is not successful because of high usage.

Numerous complaints have been received by the Commission regarding the withdrawal of the METROPAC service. The Commission finds that the effective date of the above-described tariff revisions should be suspended on its own motion until November 16, 1970, or until further order of the Commission, for further investigation, and that the matter should be set for hearing as set forth in the order hereinbelow.

O R D E R

THE COMMISSION ORDERS THAT:

1. The effective date of the tariff revisions filed under said Advice Letter No. 579, except those contained in 1st Revised Sheet 41 of the Long Distance Message Telecommunications Service Tariff, be, and hereby is, suspended until November 16, 1970. The tariff sheets involved in the suspension are as follows:

COLO. P.U.C. NO. 5 TELEPHONE

Colo. Sheet No.	P.U.C. Revision No.	Title of Sheet	Cancels Colo. Sheet No.	P.U.C. Revision No.
		<u>Local Exchange Tariff - Colorado</u>		
1	1st	Table of Contents	1	Original
		Section 2 - Metropolitan Preferred Area Calling Service	1 2 3 4 5	Original Original* Original* Original* 1st
		Supplement to Local Exchange Tariff	2	Original
		<u>General Exchange Tariff - Colorado</u>		
6	8th	Section 31 - Explanation of Terms	6	7th
		<u>Long Distance Message Telecommunications Service Tariff - Colorado</u>		
1	2nd	Index	1	1st
7	2nd	Regulations	7	1st
7A	Original			
44	Original	Metropolitan Preferred Area Calling Service		
45	Original			
46	Original			
47	Original			

*Substitute

2. The matter be, and hereby is, set for hearing on:

Date: August 20, 1970


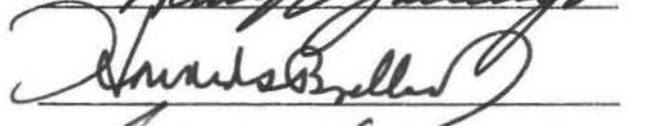
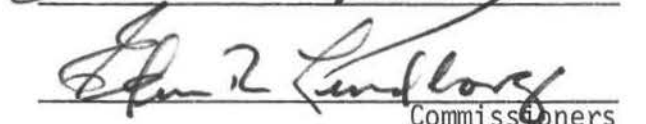
Time: 10:00 o'clock A.M.

Place: Hearing Room
507 Columbine Building
1845 Sherman Street
Denver, Colorado 80203

3. The existing METROPAC service offering shall be continued in effect until further order of the Commission.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
10th day of July, 1970.
vr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
* * *

RE: THE TELEPHONE SERVICES FURNISHED)
BY RESPONDENT, MOUNTAIN STATES TELE-)
PHONE AND TELEGRAPH COMPANY, DENVER,)
COLORADO, UNDER ITS GENERAL EXCHANGE)
TARIFF COLORADO PUC NO. 5, SECTION 3.)

CASE NO. 5434

July 10, 1970

STATEMENT AND FINDINGS OF FACT
BY THE COMMISSION:

The above Case was instituted by the Commission as a result of a complaint. The subject matter involved the tariff of Mountain States Telephone and Telegraph Company and the possible violation thereof by a customer of the Telephone Company.

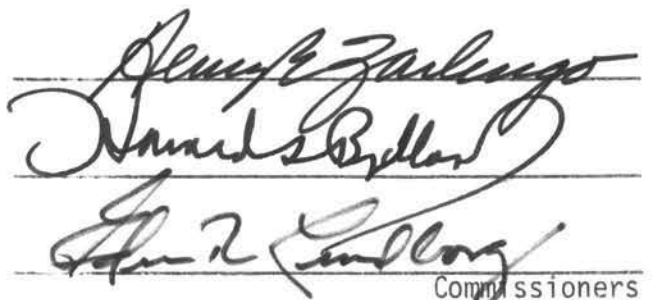
The Commission on June 17, 1970, issued its "Order to Show Cause" to the Mountain States Telephone and Telegraph Company and set the case for hearing on July 13, 1970. On July 9, 1970, the Commission was advised by letter signed by the Vice President and General Manager of Mountain States Telephone and Telegraph Company that the customer involved in the possible violation of the tariff had disconnected telephone service on July 2, 1970. The Staff of the Commission called the number involved and verified the fact that it has been disconnected. In view of the disconnect, the Case is now moot and should be dismissed.

O R D E R
THE COMMISSION ORDERS:

That Case No. 5434 be, and it hereby is, dismissed, and that the hearing set for July 13, 1970, is vacated.

That this Order be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
10th day of July, 1970.

vr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: THE ADDITION OR DELETION OF)
ROUTING NUMBERS APPLICABLE TO)
SECTIONS NOS. 1 AND 2)
-----)

CASE NO. 1585

July 13, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On August 9, 1968, the Commission, following the filing of 2nd Revised Page No. 336 to Local and Joint Freight Tariff No. 12-A, Colorado PUC No. 11*(*The Motor Truck Common Carriers' Association, Agent, Series), prescribed routings appearing in Appendix "B" of Decision No. 71687, to be the routings and carrier designation for Colorado intrastate scheduled line haul operations. Tariff 12-A, Colorado PUC No. 11, has subsequently been cancelled and the currently operative tariff is designated as Colorado Motor Carriers' Association, Agent, Local and Joint Class and Commodity Tariff No. 12-B, Colorado PUC No. 19.

Martin Rogell, doing business as Byers-Denver Truck Line, operating under Certificate of Public Convenience and Necessity No. 272 & I, has transferred said certificate to Leonard L. Haney, Denver, Colorado, under application No. 24109, Decision No. 74882, dated May 12, 1970. The tariff is now being amended to reflect these changes and, prior to the supra decision correction was entered in the Commission docket application No. 19995, transfer, Decision No. 61538, dated October 4, 1963, amending nunc pro tunc, as of said 4th day of October 1963, by Decision No. 61593, dated October 18, 1963, to strike the scheduled service operation to be henceforth a call and demand service.

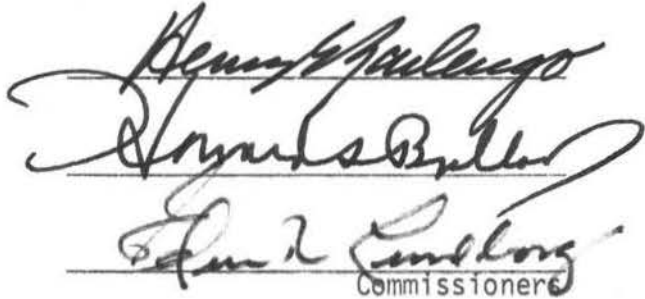
The Commission now finds that Case No. 1585 should be amended nunc pro tunc as of October 4, 1963, to reflect the so-called "call and demand" service that Martin Rogell was performing and that, for the future, Leonard L. Haney will perform likewise - a call and demand service.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings and Appendix "A" attached hereto, be, and are hereby, made a part hereof.
2. That the elimination of Route No. 5 (formerly Byers-Denver Truck Line - direct, Certificate No. 272 & I) be eliminated nunc pro tunc as of October 4, 1963.
3. 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.
4. That this Order shall become effective forthwith.
5. 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
13th day of July, 1970. av

APPENDIX "A"

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT
LOCAL AND JOINT CLASS AND COMMODITY TARIFF No.12-B
COLORADO PUC NO. 19

CHANGE EFFECTIVE JULY 31, 1970

SECTION 7	
ROUTING	
ROUTING ARRANGEMENT IS FOR HEAD LINE TO SIDE LINE POINT MOVEMENT, FOR SIDE LINE TO HEAD LINE POINTS, USE REVERSE ROUTING.	
ROUTE	ROUTE
7TH REVISED PAGE 389	
1	T & W TRUCK LINE - DIRECT.
2.	EVERGREEN FREIGHT LINE - DIRECT.
3	BROOKS TRANSPORTATION COMPANY - DIRECT
4	NORTH EASTERN MOTOR FREIGHT, INC., STERLING, COLORADO, BROOKS TRANSPORTATION COMPANY
5	(E) ♦
6	CASTLE ROCK TRANSFER - DIRECT
7	BETHKE TRUCK LINES - DIRECT
8	MILLIKEN JOHNSTOWN TRUCK LINE, INC., DENVER, COLORADO, RIO GRANDE MOTOR WAY, INC.
9	MOUNTAIN EXPRESS TRUCK LINE - DIRECT
10	MILLIKEN JOHNSTOWN TRUCK LINE, INC., DENVER, COLORADO, LARSON TRANSPORTATION COMPANY
11	DENVER-LIMON-BURLINGTON TRANSFER COMPANY - DIRECT
12	DENVER-LOVELAND TRANSPORTATION, INC. - DIRECT
#12A	DENVER-LOVELAND TRANSPORTATION, INC. - DIRECT
#13	CLARK, BILL, TRUCK LINE, INC. - DIRECT
14	ELBERT TRANSFER CO. - DIRECT
15	EPHRAIM FREIGHTWAYS, INC. - DIRECT
16	NAVAJO FREIGHT LINE, INC. - DIRECT
#16A	NAVAJO FREIGHT LINES, INC. - DIRECT
#17	T.I.M.E.-DC, INC. - DIRECT
18	BETHKE TRUCK LINES, DENVER, COLORADO, DENVER-LOVELAND TRANSPORTATION, INC.
19	TAOS INTERSTATE EXPRESS - DIRECT
20	DON CAMPER, INC. - DIRECT
21	SOUTH PARK MOTOR LINES - DIRECT
22	HOFFMAN TRANSFER COMPANY - DIRECT
23	RIO GRANDE MOTOR WAY, INC., ALAMOSA, COLORADO, TAOS INTERSTATE EXPRESS
24	NORTH PARK TRANSPORTATION CO. - DIRECT
25	LARSON TRANSPORTATION COMPANY - DIRECT
#25A	LARSON TRANSPORTATION COMPANY - DIRECT
26	RED BALL MOTOR FREIGHT, INC., DENVER, COLORADO, BETHKE TRUCK LINES
27	RIO GRANDE MOTOR WAY, INC., HOTCHKISS, COLORADO, CRAWFORD-MAHER STAGE LINE
28	EDSON EXPRESS, INC. - DIRECT
29	MILLIKEN-JOHNSTOWN TRUCK LINE, INC. - DIRECT
30	DENVER CLIMAX TRUCK LINE, INC. - DIRECT
#30A	DENVER CLIMAX TRUCK LINE, INC. - DIRECT
31	FOWLER TRUCK LINE - DIRECT
32	NORTH EASTERN MOTOR FREIGHT, INC. - DIRECT
33	NORTH EASTERN MOTOR FREIGHT, INC., STERLING, COLORADO, UNITED BUCKINGHAM FREIGHT LINES INC.
34	GILPIN COUNTY EXPRESS AND TRUCK LINE - DIRECT
35	L & E FREIGHT LINE, INC. - DIRECT
36	RED BALL MOTOR FREIGHT, INC., PUEBLO, COLORADO, RIO GRANDE MOTOR WAY, INC., ALAMOSA, COLORADO, TAOS INTERSTATE EXPRESS
37	MILLER BROS., INC. - DIRECT
38	ARVADA TRANSFER - DIRECT
39	RIO GRANDE MOTOR WAY, INC., DENVER, COLORADO, LARSON TRANSPORTATION COMPANY.
40	RED BALL MOTOR FREIGHT, INC., DENVER, COLORADO, WINDECKER TRUCK LINE

APPLIES ON INTERSTATE TRAFFIC ONLY.

(E) DENOTES ELIMINATION (FORMERLY BYERS-DENVER TRUCK LINE - DIRECT.

(Decision No. 75377)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE COUNTY OF ADAMS FOR AUTHORITY TO)
INSTALL GRADE CROSSING PROTECTION)
DEVICES AT 88TH AVENUE IN ADAMS)
COUNTY, COLORADO, WHERE THE SAME)
CROSS THE CHICAGO, BURLINGTON &)
QUINCY RAILROAD COMPANY'S MAIN)
LINE TRACKS.)

APPLICATION NO. 24321

IN THE MATTER OF THE APPLICATION OF)
THE COUNTY OF ADAMS FOR AUTHORITY TO)
INSTALL GRADE CROSSING PROTECTION)
DEVICES AT 88TH AVENUE IN ADAMS)
COUNTY, COLORADO, WHERE THE SAME)
CROSSES OVER THE MAIN LINE TRACK)
OF BURLINGTON NORTHERN, INC.)

APPLICATION NO. 24321-Amended

July 14, 1970

Appearances: Robert Gehler,
Assistant County Attorney,
Commerce City, Colorado, for
Applicant, County of Adams;
W. L. Peck, Esq.,
Denver, Colorado, for
Burlington Northern, Inc.;
J. L. McNeill,
Denver, Colorado, of the
Staff of the Commission.

PROCEDURE AND RECORD

On April 24, 1970, Applicant, under the provisions of 115-4-6, CRS 1963, as amended, filed the above-entitled application seeking an order of this Commission authorizing construction, operation and maintenance of automatic grade crossing protection devices at 88th Avenue in the County of Adams, State of Colorado, where the main line of the Chicago, Burlington & Quincy Railroad Company crosses said 88th Avenue, at its Milepost 532.65.

The Commission assigned No. 24321 to said application, and with due and proper notice to all interested persons, firms or corporations,

set the matter for a hearing at the Commission Hearing Room, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, on the date of June 19, 1970, at 10:00 o'clock A.M.

On June 19, 1970, public hearing was held as scheduled, by Commissioner Howard S. Bjelland, and the matter thereafter taken under advisement.

In considering preliminary matters at the opening of the hearing, it was further verified by the Hearing Commissioner that there were no public witnesses and no objections appear in the Commission file.

Upon agreement of all parties, the Commissioner made his order consolidating this application for hearing with a companion application; namely, Application No. 24319 which relates to installation of protective devices at the crossing of 80th Avenue over the main line of Chicago, Burlington & Quincy Railroad Company at Milepost 534.03, with a separate order to issue for each application.

Official notice was also received from W. L. Peck, Attorney for Burlington Northern, Inc., to the effect that as of March 3, 1970, Chicago, Burlington & Quincy Railroad Company was merged into Burlington Northern, Inc. He requested that for further proceedings in the matter, reference be made to Burlington Northern, Inc., as the survivor corporation.

Testimony in support of the application was given by the following:

E. G. Waymire - County Commissioner and Road Commissioner -
Adams County

Robert L. Sandquist - Director of Public Works and former
County Engineer - Adams County

Robert C. Gustafson - Division Engineer, McCook-Alliance
Division - Burlington Northern, Inc.

M. R. Roberts - Regional Signal Engineer, Omaha Region -
Burlington Northern, Inc.

Applicants' exhibits as follows were tendered and admitted into evidence:

Exhibit No. 1 -

Resolution - Board of Adams County Commissioners.
Acceptance of 88th Avenue crossing agreement proposed by Chicago, Burlington & Quincy Railroad Company.

Exhibit No. 2 -

Fully executed Agreement, dated January 17, 1970, between Chicago, Burlington & Quincy Railroad and Adams County pertaining to proposed signal installation at 88th Avenue. Includes enclosures marked Exhibit B - Diagram of signal device and Drawing 1164-26 - Part of Irondale station map to show crossing situation at MP 532.65.

Exhibit No. 5 -

Portion of Adams County Zoning Map. Shows locations and development features at Crossing of 80th Avenue and 88th Avenue over Chicago, Burlington & Quincy Mainline Trackage.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. The purpose of this application is to secure Commission approval for the proposed installation and maintenance of automatic flashing light railroad signals and bell at the grade crossing of 88th Avenue over the single main line track of Burlington Northern, Inc., at Railroad Milepost 532.65, Adams County, Colorado, and for an allocation of the cost for said signal devices and installation in accordance with the provisions of 115-4-6, CRS 1963, as amended, relating to financial assistance through the Commission Grade Crossing Protection Fund.

2. The Commission has jurisdiction over the instant matter.
3. No one appeared at the hearing to intervene or to protest the granting of the authority as requested.
4. The instant parties have entered into an Agreement for the proposed signal work (Exhibit No. 2) and for which the estimated cost is \$17,500.
5. 88th Avenue is a part of the Adams County Road System. County funds in the amount of 10% of the estimated signal cost have been budgeted as the County share thereof.
6. 88th Avenue is an 80 foot wide street, with asphalt paved roadway at 24 feet wide over the crossing. It is located on the east-west section line and makes an angular crossing of 48° over the single main line track. Traffic count data of 1969 showed an average of 500 vehicles per day over the crossing. In 1970, there was an average of 1,200 vehicles daily. Use involves a mixed traffic flow of private automobiles, commercial and oil tank trucks, mobile homes, and school buses.
7. 88th Avenue is planned as a major east-west arterial between nearby Colorado No. 2 and I-80 S, North Washington St., I-25 and the Boulder Turnpike U.S. 36. There is also a mobile home development about one mile west from the crossing which generates a new flow of local traffic movements.
8. Increased need for improved crossing protection is construction of a new feed grinding plant near the railroad line at E. 90th Avenue and use of 88th Avenue crossing for access. 88th Avenue has also been an established school bus route that is used by 20 buses each school day.
9. Rail traffic averages 14 trains daily, including three scheduled passenger train movements. Maximum permissible speeds are 79 miles per hour for passenger trains and 60 miles per hour for freight trains. Crossing movements and speeds are variable according to seasonal movements of grains, sugar beets, and local switching operations.

10. Switching movements are made to and from a siding track along the northwest side of the main line, with the siding switch located some 57 feet northerly from the crossing.

11. Present protection at the crossing consists of two standard reflectorized railroad crossbuck signs supplemented with two red STOP signs placed by Adams County.

12. Proposed signal devices to be placed near the roadway at each side of the track crossing will consist of a curbside mast with reflectorized crossbuck sign and four red flasher lights placed back-to-back to show a warning in each direction along the roadway. One signal mast will have a bell. Track circuiting is designed to provide a minimum warning time of 20 seconds before the approach of a train from either direction, and be in conformance with standards of the Association of American Railroads. Additional circuiting will be placed into the siding track to provide warning for any train movement over the crossing to or from the siding track.

13. Ordering of materials for the instant signal devices is a management function which is subject to Commission approval or changes of the proposed work. Expedited handling of management approval, material ordering and signal installation was pledged in order to hasten early completion of the work as authorized.

14. A detailed estimate of costs for the new work will be provided for the Commission files. On the basis of Adams County budgeting and railroad planning there was agreement that allocation of costs for the new signal devices be: 10 percent to Adams County, 10 percent to Burlington Northern, and the remainder, or 80 percent, from the Crossing Protection Fund.

15. Burlington Northern, Inc., will provide all maintenance for the signal devices following installation.

16. No part of the cost of the proposed signal devices would be paid from funds available under any federal or federal-aid highway act.

17. There is a sincere concern for public safety on the part of both Adams County and the railroad. Installation of the proposed signal devices will provide increased public safety for rail, vehicular and pedestrian traffic at the crossing. Accidents may be prevented and the safety of the public promoted by installation of automatic flasher signal devices and bell as proposed for the grade crossing of 88th Avenue over the main line of Burlington Northern, Inc., Adams County, Colorado.

CONCLUSIONS ON FINDINGS OF FACT

Based on all the evidence of record and the above and foregoing findings of fact, it is concluded, that:

1. Such devices as herein contemplated are required so as to promote the public safety.
2. The order sought in the instant application should be granted and installation costs prorated as follows:
 - 10 percent to the County of Adams;
 - 10 percent to Burlington Northern, Inc.;
 - 80 percent to the Commission Crossing Protection Fund.
3. Continuing maintenance work should be performed by Burlington Northern, Inc., at its own expense for the life of the crossing so protected.
4. The signal devices and installation shall be in conformance with the current bulletin of the Association of American Railroads' Joint Committee on Railroad Crossing Protection.
5. As provided by 115-6-9(6), CRS 1963, as amended, the authority sought in the instant application should be granted by initial decision of the Commission, since due and timely execution of its functions imperatively and unavoidably so requires.

O R D E R

THE COMMISSION ORDERS:

1. Burlington Northern, Inc., upon the application of the County of Adams, State of Colorado, be, and hereby is, authorized and directed to install, operate, and maintain standard automatic railroad

flashing signals and bell at the 88th Avenue grade crossing over the main line of Burlington Northern, Inc. (Chicago, Burlington & Quincy M.P. 532.65), Adams County, Colorado, in accordance with the plans and specifications which are incorporated into the record of this proceeding and which are hereby approved.

2. The installation and maintenance of the signal devices shall be done by Burlington Northern, Inc., as set forth in the Agreement (Exhibit 2) entered into by the parties herein, which Agreement, by reference, is made a part hereof.

3. A fair, just and equitable distribution of the total cost of the installation of the proposed automatic railroad flashing light signals and bell shall be as follows:


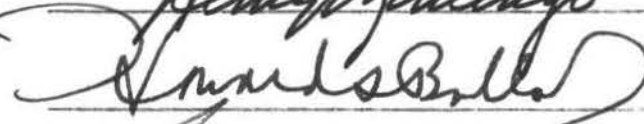
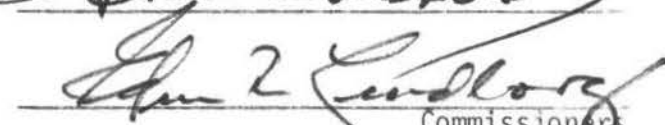
- (a) Adams County to pay 10 percent thereof to cover its share of benefits received from such installation. Upon completion of the proposed work, an itemized statement of the actual costs, and a bill covering said 10 percent shall be forwarded by Burlington Northern, Inc., to Adams County, which bill shall be paid to Burlington Northern, Inc., within thirty (30) days of receipt thereof.
- (b) Burlington Northern, Inc., shall contribute out of its own funds 10 percent of the cost of said installations and shall thereafter maintain said signals and bell to cover its share of the benefits therefrom.
- (c) The remainder of the cost, or 80 percent, shall be paid out of the Commission Highway Crossing Protection Fund. Upon completion of the proposed work, an itemized statement of the actual cost and a bill covering such 80 percent shall be forwarded by Burlington Northern, Inc., to the Commission, which bill shall be paid within thirty (30) days after receipt thereof.

4. The signal devices and installation shall all be in conformance with the current bulletin of the Association of American Railroads' Joint Committee on Railroad Crossing Protection.

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

6. This Order shall become effective forthwith as the initial decision of the Commission.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
14th day of July, 1970.

vr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DONALD F. FOULK & LUCILLE B. FOULK,)
DOING BUSINESS AS "FORT LYON BUS &)
TAXI SERVICE," RT. 2, LA JUNTA,)
COLORADO, FOR EMERGENCY TEMPORARY)
APPROVAL TO TRANSFER CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY)
PUC NO. 305 TO JOHN L. FOULK, DOING)
BUSINESS AS "FORT LYON BUS & TAXI)
SERVICE," 405 POPLAR, LAS ANIMAS,)
COLORADO.)

APPLICATION NO. 24425-Transfer-ETA
ORDER GRANTING EMERGENCY TEMPORARY
APPROVAL

July 14, 1970

The above entitled application under CRS 1963, 115-6-20(4), being under consideration, and

It appearing, That Applicant has established the following: That appropriate application has been made to this Commission for permanent authority to transfer Certificate PUC No. 305 to the above named transferee.

It further appearing, That there is an immediate and urgent need for the emergency temporary approval herein sought.

It further appearing, That failure to immediately grant emergency temporary approval may result in destruction of or injury to the Applicant or interfere substantially with their future usefulness in the performance of adequate and continuous service.

It further appearing, That said circumstances constitute an emergency requiring the immediate issuance of emergency temporary approval.

It is ordered, That John L. Foulk, doing business as "Fort Lyon Bus & Taxi Service," be, and hereby is, granted emergency temporary approval for a period of fifteen (15) days commencing July 14, 1970, to operate under Certificate PUC No. 305, with authority as follows:

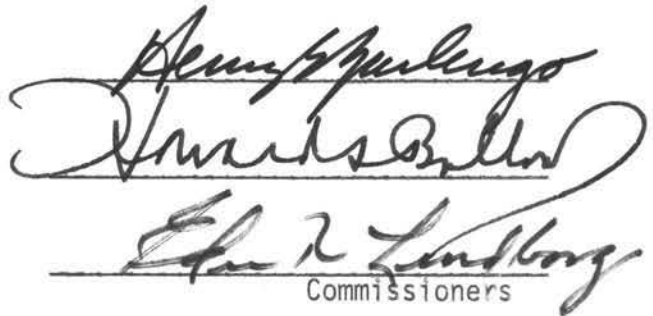
"Transportation of passengers, between Las Animas and Fort Lyon Hospital Reservation, at Fort Lyon, Colorado, and to and from Las Animas, from and to all other points in the State of Colorado, provided he shall not render any scheduled service except

between Las Animas and Fort Lyon, applicant not to employ an agent or have a branch office in any other point than Fort Lyon and Las Animas for the purpose of developing taxi business, applicant to charge in excess of thirty-three and one-third per cent more for transportation per passenger than charged by scheduled carriers (both passenger and rail, singly or in combination), for transportation between same points, without the right to operate as a common carrier at any time, between Las Animas and Pueblo, Colorado: Transportation of passengers and their baggage, in the same vehicle, by means of five passenger sedan taxicabs, and a small package delivery service, to and from Las Animas, Colorado and a ten-mile radius around Las Animas, to all other points and places within the State of Colorado, with no pick-up service out of the ten-mile radius of Las Animas; transportation of packages to be performed in taxicabs, only, and no individual shipment then shall exceed fifty pounds in weight, and provided that each delivery from one origin to one destination shall be charged as though applicant had one passenger from origin to point of delivery; in addition, to any charge for leaving the vehicle to pick up or deliver such item; and that the applicant shall charge 33-1/3 per cent more for transportation per passenger than charged by scheduled carriers, when in competition therewith,"

conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations, to engage in the business of transportation by motor vehicle.

It is further ordered, That the approval herein granted shall create no presumption that corresponding temporary or permanent approval will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 14th day of July, 1970.

cj

(Decision No. 75379)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LACKNER-BLOCK, INC., DOING BUSINESS)
AS "REULER-LEWIN COMPANY AND FRAN-)
CHISE LIQUORS, INC.," 209 KALAMATH)
STREET, DENVER, COLORADO, FOR AU-)
THORITY TO TRANSFER INTERSTATE)
OPERATING RIGHTS TO MAJESTIC MARKET-)
ING COMPANY, DOING BUSINESS AS)
"REULER-LEWIN COMPANY AND FRANCHISE)
LIQUORS, INC.," 209 KALAMATH STREET,)
DENVER, COLORADO.)

PUC NO. 5036-I - Transfer

July 14, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Lackner-Block, Inc., doing business as "Reuler-Lewin Company and Franchise Liquors, Inc.," Denver, Colorado, was granted a certificate of public convenience and necessity, being PUC No. 5036-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. 5036-I to Majestic Marketing Company, doing business as "Reuler-Lewin Company and Franchise Liquors, Inc.," Denver, Colorado.

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.

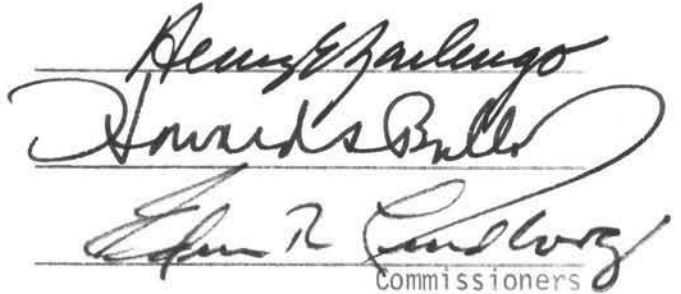
O R D E R

THE COMMISSION ORDERS:

That Lackner-Block, Inc., doing business as "Reuler-Lewin Company and Franchise Liquors, Inc.," Denver, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 5036-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Majestic Marketing Company, doing business as "Reuler-Lewin Company and Franchise Liquors, Inc.," Denver, Colorado, 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

Dated at Denver, Colorado, this
14th day of July, 1970.

vr

(Decision No. 75380)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF READY MIXED CONCRETE COMPANY,)
3200 BRIGHTON BOULEVARD, DENVER,) APPLICATION NO. 24274-PP-Extension
COLORADO 80216, TO EXTEND OPERA-)
TIONS UNDER PERMIT NO. B-7074.)

July 13, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 1, 1970, the above-styled application was filed with this Commission and after due and proper notice to all interested parties was set for hearing at 10 o'clock a.m., Monday, July 13, 1970, in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado.

On July 10, 1970, Applicant by its attorney Bryant O'Donnell, filed with the Commission a Withdrawal of Application.

The Commission finds that the Application should be permitted to be withdrawn and the hearing vacated.

O R D E R

THE COMMISSION ORDERS:

1. That Application No. 24274-PP-Extension, be, and hereby is, permitted to be withdrawn.

2. That the hearing with regard to the above-styled application scheduled for Monday, July 13, 1970, at 10 o'clock a.m. in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, be, and hereby is, vacated.

3. This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
13th day of July, 1970.

vr

(Decision No. 75381)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
HARRY B. HAWKS, RURAL ROUTE 4,)
BOX 431, MONTROSE, COLORADO.)

PUC NO. 1345
PERMIT NOS. B-1365, B-1365-I
B-3076, B-4769, B-4769-I, B-4929

July 14, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 27, 1969, the Commission entered Decision No. 73207 approving encumbrance of PUC No. 1345, Permit Nos. B-1365, B-1365-I, B-3076, B-4769, B-4769-I and B-4929 by Harry B. Hawks, Montrose, Colorado, to The Montrose National Bank, Montrose, Colorado, to secure payment of the sum of \$42,063.48.

The Commission is now in receipt of a communication from said The Montrose National Bank stating that said encumbrance has been paid off by renewal and requesting release of Chattel Mortgage dated May 22, 1969, and approval of Chattel Mortgage dated June 1, 1970, in the amount of \$39,639.02, in accordance with the certain terms and conditions set forth in said Chattel Mortgage filed with this Commission.

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

O R D E R

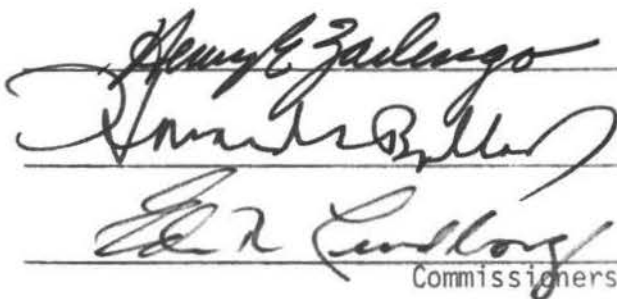
THE COMMISSION ORDERS:

That mortgage of the above-mentioned operating rights authorized by Decision No. 73207, dated June 27, 1969, be, and the same hereby is, released, as requested by the Mortgagee herein insofar as it concerns this Commission.

That Harry B. Hawks, Montrose, Colorado, be, and hereby is, authorized to mortgage all right, title and interest in and to PUC No. 1345, Permit Nos. B-1365, B-1365-I, B-3076, B-4769, B-4769-I and B-4929, to The Montrose National Bank, Montrose, Colorado, to secure payment of the sum of \$39,639.02, in accordance with the certain terms and conditions set forth in Chattel Mortgage dated June 1, 1970, which is made a part of this Order by reference.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
14th day of July, 1970.

vr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF IRA E. JOHNSON, DOING BUSINESS)
AS "IRA E. JOHNSON TRUCKING CO., ")
BOX 2167, AMARILLO, TEXAS, FOR AU-)
THORITY TO TRANSFER INTERSTATE)
OPERATING RIGHTS TO FEED TRANSPORTS,)
INC., BOX 2167, AMARILLO, TEXAS.)

PUC NO. 4896-I - Transfer

July 15, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Ira E. Johnson, doing business as "Ira E. Johnson Trucking Co.," Amarillo, Texas, was granted a certificate of public convenience and necessity, being PUC No. 4896-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. 4896-I to Feed Transports, Inc., Amarillo, 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

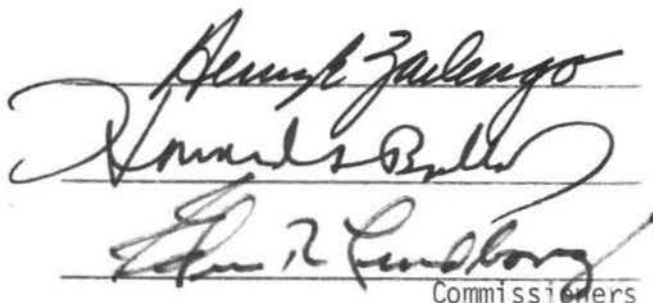
THE COMMISSION ORDERS:

That Ira E. Johnson, doing business as "Ira E. Johnson Trucking Co.," Amarillo, Texas, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 4896-I -- with authority as set

forth in the Statement preceding, which is made a part hereof, by reference -- to Feed Transports, Inc., Amarillo, Texas, 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

Dated at Denver, Colorado, this
15th day of July, 1970.
vr

(Decision No. 75383)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF ERVIN HENRY, DOING BUSINESS AS)
"WINDSOR MILK LINES," BOX 384,)
JOHNSTOWN, COLORADO, FOR AUTHOR-)
ITY TO LEASE PERMIT NO. B-4617 TO)
RAYMOND J. HENRY, DOING BUSINESS)
AS "WINDSOR MILK LINES," BOX 384,)
JOHNSTOWN, COLORADO.)

APPLICATION NO. 18882-PP-Lease

SUPPLEMENTAL ORDER

July 15, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On February 21, 1962, the Commission entered Decision No. 58089 in the above-styled application, authorizing Ervin Henry, doing business as "Windsor Milk Lines," Johnstown, Colorado, to lease Permit No. B-4617 to Raymond J. Henry, doing business as "Windsor Milk Lines," Johnstown, Colorado, according to the terms and conditions of written lease agreement on file with the Commission.

The Commission is now in receipt of a communication from Ervin Henry and Raymond J. Henry, requesting that said lease be cancelled and terminated.

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.


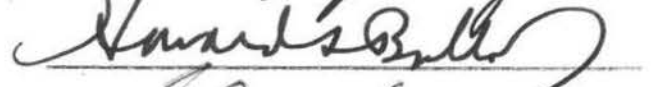

O R D E R

THE COMMISSION ORDERS:

That lease of Permit No. B-4617 granted by Decision No. 58089, dated February 21, 1962, be, and the same hereby is, cancelled, and the Secretary of the Commission is hereby directed to change the records of the Commission to show that Permit No. B-4617 is owned and operated by Ervin Henry, doing business as "Windsor Milk Lines," Johnstown, Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
15th day of July, 1970.

vr

(Decision No. 75384)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
JOE PADILLA, DOING BUSINESS AS)
"PADILLA BROTHERS," P.O. BOX 704,)
EDGEMONT BRANCH, GOLDEN, COLORADO.)

PUC NO. 3384

July 15, 1970

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 do business under the trade name and style of Joe Padilla, doing business as "Mile Hi Disposal Service," in lieu of Joe Padilla, doing business as "Padilla Brothers," in the conduct of operations under PUC No. 3384.

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.


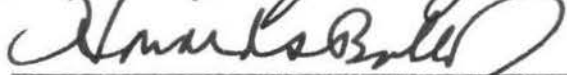
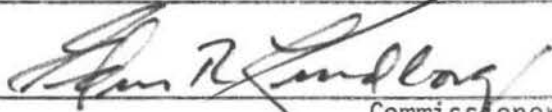
ORDER:

THE COMMISSION ORDERS:

That Joe Padilla, doing business as "Padilla Brothers," be, and hereby is, authorized to conduct operations under the trade name and style of Joe Padilla, doing business as "Mile Hi Disposal Service," in the conduct of operations under PUC No. 3384, 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

Dated at Denver, Colorado, this
15th day of July, 1970.

vr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
DEATON, INC., 317 AVENUE W.)
ENSLEY, P. O. BOX 1271, BIRMINGHAM,)
ALABAMA.)

PUC NO. 5377-I

July 15, 1970

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 from Deaton, Inc., to Deaton of Delaware, Inc., doing business as "Deaton, Inc.," in the conduct of operations under PUC No. 5377-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.

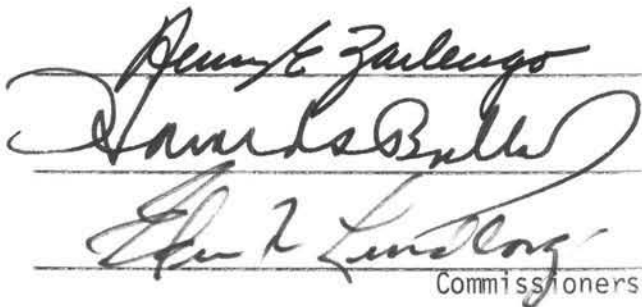
O R D E R

THE COMMISSION ORDERS:

That Deaton, Inc., be, and hereby is, authorized to change its corporate name to Deaton of Delaware, Inc., doing business as "Deaton, Inc.," in the conduct of operations under PUC No. 5377-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

Dated at Denver, Colorado, this
15th day of July, 1970.

vr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF EMERGENCY INCREASE
OF RATES AND CHARGES APPLICABLE TO
THE TRANSPORTATION OF PROPERTY BY
MOTOR VEHICLE COMMON CARRIERS TO
BECOME EFFECTIVE ON LESS THAN THIRTY
DAYS' NOTICE

CASE NO. 1585

July 14, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Colorado Motor Carriers' Association, Petitioner, has previously filed an application for and on behalf of its member motor vehicle common carriers who participate in CMCA Tariff 12-B, Colorado P.U.C. No. 19, for a general increase in rates and charges. This matter has been set for hearing on August 10, 1970. On July 13, 1970, the Petitioner filed its Petition for Special Permission to publish immediate emergency increase on five (5) days' notice. The emergency increase proposed is substantially less than the proposed general increase that will be the subject of the hearing on August 10, 1970.

The Commission has carefully examined exhibits and studies attached to the petition and the studies conducted by its own staff and finds that the financial condition of the carriers appears precarious. This situation has arisen primarily due to substantial wage increases as a result of a settlement between the industry and the Teamster's Union.

The Commission further finds that the matter of a general increase in rates and charges of the motor vehicle common carriers represented by the Petitioner will be heard on August 10, 1970; that if an increase is found to be justified upon that record, the carriers involved may now be suffering substantial losses; and that such losses might result in curtailment of essential transportation services to the detriment of the public interest.

The Commission accordingly concludes, based on information enumerated above, that special circumstances to warrant granting the relief sought and that permission for filing temporary emergency increase should be granted as provided in the Order hereinbelow.

O R D E R

THE COMMISSION ORDERS THAT:

1. The Colorado Motor Carriers' Association, Petitioner herein, for and on behalf of its member motor vehicle common carriers who participate in CMCA Tariff 12-B, Colorado P.U.C. No. 19, be, and hereby is, authorized to publish and put into force upon not less than five (5) days' notice an immediate emergency increase for rates and charges in the said tariff as follows:

a. All Class and Commodity Rates, except minimum charges, applying on shipments transported between points located in Plains Territory, as described in Item 260 of the said tariff, an increase of 14%.

b. All Class and Commodity Rates, except minimum charges, applying on shipments transported from to and between points located in Mountain Territory, as described in Item 260 of the said tariff, an increase of 7%.

c. Minimum charges as published in Item 420 (I) of Tariff 12-B:

- (1) No increase on shipments weighing 150 pounds or less.
- (2) Increase by 25¢ per shipment those minimum shipments weighing over 150 pounds but not over 200 pounds.
- (3) Increase by 35¢ per shipment those minimum shipments weighing over 200 pounds.

d. All other charges, an increase of 7%.

e. The increases provided for herein will not apply to rates and charges as published in Section 5 of said tariff.

f. Except for the increases in minimum charges, the increases provided for herein shall be added to the total charges shown on the freight bill, and shall be entered separately on such freight bill.

2. The matter be, and hereby is, consolidated for hearing with the petition for a general increase of rates and charges now set for

for August 10, 1970.

3. The increased charges collected under the authority of this Order be, and hereby are, made subject to refund pending the determination in the said petition for a general increase. In the event that the rates authorized by the Commission in that proceeding are less than the temporary emergency increase permitted to be filed herein, the carriers shall refund the difference in charges on all shipments subject to the increase authorized to be filed herein in the manner to be prescribed by the Commission.

4. The said emergency increase in rates and charges may be made effective on or after July 21, 1970, if not suspended before that date. Any protest thereto must be filed on or before July 20, 1970.

5. The increase provided for herein shall be the prescribed increase of the Commission and shall apply to all rates and charges heretofore prescribed in Case 1585 and published in the tariff described above on the effective date of the emergency increase.

6. Call and demand motor common carriers and Class B contract carriers by motor vehicle transporting shipments in competition with the members of the Petitioner involved shall be subject to the penalty rule of twenty (20) percent.

7. Class A contract carriers by motor vehicle in competition with any of the members of Petitioner involved shall publish or cause to be published increases which shall not be less than those prescribed herein.

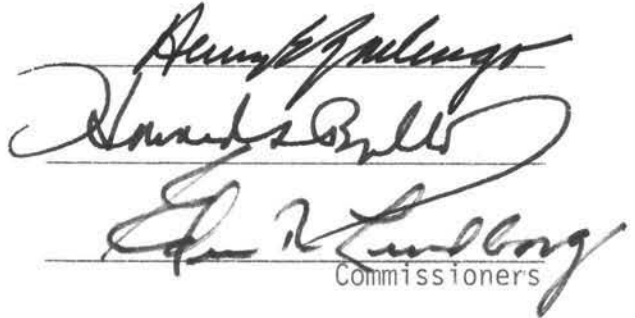
8. This Order shall not be construed so as to compel a contract carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such contract carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

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

of the Commission.

10. This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
14th day of July, 1970. av

(Decision No. 75387)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Solan M. Hulsey, Jr., dba) PERMIT NO. B-7061
Basin Sanitation Service)
Route #2, Box 141)
Durango, Colorado 81301)

July 16, 1970

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.

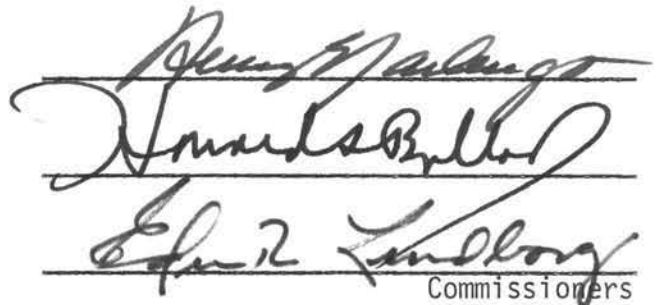
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 29, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 16th day of July, 1970.
hj

(Decision No. 75388)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ED F. MUZZY)
Box 173)
Bayfield, Colorado 81122)

PERMIT NO. B-7343

July 16, 1970

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.

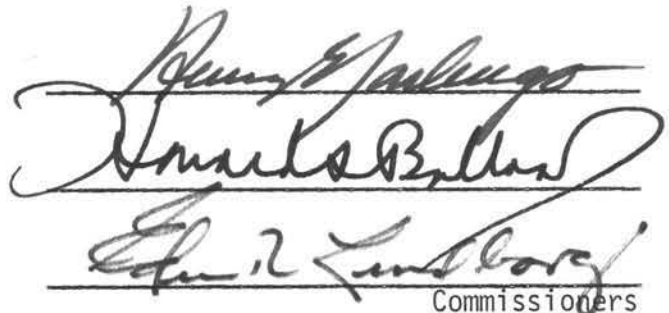
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 18, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 16th day of July, 1970.

hj

(Decision No. 75389)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
ALOIS MINARIK)
Box 171)
Atkinson, Nebraska 68713)

PUC NO. 5268-I

July 16, 1970

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.

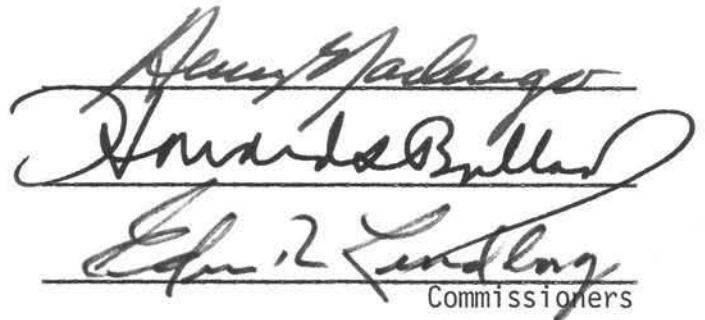
The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective June 30, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 16th day of July, 1970.
hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF RICHARD H. ESHE AND LOIS MAE)
ESHE, DOING BUSINESS AS "SOUTH)
PARK MOTOR LINES," 48 EAST 56TH)
AVENUE, DENVER, COLORADO, FOR)
EMERGENCY TEMPORARY AUTHORITY TO)
EXTEND OPERATIONS UNDER CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
PUC NO. 1026.)

APPLICATION NO. 24387-Extension-ETA
ORDER DENYING EMERGENCY TEMPORARY
AUTHORITY

July 14, 1970

The above-entitled application under CRS 1963, 115-6-20(4),
being under consideration, and

It appearing, That the Applicants have not shown that there
is an immediate and urgent need for the relief herein sought.

It is ordered, That the application for emergency temporary
authority be, and is hereby, denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 14th day of July, 1970.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

DENVER TRAMWAY CHARTER CO.)
350 SOUTH SANTA FE DRIVE)
DENVER, COLORADO)
CONTINENTAL BUS SYSTEM, INC.)
(ROCKY MOUNTAIN LINES DIVISION),)
AMERICAN BUS LINES, INC., DENVER-)
COLORADO SPRINGS-PUEBLO MOTORWAY,)
INC., AND DENVER-SALT LAKE-PACIFIC)
STAGES, INC.)
2450 STOUT STREET)
DENVER, COLORADO)
ROCKY MOUNTAIN MOTOR CO., INC., d/b/a)
COLORADO TRANSPORTATION COMPANY)
3455 RINGSBY COURT)
DENVER, COLORADO,)

Complainants,)

vs.)

COLORADO MOTORWAY, INC.)
P. O. BOX 1228)
DENVER, COLORADO,)

Respondent.)

CASE NO. 5401

SUPPLEMENTAL ORDER

July 16, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

By Decision No. 75212, dated June 26, 1970, the Commission dismissed the Complaint in the above-captioned Case. It has now come to the attention of the Commission that the Order erroneously did not state that such dismissal was without prejudice.

The Commission finds that the said Decision should be amended to so provide.



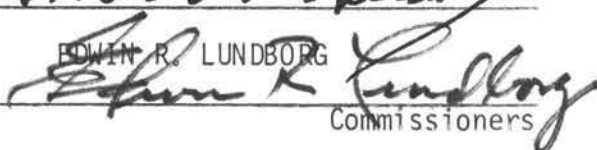
O R D E R

THE COMMISSION ORDERS:

That Decision No. 75212, dated June 26, 1970, be, and hereby is, amended to the effect that the Complaint in the above-captioned Case be, and hereby is, dismissed without prejudice.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
16th day of July, 1970.

vr

(Decision No. 75392)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

EPHRAIM FREIGHTWAYS, INC.,
A COLORADO CORPORATION,
1385 UMATILLA STREET,
DENVER, COLORADO,

Complainant,

vs.

RIO GRANDE MOTOR WAY, INC.,
A COLORADO CORPORATION,
BOX 5168, TERMINAL ANNEX,
DENVER, COLORADO,

Respondent.

CASE NO. 5369-Amended

SUPPLEMENTAL ORDER

July 16, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 17, 1970, the Commission entered Decision No. 75117 in the above-entitled matter.

On July 3, 1970, Ephraim Freightways, Inc., Complainant, by and through its attorneys, Stockton and Lewis and William F. Schenkein, filed a Petition for Reconsideration.

The Commission has carefully considered Petition for Reconsideration 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 Reconsideration filed July 3, 1970, by Ephraim Freightways, Inc., be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this
16th day of July, 1970.

vr

(Decision No. 75393)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)	
OF THACKER BROS. TRANSPORTATION,	)	APPLICATION NO. 24108-PP-Extension
INC., 1600 ELIOT, DENVER, COLORADO,)	
TO EXTEND OPERATIONS UNDER PERMIT	)	SUPPLEMENTAL ORDER
NO. A-16.)	

July 16, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On April 29, 1970, Decision No. 74816 was issued by the Commission, it being the Recommended Decision of Examiner Christian O. Igenbergs. On June 5, 1970, Thacker Bros. Transportation, Inc., Applicant, by and through its attorneys, filed a motion for an order setting aside said Decision No. 74816 and to disregard said Decision. On the same date, Applicant by letter requested an extension of time to file Exceptions until at least ten (10) days after determination of the said motion which, if granted, would have eliminated the necessity of filing Exceptions. On June 25, 1970, the said motion was denied. However, by inadvertence, no action was taken by the Commission on the request for extension of time.

The Commission finds the request for extension of time was timely filed and, good cause being shown, the request should be granted, and concludes that the following Order should be entered.

O R D E R

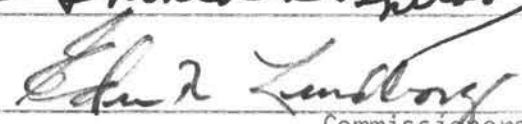
THE COMMISSION ORDERS:

That time for filing Exceptions to Decision No. 74816, it being the Recommended Decision of Examiner Christian O. Igenbergs, be, and hereby is, extended to ten (10) days after the effective date of this Order.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
16th day of July, 1970.
vr

Only

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MIXED SHIPMENTS, LTL AND TL; ALTERNATE)
APPLICATION OF RATES ON SHIPMENTS WEIGHING)
1,999 POUNDS OR LESS; APPLICATION OF MINIMUM)
WEIGHT COLUMNS 5,000 and 10,000 POUND RATE)
BASIS; MILK BACTERIA SAMPLE; AND SCRAP,)
PAPER OR RUBBER)
-----)

CASE NO. 1585

July 15, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 12, 1970, the Colorado Motor Carriers' Association, Agent, by J. R. Smith, Chief of Tariff Bureau, filed revised pages as set forth in Appendix "A" attached hereto, scheduled to become effective July 18, 1970.

Items Nos. 35 and 36 supplant, in part, rules of the governing classification (640 and 645) for mixed shipments, applicable either to less-than-truckload or truckload shipments.

Supporting these adjustments and the elimination of Item 120, and portions of Item 185, Mr. Wally Fletchinger, General Traffic Manager, Rio Grande Motor Way, Inc., states in correspondence forwarded to the Commission that:

"The purpose of this proposal is to establish provisions in the tariff that will allow the rating of mixed shipments on both an LTL and TL or volume basis. NMFC items 640 and 645 are incomplete as they make reference to only class rates and are silent as to the application of commodity rates. Both of these mixed shipment provisions include the application of commodity rates as well as class rates and allows the mixing of each type of rate in a shipment or allows the mixing of two or more different commodity rates in a shipment. Presently, I believe that Tariff 12-B is silent as to the mixing of class and commodity rates in the same shipment, whether they be LTL, TL or volume. At the same time I also believe that there is no provision in the same tariff that allows a carrier to mix two or more commodity rates on the same shipment. Again, this is true whether the rates involved are LTL, TL or volume. It is believed that guide lines should be contained within the tariff that allows for the rating of shipments in the manner proposed by these exceptions to NMFC items 640 and 645. Without the establishment of the proposed provisions I am doubtful that tariff-wise both class rates and commodity rates can be applied to the same shipment nor can two different commodity rates be applied to the same shipment."

Item 660 (Milk Bacteria Samples) has no application in this tariff as the Colorado Milk Transport, Inc., is no longer a participating carrier thereto.

Item 2395 (Lumber). The addition of Item 2395, according to Mr. Fletchinger, Rio Grande Motor Way, Inc., is based upon the following facts:

"These rates have been negotiated with the shipper at South Fork on the basis of an expected movement of one or two loads a week to each destination point. The present applicable rates are listed in Item No. 2400, and are based on a 30,000 pound minimum weight. These present rates are 38¢ to Pueblo (169 miles), 41¢ to Colorado Springs (198 miles), and 45¢ to Denver (234 miles). The proposed rates reduce the present rates by 3¢ at both Pueblo and Colorado Springs and 5¢ at Denver. Earnings produced per loaded mile are 83¢, 77¢ and 68¢ to the respective destinations of Pueblo, Colorado Springs and Denver. We have a headhaul interstate movement on a regular basis from Alamosa to the Durango-Farmington area in conjunction with rail shipments inbound to Alamosa. The majority of this traffic moves beyond Alamosa on flatbed equipment and these trailers continuously return empty from the Four Corner area back through South Fork into Alamosa. Availability of equipment is no problem and to acquire this movement eastbound would help to balance our operations within that territory, which is strongly overbalanced at present on the westbound direction."

Staff observation applicable to prescribing Item 2395, under the provisions of Colorado Revised Statutes 115-11-5, governing Contract Motor Carriers transporting commodities for-hire:

Historically, the transportation of truckload shipments loaded to not less than the rated capacity of the truck used, of lumber and articles of wood usually accorded the same rates as lumber, has been an exempt commodity from the prescribed rates in Case No. 1585. There are, however, exceptions which are applicable to line haul service. South Fork, Colorado is a point served on the scheduled line haul operations of Rio Grande Motor Way, Inc. Its "Time Schedule" indicates by freight route number 5 that South Fork is served by an interchange with Creede Bus and Freight Line.

Upon inquiry with Rio Grande Motor Way, Inc., it develops that the interchange of freight is for less-than-truckload shipments only. The schedule does not so indicate. However, the Staff of the Commission has been informed by a representative of Rio Grande that the proper steps will be taken to correct this situation. It should also be noted that correction

should be entered adjusting the miles reported in letter of justification to the 1970 Colorado Department of Highways Map.

Pueblo, Colorado	-	152 plus 16	=	168
Colorado Springs	-	183 plus 16	=	199
Denver	-	213 plus 16	=	229

Items 2995 and 3000 (Scrap). N W Transport Service, Inc., under its operation of Certificate No. 7728, is being added as a participating carrier, together with supporting a 35¢ per hundred pound rate from Pueblo to Denver. Jerome Marks, Traffic Manager of N W Transport states:

"These levels were established to become competitive with rail. The rates are subject to shipper load, consignee unload, and the actual service performed is no greater than that performed in rail service.

"Additionally, establishment of this rate will allow us to fill schedules that would otherwise move to Denver empty. The level is compensatory for this backhaul movement with the five cent differential over Colorado Springs."

Since the changes as set forth in the statement and Appendix "A" attached hereto appear to represent just, fair and reasonable rates, charges and provisions, the Commission states and finds that: --

1. Rio Grande Motor Way, Inc., shall correct its "Time Schedule" to reflect the proper less-than-truckload and truckload scheduled service, so the general public may know the type of service rendered to points served on Freight Route No. 5. Tariff 12-B, Colorado PUC No. 19, shall also be amended to reflect a routing between Denver and South Fork, for joint operations between Rio Grande Motor Way, Inc., and Creede Bus & Freight Line.

2. An Order shall be entered prescribing the provisions, as amended, in findings "1" above and for Appendix "A" under the provisions of Rule 18C (1) (a) of the Commission's Rules of Practice and Procedure, and Colorado Revised Statutes Governing Public Utilities, 115-11-5, as amended.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement, Findings and Appendix "A" be, and are hereby, made a part hereof.
2. That the rates and charges as amended and set forth

in Appendix "A" of 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, with the exception that correction in findings (1) of the statement hereof shall be published.

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 Contract 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 July 18, 1970, 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 July 18, 1970, all Contract 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" Contract Carriers shall be subject to the penalty rule of twenty (20) percent.

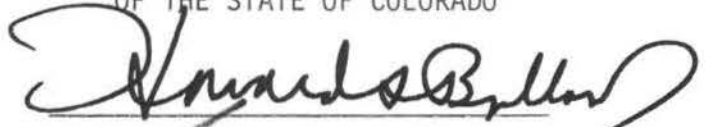

7. That this Order shall not be construed so as to compel a Contract Carrier by motor vehicle to be or become a motor vehicle Common Carrier, or to subject any such Contract Carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

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

Commissioner Henry E. Zarlengo
necessarily absent and not
participating.

Dated at Denver, Colorado, this
15th day of July, 1970. av

APPENDIX "A"

Colorado Motor Carriers' Association, Agent
Local and Joint Class and Commodity Rates
Tariff 12-B, Colorado PUC No. 19

Scheduled to become effective July 18, 1970

EXCEPTIONS TO RULES OF THE GOVERNING CLASSIFICATION

2nd Revised Page 57

35 MIXED SHIPMENTS - LTL:

4 Exception to Sections 1, 2 and 3 of National Motor Freight
Classification Item 640.

(conclu- Except as otherwise provided, the provisions of Sections 1, 2 and 3
ded on of NMFC Item 640 do not apply on shipments which move under rates
Page 57-A which are designated in this tariff as LTL rates.

Sec. 1 Single LTL shipments which consist of articles subject
to only one class or commodity rate will be charged at
the actual or authorized estimated weight and at the
class or commodity rate applicable, subject to the
minimum charge in the appropriate minimum charge item
in this tariff.

Sec. 2 (A) Single LTL shipments which consist of articles
subject to two or more different class or commodity
rates, when articles subject to such different rates
are separately packaged, will be charged at the actual
or authorized estimated weight, and at the class or
commodity rate applicable to each, subject to the
minimum charge in the appropriate minimum charge item
in this tariff.

(B) Where different scales of rates are provided for
shipments of different weights, apply on each article
the rate which would apply on that article if such
article were tendered as a straight shipment weighing
the same as the aggregate weight of the mixed shipment.
Any deficit between the actual weight of the shipment,
and the weight provided for the next lower scale of
rates, will be charged for at the highest rate appli-
cable to any article in the shipment.

Sec. 3 (A) Except as provided in Paragraphs 3 (b) and 3 (c) below
the charge for a package (subject to Note 1), pallet, plat-
form or skid containing or bearing articles subject to
different rates, will be at the rate provided for the
highest rated article in or on the package, pallet, plat-
form or skid, subject to the minimum charge in the appro-
priate minimum charge item in this tariff. All the
articles need not be specified on the shipping order or
bill of lading, but only one of the articles subject to
the highest rate need be specified. In such instances
notation must appear on shipping order and bill of lading:
"And other articles rated the same or lower," which may
be abbreviated to "RS or L."

EXCEPTIONS TO RULES OF THE GOVERNING CLASSIFICATION

Item	Rule
Original Page 57-A	
35	<p><u>MIXED SHIPMENTS - LTL: (concluded)</u></p> <p>Exception to Sections 1, 2 and 3 of National Motor Freight Classification Item 640.</p> <p>(B) Subject to Note 2, when more than one package is loaded on and strapped to a pallet, platform or skid, the charge for each package shall be at the rate provided for the highest rated article in that package.</p> <p>(C) Subject to Note 2, when there is tendered any pallet, platform or skid containing or bearing articles (not in individual packages) subject to different rates, the charge for each article will be at the rate provided for that article.</p> <p>NOTE 1: The term "package" has the same meaning as the definition for "in packages" set forth in Sec. 5 of National Motor Freight Classification Item 680.</p> <p>NOTE 2: Provisions of Paragraphs 3 (B) or 3 (C) apply only when the weight of each pallet, platform or skid, and its contents, exceeds 1,000 pounds. The weight of the pallet, platform or skid will be charged for at the lowest rate applicable to any article on the pallet, platform or skid, and the shipper shall show separately on the bill of lading the weight of the individual packages or articles, and the weight of the pallet, platform or skid.</p>
36	<p><u>ORIGINAL PAGE 57-B</u></p> <p><u>MIXED SHIPMENTS - TL OR VOL.</u></p> <p>EXCEPTION TO NATIONAL MOTOR FREIGHT CLASSIFICATION ITEM 645.</p> <p>EXCEPT AS OTHERWISE PROVIDED IN CONNECTION WITH INDIVIDUAL RATES, THE PROVISIONS OF NMFC ITEM 645 DO NOT APPLY ON MIXED SHIPMENTS OF ARTICLES WHICH MOVE UNDER TRUCKLOAD CLASS RATES, OR UNDER VOLUME COMMODITY RATES.</p> <p>WHEN A NUMBER OF DIFFERENT ARTICLES AS DESCRIBED IN THE PRECEDING PARAGRAPH ARE SHIPPED AT ONE TIME BY ONE CONSIGNOR TO ONE CONSIGNEE AT ONE DESTINATION ON ONE BILL OF LADING AS A MIXED SHIPMENT, THE CHARGES ON THE SHIPMENT WILL BE DETERMINED AS FOLLOWS:</p> <p>(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) BELOW, THE RATE TO APPLY ON EACH ARTICLE WILL BE THE RATE WHICH WOULD APPLY ON THAT ARTICLE IF SUCH ARTICLE WERE TENDERED AS A STRAIGHT SHIPMENT WEIGHING THE SAME AS THE AGGREGATE WEIGHT OF THE MIXED SHIPMENT.</p> <p>(2) IF LOWER CHARGES RESULT FROM THE APPLICATION ON A PORTION OF THE SHIPMENT OF LTL RATES, AND FROM THE APPLICATION OF TRUCKLOAD OR VOLUME RATES AS PROVIDED FOR IN THIS ITEM ON THE REMAINDER OF THE SHIPMENT, SUCH LOWER CHARGES APPLY.</p> <p>(3) THE MINIMUM WEIGHT FOR THE ENTIRE SHIPMENT WILL BE THE HIGHEST MINIMUM WEIGHT APPLICABLE IN CONNECTION WITH ANY RATE DETERMINED AS PROVIDED IN PARAGRAPH (1). THE WEIGHT OF ANY PORTION OF THE SHIPMENT SUBJECT TO RATES AS PROVIDED IN PARAGRAPH (2) ABOVE MAY BE USED TO MAKE UP THE REQUIRED MINIMUM WEIGHT. ANY DEFICIT IN THE MINIMUM WEIGHT WILL BE CHARGED FOR AT THE HIGHEST RATE APPLICABLE TO ANY ARTICLE IN THE SHIPMENT AS DETERMINED IN PARAGRAPH (1) OR (2) ABOVE.</p> <p>(4) WHERE ANY RATE ITEM PROVIDES RATES WHICH APPLY ONLY ON MIXED SHIPMENTS OF ARTICLES DESCRIBED IN THAT ITEM, SUCH RATES APPLY IN CONNECTION WITH THE PROVISIONS OF THIS ITEM ONLY WHEN TWO OR MORE OF THE ARTICLES DESCRIBED IN THAT ITEM ARE INCLUDED IN THE SHIPMENT.</p> <p>(5) WHERE PROVISIONS ARE MADE IN ANY RATE ITEM FOR INCLUSION OF CERTAIN ARTICLES SUBJECT TO SPECIFIC CONDITIONS OR LIMITATIONS, SUCH PROVISIONS LIKEWISE APPLY WHEN SUCH ARTICLES ARE INCLUDED IN MIXED SHIPMENTS MOVING UNDER THIS RULE.</p> <p>(6) WHEN THE AGGREGATE CHARGE ON THE ENTIRE SHIPMENT IS LESS BY CONSIDERING THE SHIPMENT AS TWO OR MORE SEPARATE SHIPMENTS, ON THE BASIS OF THE VOLUME OR TRUCKLOAD RATE AND MINIMUM WEIGHT AS PROVIDED IN THE PRECEDING PARAGRAPHS FOR A PORTION OF THE SHIPMENT, AND ON THE BASIS OF THE AQ OR LTL RATE OR RATES ON THE OTHER PORTION OF THE SHIPMENT, THE SHIPMENT WILL BE CHARGED FOR ACCORDINGLY.</p>

(Decision No. 75395)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF BOB L. HUNT, R. R. 1, BOX 509C,)
MORRISON, COLORADO 80465, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY AUTHORIZING EXTEN-)
SION OF OPERATIONS UNDER PUC NO.)
5521.)

APPLICATION NO. 24338-Extension

July 16, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION

On July 14, 1970, Doyle's House Moving, by its attorney, Warren D. Braucher, filed a Petition to Intervene in the above-captioned proceeding and caused a copy of said Petition to be served upon Applicant's attorney, William D. Mitchell.

The Commission states and finds that applicant for intervention 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.

ORDER

THE COMMISSION ORDERS:

That the Petition to Intervene of Doyle's House Moving be, and the same hereby is, granted.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
6th day of July, 1970.

vr

(Decision No. 75396)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GERALD L. RAYBURN AND CAROLE A.)
RAYBURN, BOX 312, BAILEY, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY TO OPERATE AS A)
COMMON CARRIER BY MOTOR VEHICLE.)

APPLICATION NO. 24339

ORDER OF THE COMMISSION

July 17, 1970

Appearances: Edward E. Kingery, Esq.,
Boulder, Colorado,
for Applicants.

It appearing, That by Order of the Commission dated May 12, 1970, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicants in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereafter ordered;

Wherefore, and good cause appearing therefor:

We find, That the present or future public convenience and necessity requires or will require Applicants' transportation service as hereinafter ordered;

And we further find, That Applicants are fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate Order should be entered; and

IT IS ORDERED, That Gerald L. Rayburn and Carole A. Rayburn, Box 312, Bailey, Colorado, be, and hereby are, granted a Certificate of Public Convenience and Necessity to operate as a common carrier by motor vehicle for hire for the following:

Transportation -- in sightseeing service -- of
Passengers

Within the following described area: Commencing at Rollinsville, Colorado; thence on a line south-westerly to Dillon, Colorado; thence south on a line to Alma, Colorado; thence southeasterly on a line to Hartsel, Colorado; thence easterly to Florissant, Colorado; thence on a line northeasterly to Deckers, Colorado; thence along a line northerly to Rollinsville, Colorado, the point of beginning.

RESTRICTION: This Certificate is restricted as follows:

- (a) All transportation service to be rendered under this Certificate must originate and terminate at Bailey, Colorado.
- (b) To the use of four-wheel drive vehicles.

and this Order shall be taken, deemed and held to be a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.

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

That the holder of this Certificate shall operate 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 the holder of this certificate with all present and future laws and rules and regulations of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
17th day of July, 1970.

vr

(Decision No. 75397)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LEONARD C. TURLEY, 6250 EAST 64TH)
AVENUE, COMMERCE CITY, COLORADO, FOR)
AUTHORITY TO OPERATE AS A CLASS "B")
CONTRACT CARRIER BY MOTOR VEHICLE.)

APPLICATION NO. 24359-PP

ORDER OF THE COMMISSION

July 17, 1970

Appearances: Leonard C. Turley,
Commerce City, Colorado,
pro se.

It appearing, That by Order of the Commission dated May 27, 1970, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate Order should be entered; and

IT IS ORDERED, That Leonard C. Turley, 6250 East 64th Avenue, Commerce City, Colorado, be, and hereby is, authorized to operate as a class "B" contract carrier by motor vehicle for hire for the following

Transportation of --

Hay and straw

Between all points within an area comprised of the following named counties: Denver, Adams, Arapahoe, and Jefferson, State of Colorado, and to and from said points, from and to points within the State of Colorado.

RESTRICTION:

All transportation service to be rendered under this Permit is restricted to serving not more than ten (10) customers at any one time.

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

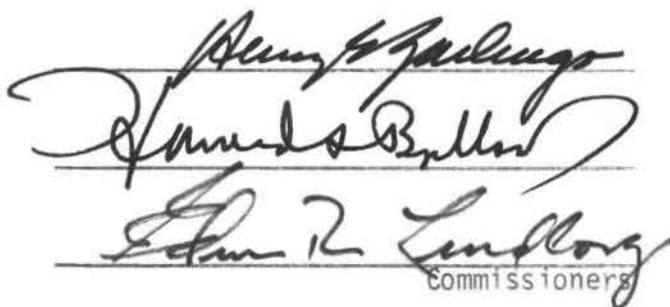
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, the necessary tariffs, required insurance, and has secured authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
17th day of July, 1970.
vr

(Decision No. 75398)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF L. O. QUINBY, DOING BUSINESS)
AS "QUINBY TRUCKING," 6290 EAST)
65TH AVENUE, COMMERCE CITY,)
COLORADO, FOR AUTHORITY TO TRANS-)
FER PERMIT NO. B-5587 TO JEANETTE)
IVERSEN, 6500 EAST 88TH AVENUE,)
#73, HENDERSON, COLORADO.)

APPLICATION NO. 24324-PP-Transfer

ORDER OF THE COMMISSION

July 17, 1970

Appearances: L. O. Quinby, Commerce City, Colorado
Transferor, pro se.

Jeanette Iversen, Henderson, Colorado,
Transferee, pro se.

It appearing, That by Order of the Commission dated May 13, 1970,
notice of the filing of the above-entitled application was given to all
interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to
intervene or otherwise participate in the proceeding has been filed by any
person within the time prescribed by the Commission in said Order, and that
the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the
herein matter is one which may properly be determined without the necessity
of a formal oral hearing and that the taking of evidence in this proceeding
should be by reference to the verified application as filed with the Commis-
sion together with such additional information or data as may have been
required of Applicant in connection with said filing, and the files and
records of the Commission;

And it further appearing, That the evidence thus submitted amply
warrants approval of the transfer as hereinafter ordered;

Wherefore, and good cause appearing therefor;

We find, That the financial standing of the Transferee has been satisfactorily established and that the transfer is compatible with the public interest;

And we further find, That Transferee is fit, willing and able properly to engage in bona fide motor carrier operations under the authority to be transferred and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate Order should be entered; and

IT IS ORDERED, That L. O. Quinby, doing business as "Quinby Trucking," 6290 East 65th Avenue, Commerce City, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to Contract Carrier Permit No. B-5587 to Jeanette Iversen, 6500 East 88th Avenue, #73, Henderson, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

That henceforth the full and complete authority under Contract Carrier Permit No. B-5587 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 one hundred (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 one hundred (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 one hundred (100) miles of said jobs;

- (4) 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 1, 2, 3, and 4 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials.

(5) Coal

From northern Colorado coal fields to all points within Denver, Colorado, and a twenty-five (25) mile radius thereof.

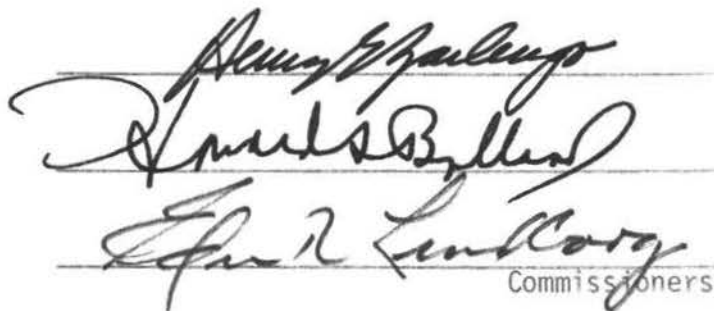
RESTRICTION: Items, 1, 2, 3, 4, and 5 of this Permit are restricted against serving more than ten (10) customers at any one time.

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 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 right of Transferee to operate under this Order shall be dependent upon 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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
17th day of July, 1970.

vr

(Decision No. 75399)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

Ralph Cordero)
Box 424)
Monte Vista, Colorado 81144)

AUTHORITY NO. B-5647

CASE NO. 2135-H-Ins.

July 17, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 11, 1970 , 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.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 17 day of July, 1970

be

(Decision No. 75400)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RICHARD N. JONES AND L. T. LANDRETH,)
DOING BUSINESS AS "LANDRETH & JONES)
MILLING COMPANY," 2946 LANCASTER,)
PUEBLO, COLORADO, FOR AUTHORITY TO)
TRANSFER PERMIT NO. B-6486 TO L. T.)
LANDRETH, DOING BUSINESS AS "LANDRETH)
& JONES MILLING COMPANY," 706 SOUTH)
13TH STREET, BOX 736, LAMAR, COLORADO.)

APPLICATION NO. 24044-PP-Transfer
SUPPLEMENTAL ORDER

July 17, 1970

Appearances: L. T. Landreth,
Lamar, Colorado,
pro se;
Richard N. Jones,
Lamar, Colorado,
pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 27, 1970, Recommended Decision No. 74630 of Christian O. Igenbergs, Examiner, was issued in the above-entitled matter authorizing Richard N. Jones and L. T. Landreth, doing business as "Landreth & Jones Milling Company," to transfer Permit No. B-6486 to L. T. Landreth, doing business as "Landreth & Jones Milling Company."

The Commission has been advised that the transfer cannot be completed and the parties request that Decision No. 74630 be set aside.

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

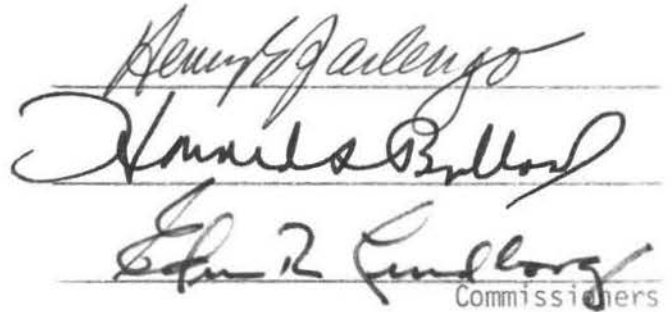
THE COMMISSION ORDERS:

That Recommended Decision No. 74630, dated March 27, 1970, be, and the same hereby is, vacated, set aside and held for naught.

That the Secretary of the Commission be, and hereby is, directed to change the records of the Commission to show Permit No. B-6486 to be owned and operated by Richard N. Jones and L. T. Landreth, doing business as "Landreth & Jones Milling Company," Pueblo, Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
17th day of July, 1970.

vr

(Decision No. 75401)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF LAMB CONSTRUCTION, INC., LYONS,)
COLORADO, FOR EMERGENCY TEMPORARY)
APPROVAL TO TRANSFER CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECES-)
SITY PUC NO. 6946 TO DON E.)
SCHLEIGER, DOING BUSINESS AS)
"S & S SANITATION," LOVELAND,)
COLORADO.)

APPLICATION NO. 24427-Transfer-ETA
ORDER GRANTING EMERGENCY TEMPORARY
APPROVAL

July 17, 1970

The above-entitled application under CRS 1963, 115-6-20(4),
being under consideration, and

It appearing, That Applicant has established the following:
That appropriate application has been made to this Commission for perma-
nent authority to transfer Certificate PUC No. 6946 to the above-named
Transferee.

It further appearing, That there is an immediate and urgent
need for the emergency temporary approval herein sought.

It further appearing, That failure to immediately grant emer-
gency temporary approval may result in destruction of or injury to the
Applicant or interfere substantially with their future usefulness in the
performance of adequate and continuous service.

It further appearing, That said circumstances constitute an
emergency requiring the immediate issuance of emergency temporary approval.

It is ordered, That Don E. Schleiger, doing business as "S & S
Sanitation," be, and hereby is, granted emergency temporary approval for
a period of fifteen (15) days commencing July 17, 1970, to operate under
Certificate PUC No. 6946, with authority as follows:

"Transportation of

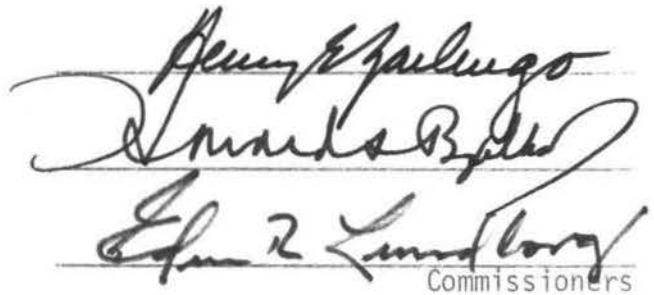
Ashes, trash and other refuse

From the town of Berthoud, Colorado, and a five (5) mile radius thereof to regularly designated and approved dumps and disposal sites located within the Counties of Weld and Larimer, State of Colorado,"

conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations, to engage in the business of transportation by motor vehicle.

It is further ordered, That the approval herein granted shall create no presumption that corresponding temporary or permanent approval will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
17th day of July, 1970.
vr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
GILPIN COUNTY FREIGHT SERVICE,)
INC., 3879 BLAKE STREET, DENVER,)
COLORADO.)

PUC NO. 1127
PERMIT NO. B-3009

July 20, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Gilpin County Freight Service, Inc., record owner and operator of PUC No. 1127 and Permit No. B-3009, herein seeks authority to encumber said Certificate and Permit to Myron Alan Goldstein, Edward L. Reilly and Julius I. Ginsberg, to secure payment of the indebtedness in the sum of \$4,000, in accordance with the certain terms and conditions set forth in Security Agreement and Financing Statement, dated May 3, 1970, and properly filed with the Commission in accordance with the statutory provisions of the Uniform Commercial Code.

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



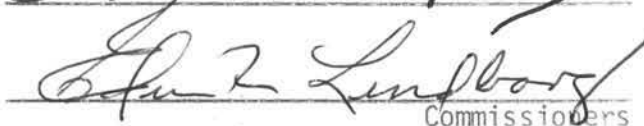
O R D E R

THE COMMISSION ORDERS:

That Gilpin County Freight Service, Inc., record owner of PUC No. 1127 and Permit No. B-3009, be, and hereby is, authorized to encumber all right, title and interest in and to PUC No. 1127 and Permit No. B-3009 to Myron Alan Goldstein, Edward L. Reilly and Julius I. Ginsberg, to secure payment of the indebtedness in the sum of \$4,000, as set forth in the Statement preceding, which is made a part of this Order by reference.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
20th day of July, 1970.

vr

(Decision No. 75403)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROCKY MOUNTAIN MOBILE HOME TOWING)
SERVICE, INC., 2202 TOWER ROAD, AURORA,)
COLORADO, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY AUTHORIZING)
EXTENSION OF OPERATIONS UNDER PUC NO.)
3016.)

APPLICATION NO. 24389-Extension

July 20, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 14, 1970, Doyle's House Moving, by and through its attorney, Warren D. Braucher, filed a Petition to Intervene in the above-captioned proceeding and caused copy of said Petition to be served on Applicant's attorney, Harold D. Torgan.

The Commission states and finds that applicant for intervention, Doyle's House Moving, 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 the Petition to Intervene by Doyle's House Moving be, and the same hereby is, granted.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
20th day of July, 1970.

vr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
A. D. THORSON AND ILEEN M. THORSON,)
DOING BUSINESS AS "COLORADO MOBILE)
HOME SERVICE," 5830 WEST 56TH AVENUE,)
ARVADA, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
AUTHORIZING EXTENSION OF OPERATIONS)
UNDER PUC NO. 2649.)

APPLICATION NO. 24390-Extension

July 20, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 14, 1970, Doyle's House Moving, by and through its attorney, Warren D. Braucher, filed a Petition to Intervene in the above captioned proceeding and caused copy of said Petition to be served on Applicant's attorney, Harold D. Torgan.

The Commission states and finds that applicant for intervention, Doyle's House Moving, 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.

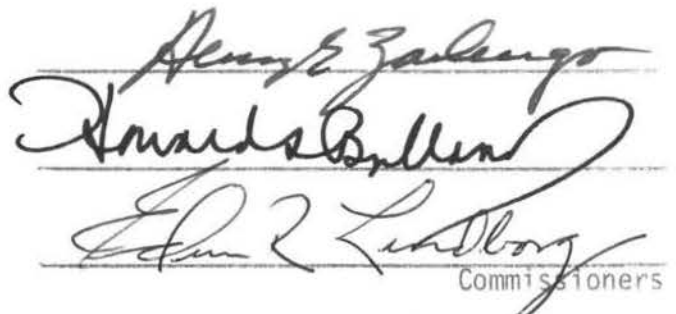
ORDER

THE COMMISSION ORDERS:

That the Petition to Intervene by Doyle's House Moving be, and the same hereby is, granted.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
20th day of July, 1970.

vr

(Decision No. 75405)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PUBLIC SERVICE COMPANY OF COLORADO)
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY TO EXERCISE)
FRANCHISE RIGHTS IN THE TOWN OF)
MORRISON, COUNTY OF JEFFERSON, STATE)
OF COLORADO, FOR THE GENERATION,)
PRODUCTION, MANUFACTURE, PURCHASE,)
STORAGE, EXCHANGE, TRANSMISSION AND)
DISTRIBUTION OF ELECTRICAL ENERGY)
AND GASEOUS FUELS, OR MIXTURES)
THEREOF, IN SAID TOWN.)

APPLICATION NO. 24376

RECOMMENDED DECISION OF
HOWARD S. BJELLAND,
COMMISSIONER

July 20, 1970

Appearances: Lee, Bryans, Kelly & Stansfield, by
Donald D. Cawelti, Esq.,
Denver, Colorado,
for Applicant;

Girts Krumins, Esq.,
Denver, Colorado, for the
Staff of the Commission.

PROCEDURE AND RECORD

The above-entitled application was filed by Public Service Company of Colorado on June 4, 1970. By this application Applicant seeks an order of the Commission for a certificate of public convenience and necessity to exercise franchise rights in the Town of Morrison, County of Jefferson, State of Colorado, for the generation, production, manufacture, purchase, storage, exchange, transmission and distribution of electrical energy and gaseous fuels.

Upon due and proper notice to all interested parties, the matter was set for hearing on July 16, 1970, at 10 a.m. in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at which time and place the matter was heard by Commissioner Howard S. Bjelland, to whom the matter was duly assigned.

No one appeared at the hearing in opposition to the granting of the application. The application was heard on a consolidated record with Applications No. 24377 and No. 24378.

At the conclusion of the hearing, the matter was taken under advisement.

The Hearing Commissioner transmits herewith the records and exhibits in this proceeding, together with his Recommended Decision and Recommended Order.

FINDINGS OF FACT

From the record herein, the Hearing Commission finds as fact, that:

1. 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 generation, purchase, transmission, distribution and sale of electrical energy, and in the purchase, distribution and sale of gas at various points within the State of Colorado.

2. A certified copy of Applicant's Certificate of Incorporation, together with all amendments thereto, has heretofore been filed with this Commission.

3. On April 1, 1970, the Board of Trustees of the Town of Morrison passed Ordinance No. 96, granting a gas and electric franchise to Applicant, which ordinance was entitled:

"AN ORDINANCE GRANTING A FRANCHISE BY THE TOWN OF MORRISON, JEFFERSON COUNTY, COLORADO, TO PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, PURCHASE, ACQUIRE, LOCATE, MAINTAIN, OPERATE AND EXTEND INTO, WITHIN AND THROUGH SAID TOWN, PLANTS, WORKS, SYSTEMS AND FACILITIES FOR THE GENERATION, PRODUCTION, MANUFACTURE, PURCHASE, STORAGE, EXCHANGE, TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY, GASEOUS FUELS OR MIXTURES THEREOF, BY MEANS OF PIPES, MAINS, CONDUITS, WIRES, CABLES, POLES AND STRUCTURES, OR OTHERWISE, ON, OVER, UNDER, ALONG AND ACROSS ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES, PUBLIC WAYS AND OTHER PUBLIC PLACES IN SAID TOWN OF MORRISON TO SELL, FURNISH AND DISTRIBUTE SAID PRODUCTS TO THE TOWN AND THE INHABITANTS THEREOF; AND FIXING THE TERMS AND CONDITIONS THEREOF."

A copy of said franchise, together with copies of supporting documents was attached to the application and admitted in evidence as Exhibit A. The said franchise is for a term of 25 years and provides for a franchise consideration to be paid to the Town in the amount of 3% of gross revenue up to \$10,000 from each customer for each service and 2% of the excess, with certain exclusions.

4. Applicant obtains its natural gas for distribution and sale in Morrison from its gas distribution system in the Denver Metropolitan area and obtains electricity for distribution in Morrison from its interconnected generating and transmission system.

5. Applicant's existing facilities will be utilized in continuing said service. There is no other public utility in the business of distributing electricity or gas in said Town of Morrison. Applicant serves 120 residential electric customers and 101 residential gas customers in the Town. The population of Morrison as shown by the preliminary 1970 Census is 439.

6. Public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado of the franchise rights granted in and by said Ordinance No. 96, of the Town of Morrison for the generation, production, manufacture, purchase, storage, exchange, transmission and distribution of electrical energy and gaseous fuels in the Town.

CONCLUSION

It is the conclusion of the Hearing Commissioner that the authorization sought in the application should be granted and that the following Order should be entered.

RECOMMENDED ORDER

THE COMMISSION ORDERS:

1. That public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado of the franchise rights granted in and by Ordinance No. 96 of the Town of Morrison admitted

in evidence as Exhibit A which, by reference, is made a part hereof, for the generation, production, manufacture, purchase, storage, exchange, transmission and distribution of electrical energy and gaseous fuels or mixtures thereof by Public Service Company of Colorado in said Town and this order shall be 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 electric and gas systems and supply service in the area heretofore designated in accordance with its schedules of 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.

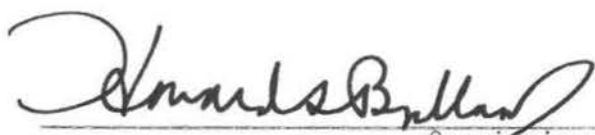
3. That Public Service Company of Colorado shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts, and shall continue to keep its practices in accordance with the Rules Regulating the Service of Electric and Gas Utilities, in accordance with the Commission's requirements.

4. This Order shall be effective as of the date this Recommended Decision becomes the Decision of the Commission.

As provided by Section 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become

the Decision of the Commission and subject to the pertinent provisions of Article 6, Chapter 115, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioner
vr

(Decision No. 75406)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PUBLIC SERVICE COMPANY OF COLORADO)
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY TO EXERCISE)
FRANCHISE RIGHTS IN THE TOWN OF)
BOW MAR, COUNTIES OF ARAPAHOE AND)
JEFFERSON, STATE OF COLORADO, FOR)
THE GENERATION, PRODUCTION, MANU-)
FACTURE, PURCHASE, STORAGE, EXCHANGE,)
TRANSMISSION AND DISTRIBUTION OF)
ELECTRICAL ENERGY AND GASEOUS FUELS,)
OR MIXTURES THEREOF, IN SAID TOWN.)

APPLICATION NO. 24377

RECOMMENDED DECISION OF
HOWARD S. BJELLAND,
COMMISSIONER

July 20, 1970

Appearances: Lee, Bryans, Kelly & Stansfield by
Donald D. Cawelti, Esq.,
Denver, Colorado,
for Applicant;

Girts Krumins, Esq.,
Denver, Colorado, for the
Staff of the Commission.

PROCEDURE AND RECORD

The above-entitled application was filed by Public Service Company of Colorado on June 4, 1970. By this application Applicant seeks an order of the Commission for a certificate of public convenience and necessity to exercise franchise rights in the Town of Bow Mar, Counties of Arapahoe and Jefferson, State of Colorado, for the generation, production, manufacture, purchase, storage, exchange, transmission and distribution of electrical energy and gaseous fuels.

Upon due and proper notice to all interested parties, the matter was set for hearing on July 16, 1970, at 10 a.m. in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at which time and place the matter was heard by Commissioner Howard S. Bjelland, to whom the matter was duly assigned.

No one appeared at the hearing in opposition to the granting of the application. The application was heard on a consolidated record with Applications No. 24376 and No. 24378.

At the conclusion of the hearing, the matter was taken under advisement.

The Hearing Commissioner transmits herewith the records and exhibits in this proceeding, together with his Recommended Decision and Recommended Order.

FINDINGS OF FACT

From the record herein, the Hearing Commissioner finds as fact, that:

1. 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 generation, purchase, transmission, distribution and sale of electrical energy, and in the purchase, distribution and sale of gas at various points within the State of Colorado.

2. A certified copy of Applicant's Certificate of Incorporation, together with all amendments thereto, has heretofore been filed with this Commission.

3. On April 20, 1970, the Board of Trustees of the Town of Bow Mar passed Ordinance No. 66, granting a gas and electric franchise to Applicant, which ordinance was entitled:

"AN ORDINANCE GRANTING A FRANCHISE BY THE TOWN OF BOW MAR, ARAPAHOE AND JEFFERSON COUNTIES, COLORADO, TO PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, PURCHASE, ACQUIRE, LOCATE, MAINTAIN, OPERATE AND EXTEND INTO, WITHIN AND THROUGH SAID TOWN, PLANTS, WORKS, SYSTEMS AND FACILITIES FOR THE GENERATION, PRODUCTION, MANUFACTURE, PURCHASE, STORAGE, EXCHANGE, TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY, GASEOUS FUELS OR MIXTURES THEREOF, BY MEANS OF PIPES, MAINS, CONDUITS, WIRES, CABLES, POLES AND STRUCTURES, OR OTHERWISE, ON, OVER, UNDER, ALONG AND ACROSS ALL

STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS,
LANES, PUBLIC WAYS AND OTHER PUBLIC PLACES
IN SAID TOWN OF BOW MAR TO SELL, FURNISH AND
DISTRIBUTE SAID PRODUCTS TO THE TOWN AND THE
INHABITANTS THEREOF; AND FIXING THE TERMS
AND CONDITIONS THEREOF."

A copy of said franchise, together with copies of supporting documents, was attached to the application and admitted in evidence as Exhibit A. The said franchise is for a term of 25 years and provides for a franchise consideration to be paid to the Town in the amount of 3% of gross revenue up to \$10,000 from each customer for each service and 2% of the excess, with certain exclusions.

4. Applicant obtains its natural gas for distribution and sale in Bow Mar from its distribution system in the Denver Metropolitan area and obtains electric energy from its interconnected generating and transmission system.

5. Applicant's existing facilities will be utilized in continuing said service. There is no other public utility in the business of distributing electricity or gas in said Town of Bow Mar. Applicant serves 261 residential electric customers and 258 residential gas customers in the Town. The population of Bow Mar as shown by the preliminary 1970 Census is 925.

6. Public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado of the franchise rights granted in and by said Ordinance No. 66 of the Town of Bow Mar for the generation, production, manufacture, purchase, storage, exchange, transmission and distribution of electrical energy and gaseous fuels in the Town.

CONCLUSION

It is the conclusion of the Hearing Commissioner that the authorization sought in the application should be granted and that the following Order should be entered.

RECOMMENDED ORDER

THE COMMISSION ORDERS:

1. That public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado of the franchise rights granted in and by Ordinance No. 66 of the Town of Bow Mar marked Exhibit A herein, which, by reference, is made a part hereof, for the generation, production, manufacture, purchase, storage, exchange, transmission and distribution of electrical energy and gaseous fuels or mixtures thereof by Public Service Company of Colorado in said Town, and this order shall be 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 electric and gas systems and supply service in the area heretofore designated in accordance with its schedules of 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 Public Service Company of Colorado shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts, and shall continue to keep its practices in accordance with the Rules Regulating the Service of Electric and Gas Utilities, in accordance with the Commission's requirements.

4. This Order shall be effective as of the date this Recommended Decision becomes the Decision of the Commission.

As provided by Section 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period as the Commission may authorize in writing (copies of any such extension to be

served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the pertinent provisions of Article 6, Chapter 115, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioner
vr

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PUBLIC SERVICE COMPANY OF COLORADO FOR)
A CERTIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY TO EXERCISE FRANCHISE RIGHTS)
IN THE TOWN OF COLUMBINE VALLEY, COUNTY)
OF ARAPAHOE, STATE OF COLORADO, FOR THE)
GENERATION, PRODUCTION, MANUFACTURE,)
PURCHASE, STORAGE, EXCHANGE, TRANSMIS-)
SION AND DISTRIBUTION OF ELECTRICAL)
ENERGY AND GASEOUS FUELS, OR MIXTURES)
THEREOF, IN SAID TOWN.)

APPLICATION NO. 24378

RECOMMENDED DECISION OF
HOWARD S. BJELLAND,
COMMISSIONER

July 20, 1970

Appearances: Lee, Bryans, Kelly & Stansfield by
Donald D. Cawelti, Esq.,
Denver, Colorado,
for Applicant;

Girts Krumins, Esq.,
Denver, Colorado, for the
Staff of the Commission.

PROCEDURE AND RECORD

The above-entitled application was filed by Public Service Company of Colorado on June 4, 1970. By this application Applicant seeks an order of the Commission for a certificate of public convenience and necessity to exercise franchise rights in the Town of Columbine Valley, County of Arapahoe, State of Colorado, for the generation, production, manufacture, purchase, storage, exchange, transmission and distribution of electrical energy and gaseous fuels.

Upon due and proper notice to all interested parties, the matter was set for hearing on July 16, 1970, at 10 a.m. in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at which time and place the matter was heard by Commissioner Howard S. Bjelland, to whom the matter was duly assigned.

No one appeared at the hearing in opposition to the granting of the application. The application was heard on a consolidated record with Applications No. 24376 and No. 24377.

At the conclusion of the hearing, the matter was taken under advisement.

The Hearing Commissioner transmits herewith the records and exhibits in this proceeding, together with his Recommended Decision and Recommended Order.

FINDINGS OF FACT

From the record herein, the Hearing Commissioner finds as fact, that:

1. 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 generation, purchase, transmission, distribution and sale of electrical energy, and in the purchase, distribution and sale of gas at various points within the State of Colorado.

2. A certified copy of Applicant's Certificate of Incorporation, together with all amendments thereto, has heretofore been filed with this Commission.

3. On April 14, 1970, the Board of Trustees of the Town of Columbine Valley passed Ordinance No. 46 granting a gas and electric franchise to Applicant, which ordinance was entitled:

"AN ORDINANCE GRANTING A FRANCHISE BY THE TOWN OF COLUMBINE VALLEY, ARAPAHOE COUNTY, COLORADO, TO PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, PURCHASE, ACQUIRE, LOCATE, MAINTAIN, OPERATE AND EXTEND INTO, WITHIN AND THROUGH SAID TOWN, PLANTS, WORKS, SYSTEMS AND FACILITIES FOR THE GENERATION, PRODUCTION, MANUFACTURE, PURCHASE, STORAGE, EXCHANGE, TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY, GASEOUS FUELS OR MIXTURES THEREOF, BY MEANS OF PIPES, MAINS,

CONDUITS, WIRES, CABLES, POLES AND STRUCTURES, OR OTHERWISE, ON, OVER, UNDER, ALONG AND ACROSS ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES, PUBLIC WAYS AND OTHER PUBLIC PLACES IN SAID TOWN OF COLUMBINE VALLEY TO SELL, FURNISH AND DISTRIBUTE SAID PRODUCTS TO THE TOWN AND THE INHABITANTS THEREOF; AND FIXING THE TERMS AND CONDITIONS THEREOF."

A copy of said franchise, together with copies of supporting documents, was attached to the application and admitted in evidence as Exhibit A. The said franchise is for a term of 25 years and provides for a franchise consideration to be paid to the Town in the amount of 3% of gross revenue up to \$10,000 from each customer for each service and 2% of the excess, with certain exclusions.

4. Applicant obtains its natural gas for distribution and sale in Columbine Valley from its distribution system in the Denver Metropolitan area, and obtains electric energy for distribution in the Town from its interconnected generating and transmission system. Existing facilities of the Applicant will be utilized in continuing service.

5. There is no other public utility in the business of distributing electricity or gas in said Town of Columbine Valley. Applicant serves 141 electric customers and 139 gas customers in the Town. The population of the Town as per the preliminary 1970 Census is 483.

6. Public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado of the franchise rights granted in and by said Ordinance No. 46 of the Town of Columbine Valley for the generation, production, manufacture, purchase, storage, exchange, transmission and distribution of electrical energy and gaseous fuels in the Town.

CONCLUSION

It is the conclusion of the Hearing Commissioner that the authorization sought in the application should be granted and that the following Order should be entered.

RECOMMENDED ORDER

THE COMMISSION ORDERS:

1. That public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado of the franchise rights granted in and by Ordinance No. 46 of the Town of Columbine Valley marked Exhibit A herein, which, by reference, is made a part hereof, for the generation, production, manufacture, purchase, storage, exchange, transmission and distribution of electrical energy and gaseous fuels or mixtures thereof by Public Service Company of Colorado in said Town, and this order shall be 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 electric and gas systems and supply service in the area heretofore designated in accordance with its schedules of 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.

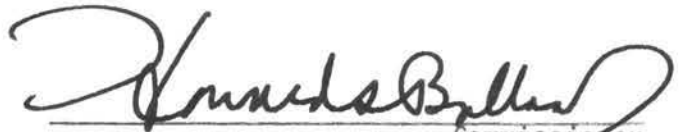
3. That Public Service Company of Colorado shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts, and shall continue to keep its practices in accordance with the Rules Regulating the Service of Electric and Gas Utilities, in accordance with the Commission's requirements.

4. This Order shall be effective as of the date this Recommended Decision becomes the Decision of the Commission.

As provided by Section 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended

period as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the pertinent provisions of Article 6, Chapter 115, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioner
vr

(Decision No. 75408)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)

Nationwide Trucking, Inc.)
P.O. Box 2649)
Montgomery, Alabama 36105)

AUTHORITY NO. 7591-I

CASE NO. 2226-H-Ins.

July 17, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 13, 1970 , 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.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 17 day of July, 1970 .

be

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
NORTHERN NATURAL GAS COMPANY, A DELAWARE)
CORPORATION, 2223 DODGE STREET, OMAHA,) APPLICATION NO. 24283
NEBRASKA 68102, FOR AN ORDER AUTHORIZING)
IT TO PUT INTO EFFECT A TEMPORARY RIDER)
TO ITS GAS RATES AND TARIFFS.)

IN THE MATTER OF THE APPLICATION OF)
NORTHERN NATURAL GAS COMPANY, A DELAWARE)
CORPORATION, 2223 DODGE STREET, OMAHA,)
NEBRASKA 68102, FOR A DETERMINATION FOR) APPLICATION NO. 24284
RATE MAKING PURPOSES OF THE REASONABLE)
VALUE OF ITS GAS PROPERTIES DEVOTED TO)
PUBLIC USE, THE FAIR RATE OF RETURN)
THEREON, AND THE GROSS REVENUES TO WHICH)
APPLICANT MAY BE ENTITLED.)

July 17, 1970

Appearances: John A. Phillips, Esq., Colorado
Springs, Colorado, and
Thomas N. Wright, Esq., Omaha,
Nebraska, for Applicant;
Harlan D. Johnson, Esq., Lamar,
Colorado, for the Utilities
Board of the City of Lamar;
Robert Rogers, Esq., Lamar, Colorado,
for the City of Lamar;
Girts Krumins, Esq., for the Staff
of the Commission.

PROCEDURE AND RECORD

The above-captioned applications were filed by Northern Natural Gas Company (Applicant or Northern) on April 3, 1970. By Application No. 24283, Applicant seeks authorization of the Commission to put into effect a temporary rider to its gas rates and tariffs designed to offset increases in its cost of gas supplied by Colorado Interstate Gas Company. The said rider became effective on May 3, 1970 upon thirty (30) days' notice to customers, subject to refund pending final determination by the Commission of the said application. After due and proper notice to all interested

parties, the matter was set for hearing on Wednesday, July 8, 1970 at 1:00 p.m. at Burlington, Colorado and on Friday, July 10, 1970 at 10:00 a.m. at Denver, Colorado.

By Application No. 24284, Applicant seeks determination by the Commission of the gross revenues to which Applicant may be entitled from operations of its gas properties devoted to public use in the State of Colorado. The latter application, after due and proper notice to all interested parties, was set for hearing on Monday, July 6, 1970 at 11:00 a.m. at Lamar, Colorado and Wednesday, July 8, 1970 at 1:00 p.m. at Burlington, Colorado, and on Friday, July 10, 1970 at 10:00 a.m. at Denver, Colorado.

There being no objection by the parties, the said two applications were consolidated and heard on a joint record by the Commission at the times and places set forth in the Notice of Hearing. The City of Lamar and the Utilities Board of the City of Lamar appeared at the hearing at Lamar, Colorado, but did not file a protest or petition to intervene. No one appeared at the hearings protesting either application.

In Application No. 24283, Applicant's Exhibits A, B, C, D, and E were offered and admitted into evidence. In Application No. 24284, Applicant's Exhibits A, B, C, D, E, E-1 through E-11, F, G, and H and Staff's Exhibits 1, 2, 3, 4, and 5 were offered and admitted into evidence. At the conclusion of the hearings the matters were taken under advisement.

FINDINGS OF FACT

1. Applicant is a Delaware corporation. In the State of Colorado, it is a public utility operating company subject to the jurisdiction of this Commission engaged in the purchase, transmission, distribution and sale of natural gas. Its Colorado operations are conducted by the Peoples Natural Gas Division of Applicant under the name of Plateau Natural Gas Company. Applicant also is engaged in widespread transmission and distribution, and further owns or controls several subsidiary companies engaged in non-utility operations.

2. Applicant commenced its public utility operations in Colorado in 1970 by acquisition of the business and assets of Plateau Natural Gas Company (Plateau). During the calendar year 1969, Plateau was a public utility operating company subject to the jurisdiction of the Commission in the State of Colorado. Applicant has selected the calendar year 1969 as a test year in these proceedings. Accordingly, the operating results of Plateau during the test year are used in the determination of the issues herein.

3. The subject matter of these proceedings is within the jurisdiction of the Commission.

4. Applicant's rate base for the test year is \$10,677,935, properly consisting of:

Gas Plant in Service, allocated common plant and construction work in progress (average)	\$13,432,775
Average materials and supplies	168,273
Average prepayments and deferred charges	167,645
Cash working capital	16,711
<u>Deductions:</u>	
The adjusted average reserve for depreciation and amortization	(2,946,955)
Average contributions in aid of construction	(160,514)
Total	<u>\$10,677,935</u>

5. Actual operating revenues for the test year amounted to \$4,289,446. Proper normalization of gas sales result in an increase of revenues of \$86,485 and total normalized revenues for the test year amounted to \$4,375,931.

6. Actual operating expenses for the test year per Applicant's books were \$3,538,824. After proper in-period adjustments, the adjusted operating expenses for the test year are \$3,839,546.

7. Net operating revenues on a pro forma basis and considering all proper adjustments to revenues and expenses is \$536,385. Adding interest during construction charged during the test year, the net operating earnings for the test year on a pro forma basis are \$547,064.

8. Net operating earnings as determined above produce a rate of 5.12% for Applicant's average rate base. A rate of return of 5.12% is substantially less than a fair and reasonable rate of return.

9. The temporary rider which is the subject of Application No. 24283 would, on the test year basis, produce a revenue of \$93,159. After all pro forma adjustments, including the actual increase in the cost of gas, the resulting increase in the net operating earnings due to the application of a temporary rider on an annual basis, would result in a rate of return to Applicant of approximately 6%. The rate of return of 6% is also below a fair and reasonable rate of return.

10. A fair, reasonable, necessary and adequate rate of return on Applicant's property devoted to public use in the State of Colorado (rate base) is 8%.

11. The overall rate of return of 8% based on Plateau's capitalization at December 31, 1969 would result in the rate of return on equity of 12.9% as follows:

<u>Capitalization Item</u>	<u>Capitalization</u>	<u>Capitalization Percent</u>	<u>Weighted Average Cost</u>	<u>Composite Cost</u>
Total Long Term Debt	\$12,853,841	63.65%	5.7351%	3.6504%
Preferred Stock	990,000	4.90%	5.8928%	.2887%
Common Stock Equity	<u>6,350,393</u>	<u>31.45%</u>	<u>12.9122%</u>	<u>4.0609%</u>
Total Capitalization	\$20,194,234	100.00%		
Rate of Return				8.0000%

12. A rate of return of 8% as found above is both necessary and adequate to preserve the financial integrity of Applicant, to enable Applicant to service its necessary debt, to provide for a reasonable dividend on common and preferred stock, to provide for a reasonable accumulation of surplus, and to attract additional capital as required for Applicant's utility operations on reasonable terms.

13. Applicant has claimed cost of capital based on projected capitalization of Northern as of November 1970 and the costs associated therewith. The Commission finds such projections to be speculative and

that included therein are capital costs not necessary for Applicant's utility operations but instead caused by expansion of non-utility operations by Applicant and its subsidiaries. The cost of service charged to Applicant's utility ratepayers in the State of Colorado should not be increased solely due to the fact that Plateau's assets were acquired by Applicant subsequent to the test year. Applicant further claims a rate of return on equity comparable to the returns earned by eight large pipeline companies, most of which have large non-utility interests. The Commission finds that no comparability exists considering that Plateau's operations in Colorado involve basically gas distribution.

14. The pro forma adjustments to expenses proposed by Applicant that the Commission has not allowed herein are:

- a. Applicant contends that the percentage of salaries and wages charged to operating expense will increase in the future and therefore an allowance should be made therefor. The Commission finds this assertion to be speculative and based on arbitrary assumptions rather than fact.
- b. Applicant has proposed to amortize rate case expense over a period of two years which the Commission finds to be an unreasonably short period, considering that nine years have elapsed since the last general rate case, and finds that a five-year period is proper.
- c. Applicant proposes a pro forma adjustment to the cost of gas based on the assumption that the wholesale rate charged to it by the City of Colorado Springs may be increased in the future. The Commission finds that the wholesale rate in question is under the jurisdiction of the Commission. It is pure speculation whether or not any such increase would be permitted.
- d. Applicant proposes an adjustment in the demand charges on certain gas purchased from Colorado Interstate Gas

Company under its G-1 rate because of a demand overrun on January 6, 1970. This is technically an out-of-period adjustment. The Commission nevertheless finds that the contract demand for gas purchased under said G-1 rate was not increased for the 1969-1970 heating season; but that the contract demand was inadequate and should have been increased by the amount of the overrun on January 6, 1970. Had this been done the demand charges would have increased in only the last two months of the test year of 1969. The Commission has made an adjustment on that basis.

15. The rate base adopted by the Commission herein differs from the rate base proposed by Applicant in two respects:

- a. The average reserve for depreciation and amortization has been increased to reflect the pro forma adjustment of depreciation expense for the test year.
- b. Cash working capital is adjusted to reflect the pro forma adjustments in expenses found to be proper by the Commission.

16. The required net operating earnings with a 7.7% rate of return on rate base would be \$822,201 as shown by Exhibit No. 4, and require an increase in gross revenues of \$317,016. An 8% rate of return would require additional net operating earnings of \$32,034. After considering franchise taxes and State and Federal income taxes, the additional net operating earnings must be multiplied by a factor of 2.05441698 to obtain gross revenues. Accordingly, to produce a rate of return of 8%, total additional gross revenues of \$382,827 are required.*

*The calculation is shown as follows:

Additional Revenues required for 7.7% return		\$317,016
Net operating earnings with 8% return	\$854,235	
Net operating earnings with 7.7% return	822,201	
Additional	\$ 32,034	
Multiply by factor to obtain gross revenues (2.05441698)		65,811
Total additional gross revenues required		\$382,827

17. Applicant is now required to surcharge on customers' bills certain franchise taxes. The amounts collected from such surcharge are not now included in Applicant's revenues, nor are the subject franchise taxes recorded as expense. The additional gross revenues found to be required herein include \$54,693 of such franchise taxes already being paid by Applicant's customers but not recorded as revenue to Applicant.

The Commission concludes that Applicant should be permitted to file new rates designed to produce the gross revenues found to be proper herein and that the following Order should be entered.

O R D E R

THE COMMISSION ORDERS THAT:

1. Applicant be, and hereby is, authorized to file tariff revisions that would provide, based on test year 1969 conditions (normalized), additional gross revenue to Applicant of \$382,827. Such tariff revisions shall be filed to become effective upon thirty (30) days' notice to the Commission and the public as provided by CRS 1963, 115-3-4, as amended.

2. Applicant shall cause sufficient publicity of the tariff revisions to be given contemporaneously with the filing in order to bring it to the attention of the public affected.

3. The temporary rider shown on Original Sheet 12 e of Applicant's tariff, Colorado P.U.C. No. 1, shall remain in effect, not subject to refund, until such time as the new rates permitted to be filed herein become effective, at which time the same temporary rider shall be cancelled.

4. Applicant shall cancel Second Revised Sheet 12 c of its tariff, referring to franchise taxes, as of the effective date of the tariff revisions permitted herein.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Donald B. Bell
Edwin R. Lindberg
Commissioners

Dated at Denver, Colorado,
this 17th day of July, 1970.
hj

(Decision No. 75410)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
KEETER TRANSPORTATION CO., INC.,)
6379 VALMONT ROAD, BOULDER, COLORADO,)
FOR AUTHORITY TO OPERATE AS A CLASS)
"B" CONTRACT CARRIER BY MOTOR VEHICLE.)

APPLICATION NO. 24380-PP
ORDER OF THE COMMISSION

July 20, 1970

Appearances: Howard E. Jackson, Boulder,
Colorado, for Applicant.

It appearing, That by Order of the Commission dated June 10, 1970, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate Order should be entered; and

IT IS ORDERED, That Keeter Transportation Co., Inc., 6379 Valmont Road, Boulder, Colorado, be, and hereby is, authorized to operate as a class "B" contract 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 one hundred (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 one hundred (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 one hundred (100) miles of said jobs;

- (4) 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 1, 2, 3, and 4 of this Permit are restricted as follows:

- (a) Against the use of tank vehicles when transporting road-surfacing materials.
- (b) All transportation service rendered under this Permit shall be restricted to serving not more than ten (10) customers at any one time."

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

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

That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of 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.

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 20th day of July, 1970.
hj

(Decision No. 75411)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
WILLIAM G. JONES, P.O. BOX 1464,)	APPLICATION NO. 24395-PP
DURANGO, COLORADO FOR AUTHORITY TO)	
OPERATE AS A CLASS "B" CONTRACT)	ORDER OF THE COMMISSION
CARRIER BY MOTOR VEHICLE.)	

July 20, 1970

Appearances: William G. Jones, Durango, Colorado,
pro se.

It appearing, That by Order of the Commission dated June 10, 1970, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate Order should be entered; and

IT IS ORDERED, That William G. Jones, P. O. Box 1464, Durango, Colorado, be, and hereby is, authorized to operate as a class "B" contract 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 one hundred (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 one hundred (100) miles of said jobs;

- (3) 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;

- (4) 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 1, 2, 3, and 4 of this Permit are restricted as follows:

- (a) Against the use of tank vehicles when transporting road-surfacing materials.

- (b) All transportation service rendered under this Permit shall be restricted to serving not more than ten (10) customers at any one time."

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

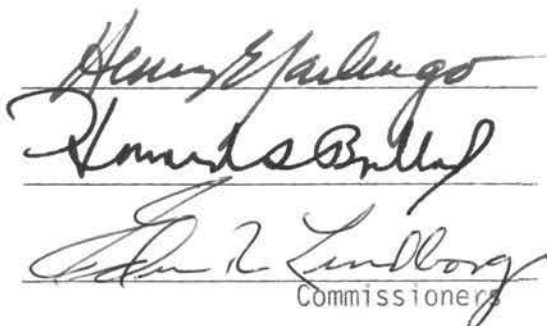
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, the necessary tariffs, required insurance, and has secured authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 20th day of July, 1970.
hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
E. O. SHEPARD, DOING BUSINESS AS)
"COLORADO WAREHOUSING CO.," 1310)
ALEXANDER ROAD, COLORADO SPRINGS,)
COLORADO, FOR AUTHORITY TO TRANSFER)
INTERSTATE OPERATING RIGHTS TO THE)
ESTATE OF J. C. REINHARD, DOING BUSI-)
NESS AS "COLORADO WAREHOUSING CO.,")
207½ WEST LAS ANIMAS, COLORADO SPRINGS,)
COLORADO.)

PUC NO. 6951-I - Transfer

July 22, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

E. O. Shepard, doing business as "Colorado Warehousing Co.," Colorado Springs, Colorado, heretofore was granted a certificate of public convenience and necessity, being PUC No. 6951-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. 6951-I to the Estate of J. C. Reinhard, doing business as "Colorado Warehousing Co.," Colorado Springs, Colorado.

Inasmuch as the records and files of the Commission fail to disclose any reason why said transfer should not be authorized, the Commission states and finds that the proposed transfer is compatible with the public interest and should be authorized as set forth in the Order following.

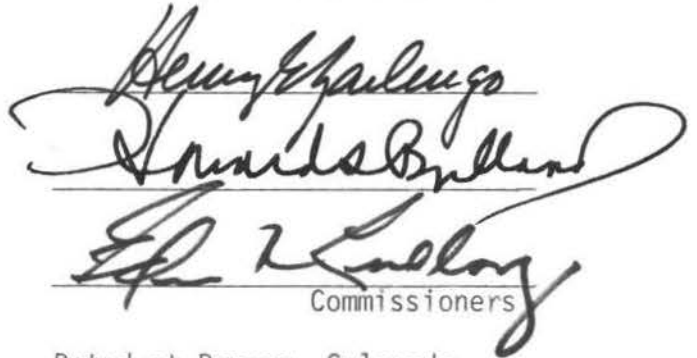
O R D E R

THE COMMISSION ORDERS:

That E. O. Shepard, doing business as "Colorado Warehousing Co.," Colorado Springs, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 6951-I -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to the Estate of J. C. Reinhard, doing business as "Colorado Warehousing Co.," Colorado Springs, Colorado, 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

Dated at Denver, Colorado,
this 22nd day of July, 1970.
hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES D. REINHARD, EXECUTOR OF THE)
ESTATE OF J. C. REINHARD, DOING BUSI-)
NESS AS "ALLIED INDUSTRIES," 207 WEST)
LAS ANIMAS, COLORADO SPRINGS, COLORADO,)
FOR AUTHORITY TO TRANSFER INTERSTATE)
OPERATING RIGHTS TO THE ESTATE OF)
J. C. REINHARD, DOING BUSINESS AS)
"ALLIED INDUSTRIES," 207 WEST LAS)
ANIMAS, COLORADO SPRINGS, COLORADO.)

PUC NO. 6974-I - Transfer

July 22, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, J. C. Reinhard, doing business as "Allied Industries," Colorado Springs, Colorado, was granted a certificate of public convenience and necessity, being PUC No. 6974-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.

Charles D. Reinhard, Executor of the Estate of J. C. Reinhard, now seeks authority to transfer said PUC No. 6974-I to the Estate of J. C. Reinhard, doing business as "Allied Industries," Colorado Springs, Colorado.

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.

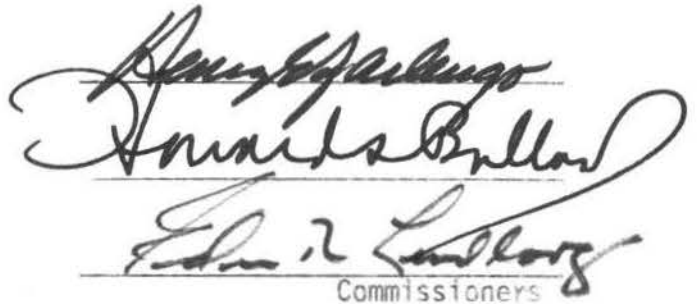
O R D E R

THE COMMISSION ORDERS:

That Charles D. Reinhard, Executor of the Estate of J. C. Reinhard, doing business as "Allied Industries," Colorado Springs, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 6974-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to the Estate of J. C. Reinhard, doing business as "Allied Industries," Colorado Springs, Colorado, 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

Dated at Denver, Colorado,
this 22nd day of July, 1970.
hj

(Decision No. 75414)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES FAUBION, DOING BUSINESS AS)
"FAUBION TRUCK LINE," P. O. BOX 108,)
EVANT, TEXAS, FOR AUTHORITY TO TRANSFER)
INTERSTATE OPERATING RIGHTS TO FAUBION)
TRUCK LINE, INC., P. O. BOX 108, EVANT,)
TEXAS.)

PUC NO. 3987-I - Transfer

July 22, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, Charles Faubion, doing business as "Faubion Truck Line," Evant, Texas, was granted a certificate of public convenience and necessity, being PUC No. 3987-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. 3987-I to Faubion Truck Line, Inc., Evant, 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.

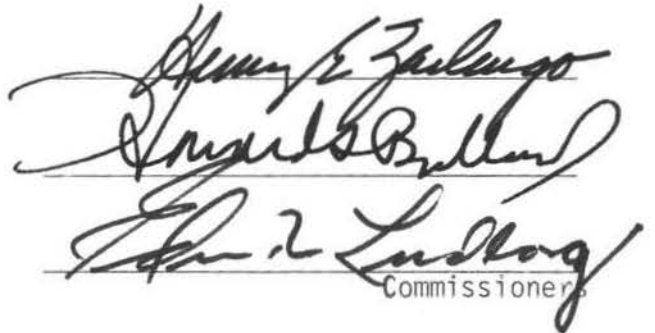
O R D E R

THE COMMISSION ORDERS:

That Charles Faubion, doing business as "Faubion Truck Line,"
Evant, Texas, be, and hereby is, authorized to transfer all right, title
and interest in and to PUC No. 3987-I -- with authority as set forth in
the Statement preceding, which is made a part hereof, by reference -- to
Faubion Truck Line, Inc., Evant, Texas, 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

Dated at Denver, Colorado,
this 22nd day of July, 1970.
hj

(Decision No. 75415)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE CITY OF BOULDER FOR AUTHORITY)
TO INSTALL GRADE CROSSING PROTEC-)
TION DEVICES AT 30TH STREET, CITY)
OF BOULDER, COLORADO, AND MILEPOST)
26.20 OF THE BOULDER BRANCH, UNION)
PACIFIC RAILROAD COMPANY.)

APPLICATION NO. 24351

July 21, 1970

Appearances: Ronald Porter,
Assistant City Attorney,
Boulder, Colorado, for
Applicant, City of Boulder,
Colorado;
Gordon F. Hite,
Industrial Engineer,
Denver, Colorado, and
Robert Ellison,
Assistant Signal Supervisor,
Denver, Colorado, and
Clayton D. Knowles, Esq.,
Denver, Colorado, for
Union Pacific Railroad Company;
J. L. McNeill,
Denver, Colorado, of the
Staff of the Commission.

PROCEDURE AND RECORD

On May 15, 1970, and under the provisions of Chapter 115-4-6, CRS 1963, as amended, Applicant filed the above-entitled application seeking an order of this Commission to authorize construction, operation and maintenance of automatic crossing protection devices at the grade crossing of 30th Street over the Boulder Branch line of Union Pacific Railroad Company (M.P. 26.20) in the City of Boulder, Colorado.

The Commission assigned No. 24351 to said application, and with due and proper notice to all interested persons, firms or corporations, set the matter for a hearing on the date of June 30, 1970, at 9:30 a.m., in the Municipal Building, 1777 Broadway, Boulder, Colorado.

On June 30, 1970, public hearing was held as scheduled by Commissioner Howard S. Bjelland, and the matter thereafter taken under advisement.

In considering preliminary matters at the opening of the hearing, the Commissioner received correspondence of Boulder Valley Schools and of Jamison Oil Company in support of improved safety precautions or signal at the 30th Street crossing. Further, no objections are contained in the Commission file and no public witnesses appeared at the hearing.

Testimony in support of the application was given by the following:

Ted Tedesco - City Manager - City of Boulder

Kent Dewell - Director of Transportation - City of Boulder

Martin H. Nickerson - Assistant Traffic Engineer - City of Boulder

Robert C. Ellison - Assistant Signal Supervisor - Union Pacific Railroad.

Applicant's exhibits as follows were tendered and admitted into evidence:

Exhibit A - Description of Signal System. Explains use of overhead traffic control devices (red, yellow and green lights) of the City of Boulder, which will be actuated by three track circuits using railroad components to be placed by Union Pacific.

Exhibit B - Statement of Estimated Costs.

\$4,420.00	Railroad circuits, relays, wiring and batteries
4,150.82	City of Boulder poles, signals and controls
<u>\$8,570.82</u>	Total Estimated cost

Exhibit C - Statement of Railroad traffic and vehicular traffic count data.

Exhibit D - City of Boulder City Limits Map. Shows railroad line and 30th Street grade crossing location and other traffic arteries of 28th Street (west), Denver-Boulder Turnpike (south) and Longmont Diagonal (north).

Exhibit E - Crossing Signal Plan. Shows equipment list and layout for proposed traffic signals by City of Boulder.

Exhibit F - Certified copy of Section 20-96 of the revised Code of the City of Boulder, 1965 amended. Relates to vehicular stops at grade crossings and proposed signals as follows:

"(b) No stop need be made at any such crossing where a police officer or a traffic-control signal directs traffic to proceed."

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. The purpose of this application is to secure Commission approval for the proposed installation and maintenance of traffic-type signal devices to be actuated by railroad circuiting at the grade crossing of 30th Street over the single track of Union Pacific Boulder Branch line at Railroad Milepost 26.20, City of Boulder, Colorado; and for an allocation of the costs for said signal devices and installation in accordance with the provisions of Chapter 115-4-6(2)(b), CRS 1963, as amended; relating to financial assistance through the Commission Grade Crossing Protection Fund.

2. The Commission has jurisdiction over the instant matter.

3. No one appeared to intervene or to protest the granting of the authority requested.

4. The instant parties have had various negotiations, correspondence and understandings pertaining to joint participation in the proposed installation for an estimated cost of \$8,570.82 (Exhibit B).

5. Need for the proposed crossing protection has been submitted to the City of Boulder in the form of citizen complaints, traffic growth (Exhibit C), traffic congestion due to local industrial growth, and planning studies showing future expansion of the city in an eastward direction over and beyond 30th Street. Some 45 to 50 school buses are operated over the crossing each school day.

6. 30th Street is now a double lane asphalt paved roadway at 24 feet wide. It extends in a north-south direction as a major arterial between the Baseline Road-Denver Turnpike Connection (U.S. 36) and the Longmont Diagonal (Colo. 119). Plans are under consideration that the roadway be widened to 68 feet for four lanes of traffic. Curb, gutters and sidewalk work is proposed to start in 1971.

7. The Union Pacific Boulder Branch is a switching spur extending southwesterly over the 30th Street crossing to end of the line some 4,000 feet west at 21st Street.

8. Carload freight and switching service is provided by one train daily except Sundays for track-side industries in both directions east and west from the crossing. Crossing movements are made at low speed to possible maximum of 10 miles per hour and are variable according to business needs from none to perhaps six moves in a day. There is no passenger train operation over the crossing.

9. Present crossing protection consists of two standard railroad crossbuck signs and two standard 36 inch diameter advance warning signs. Vision is occasionally restricted due to lumber storage or tank car unloadings at the nearby industry yards.

10. Plans for proposed installation by City of Boulder to supplement existing protection are shown in Exhibit E, consisting of two overhead three-light traffic control signals mounted on curbside posts outside the roadway on each approach to the crossing; two red and green signal units will be placed on the ends of the crossing at track-side for guidance of railroad crews, all with related wiring and controls. Estimated cost is \$4,150.82 - Exhibit B. Provisions are included for curb-side installation of standard three light traffic signals when the street is widened to handle more than a single traffic lane in each direction.

11. Track wiring, insulated joints, three control circuits, operating relays, two pushbuttons, batteries and control devices will be provided and installed by Union Pacific. Estimated cost is \$4,420 - Exhibit B.

12. In the operation of the system (Exhibit A), the overhead signals will offer a continuous green light for vehicular movement. The system will be energized when a train moves into the approach circuit, standard railroad wiring and manual pushbutton switches will be used to actuate the traffic signal controls at the time when movement is to be made over the crossing. The green light traffic indication will be replaced by separate yellow clearance signal operation for three seconds warning, the red or "stop" indication will then appear until train movement is completed.

13. In accordance with standard operating practices, movements of the train will be regulated by the track-side guidance signals. Crossing movement is to be made only on the green guidance signal which is coordinated with the red light or "stop" control for vehicular moves. In the event of power failure or other signal malfunction, no train movement may be made unless under flagging control or personal direction of a crew member.

14. Electric power and maintenance of the traffic control devices, including the related city-installed equipment and circuiting from U.P. RR control box (Exhibit E) will be provided by City of Boulder.

15. Union Pacific will maintain the crossing trackage and railroad - installed control equipment, pushbuttons, related cabinets and circuit wiring to its control box.

16. With a traffic count of 12,540 vehicles per day in 1969 and an expected increase of 25% per year, the City of Boulder Traffic Department is also seeking relief from the current congestion of required

truck and bus stops at the grade crossing. The instant proposal to use traffic control signals actuated by railroad track circuiting is based on favorable operating history of similar installations in the Denver Metropolitan area. There is also the authority as provided in the City of Boulder Traffic Code (Exhibit F), whereby the stopping requirement is eliminated for passenger buses and vehicles carrying flammable cargo at any crossing where a police officer or a traffic control signal directs traffic to proceed.

17. Other regulations and law providing for non-stop grade crossing moves are found in the following: Chapter 13-5-67(2), CRS 1963, as amended, Colorado Public Utilities Commission - Common Carriers - Rule 21, Private Carriers - Rule 28.

18. Traffic signal operation at the intersection of 30th and Pearl Street (some 150 feet south from the crossing) will be coordinated by City of Boulder with operation of the railroad crossing signals in order to relieve crossing congestion during train movements.

19. Early completion of the proposed work is indicated by efforts of City of Boulder to secure local commitments for delivery of lighting poles, signal heads and standard controller units in connection with routine traffic department purchases.

In like manner, delivery of standard railroad components is estimated at 60 to 90 days, and requiring some three weeks for installation work.

20. No part of the cost for proposed signal devices will be paid from funds provided under any federal or federal-aid highway act.

21. Pursuant to conference understanding at the hearing, the City of Boulder, by its application, is the principal party herein. Recommended participation in the total actual cost is:

10% City of Boulder
10% Union Pacific Railroad
80% Crossing Protection Fund.

Distribution of Commission payment for Railroad and City expenditures will be handled by City of Boulder.

22. There is sincere concern for public safety on the part of both the City of Boulder and Union Pacific as shown herein by their mutual efforts to provide the proposed coordinated installation of traffic-type signals actuated by railroad circuiting and components. Installation of the new signal devices is for the purpose of preventing accidents and to secure increased public safety for rail, vehicular and pedestrian traffic at the crossing.

CONCLUSIONS ON FINDINGS OF FACT

Based on all the evidence of record and the above and foregoing findings of fact, it is concluded that:

1. The public convenience and necessity require that standard crossbuck protection signing at the Union Pacific - 30th Avenue grade crossing be supplemented by installation of traffic-type control signals actuated by railroad circuiting and controls as proposed herein.

2. The order sought in the instant application should be granted and total installation costs prorated as follows:

10% to City of Boulder;

10% to Union Pacific Railroad;

80% to the Commission Crossing Protection Fund.

3. The proposed three-light traffic-type street intersection signals are recognized as a standard device for control of traffic as specified in current laws and regulations relative to railroad grade crossing travel.

4. Work of continuing protection maintenance, for the life of the crossing so protected, pertaining to railroad circuits and components, should be performed at its own expense by Union Pacific; with work on the signal devices and related controls to be similarly done by City of Boulder.

5. As provided by 115-6-9(6), CRS 1963, as amended, the authority sought in the instant application should be granted by initial decision of the Commission, since due and timely execution of its functions imperatively and unavoidably so requires.

O R D E R

THE COMMISSION ORDERS:

1. Upon the application of the City of Boulder, Colorado, Union Pacific Railroad Company and said City of Boulder, be, and hereby are, directed to install, operate, and maintain standard three-light traffic-type control signals complete with railroad guidance signals and circuits for manual pushbutton and automatic emergency actuation at the 30th Avenue grade crossing over Union Pacific Boulder Branch Line M.P. 26.20, City of Boulder, Boulder County, Colorado, all in accordance with the plans and specifications which are incorporated into the record of this proceeding and which are hereby approved. Estimated total cost is \$8,570.82.

2. The work to be done, installation and maintenance of the combination traffic-control signals and railroad components shall be done by City of Boulder and Union Pacific, as set forth in Exhibit A (Description of Signal System) and as indicated in the preceding Findings, all of which by reference is made a part hereof.

3. That the continuing standard Advance Warning and Crossbuck signing installation shall all be in conformance with the current Bulletin of the Association of American Railroads Joint Committee on Railroad Protection and be maintained by the respective owners thereof.

4. That in the event of any failure or malfunction of proposed new signals or warning devices, manual flagging or warning shall be provided by a Railroad crew member for any move over the crossing in order to secure protection for railroad operations and the highway users.

5. That upon completion of the proposed work, a Statement of Actual Expense shall be forwarded by City of Boulder and Union Pacific to the Commission for its audit and review.

6. Total actual cost of the instant project shall be the sum of the separate actual expense accounts as determined after Commission audit and review.

7. A fair, just and equitable distribution of the total actual cost for the proposed protection installation shall be as follows:

- a. City of Boulder shall contribute out of its own funds 10 percent of the total actual cost of said installation and shall thereafter perform the signal system maintenance as noted above.
- b. Union Pacific Railroad shall contribute out of its own funds the amount of 10 percent of the total actual cost of said protection installation and shall thereafter perform the railroad component maintenance as noted above.
- c. The remainder of the total actual cost, or 80 percent, shall be paid out of the Commission Highway Crossing Protection Fund to City of Boulder for mutual distribution between the participant creditors on the basis of their separate actual expense accounts as follows:

(1) City of Boulder -

Total amount of City expenditure after PUC audit.

Less: Contribution: 10% of Total Actual Cost.

Remainder: Amount due to City of Boulder

(2) Union Pacific -

Total amount of Railroad expenditure after PUC audit.



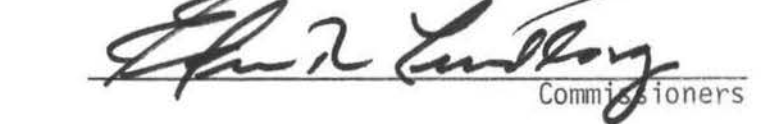
Less: Contribution: 10% of Total Actual Cost.

Remainder: Amount due to Union Pacific.

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

9. This Order shall become effective forthwith as the initial decision of the Commission.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado, this
21st day of July, 1970.

vr

(Decision No. 75416)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROAD-RUNNER, INC., A COLORADO CORPORA-)
TION, 6930 EUDORA DRIVE, ADAMS CITY,)
COLORADO 80022, FOR AUTHORITY TO)
OPERATE AS A CLASS "B" CONTRACT)
CARRIER BY MOTOR VEHICLE.)

APPLICATION NO. 24397-PP

ORDER OF THE COMMISSION

July 24, 1970

Appearances: John J. Conway, Esq.,
Denver, Colorado,
for Applicant.

It appearing, That by Order of the Commission dated June 10, 1970, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate Order should **be entered**; and

IT IS ORDERED, That Road-Runner Inc., a Colorado corporation, 6930 Eudora Drive, Adams City, Colorado 80022, be, and hereby is, authorized to operate as a class "B" contract 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 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;

RESTRICTIONS: Items 1, 2, 3, and 4 of this Permit are restricted as follows:

- (a) Against the use of tank vehicles when transporting road-surfacing materials.
- (b) All transportation service rendered under this Permit shall be restricted to serving not more than ten (10) customers at any one time."

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

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

That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of 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.

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
24th day of July, 1970.

vr

(Decision No. 75417)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
M. MILTON GILBERTSON, P. O. BOX 776,)
PAGOSA SPRINGS, COLORADO, FOR AUTHOR-)
ITY TO OPERATE AS A CLASS "B" CONTRACT)
CARRIER BY MOTOR VEHICLE.)

APPLICATION NO. 24402-PP

ORDER OF THE COMMISSION

July 24, 1970

Appearances: William Pehr, Esq.,
Westminster, Colorado,
for Applicant.

It appearing, That by Order of the Commission dated June 24, 1970, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate Order should be entered; and

IT IS ORDERED, That M. Milton Gilbertson, P. O. Box 776, Pagosa Springs, Colorado, be, and hereby is, authorized to operate as a class "B" contract 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 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;

RESTRICTIONS: Items 1, 2, 3, and 4 of this Permit are restricted as follows:

- (a) Against the use of tank vehicles when transporting road-surfacing materials.
- (b) All transportation service rendered under this Permit shall be restricted to serving not more than ten (10) customers at any one time."

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

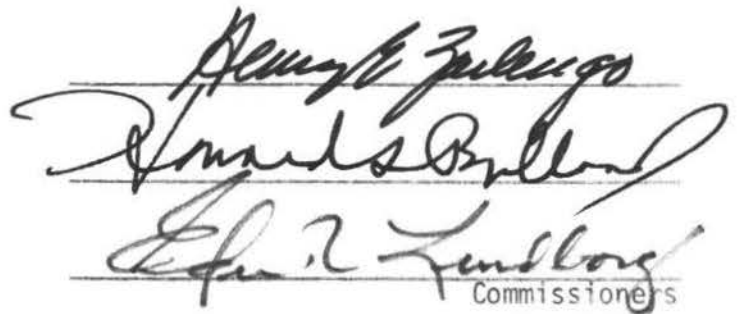
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, the necessary tariffs, required insurance, and has secured authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Three handwritten signatures of Commissioners are stacked vertically. The bottom signature is followed by the word "Commissioners" in a small, printed font.

Dated at Denver, Colorado, this
24th day of July, 1970.

vr

(Decision No. 75418)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MARCUS NORTON, DOING BUSINESS AS)
"MARK NORTON," 3351 W. 95TH AVENUE,)
WESTMINSTER, COLORADO, FOR AUTHORITY)
TO OPERATE AS A CLASS "B" CONTRACT)
CARRIER BY MOTOR VEHICLE.)

APPLICATION NO. 24386-PP

ORDER OF THE COMMISSION

July 24, 1970

Appearances: Marcus Norton,
Westminster, Colorado,
pro se.

It appearing, That by Order of the Commission dated June 10, 1970, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate Order should be entered; and

IT IS ORDERED, That Marcus Norton, doing business as "Mark Norton," 3351 W. 95th Avenue, Westminster, Colorado, be, and hereby is, authorized to operate as a class "B" contract 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 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;

RESTRICTIONS: Items 1, 2, 3, and 4 of this Permit are restricted as follows:

- (a) Against the use of tank vehicles when transporting road-surfacing materials.
- (b) All transportation service rendered under this Permit shall be restricted to serving not more than ten (10) customers at any one time."

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

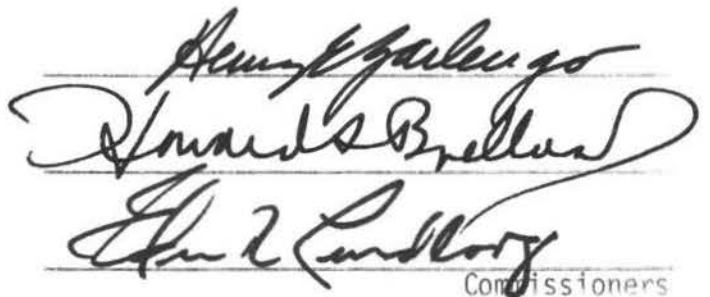
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, the necessary tariffs, required insurance, and has secured authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
24th day of July, 1970.

vr

(Decision No. 75419)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PHILIP DOUGLAS THOMAS, 875 LEWIS)
DRIVE, LAKEWOOD, COLORADO, FOR AU-)
THORITY TO OPERATE AS A CLASS "B")
CONTRACT CARRIER BY MOTOR VEHICLE.)

APPLICATION NO. 24385-PP

ORDER OF THE COMMISSION

July 24, 1970

Appearances: Philip Douglas Thomas,
Lakewood, Colorado,
pro se.

It appearing, That by Order of the Commission dated June 10, 1970, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate Order should be entered; and

IT IS ORDERED, That Philip Douglas Thomas, 875 Lewis Drive, Lakewood, Colorado, be, and hereby is, authorized to operate as a class "B" contract 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 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;

RESTRICTIONS: Items 1, 2, 3, and 4 of this Permit are restricted as follows:

- (a) Against the use of tank vehicles when transporting road-surfacing materials.
- (b) All transportation service rendered under this Permit shall be restricted to serving not more than ten (10) customers at any one time."

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

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

That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, the necessary tariffs, required insurance, and has secured authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
24th day of July, 1970.

vr

(Decision No. 75420)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF ROCCO SMALDONE, 6100 NORTH HURON,)
DENVER, COLORADO, FOR AUTHORITY TO)
OPERATE AS A CLASS "B" CONTRACT)
CARRIER BY MOTOR VEHICLE.)

APPLICATION NO. 24340-PP

ORDER OF THE COMMISSION

July 24, 1970

Appearances: Rocco Smaldone,
Denver, Colorado,
pro se.

It appearing, That by Order of the Commission dated May 27, 1970, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing therefor;

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate Order should be entered; and

IT IS ORDERED, That Rocco Smaldone, 6100 North Huron, Denver, Colorado, be, and hereby is, authorized to operate as a class "B" contract 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 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;

RESTRICTIONS: Items 1, 2, 3, and 4 of this Permit are restricted as follows:

- (a) Against the use of tank vehicles when transporting road-surfacing materials.
- (b) All transportation service rendered under this Permit shall be restricted to serving not more than ten (10) customers at any one time."

and this Order shall be deemed to be, and be, a PERMIT therefor, to be known as Permit No. B-5574, being the number of a permit formerly held by Applicant.

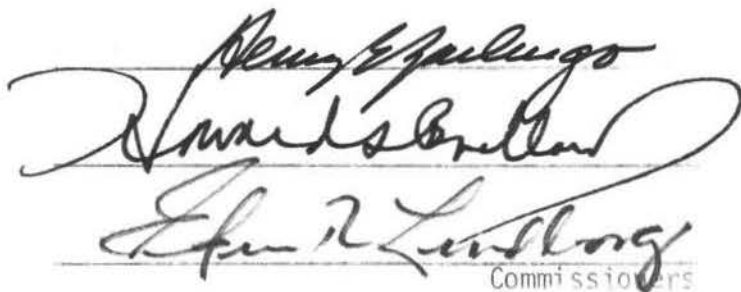
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, the necessary tariffs, required insurance, and has secured authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado, this
24th day of July, 1970.

vr

(Decision No. 75421)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
STANDLEY H. SCOTT, DOING BUSINESS AS)	
"SCOTT FARMS," ROUTE NO. 3, BOX NO.	)	APPLICATION NO. 24435-PP-TA
44, BRIGHTON, COLORADO, FOR TEMPORARY	)	<u>ORDER GRANTING TEMPORARY AUTHORITY</u>
AUTHORITY TO OPERATE AS A CLASS "B")	
CONTRACT CARRIER BY MOTOR VEHICLE.)	

July 21, 1970

The above-entitled application under CRS 1963, 115-6-20(1), being under consideration, and

It appearing, That there is an immediate and urgent need for the motor carrier service described in the appendix attached hereto, and that there is no carrier service available capable of meeting such need.

It is ordered, That applicant be, and is hereby, granted temporary authority, conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations, to engage in the business of transportation by motor vehicle to the extent and in the manner set forth in the appendix attached hereto.

It is further ordered, That the service provided for in this order shall not be commenced until all requirements have been met and applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

It is further ordered, That upon the authority herein granted becoming effective, failure of the applicant to maintain compliance with statutory and Commission requirements shall constitute sufficient grounds for suspension, change or revocation of the said authority.

It is further ordered, That if applicant fails to comply with all applicable statutory and Commission requirements, rules and regulations within fifteen (15) days from the date hereof, this order shall be of no further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 21st day of July, 1970.
s11

(Decision No. 75421)
July 21, 1970

APPENDIX

Application No. 24435-PP-TA

Standley H. Scott
Doing Business As
"Scott Farms"
Route No. 3, Box No. 44
Brighton, Colorado

By order of the Commission which this appendix is a part hereof, entered under the name and number shown above, applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 180 days or until such time as the decision of the Commission on the corresponding permanent application of the applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary authority to operate as a class "B" contract carrier 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 one hundred (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 one hundred (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 one hundred (100) miles of said jobs;

(4) 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 1, 2, 3, and 4 of this Permit are restricted as follows:

- (a) Against the use of tank vehicles when transporting road-surfacing materials.
- (b) To serving not more than ten (10) customers at any one time."

(Decision No. 75422)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILLIAM J. RIEKE, DOING BUSINESS AS)
"CRESTED BUTTE AUTO RESCUE," BOX 121,)
CRESTED BUTTE, COLORADO, FOR TEMPORARY)
AUTHORITY TO OPERATE AS A CLASS "B")
CONTRACT CARRIER BY MOTOR VEHICLE.)

APPLICATION NO. 24420-PP-TA
ORDER GRANTING TEMPORARY AUTHORITY

July 21, 1970

The above-entitled application under CRS 1963, 115-6-20(1), being under consideration, and

It appearing, That there is an immediate and urgent need for the motor carrier service described in the appendix attached hereto, and that there is no carrier service available capable of meeting such need.

It is ordered, That applicant be, and is hereby, granted temporary authority, conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations, to engage in the business of transportation by motor vehicle to the extent and in the manner set forth in the appendix attached hereto.

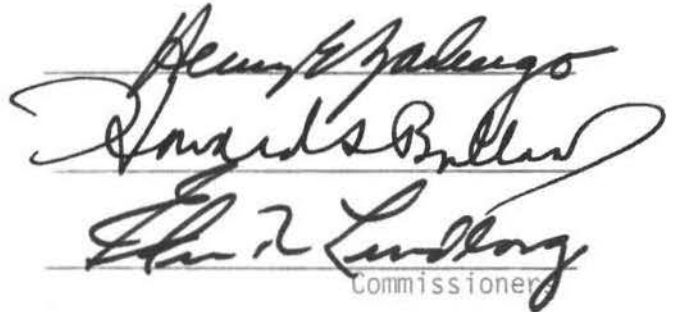
It is further ordered, That the service provided for in this order shall not be commenced until all requirements have been met and applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

It is further ordered, That upon the authority herein granted becoming effective, failure of the applicant to maintain compliance with statutory and Commission requirements shall constitute sufficient grounds for suspension, change or revocation of the said authority.

It is further ordered, That if applicant fails to comply with all applicable statutory and Commission requirements, rules and regulations within fifteen (15) days from the date hereof, this order shall be of no further force and effect.

It is further ordered, That the authority herein granted shall
create no presumption that corresponding permanent authority will be granted
hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioner

Dated at Denver, Colorado,
this 21st day of July, 1970.
s11

(Decision No. 75422)
July 21, 1970

APPENDIX

Application No. 24420-PP-TA

William J. Rieke
Doing Business As
"Crested Butte Auto Rescue"
Box 121
Crested Butte, Colorado

By order of the Commission which this appendix is a part hereof, entered under the name and number shown above, applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 180 days or until such time as the decision of the Commission on the corresponding permanent application of the applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary authority to operate as a class "B" contract carrier 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: Items 1, 2, 3, and 4 of this Permit are restricted as follows:

- (a) Against the use of tank vehicles when transporting road-surfacing materials.
- (b) To serving not more than ten (10) customers at any one time."

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CREIGHTON DENNIS AND CHRISTOPHER L.)
LAVEO, P.O. BOX 281, CRESTED BUTTE,)
COLORADO, FOR TEMPORARY AUTHORITY TO)
OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE.)

APPLICATION NO. 24431-TA
ORDER GRANTING TEMPORARY AUTHORITY

July 21, 1970

The above-entitled application under CRS 1963, 115-6-20(1), being under consideration, and

It appearing, That there is an immediate and urgent need for the motor carrier service described in the appendix attached hereto, and that there is no carrier service available capable of meeting such need.

It is ordered, That applicant be, and is hereby, granted temporary authority, conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations, to engage in the business of transportation by motor vehicle to the extent and in the manner set forth in the appendix attached hereto.

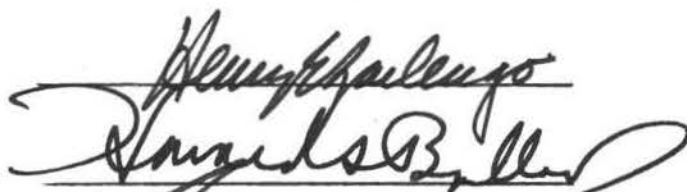

It is further ordered, That the service provided for in this order shall not be commenced until all requirements have been met and applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

It is further ordered, That upon the authority herein granted becoming effective, failure of the applicant to maintain compliance with statutory and Commission requirements shall constitute sufficient grounds for suspension, change or revocation of the said authority.

It is further ordered, That if applicant fails to comply with all applicable statutory and Commission requirements, rules and regulations within fifteen (15) days from the date hereof, this order shall be of no further force and effect.

It is further ordered, That the authority herein granted shall
create no presumption that corresponding permanent authority will be granted
hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 21st day of July, 1970.
sll

(Decision No. 75423)
July 21, 1970

APPENDIX

Application No. 24431-TA

Creighton Dennis and Christopher L. Laveo
P.O. Box 281
Crested Butte, Colorado

By order of the Commission which this appendix is a part hereof, entered under the name and number shown above, applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 180 days or until such time as the decision of the Commission on the corresponding permanent application of the applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Common

SERVICE AUTHORIZED:

Temporary authority to operate as a common carrier with authority as follows:

"Transportation of

Ashes and trash, and other refuse,

From all points within Crested Butte, Colorado, and a three mile radius thereof, to designated and approved dumps and disposal sites located within said area."

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
WAYNE H. HARRIS, ROUTE 1, BOX 109,)	
HESPERUS, COLORADO, FOR TEMPORARY)	APPLICATION NO. 24433-PP-TA
AUTHORITY TO OPERATE AS A CLASS "B")	<u>ORDER GRANTING TEMPORARY AUTHORITY</u>
CONTRACT CARRIER BY MOTOR VEHICLE.)	

July 21, 1970

The above-entitled application under CRS 1963, 115-6-20(1), being under consideration, and

It appearing, That there is an immediate and urgent need for the motor carrier service described in the appendix attached hereto, and that there is no carrier service available capable of meeting such need.

It is ordered, That applicant be, and is hereby, granted temporary authority, conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations, to engage in the business of transportation by motor vehicle to the extent and in the manner set forth in the appendix attached hereto.

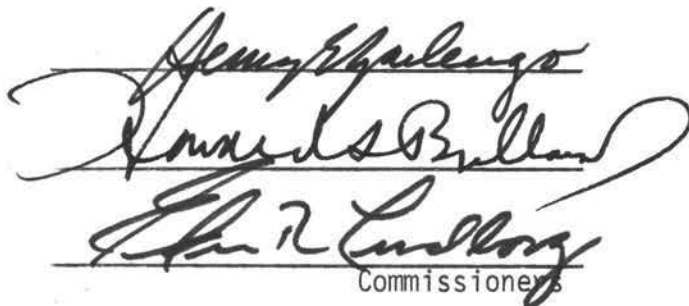
It is further ordered, That the service provided for in this order shall not be commenced until all requirements have been met and applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

It is further ordered, That upon the authority herein granted becoming effective, failure of the applicant to maintain compliance with statutory and Commission requirements shall constitute sufficient grounds for suspension, change or revocation of the said authority.

It is further ordered, That if applicant fails to comply with all applicable statutory and Commission requirements, rules and regulations within fifteen (15) days from the date hereof, this order shall be of no further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 21st day of July, 1970.
sll

(Decision No. 75424)
July 21, 1970

APPENDIX

Application No. 24433-PP-TA

Wayne H. Harris
Route 1, Box 109
Hesperus, Colorado

By order of the Commission which this appendix is a part hereof, entered under the name and number shown above, applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 180 days or until such time as the decision of the Commission on the corresponding permanent application of the applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary authority to operate as a class "B" contract carrier with authority as follows:

"Transportation of

Ashes, trash, other refuse

From the following named U. S. Forest Campgrounds located within the Pine District of the San Juan National Forest:

- a. Valecito Campground
- b. Pine River Campground
- c. Mid Mountain Campground
- d. Aspen Point Campground
- e. Pine Point Campground
- f. North Canyon Campground
- g. Graham Circle Campground
- h. Old Timers Campground
- i. Four (4) unnamed campgrounds within the area of Pond Creek, Waldener Creek and Transfer Park

to designate and approved dumps and disposal sites located within LaPlata County, State of Colorado.

RESTRICTION: All transportation service to be rendered hereunder shall be for one customer only, viz: United States Department of Agriculture, Forest Service."

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: IRON AND STEEL ARTICLES FROM
MINNEQUA AND PUEBLO, COLORADO TO
GREELEY, COLORADO; AND ALSO TO
BOULDER, COLORADO

CASE NO. 1585

July 20, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Effective January 27, 1967, B. W. Dodson, Manager, Lafferty Moving & Storage, under Certificate of Public Convenience and Necessity No. 560, caused to be published Motor Freight Tariff No. 3, Colorado PUC No. 3, by filing application No. 1, requesting permission to publish on-less-than statutory notice, as set forth in Appendix "A" attached hereto. The Commission granted and issued Decision No. 68880, dated January 16, 1967, prescribing the rates, rules and provisions for intrastate traffic in Colorado. Subsequently, Certificate No. 560, under the provisions of Decision No. 74536, dated March 11, 1970, was transferred from the estate of Howard J. Lafferty to Richard Moseng and Darlene Moseng, doing business as "Lafferty Moving & Storage" and these rates and provisions were adopted by Moseng. The Commission is now in receipt of a communication, dated July 14, 1970, from the Chief of Tariff Bureau, Colorado Motor Carriers' Association, as Agent, stating: --

"Item 735 of our Motor Freight Tariff No. 13, and a similar item in the carrier's individual tariff were prescribed by this Commission several years ago at the request of Lafferty Moving and Storage of Greeley.

"The proposed cancellation of this item was discussed with Mr. Richard Moseng of Lafferty Moving and Storage today, and these are some of his comments: Publication of the reduced rate never did generate the traffic anticipated; use of special light weight tractors would be necessary before the minimum weight could be placed on two vehicles; this is so-called "paper rate" because no traffic is moving or has moved recently; the rate appears to be too low when compared with today's costs, and he has no objection to the cancellation of the rate."

Appendix "B" attached hereto provides for the addition of Boulder, Colorado as a destination point for commodities listed in Item 740. The item was published at the request of Mr. Wm. E. Coburn, Boulder Steel and Masonry Supply, Inc. Notice of this request of publication was entered in Colorado Motor Tariff Bureau, Inc., Docket No. 110, without any objections from carrier members.

The justification in support of this publication is a comparison of the proposed rates and revenues to Boulder, with those in effect to Denver:

Minimum Weight Pounds	Boulder			Rate	Denver		
	Rate	Trip Revenue	Loaded Mile Revenue		Rate	Trip Revenue	Loaded Mile Revenue
30,000	45	\$135.00	\$.985	38	\$114.00	\$1.03	
40,000	38	152.00	1.11	33	132.00	1.20	
45,000	35	157.50	1.15	*30	138.00	1.25	
50,000	33	165.00	1.20	**26	117.00	1.06	

* Minimum weight 46,000 pounds

** Minimum weight 90,000 pounds on two vehicles

Present rates from Minnequa and Pueblo to Boulder are:

Less than 30,000 pounds per vehicle -- \$1.00 per loaded mile

30,000 to 40,000 pounds per vehicle -- 1.29 per loaded mile
(Based on #151 miles)

40,001 to 50,000 pounds per vehicle -- 1.47 per loaded mile

The 151 miles represents a lesser charge due to the provisions of Item 330 wherein it is provided that:

"The total transportation charge on any shipment shall not exceed the charge as would apply on the same shipment under the next greater unit of distance at rate applicable to such next greater unit of distance."

The short line distance between the involved points is 137 miles. It is also represented that the traffic will amount to about three loads each week.

Since the changes as set forth in the statement and Appendix "A" and Appendix "B" hereto appear to represent just, fair and reasonable rates, charges and provisions, the Commission states and finds that: --

- (1) The elimination of rates and provisions set forth in Appendix "A" attached hereto shall be permitted.
- (2) An Order shall be entered prescribing the provisions set forth in Appendix "B", as amended, under the provisions of Rule 18C (1) (a) of the Commission's Rules of Practice and Procedure, and Colorado Revised Statutes Governing Public Utilities, 115-11-5, as amended."

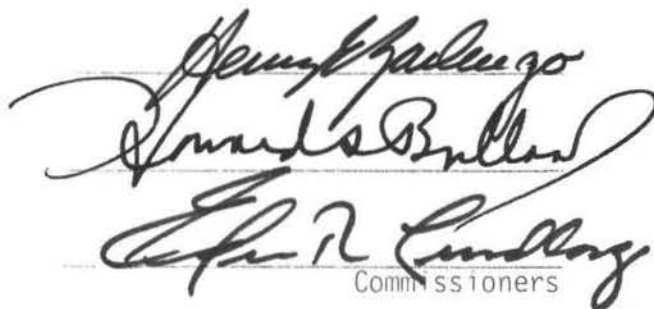
O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings of Fact, and Appendixes A & B, be, and are hereby, made a part hereof.
2. That the rates and charges set forth in Appendix "B", as amended, shall be the prescribed rates of the Commission.
3. That on and after July 20, 1970, the affected common carriers by motor vehicle herein shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein prescribed.
4. That all contract 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 prescribed for motor vehicle common carriers, on and after July 20, 1970.
5. 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.
6. That this Order shall not be construed so as to compel a contract carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such contract carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.
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 July, 1970. av

APPENDIX "A"

COLO. PUC No. 3				
HOWARD J. LAFFERTY DOING BUSINESS AS LAFFERTY MOVING & STORAGE PUC-560 MOTOR FREIGHT TARIFF NO. 3 NAMING COMMODITY RATES FOR THE TRANSPORTATION OF IRON AND STEEL FROM MINNEQUA AND PUEBLO, COLORADO To GREELEY, COLORADO				
ITEM No.	RULES AND REGULATIONS			
10	<u>GOVERNING PUBLICATION:</u> THIS TARIFF IS SUBJECT TO THE RULES AND REGULATIONS PUBLISHED IN COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT, MOTOR FREIGHT TARIFF NO. 13, COLO. PUC No. 12 (THE MOTOR TRUCK COMMON CARRIERS' ASSOCIATION, AGENT, SERIES) SUPPLEMENTS THERETO OR REISSUES THEREOF.			
COMMODITY RATES IN CENTS PER ONE HUNDRED POUNDS				
ITEM No.	COMMODITY	FROM	To	RATE
20	IRON OR STEEL, VIZ.: ANGLES; BARS; PIPE, 7 GAUGE OR THICKER, NOT EXCEEDING 6 INCHES IN DIAMETER; PLATE OR SHEET, OR RODS, MINIMUM WEIGHT 108,000 POUNDS.	MINNEQUA PUEBLO	GREELEY	28½
	RATE APPLIES ON SHIPMENTS REQUIRING TWO VEHICLES AND IS SUBJECT TO THE FOLLOWING CONDITIONS:			
	(A) THE ENTIRE SHIPMENT MUST BE AVAILABLE FOR RECEIPT AND MOVEMENT BY THE CARRIER AT ONE TIME AND PLACE;			
	(B) CHARGES WILL BE ASSESSED ON THE BASIS OF NOT LESS THAN 108,000 POUNDS, AND THE SHIPMENT MUST BE LOADED ON NOT MORE THAN TWO VEHICLES. THE EXCESS OVER THE QUANTITY THAT CAN BE LOADED ON TWO VEHICLES WILL BE TREATED AS A SEPARATE SHIPMENT.			
ISSUED JANUARY 17, 1967		EFFECTIVE JANUARY 27, 1967		
ISSUED ON TEN DAYS' NOTICE IN COMPLIANCE WITH ORDER OF THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO, DECISION NO. 68880 DATED JANUARY 16, 1967.				
ISSUED BY: B. W. DODSON, MANAGER P.O. Box 629 GREELEY, COLORADO 80632				

APPENDIX "B"

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT				
MOTOR FREIGHT TARIFF No. 13 #				
SECTION NO. 3				
SPECIFIC COMMODITY RATES				
3RD REVISED PAGE No. 38-B				
RATES ARE IN CENTS PER 100 POUNDS (UNLESS OTHERWISE STATED)				
ITEM No.	COMMODITY	FROM	TO	RATES
	COMMODITIES IN THE SAME (EXCEPT AS NOTED	(EXCEPT AS NOTED	(EXCEPT AS NOTED	
	ITEM MAY BE SHIPPED IN	IN INDIVIDUAL	IN INDIVIDUAL	
	STRT. OR MIXED TRUCKLOADS	ITEMS)	ITEMS)	
740 (CONCLU- DED ON PAGE 39)	IRON OR STEEL ARTICLES, VIZ.:		DENVER, COLO., AND POINTS AND PLACES WITHIN 5 MILES OF THE DENVER CITY LIMITS	(1) 38
	BLADES OR CUTTING EDGES, GRADER OR SCRAPER, STEEL		PLANT SITE OF SPECIAL PRODUCTS Co., 4350 KENDRICK AVE., JEFFERSON COUNTY	(2) 33
	BRACES OR SUPPORTS, POLE GALVANIZED, PAINTED OR PLAIN; PLATE GIRDERS; STRINGERS; FABRICATED TRUSSES; STEEL CONCRETE CONSTRUCTION FORMS; ANGLES; BALLS, BARS OR SHAPES, CRUSHING OR GRINDING; NAILS; PIPE, EXCEPT OIL COUNTRY TUBULAR GOODS; RAILS; BARS, NO. 1; STRAP, IRON OR STEEL; BEAMS; CHANNELS; PLATE OR SHEET; WIRE; WIRE MESH, WELDED OR WOVEN; WIRE ROPE OR STRAND; WIRE, RODS OR CHAIN IRON IN COILS, AS DESCRIBED IN ITEM 107500 OF THE GOVERNING CLASSIFICATION; WELDED OR WOVEN SEAMLESS TUBING; FENCE POST FIXTURES, WIRE FENCE, CONSISTING OF BRACE COLLARS, BRACE PLATES, BRACE RODS, FACE PLATES, SPREADERS, TOPS, CAPS, CLAMPS, CLIPS AND EXTENSION ARMS, OR WIRE FENCE STAYS; FENCE POSTS OR CLOTHES POSTS, WITH OR WITHOUT EQUIPMENT OF STEEL FITTINGS OR TUBULAR FENCE POST DRIVERS; FENCING OR POULTRY NETTING, WELDED OR WOVEN WIRE, GALVANIZED, PLAIN, ALUMINUM COATED, OR WITH PLASTIC OR RUBBER COATING, AND PARTS AND PIECES CONSTITUTING A COMPLETE ARTICLE.	MINNEQUA, COLO.	GLENN L. MARTIN PLANT NEAR WATERTON, COLO.	(5) 30
		PUEBLO, COLO.	GREELEY, COLO.	(6) 26
			COLO. SPRINGS, COLO.	
			FT. CARSON, COLO.	(1) 38
			U.S. AIR FORCE ACADEMY, COLO.	(2) 33
				(2) 38
			GOLDEN, COLO.	(1) 22
				(2) 20
				(1) 41
				(2) 36
				(5) 33
				(6) 29
				(2) 37
				(1) 45
				(2) 38
				(8) 35
				(9) 33
				(2) 11
				(3) 4
			55	
<p>(1) MINIMUM WEIGHT 30,000 POUNDS. (2) MINIMUM WEIGHT 40,000 POUNDS. (3) MINIMUM WEIGHT 40,000 POUNDS PER TRAILER. (4) APPLIES ONLY VIA HARP TRANSPORTATION LINE, INC., OR RIO GRANDE MOTOR WAY, INC. (5) MINIMUM WEIGHT 46,000 POUNDS. (6) MINIMUM WEIGHT 90,000 POUNDS, SUBJECT TO NOTES 1 AND 2 BELOW. NOTE 1: THE ENTIRE SHIPMENT MUST BE AVAILABLE FOR RECEIPT AND MOVEMENT BY THE CARRIER AT ONE TIME AND PLACE. NOTE 2: CHARGES WILL BE ASSESSED ON THE BASIS OF NOT LESS THAN 90,000 POUNDS, AND THE SHIPMENT MUST BE LOADED ON NOT MORE THAN TWO VEHICLES. THE EXCESS OVER THE QUANTITY THAT CAN BE LOADED IN TWO VEHICLES WILL BE TREATED AS A SEPARATE SHIPMENT. (7) APPLIES VIA BRAY LINES INCORPORATED; CAPRON TRUCK COMPANY; DENVER CLIMAX TRUCK LINE, INC.; NORTH PARK TRANSPORTATION Co.; RIO GRANDE MOTOR WAY, INC., AND WESTWAY MOTOR FREIGHT, INC., ONLY. / (8) MINIMUM WEIGHT 45,000 POUNDS. / (9) MINIMUM WEIGHT 50,000 POUNDS.</p>				
-- --- FOR EXPLANATION OF ABBREVIATIONS AND SYMBOLS, SEE PAGE 11.				
ISSUED JUNE 19, 1970				
EFFECTIVE JULY 20, 1970				
(R)	DENOTES ADDITION.			
#	DENOTES REDUCTION			
#	COLORADO PUC No. 12*(*THE MOTOR TRUCK COMMON CARRIERS' ASSOCIATION, AGENT, SERIES)			

(Decision No. 75426)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAYMOND G. RIXFORD AND MARY ANN)
RIXFORD, DOING BUSINESS AS "TIMBER-)
LINE TOURS," BOX 311, CRESTED BUTTE,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 5812 TO COLORADO MOUNTAIN)
ENTERPRISES, INC., DOING BUSINESS AS)
"TIMBERLINE TOURS," P.O. BOX 208,)
CRESTED BUTTE, COLORADO.)

APPLICATION NO. 24073-Transfer

RECOMMENDED DECISION OF
CHRISTIAN O. IGENBERGS,
EXAMINER.

July 21, 1970

Appearances: F. Lynn French, Esq.,
Gunnison, Colorado, for Applicants.

PROCEDURE AND RECORD

Under date of November 19, 1969, Applicants filed the above-entitled application for authority to transfer Certificate of Public Convenience and Necessity PUC No. 5812, to operate as a common carrier by motor vehicle, from Raymond G. Rixford and Mary Ann Rixford, doing business as "Timberline Tours," to Colorado Mountain Enterprises, Inc., doing business as "Timberline Tours."

The Commission, pursuant to law, designated Christian O. Igenbergs as Examiner for the purpose of conducting a hearing on this application and, after due and proper notice to all interested persons, firms or corporations, set the herein matter for a hearing to be held in the District Court, Courthouse, Gunnison, Colorado, on May 6, 1970, at 10:00 o'clock A.M. The hearing was held at the aforesaid time and place.

William A. Frame, Jr., President and Manager of Applicant corporation, testified in support of the application. No person appeared at the hearing to protest the granting of the authority petitioned for in the application, and no written protests or petitions for intervention were received.

Applicants' Exhibit No. 1 was tendered and admitted into evidence.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. Transferors herein are the present owners and operators of PUC No. 5812, 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 herein does not hold previously granted authority from this Commission.

4. The parties have entered into an Agreement to transfer the operating authority and the consideration to be paid is fair and reasonable.

5. The Certificate is free and clear of any debts, encumbrances or obligations.

6. Transferee owns sufficient equipment, has sufficient experience and net worth, all of which are ample and suitable for the operation of the authority sought to be transferred herein.

7. The chief corporate officers as well as the employees of Transferee corporation are sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promise to abide by said rules and regulations, as well as the safety requirements of the Commission, and have or will make adequate provision for insurance.

8. If this transfer is approved, Transferee intends to and will engage in bona fide motor carrier operations under the operating rights set forth herein.

9. The transfer is compatible with the public interest.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded, that:

1. The transfer as sought by Applicants should be granted as hereinafter set forth.

2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That Raymond G. Rixford and Mary Ann Rixford, doing business as "Timberline Tours," Box 311, Crested Butte, Colorado, be, and hereby are, authorized to transfer all right, title, and interest in and to Certificate of Public Convenience and Necessity PUC No. 5812 to Colorado Mountain Enterprises, Inc., a Colorado corporation, doing business as "Timberline Tours," P.O. Box 208, Crested Butte, Colorado, subject to encumbrances, if any, against said authority.

2. That henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 5812 shall read and be as follows, to-wit:

"Transportation -- on call and demand -- of
Passengers

In sightseeing service and in connection with a hunting and/or fishing guide service within a twenty-five (25) mile radius of Crested Butte, Colorado.

RESTRICTIONS:

1. Restricted to the use of four-wheel drive vehicles not to exceed six passengers including driver.
2. All transportation to be rendered under this Certificate must originate and terminate within a ten (10) mile radius of Crested Butte, Colorado."

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

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

5. The right of Transferee to operate under this Order shall depend upon its compliance with all present and future laws and rules and regulations of the Commission, and the prior filing of the annual report by Transferors herein covering the operations under the Certificate up to the time of the transfer of said Certificate.

6. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

7. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall

become the Decision of the Commission and subject to the provisions of
115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner

rm/hj

(Decision No. 75427)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
COLORADO MOUNTAIN ENTERPRISES, INC.,)
DOING BUSINESS AS "TIMBERLINE TOURS,")
P.O. BOX 208, CRESTED BUTTE, COLORADO,)
(IN THE EVENT AUTHORITY SOUGHT IN)
APPLICATION NO. 24073-Transfer IS)
GRANTED), FOR AUTHORITY TO EXTEND)
OPERATIONS UNDER PUC NO. 5812.)

APPLICATION NO. 24074-Extension-
Amended

RECOMMENDED DECISION OF
CHRISTIAN O. IGENBERGS,
EXAMINER.

July 21, 1970

Appearances: F. Lynn French, Esq.,
Gunnison, Colorado, for Applicant.

PROCEDURE AND RECORD

Under date of December 22, 1969, Applicant filed the above-entitled application with this Commission for authority to extend operations as a common carrier by motor vehicle for hire as specifically set forth in said application.

The Commission assigned No. 24074-Extension-Amended to the application. Pursuant to law, the Commission designated Christian O. Igenbergs as Examiner for the purpose of conducting the hearing on this application and, after due and proper notice to all interested persons, firms or corporations, set the herein matter for hearing to be held in the District Court, Courthouse, Gunnison, Colorado, on May 6, 1970, at 10 a.m. The hearing was held at the aforesaid time and place.

William A. Frame, Jr., President and Manager of Applicant corporation; Dr. Arthur J. Norris; Jean N. Israel; George Sibley; and Charles L. Stellberger testified in support of the application. No person appeared at the hearing to protest the granting of the authority petitioned for in the application, and no written protests or petitions for intervention were received.

Official notice was taken of the following documents on file with this Commission, to-wit: Equipment List and Map of Area.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found 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 PUC No. 5812, which reads as follows:

"Transportation -- on call and demand -- of passengers in sightseeing service and in connection with a hunting and/or fishing guide service within a twenty-five (25) mile radius of Crested Butte, Colorado; restricted, however, to the use of four-wheel drive vehicles not to exceed six passengers including driver and all transportation to be rendered under this certificate must originate and terminate within a ten (10) mile radius of Crested Butte, Colorado."

3. The authority to which extension is hereby sought, PUC No. 5812, has been continually operated in the past and is presently in good standing with the Commission.

4. By this application, Applicant seeks to extend authority under PUC No. 5812 essentially and in substance as follows:

"Transportation of passengers and their baggage and for the transportation of packages, all on call and demand, between all points within a ten (10) mile radius of the intersection of Elk Avenue and Third Street, Crested Butte, Colorado, and to and from said points, from and to points within a two (2) mile radius of the intersection of Tomichi and Main Streets, Gunnison, Colorado, and passengers in

sightseeing service within a twenty-five (25) mile radius of the intersection of Elk Avenue and Third Street, Crested Butte, Colorado, by using over-the-snow type equipment and four-wheel drive vehicles whereby all transportation rendered must originate and terminate within a ten (10) mile radius of Crested Butte, Colorado. Furthermore, general commodities between all points within a ten (10) mile radius of the intersection of Elk Avenue and Third Street, Crested Butte, Colorado, and to and from said points, from and to points within a two (2) mile radius of the intersection of Tomichi and Main Streets, Gunnison, Colorado, whereby such transportation shall be restricted against transporting any shipment which weighs in excess of fifteen (15) pounds."

5. The extension applied for herein is compatible with and does not conflict with or duplicate the authority held by Applicant.

6. Applicant owns sufficient equipment, has sufficient experience and net worth, all of which are ample and suitable for the operation of the authority applied for herein.

7. The chief corporate officers as well as the employees of Applicant corporation are sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promise to 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 number of tourists and guests in the Crested Butte area has been steadily increasing during the first half of this year and, in particular, during the months of January, February, and March, 1970. There is a need for transportation services such as applied for by Applicant in sightseeing service in the Crested Butte area and for call and demand passenger services between the airport in Gunnison, Colorado, and Crested Butte, Colorado.

9. There is a present and special need for the proposed service and the granting of the extension, as hereinafter set forth, will be in the public interest.

10. There is presently no service available in the area to which extension is sought.

11. The present or future public convenience and necessity requires or will require the granting of the authority as hereinafter set forth.

12. The authority will be in the public interest.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded, that:

1. The authority as sought by Applicant should be granted as hereinafter set forth.

2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That Colorado Mountain Enterprises, Inc., a Colorado corporation, doing business as "Timberline Tours," P.O. Box 208, Crested Butte, Colorado, be, and hereby is, authorized to extend operations under Certificate of Public Convenience and Necessity PUC No. 5812 as follows:

"Transportation of passengers and their baggage and for the transportation of packages, all on call and demand, between all points within a ten (10) mile radius of the intersection of Elk Avenue and Third Street, Crested Butte, Colorado, and to and from said points, from and to points within a two (2) mile radius of the intersection of Tomichi and Main Streets, Gunnison, Colorado, and passengers in sight-seeing service within a twenty-five (25) mile radius of the intersection of Elk Avenue and Third Street, Crested Butte, Colorado, by using over-the-snow type equipment and four-wheel drive vehicles whereby all transportation rendered must originate and terminate within a ten (10) mile radius of Crested Butte, Colorado. Furthermore, general commodities between all points within a ten (10) mile radius of the intersection of Elk Avenue and Third Street, Crested Butte, Colorado, and to and from said points, from and to points within a two (2) mile radius of the intersection of Tomichi and Main Streets, Gunnison, Colorado, whereby such transportation shall be restricted against transporting any shipment which weighs in excess of fifteen (15) pounds."

2. That henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 5812 shall read and be as follows, to-wit:

"Transportation -- on call and demand -- of

(1) Passengers and their baggage

Between all points within a ten (10) mile radius of the intersection of Elk Avenue and Third Street, Crested Butte, Colorado, and to and from said points, from and to points within a two (2) mile radius of the intersection of Tomichi and Main Streets, Gunnison, Colorado.

RESTRICTION:

Item (1) of this Certificate is restricted as follows:

- (a) Restricted to the use of vehicles not to exceed twelve (12) passengers.

(2) Passengers -- in sightseeing service --

Within a twenty-five (25) mile radius of the intersection of Elk Avenue and Third Street, Crested Butte, Colorado.

RESTRICTIONS:

Item (2) of this Certificate is restricted as follows:

- (a) Restricted to the use of over-the-snow type equipment, and four-wheel drive vehicles not to exceed six (6) passengers including driver.
- (b) All transportation service rendered must originate and terminate within a ten (10) mile radius of Crested Butte, Colorado.

(3) Passengers

Within a twenty-five (25) mile radius of Crested Butte, Colorado.

RESTRICTIONS:

Item (3) of this Certificate is restricted as follows:

- (a) Restricted to the use of four-wheel drive vehicles not to exceed six (6) passengers including driver.
- (b) All transportation service rendered must originate and terminate within a ten (10) mile radius of Crested Butte, Colorado.
- (c) All transportation service rendered must be in connection with a hunting and/or fishing guide service.

(4) General commodities

Between all points within a ten (10) mile radius of the intersection of Elk Avenue and Third Street, Crested Butte, Colorado, and to and from said points, from and to points within a two (2) mile radius of the intersection of Tomichi and Main Streets, Gunnison, Colorado.

RESTRICTION:

Item (4) of this Certificate is restricted as follows:

- (a) Restricted against transporting any shipment which weighs in excess of fifteen (15) pounds."

3. That Applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty (20) days from date.

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

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

6. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

7. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner
rm/hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JACK R. SMITH, SR., FOR AUTHORITY TO)
TRANSFER ALL OF THE OUTSTANDING STOCK)
OF BERKELEY MOVING & STORAGE CO., A)
COLORADO CORPORATION, RECORD OWNER OF)
PUC NO. 1366, TO THE J. R. SMITH TRUST)
WITH J. R. SMITH, SR., J. R. SMITH, JR.,)
AND BERNERD E. SCHILT AS TRUSTEES.)

APPLICATION NO.
24177-Stock Transfer

RECOMMENDED DECISION OF
ROBERT L. PYLE, EXAMINER.

July 21, 1970

Appearances: Bernerd E. Schilt, Esq.,
Denver, Colorado, for Applicants.

PROCEDURE AND RECORD

Under date of January 29, 1970, Applicants filed the above-entitled application with this Commission for authority to transfer all the outstanding capital stock in and to Berkeley Moving and Storage Co., record owner of PUC No. 1366, from Jack R. Smith, Sr. to the J. R. Smith Trust with J. R. Smith, Sr., J. R. Smith, Jr., and Bernerd E. Schilt as Trustees.

The Commission assigned No. 24177-Stock Transfer to the application for permanent authority. Pursuant to law, the Commission designated Robert L. Pyle as Examiner for the purpose of conducting a hearing on this application and, after due and proper notice to all interested persons, firms or corporations, set the herein matter for a hearing to be held in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on June 3, 1970, at 10 a.m. The hearing was held at the aforesaid time and place.

Jack R. Smith, Sr., testified in support of the application. No person appeared at the hearing to protest the granting of the authority petitioned for in the application, and no written protests or petitions for intervention were received.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Robert L. Pyle now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. Applicant corporation, Berkeley Moving & Storage Co., is a Colorado corporation duly organized and existing under the laws of the State of Colorado.

2. Applicant corporation is the present owner and operator of Certificate of Public Convenience and Necessity PUC No. 1366.

3. Jack R. Smith, Sr., is the sole owner of the outstanding stock of Berkeley Moving & Storage Co.

4. Applicants petition this Commission for authority to transfer the outstanding capital stock of Berkeley Moving & Storage Co. from Jack R. Smith, Sr., to the J. R. Smith Trust with J. R. Smith, Sr., J. R. Smith, Jr., and Bernerd E. Schilt as Trustees.

5. This transfer is actually a gift to a trust set up by the Transferor as a part of his estate planning.

6. The parties have entered into an Agreement to transfer the outstanding stock in Berkeley Moving & Storage Co., and the consideration to be paid is fair and reasonable.

7. The Certificate is free and clear of any debts, encumbrances or obligations.

8. Transferees own sufficient equipment, have sufficient experience and net worth, all of which are ample and suitable for the operation of the authority sought to be transferred herein.

9. Transferees are sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promise to 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.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded, that:

1. The transfer herein as sought by Applicants should be granted as hereinafter set forth.

2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That Jack R. Smith, Sr., 4900 Allison Street, Arvada, Colorado, be, and hereby is, authorized to transfer all of the outstanding stock of Berkeley Moving & Storage Co., a Colorado corporation, record owner of Certificate of Public Convenience and Necessity PUC No. 1366 to the J. R. Smith Trust with J. R. Smith, Sr., J. R. Smith, Jr., and Bernard E. Schilt as Trustees, 4900 Allison Street, Arvada, Colorado, subject to encumbrances, if any, against said authority.

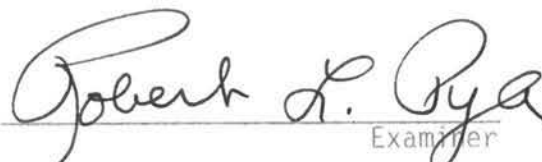
2. That said transfer of stock shall become effective only if and when, but not before, said Transferor and Transferees, in writing, have advised the Commission that said stock certificates have been formally

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 within thirty (30) days from 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.

3. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

4. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner
rm/hj

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
I. B. JAMES, P. O. BOX 1228, DENVER,)	
COLORADO, FOR AUTHORITY TO TRANSFER)	
1354 1/2 SHARES OF THE OUTSTANDING	)	<u>APPLICATION NO.</u>
CAPITAL STOCK, BEING THE CONTROLLING	)	<u>24303-Stock Transfer</u>
INTEREST, IN AND TO COLORADO MOTORWAY,)	
INC., A COLORADO CORPORATION, RECORD)	
OWNER OF PUC NO. 5, TO DENVER-BOULDER	)	<u>RECOMMENDED DECISION OF</u>
BUS COMPANY, 1765 14TH STREET,	)	<u>ROBERT L. PYLE, EXAMINER.</u>
BOULDER, COLORADO.)	

July 22, 1970

Appearances: David Butler, Esq.,
Denver, Colorado, for Applicants.

PROCEDURE AND RECORD

Under date of April 8, 1970, Applicants filed the above-entitled application for authority to transfer 1354 1/2 shares of the outstanding capital stock, being the controlling interest, in and to Colorado Motorway, Inc., a Colorado corporation, from I. B. James to Denver-Boulder Bus Company.

The Commission assigned No. 24303-Stock Transfer to the application for permanent authority.

Pursuant to law, the Commission designated Robert L. Pyle as Examiner for the purpose of conducting a hearing on this application and, after due and proper notice to all interested persons, firms or corporations, set the herein matter for hearing to be held in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on June 15, 1970, at 10 a.m. The hearing was held at the aforesaid time and place.

I. B. James, Transferor, and D. B. James of Transferee corporation testified in support of the application. No person

appeared at the hearing to protest the granting of the authority petitioned for in the application, and no written protests or petitions for interventions were received.

Applicants' Exhibits numbered 1 and 2 were tendered and admitted into evidence.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Robert L. Pyle now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. Applicant corporation, Colorado Motorway, Inc., is a Colorado corporation duly organized and existing under the laws of the State of Colorado.
2. Applicant corporation is the present owner and operator of Certificate of Public Convenience and Necessity PUC No. 5.
3. Transferor, who holds controlling interest, is transferring all of his stock to Transferee corporation. However, there are other minority stockholders in Applicant corporation. Transferor's interest, that which is being transferred by this proceeding, represents fifty-three percent (53%) of the stock in and to Colorado Motorway, Inc.
4. I. B. James petitions this Commission for authority to transfer 1354 1/2 shares of the outstanding capital stock, being the controlling interest, in and to Colorado Motorway, Inc., to Denver-Boulder Bus Company.
5. Applicant corporation also holds previously granted authority from this Commission, to-wit: Permit No. B-277 and Permit No. B-277-I, which

have no bearing on the herein transfer proceeding. Transferee corporation holds previously granted authority from this Commission, to-wit: PUC No. 43, PUC No. 43-I, and PUC No. 2259, which have no bearing on the herein transfer proceeding.

6. The parties have entered into an Agreement to transfer 1354 1/2 shares of the outstanding capital stock of Colorado Motorway, Inc., and the consideration to be paid is fair and reasonable.

7. The Certificate is free and clear of any debts, encumbrances or obligations.

8. Transferee corporation owns sufficient equipment, has sufficient experience and net worth, all of which are ample and suitable for the operation of the authority sought to be transferred herein.

9. The chief corporate officers as well as the employees of Transferee corporation are sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promise to 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, 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.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded, that:

1. The transfer sought by Applicants should be granted as hereinafter set forth.

2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That I. B. James, P.O. Box 1228, Denver, Colorado, be, and hereby is, authorized to transfer 1354 1/2 shares of the outstanding capital stock, being the controlling interest, in and to Colorado Motorway, Inc., a Colorado corporation, record owner of Certificate of Public Convenience and Necessity PUC No. 5, to Denver-Boulder Bus Company, a Colorado corporation, 1765 - 14th Street, Boulder, Colorado, subject to encumbrances, if any, against said authority.

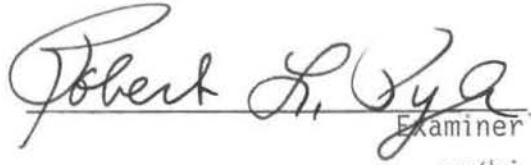
2. That said transfer of stock shall become effective only if and when, but not before, said Transferor and Transferee, in writing, have advised the Commission that said stock certificates have been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions 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 within thirty (30) days from 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.

3. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

4. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision

shall become the Decision of the Commission and subject to the provisions
of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner
rm/hj

PUC 1,110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No.B-3653

By: Ryburn F. Sago
1694 Xanthia St.
Denver, Colorado 80220

Respondent.)

CASE NO. 129-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

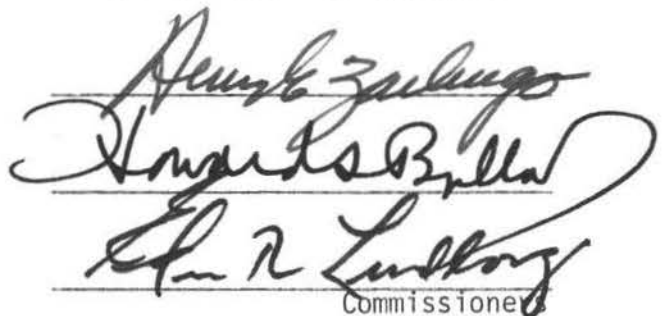
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on September 4, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1,110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-4976

By: Lester A. Willison
676 29½ Road
Grand Junction, Colorado 81501

Respondent.)

CASE NO. 130-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

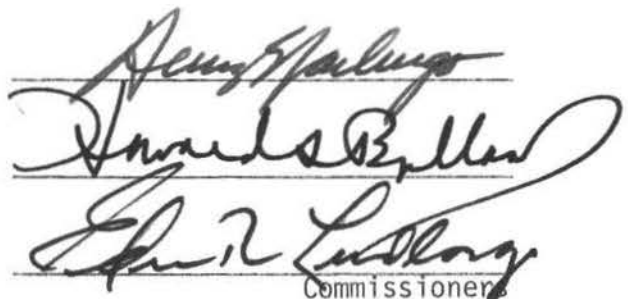
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on September 4, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-5098

By: Dilley's Sand & Gravel Cont.
1914 Edmunds St.
Brush, Colorado 80723

Respondent.)

CASE NO. 131-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

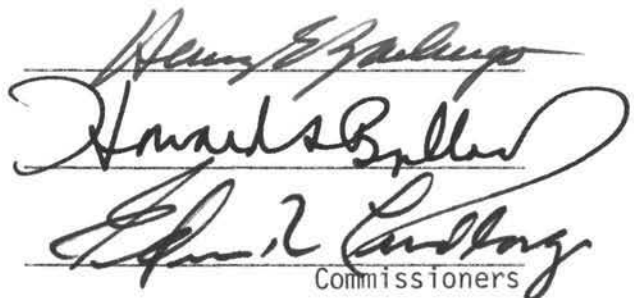
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on September 4, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-5213

By: Johnnie Campanella
33 No. Cascade
Montrose, Colorado 81401

Respondent.)

CASE NO. 132-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on September 4, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

(Decision No. 75434)

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-6879

By: Oscar E. King
1008 N. Star Dr.
Colorado Springs, Colo. 80900

Respondent.)

CASE NO. 133-AR
NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on September 4, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-7192

By: McStain Corporation
1300 Canyon Blvd.
Boulder, Colorado 80302

Respondent.)

CASE NO. 134-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

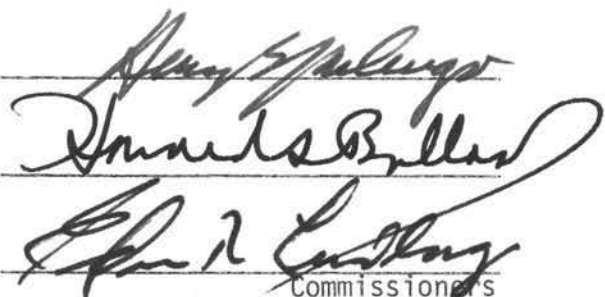
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on September 4, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1,110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-7203

By: V.A.I. Remington
2638 Waldean
Colorado Springs, Colo. 80909

Respondent.)

CASE NO. 135-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

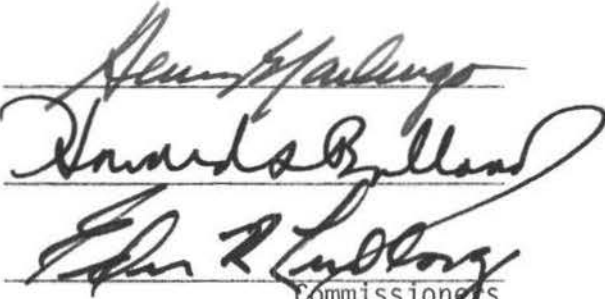
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on September 4, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-6638

By: Kelly Fiorentini
Weston, Colorado 81091

Respondent.)

CASE NO. 136-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

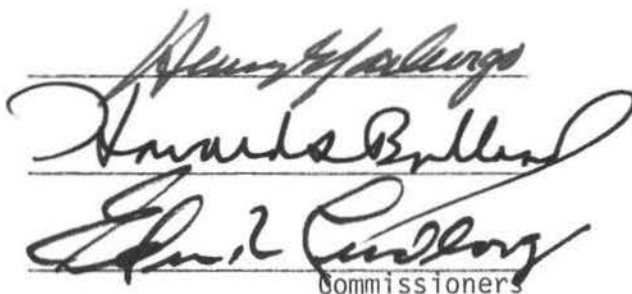
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on September 4, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22ⁿ day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-6951

By: Glenn E. Daniels
Box 223
Crawford, Colorado 81415

Respondent.)

CASE NO. 137-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said operating rights for said 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 down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on September 4, 19 70, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22ⁿ day of July, 19 70.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioner

PUC 1.110

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS UNDER
Permit of Authority, PUC No. B-7279

G & G Jobe
1251 No. Reynolds
Canon City, Colorado 81212

Respondent.)

CASE NO. 138-AR

NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

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

O R D E R

THE COMMISSION ORDERS:

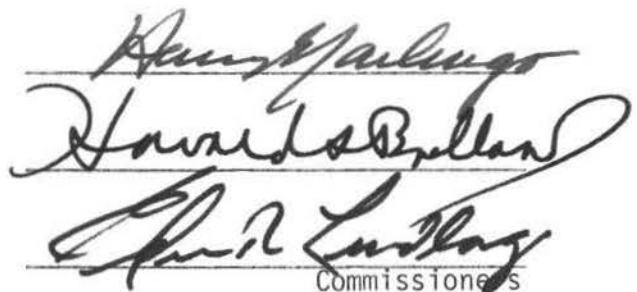
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, at 10:00 o'clock a.m., on September 4, 1970, at which time and place proper evidence may be presented.

That unless the herein Respondent shall have filed an Annual Report as herein set forth or shows cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the Respondent shall be revoked.

That other orders and penalties as may be appropriate be entered.

Dated at Denver, Colorado, this 22nd day of July, 1970.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF

FREDDIE A. SMITH AND CHARLES A. WEEKLEY
DBA W AND S SAND AND GRAVEL
208 Cantril Street
Castle Rock, Colorado 80104

AUTHORITY NO. M 11189
CASE NO. 5786-M-Ins.

July 21, 1970

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On July 13, 1970 , 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.

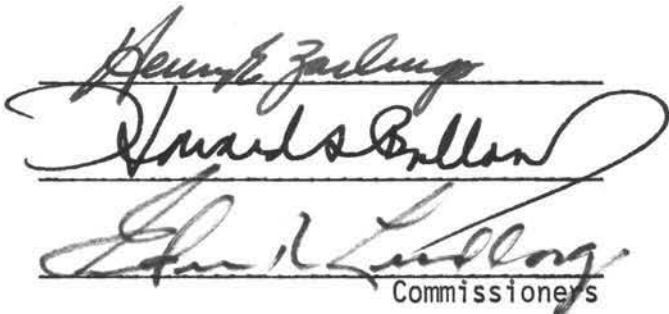
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 21st day of July, 1970 .

(Decision No. 75441)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF FLOYD ELLIOT WILLDEN, ROUTE 2,)
MANCOS, COLORADO, FOR AUTHORITY TO)
EXTEND PERMIT NO. B-7251.)

APPLICATION NO. 24322-PP-Extension

ORDER OF THE COMMISSION

July 24, 1970

Appearances: Leslie R. Kehl, Esq.,
Denver, Colorado,
for Applicant.

It appearing, That by Order of the Commission dated May 13, 1970, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore uncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter extended and ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter extended and ordered;

We further find, That it does not appear that the grant of authority as hereinafter extended and ordered will impair the the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the extended service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate Order should be entered, and

IT IS ORDERED, That Floyd Elliot Willden, Route 2, Mancos, Colorado, be, and hereby is, authorized to extend operations under Contract Carrier Permit No. B-7251 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 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;

RESTRICTIONS: Items 1, 2, 3, and 4 of this Permit are restricted as follows:

- (a) Against the use of tank vehicles when transporting road-surfacing materials.
- (b) All transportation service rendered under this Permit shall be restricted to serving not more than ten (10) customers at any one time."

That henceforth the full and complete authority under Contract Carrier Permit No. B-7251, as extended, 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 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) Logs, poles and timber products

From forests to sawmills, loading points and places of storage within a radius of one hundred (100) miles of said forests;

- (6) Rough lumber

From sawmills in said one hundred (100) mile radius of markets in the State of Colorado.

RESTRICTION: Items 5 and 6 of this Permit are restricted against the rendering of town-to-town service.

RESTRICTION: Items 1, 2, 3, 4, 5, and 6 of this Permit are restricted to serving not more than ten (10) customers at any one time."

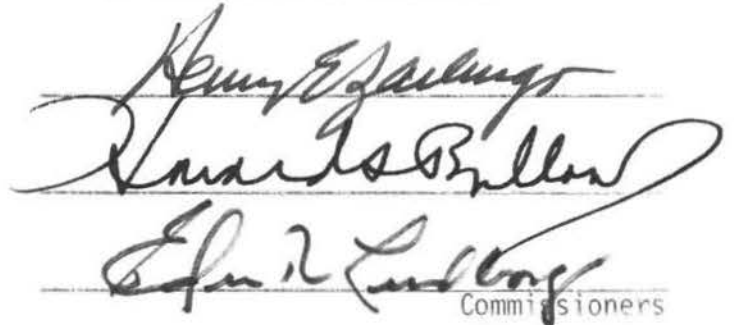
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, the necessary tariffs, required insurance, and has secured authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
24th day of July, 1970.

vr

(Decision No. 75442)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WALTER L. McCART, 840 TUCKER STREET,)
CRAIG, COLORADO, FOR AUTHORITY TO)
OPERATE AS A CLASS "B" CONTRACT)
CARRIER BY MOTOR VEHICLE.)

APPLICATION NO. 24415-PP

ORDER OF THE COMMISSION

July 24, 1970

Appearances: Walter L. McCart,
Craig, Colorado,
pro se.

It appearing, That by Order of the Commission dated June 24, 1970, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing therefor;

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate Order should be entered; and

IT IS ORDERED, That Walter L. McCart, 840 Tucker Street, Craig, Colorado, be, and hereby is, authorized to operate as a class "B" contract 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 one hundred (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 one hundred (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 one hundred (100) miles of said jobs;

- (4) 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 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 the following named counties: Moffat, Routt, Jackson, Rio Blanco, Garfield, Eagle and Grand, State of Colorado;

RESTRICTION: Items 1, 2, 3, 4, and 5 of this Permit are restricted to serving not more than ten (10) customers at any one time."

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

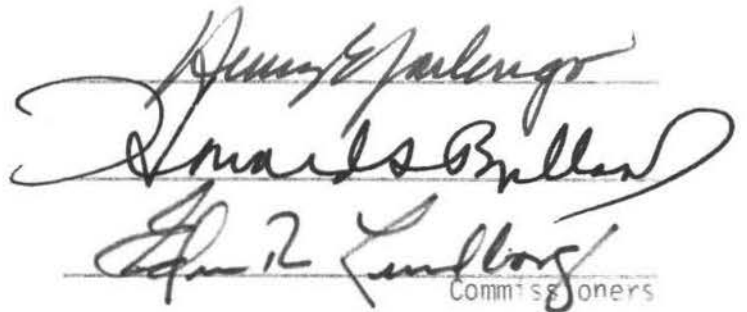
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, the necessary tariffs, required insurance, and has secured authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
24th day of July, 1970.

vr

(Decision No. 75443)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LOWELL O. BELL, 311 E. 36TH STREET,)
DURANGO, COLORADO, FOR AUTHORITY TO)
EXTEND OPERATIONS UNDER PERMIT NO.)
B-6637.)

APPLICATION NO. 24398-PP-Extension

ORDER OF THE COMMISSION

July 24, 1970

Appearances: Lowell O. Bell,
Durango, Colorado,
pro se.

It appearing, That by Order of the Commission dated June 10, 1970, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefor noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter extended and ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter extended and ordered;

We further find, That it does not appear that the grant of authority as hereinafter extended and ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the extended service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate Order should be entered; and

IT IS ORDERED, That Lowell O. Bell, 311 E. 36th Street, Durango, Colorado, be, and hereby is, authorized to extend operations under Contract Carrier Permit No. B-6637 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 one hundred (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 one hundred (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 one hundred (100) miles of said jobs;

- (4) 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 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, loading points and places of storage within a radius of one hundred (100) miles of said forests;

(6) Rough lumber

From sawmills in said one hundred (100) mile radius 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.

RESTRICTION: Items 1, 2, 3, 4, 5, and 6 of this Permit are restricted to serving not more than ten (10) customers at any one time.

That henceforth the full and complete authority under Contract Carrier Permit No. B-6637, as extended, 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 one hundred (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 one hundred (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 one hundred (100) miles of said jobs;

(4) 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 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, loading points and places of storage within a radius of one hundred (100) miles of said forests;

(6) Rough lumber

From sawmills in said one hundred (100) mile radius of markets in the State of Colorado.

RESTRICTION: Items 5 and 6 of this Permit are restricted against the rendering of town-to-town service.

RESTRICTION: Items 1, 2, 3, 4, 5, and 6 of this Permit are restricted to serving not more than ten (10) customers at any one time."

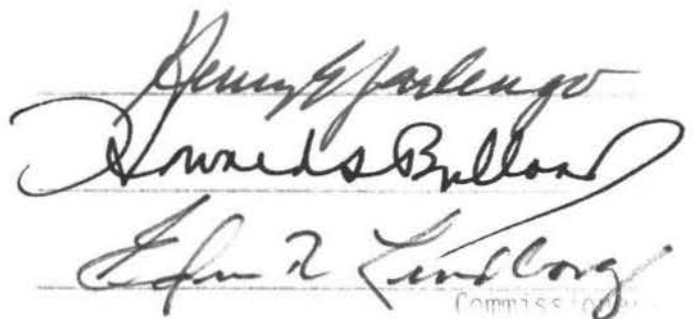
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

That this Order is the Permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, the necessary tariffs, required insurance, and has secured authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioner

Dated at Denver, Colorado, this
24th day of July, 1970.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
E. T. ALLEN, DOING BUSINESS AS "E.)	
T. ALLEN LOGGING," 121 HILL STREET,	)	APPLICATION NO. 24135-PP
BOX 752, STEAMBOAT SPRINGS, COLORADO,)	
FOR A CLASS "B" PERMIT TO OPERATE AS	)	RECOMMENDED DECISION OF
A CONTRACT CARRIER BY MOTOR VEHICLE	)	HARRY A. GALLIGAN, JR.,
FOR HIRE.	)	EXAMINER.

July 24, 1970

Appearances: Euel T. Allen, Steamboat
Springs, Colorado, pro se.

PROCEDURE AND RECORD

Under date of December 24, 1969, Applicant filed the above-entitled application with this Commission for authority to operate as a Class "B" contract carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

The Applicant requested temporary authority for the interim period prior to the granting of permanent authority, and on January 16, 1970, was granted such temporary authority.

The Commission assigned No. 24135-PP to the application for permanent authority. Pursuant to law, the Commission designated Harry A. Galligan, Jr., as Examiner for the purpose of conducting a hearing on this application and, after due and proper notice to all interested persons, firms or corporations, set the herein matter for a hearing to be held in the District Court, Courthouse, Steamboat Springs, Colorado, on May 21, 1970, at 10 a.m. The hearing was held at the aforesaid time and place.

Euel T. Allen testified in support of the application. No person appeared at the hearing to protest the granting of the authority petitioned for in the application, and no written protests or petitions for intervention were received.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Harry A. Galligan, Jr., now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. Applicant is an individual doing business as "E. T. Allen Logging."
2. Applicant in this matter proposes to operate as a contract carrier by motor vehicle and, pursuant to Chapter 115, CRS 1963, as amended, this Commission has jurisdiction over said Applicant and the subject matter of this proceeding.
3. Applicant does hold previously granted authority from this Commission, to-wit: Permit No. B-7053 under the name of E. T. Allen, doing business as "E. T. Allen Logging."
4. Applicant proposes to and will use equipment suitable and sufficient for the transportation services requested, to-wit: One (1) dump truck.
5. Applicant has sufficient experience and net worth, both of which are ample and suitable for the operation of the authority applied for herein.
6. Applicant is sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promises to abide by said rules and regulations, as well as the safety requirements of the Commission.

7. Applicant is amply insured.
8. There is a present and special need for the service of Applicant.
9. Applicant presently has a contract or contracts with his customers.
10. 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.
11. The authority sought by Applicant will be in the public interest.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded, that:

1. Applicant has established, as a matter of fact, that he intends to and will perform services as a contract carrier by motor vehicle for hire.
2. The authority sought by Applicant should be granted, and such grant should be restricted as hereinafter set forth.
3. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following

O R D E R

THE COMMISSION ORDERS:

1. That E. T. Allen, doing business as "E. T. Allen Logging," 121 Hill Street, Box 752, Steamboat Springs, Colorado, be, and hereby is, authorized to operate as a Class "B" contract 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 one hundred (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 one hundred (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 one hundred (100) miles of said jobs;

(4) 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;

RESTRICTIONS:

This Permit is restricted as follows:

- (a) Against the use of tank vehicles when transporting road-surfacing materials;
- (b) To serving not more than ten (10) customers at any one time";

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

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

3. 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.

4. 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.

5. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

6. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Examiner

rm/hj