(Decision No. 1130)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION)
OF E. A. ENGLE FOR CERTIFICATE OF) APPLICATION NO. 686
PUBLIC CONVENIENCE AND NECESSITY.)
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March 10, 1927.

S T A T E M E N T

By the Commission:

The above application being set down for public hearing on February 10, 1927, at the Hearing Room of the Commission, State Office Building, Denver, Colorado, and no appearance whatever having been made by the applicant, the Commission is of the opinion that the same should be dismissed.

O R D E R

IT IS THEREFORE ORDERED, That the application of E. A. Engle, No. 686, be, and the same is hereby, dismissed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

H. D. Lawson

Otto Bruk

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 10th day of March, 1927.

(Decision No. 1151)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION)
OF WM. A. NEELEY FOR CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESS-) APPLICATION NO. 687
ITY.)

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- - - - - - - - -
March 10, 1927.
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S T A T E M E N T

By the Commission:

The above application being set down for public hearing on February 10, 1927, at the Hearing Room of the Commission, State Office Building, Denver, Colorado, and no appearance whatever having been made by the applicant, the Commission is of the opinion that the same should be dismissed.

O R D E R

IT IS THEREFORE ORDERED, That the application of Wm. A. Neeley, No. 687, be, and the same is hereby, dismissed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

M. D. Lannon

Otto Bock

Dan L. Jones

Commissioners.

Dated at Denver, Colorado,
this 10th day of March, 1927.

(Decision No. 1132)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION)
OF T. COLORUSSO DOING BUSINESS)
AS THE HENRY TAXI SERVICE FOR) APPLICATION NO. 654
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY.)
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- - - - - - - - -
March 10, 1927.
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S T A T E M E N T

By the Commission:

The above application being set down for public hearing on February 10, 1927, at the Hearing Room of the Commission, State Office Building, Denver, Colorado, and no appearance whatever having been made by the applicant, the Commission is of the opinion that the same should be dismissed.

O R D E R

IT IS THEREFORE ORDERED, That the application of T.Colorusso, doing business as the Henry Taxi Service, No. 654, be, and the same is hereby, dismissed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

C. L. Lawson

Geo. Booth

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 10th day of March, 1927.

(Decision No. 1133)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION)
OF BARBARA M. LOOMIS FOR A CER-)
TIFICATE OF PUBLIC CONVENIENCE) APPLICATION NO. 744
AND NECESSITY.)

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- - - - - - - - - -
March 10, 1927.
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S T A T E M E N T

By the Commission:

The above application being set down for public hearing on February 10, 1927, at the Hearing Room of the Commission, State Office Building, Denver, Colorado, and no appearance whatever having been made by the applicant, the Commission is of the opinion that the same should be dismissed.

O R D E R

IT IS THEREFORE ORDERED, That the application of Barbara M. Loomis, No. 744, be, and the same is hereby, dismissed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

W. D. Lamm

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 10th day of March, 1927.

(Decision No. 1134)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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In the matter of the application of Charles P. Fallico and Amelio Fallico, copartners, doing business under the name of the Fallico Auto Livery, for a certificate of public convenience and necessity.) APPLICATION NO. 552.

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March 12, 1927.
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Appearances:

Charles P. Fallico, per se.
D. Edgar Wilson, Esq., Denver, Colorado, for The Rocky Mountain Motor Company, The Rocky Mountain Parks Transportation Company and The Denver Cab Company.
J. Q. Dier, Esq., Denver, Colorado, for The Colorado and Southern Railway Company.

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S T A T E M E N T.

By the Commission:

On April 22, 1926, Charles P. Fallico and Amelio Fallico, copartners, doing business under the name of the Fallico Auto Livery filed their application with this Commission for a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers over six routes and to certain designated points fully set forth in the application. Oral protests were made against this application by The Rocky Mountain Parks Transportation Company, The Denver Cab Company and The Colorado and Southern Railway Company.

This application was set down for public hearing on February 10, 1927, at the Hearing Room of the Commission, State Office Bldg., Denver, Colorado, at which time evidence in support of and in opposition thereto was received.

The applicants herein seek a motor operation to serve the tourist and sightseeing business from Denver. They do not operate on a regular schedule. The equipment of the applicants consists of seven automobiles. They have been in business for a period of about

seven years. Their capital investment amounts to approximately $25,000.

The Commission has fully discussed the principles, circumstances and conditions applicable to the tourist and sightseeing business from Denver by motor operating in the application of Champa 3 Auto Livery Company, No. 545, Decision 1106, to which reference is hereby made, and, therefore, deems it unnecessary in the instant application to again make a detailed report. After a careful consideration of all the evidence introduced in this application, the Commission is of the opinion, and so finds, that the present and future public convenience and necessity requires the motor transportation system of passengers operated by Charles P. Fallico and Amelio Fallico, a copartnership doing business as the Fallico Auto Livery, to transport passengers over the six routes designated, as more fully set out in the application herein, which by reference is made a part hereof; that all operations over the routes designated are limited solely to round trip service on the same day, and no intermediate business of any kind shall be done on any of said routes.

O R D E R.

IT IS, THEREFORE, ORDERED that the present and future public convenience and necessity requires the motor vehicle operation for the transportation of passengers by Charles P. Fallico and Amelio Fallico, a copartnership doing business as the Fallico Auto Livery, applicants herein, over the following routes:

A. Denver to Estes Park via North St. Vrain Canon.

B. Denver to Estes Park, via South St. Vrain Canon.

C. Denver to Pikes Peak.

D. Denver to Georgetown Loop.

E. Denver to Echo Lake and Mt. Evans.

F. Denver to Mountain Parks.

Said routes being more fully set forth in the application filed herein, which by reference thereto are made a part hereof; and this order shall be taken, deemed and held to be a certificate of public

convenience and necessity therefor, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That no transportation of passengers to any intermediate points on the routes designated shall be permitted.

(b) That all operations by the applicants herein shall be limited to sightseeing, round trip, one day operations.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the applicants shall file their written acceptance of the certificate herein granted within a period of fifteen days from the date hereof, and shall file tariffs of rates, rules and regulations and time schedules as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof.

IT IS FURTHER ORDERED that this certificate is issued subject to compliance by the applicant with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

W. L. Lawson

Otto Bros

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 12th day of March, 1927.

(Decision No. 1135)

Before the Public Utilities Commission
of the State of Colorado.

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In the matter of the application of Harry Large and Otto Peterson, co-partners doing business under the name of Large and Peterson, for a certificate of public convenience and necessity.	) ( ) ( ) (	Application No. 582.

March 12, 1927.

Appearances: Allen Johnson, Esq., Denver, Colorado, for applicants.
D. Edgar Wilson, Esq., Denver, Colo. for the Rocky Mountain Motor Company, The Rocky Mountain Parks Transportation Company and The Denver Cab Company.
J. Q. Dier, Esq., Denver, Colorado, for The Colorado and Southern Railway Company.
E. L. Brock, Esq., Denver, Colorado, for The Denver and Salt Lake Railroad Company.

S T A T E M E N T

By the Commission:

On April 28, 1926, Harry Large and Otto Peterson, copartners doing business under the firm name of Large and Peterson, filed their application with this Commission for a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers over eight routes and to certain designated points set forth in the application. Oral protests were made against this application by The Rocky Mountain Parks Transportation Company, The Denver Cab Company, the Colorado and Southern Railway Company and The Denver and Salt Lake Railroad Company.

This application was set down for public hearing on February 10, 1927, at the Hearing Room of the Commission, State Office Building, Denver, Colorado, at which time evidence in support of, and in opposition thereto was received.

The applicants herein seek a motor operation to serve the tourist and sightseeing public from Denver. They do not operate on a regular schedule. The equipment of the applicants consists of three automobiles.

They have been in business approximately three years. Their capital investment amounts to approximately $8,000.00.

The Commission has fully discussed the principles, circumstances and conditions applicable to the tourist and sightseeing business from Denver by motor operation in the application of Champa 3, Auto Livery Company, No. 545, Decision 1106, to which reference is hereby made, and, therefore, deems it unnecessary in the instant application to again make a detailed report. After a careful consideration of all the evidence introduced in this application, the Commission is of the opinion, and so finds, that the present and future public convenience and necessity requires the motor transportation system of passengers, operated by Harry Large and Otto Peterson, copartners doing business under the firm name of Large and Peterson, over the following routes designated, Denver to Pikes Peak, Denver to Silver Plume, Denver to Denver Mountain Parks, Denver to Echo Lake and Denver to Mount Evans; that all operations over the routes designated are limited solely to round trip service on the same day, and no intermediate business of any kind shall be done on any of said routes.

O R D E R

IT IS, THEREFORE, ORDERED, that the present and future public convenience and necessity requires the motor vehicle operation for the transportation of passengers by Harry Large and Otto Peterson, copartners doing business under the name of Large and Peterson, applicants herein, over the following routes:

A. Denver to Pikes Peak.

B. Denver to Silver Plume.

C. Denver to Denver Mountain Parks.

D. Denver to Echo Lake.

E. Denver to Mt. Evans.

Said routes being more fully set forth in the application filed herein, which by reference thereto are made a part hereof; and this order shall be

taken, deemed and held to be a certificate of public convenience and necessity therefor, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That no transportation of passengers to any intermediate points on the routes designated shall be permitted.

(b) That all operations by the applicants herein shall be limited to sightseeing, round trip, one day operations.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the applicants shall file their written acceptance of the certificate herein granted within a period of fifteen days from the date hereof, and shall file tariffs of rates, rules and regulations and time schedules as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof.

IT IS FURTHER ORDERED that this certificate is issued subject to compliance by the applicants with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

C. L. Lawson

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 12th day of March, 1927

(Decision No. 1136)

Before the Public Utilities Commission
of the State of Colorado.

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In the matter of the application of R. Haralsom, doing business as The Montview Sightseeing Company, for a certificate of public convenience and necessity.) Application No. 586.

March 12, 1927.

Appearances: R. Haralson, Per se.
J. Q. Dier, Esq., Denver, Colorado, for The Colorado and Southern Railway Company.
D. Edgar Wilson, Esq., Denver, Colorado, for The Rocky Mountain Motor Company, The Rocky Mountain Parks Transportation Company and The Denver Cab Company.
E. L. Brock, Esq., Denver, Colorado, for The Denver and Salt Lake Railroad Company.

S T A T E M E N T

By the Commission:

On April 29, 1926, R. Haralson, applicant herein, doing business under the name of The Montview Sightseeing Company, filed his application with this Commission for a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers over six routes and to certain designated points set forth in the application. Oral protests were made against this application by The Rocky Mountain Parks Transportation Company, The Denver Cab Company, The Colorado and Southern Railway Company and The Denver and Salt Lake Railroad Company.

This application was set down for public hearing on February 10, 1927, at the Hearing Room of the Commission, State Office Building, Denver, Colorado, at which time evidence in support of and in opposition thereto was received.

The applicant herein seeks a motor operation to serve the tourist and sightseeing public from Denver. He does not operate on regular schedule. The equipment of the applicant consists of two automobiles. He has been in business approximately four years. His

capital investment amounts to approximately $3500.00.

The Commission has fully discussed the principles, circumstances and conditions applicable to the tourist and sightseeing business from Denver by motor operation in the application of Champa 3 Auto Livery Company, No. 545, Decision 1106, to which reference is hereby made, and, therefore, deems it unnecessary in the instant application to again make a detailed report. After a careful consideration of all the evidence introduced in this application, the Commission is of the opinion, and so finds, that the present and future public convenience and necessity requires the motor transportation system of passengers operated by R. Haroldson, doing business under the name of The Montview Sightseeing Company, to transport passengers over the following routes designated in the application herein, Denver to Pikes Peak, Denver to Silver Plume, Denver to Denver Mountain Parks and Denver to Echo Lake and Mt. Evans; that all operations over the routes designated are limited solely to round trip service on the same day, and no intermediate business of any kind shall be done on any of the said routes.

O R D E R

IT IS, THEREFORE, ORDERED that the present and future public convenience and necessity requires the motor vehicle operation for the transportation of passengers by R. Haroldson, doing business as The Montview Sightseeing Company, applicant herein, over the following routes:

A. Denver to Pikes Peak.

B. Denver to Silver Plume.

C. Denver to Denver Mountain Parks.

D. Denver to Echo Lake and Mt. Evans.

Said routes being more fully set forth in the application filed herein, which by reference thereto are made a part hereof; and this order shall be taken, deemed and held to be a certificate of public convenience and

necessity therefor, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That no transportation of passengers to any intermediate points on the routes designated shall be permitted.

(b) That all operations by the applicant herein shall be limited to sightseeing, round trip, one day operations.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the applicant shall file his written acceptance of the certificate herein granted within a period of fifteen days from the date hereof, and shall file tariffs of rates, rules and regulations and time schedules as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof.

IT IS FURTHER ORDERED that this certificate is issued subject to compliance by the applicant with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

H. L. Lawson

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 12th day of March, 1927.

(Decision No. 1137)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

- - - - -

IN THE MATTER OF THE APPLICATION OF)
JACK D. GERST, DOING BUSINESS AS)
JACK'S AUTO SIGHTSEEING COMPANY, FOR) APPLICATION NO. 576.
A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY.)

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- - - - - - - - -
March 12, 1927.
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Appearances: Jack D. Gerst, per se.
D. Edgar Wilson, Esq., Denver, Colorado, for The Rocky Mountain Motor Company, The Rocky Mountain Parks Transportation Company and The Denver Cab Company,
J. Q. Dier, Esq., for The Colorado and Southern Railway Company.

S T A T E M E N T

By the Commission:

On April 28, 1926, Jack D. Gerst, applicant herein, doing business under the name of Jack's Auto Sightseeing Company, filed his application with this Commission for a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers over seven routes and to certain designated points fully set forth in the application. Oral protests were made against this application by The Rocky Mountain Parks Transportation Company, The Denver Cab Company and The Colorado and Southern Railway Company.

This application was set down for public hearing on February 10, 1927, at the Hearing Room of the Commission, State Office Bldg., Denver, Colorado, at which time evidence in support of, and in opposition thereto was received.

At the hearing the applicant asked to amend his application by striking therefrom authorization to operate the following routes: Georgetown Loop trip, Estes Park - north - trip, Estes Park - south - trip, and Boulder Canon trip, which amendment was allowed.

The applicant seeks a motor operation to serve the tourist and sightseeing public from Denver. He does not operate on a regular schedule.

The equipment of the applicant consists of three automobiles. He has been in business approximately six years. His capital investment amounts to approximately $2500.00.

The Commission has fully discussed the principles, circumstances and conditions applicable to the tourist and sightseeing business from Denver by motor operation in the application of Champa 3 Auto Livery Company, No. 545, Decision 1106, to which reference is hereby made, and, therefore, deems it unnecessary in the instant application to again make a detailed report. After a careful consideration of all the evidence introduced in this application, the Commission is of the opinion, and so finds, that the present and future public convenience and necessity requires the motor transportation system of passengers operated by Jack D. Gerst, doing business as Jack's Auto Sightseeing Company, to transport passengers over three routes, from Denver to Pikes Peak, Denver to Denver Mountain Parks and Denver to Echo Lake and Mt. Evans, as more fully set out in the application herein, which by reference is made a part hereof; that all operations over the routes designated are limited solely to round trip service on the same day, and no intermediate business of any kind shall be done on any of said routes.

O R D E R

IT IS THEREFORE ORDERED, That the present and future public convenience and necessity requires the motor vehicle operation for the transportation of passengers by Jack G. Gerst, doing business as Jack's Auto Sightseeing Company, applicant herein, over the following routes:

A. Denver to Pikes Peak.

B. Denver to Denver Mountain Parks,

C. Denver to Echo Lake and Mt. Evans.

Said routes being more fully set forth in the application filed herein, which by reference thereto are made a part hereof; and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That no transportation of passengers to any intermediate points on the routes designated shall be permitted.

(b) That all operations by the applicant herein shall be limited to sightseeing, round trip, one day operation.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the applicant shall file his written acceptance of the certificate herein granted within a period of fifteen days from the date hereof, and shall file tariffs of rates, rules and regulations and time schedules as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof.

IT IS FURTHER ORDERED, That this certificate is issued subject to compliance by the applicant with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

H. D. Lawson

Otto Borg

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 18th day of March, 1927.

91

(Decision No. 1138)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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In the matter of the application of Charles R. Quigley and Sam J. Quigley, copartners doing business under the firm name of the Broadway Sightseeing Company, for a certificate of public convenience and necessity.	)	APPLICATION NO. 585.

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March 12, 1927.
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Appearances:

Charles H. Small, Esq, Denver, Colorado, for applicants.
J. Q. Dier, Esq., Denver, Colorado, for The Colorado and Southern Railway Company.
D. Edgar Wilson, Esq., for The Rocky Mountain Motor Company, The Rocky Mountain Parks Transportation Company and The Denver Cab Company.

S T A T E M E N T.

By the Commission:

On April 29, 1926, Charles R. Quigley and Sam J. Quigley copartners doing business under the firm name of The Broadway Sightseeing Company, filed their application with this Commission for a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers over eleven routes and to certain designated points, fully set forth in the application. Oral protests were made against this application by the Rocky Mountain Parks Transportation Company, The Denver Cab Company and The Colorado and Southern Railway Company.

This application was set down for public hearing on February 10, 1927, at the Hearing Room of the Commission, State Office Bldg., Denver, Colorado, at which time evidence in support of, and in opposition thereto was received.

The applicants seek a motor operation to serve the tourist and sightseeing public from Denver. They do not operate on a regular schedule. The equipment of the applicants consists of three auto-

mobiles. They have been in business since 1921. Their capital investments amounts to approximately $5,000.

The Commission has fully discussed the principles, circumstances and conditions applicable to the tourist and sightseeing business from Denver by motor operation in the application of Champa 3 Auto Livery Company, No. 545, Decision 1106, to which reference is hereby made, and, therefore, deems it unnecessary in the instant application to again make a detailed report. After a careful consideration of all the evidence introduced in this application, the Commission is of the opinion, and so finds, that the present and future public convenience and necessity requires the motor transportation system of passengers, operated by Charles R. Quigley and Sam J. Quigley, copartners doing business under the firm name of The Broadway Sightseeing Company, to transport passengers over the routes designated as 5,6,7,8,9, 10 and 11 in the application herein, which by reference is made a part hereof; and that all operations over the routes designated are limited solely to round trip service on the same day, and no intermediate business of any kind shall be done on any of said routes.

O R D E R.

IT IS, THEREFORE, ORDERED that the present and future public convenience and necessity requires the motor vehicle operation for the transportation of passengers by Charles R. Quigley and Sam J. Quigley, copartners doing business under the firm name of The Broadway Sightseeing Company, applicants herein, over the following routes:

A. Denver to Bergen Park.

B. Denver to Lookout Mountain.

C. Denver to Echo Lake and Mt. Evans.

D. Denver to Echo Lake via Squaw Pass.

E. Denver to Echo Lake, returning via Chicago Creek.

F. Denver to Silver Plume.

G. Denver to Pikes Peak.

Said routes being more fully set forth in the application filed herein, which by reference thereto are made a part hereof; and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That no transportation of passengers to any intermediate points on the routes designated shall be permitted.

(b) That all operations by the applicants herein shall be limited to sightseeing, round trip, one day operations.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the applicants shall file their written acceptance of the certificate herein granted within a period of fifteen days from the date hereof, and shall file tariffs of rates, rules and regulations and time schedules as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof.

IT IS FURTHER ORDERED that this certificate is issued subject to compliance by the applicants with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

C. H. Lawson

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 12th day of March, 1927.

(Decision No. 1139)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

In the matter of the application of G.E.Malone, doing business as the Globe Sightseeing Company, for a certificate of public convenience and necessity.) APPLICATION NO. 579.

March 12, 1927.

Appearances:

G. E. Malone, per se.
D. Edgar Wilson, Esq., Denver, Colorado, for The Rocky Mountain Motor Company, The Rocky Mountain Parks Transportation Company and The Denver Cab Company.
J. Q. Dier, Esq., Denver, Colorado, for The Colorado and Southern Railway Company.
E. L. Brock, Esq., Denver, Colorado, for The Denver and Salt Lake Railroad Company.

S T A T E M E N T.

By the Commission:

On April 27, 1926, G. E. Malone, doing business as The Globe Sightseeing Company, filed his application with this Commission for a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers, over six routes and to certain designated points fully set forth in the application. Oral protests were made against this application by The Rocky Mountain Parks Transportation Company, The Denver Cab Company, The Colorado and Southern Railway Company and The Denver and Salt Lake Railroad Company.

This application was set down for public hearing on February 10, 1927, at the Hearing Room of the Commission, State Office Bldg., Denver, Colorado, at which time evidence in support of and in opposition thereto was received.

The applicant herein seeks a motor operation to serve the tourist and sightseeing public from Denver. He does not operate on a regular

schedule. The equipment of the applicant consists of one Pierce Arrow touring car. He has been in business approximately six years. His capital investment amounts to approximately $2,250.

The Commission has fully discussed the principles, circumstances and conditions applicable to the tourist and sightseeing business from Denver by motor operation in the application of Champa 3 Auto Livery Company, No. 545, Decision 1106, to which reference is hereby made, and, therefore, deems it unnecessary in the instant application to again make a detailed report. After a careful consideration of all the evidence introduced in this application, the Commission is of the opinion, and so finds, that the present and future public convenience and necessity requires the motor transportation system of passengers operated by G. E. Malone, doing business asThe Globe Sightseeing Company, to transport passengers over the following routes designated: Denver to Pikes Peak, Denver to Silver Plume, Denver to Denver Mountain Parks and Denver to Echo Lake and Mt. Evans; that all operations over the routes designated are limited solely to round trip service on the same day, and no intermediate business of any kind shall be done on any of said routes.

O R D E R.

IT IS, THEREFORE, ORDERED that the present and future public convenience and necessity requires the motor vehicle operation for the transportation of passengers by G. E. Malone, doing business as The Globe Sightseeing Company, applicant herein, over the following routes:

A. Denver to Pikes Peak.

B. Denver to Silver Plume.

C. Denver to Denver Mountain Parks.

D. Denver to Echo Lake and Mt. Evans.

Said routes being more fully set forth in the application filed herein, which by reference thereto are made a part hereof; and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That no transportation of passengers to any intermediate points on the routes designated shall be permitted.

(b) That all operations by the applicants herein shall be limited to sightseeing, round trip, one day operations.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the applicant shall file his written acceptance of the certificate herein granted within a period of fifteen days from the date hereof, and shall file tariffs of rates, rules and regulations and time schedules as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof.

IT IS FURTHER ORDERED that this certificate is issued subject to compliance by the applicant with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

C. L. Lawson

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 12th day of March, 1927.

(Decision No. 1140)

94

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION OF)
ROBERT H. LOGAN, DOING BUSINESS UNDER)
THE NAME OF THE LOGAN AUTO TOURS, FOR) APPLICATION NO. 608.
A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY.)
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March 12, 1927.
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Appearances:

Robert H. Logan, per se.
J. Q. Dier, Esq., Denver, Colorado, for The Colorado and Southern Railway Company.
D. Edgar Wilson, Esq., Denver, Colorado, for The Rocky Mountain Motor Company, The Rocky Mountain Parks Transportation Company and The Denver Cab Company.

S T A T E M E N T.

By the Commission:

On May 4, 1926, Robert H. Logan, doing business under the name of the Logan Auto Tours, applicant herein, filed his application with this Commission for a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers over six routes and to certain designated points fully set forth in the application. Oral protests were made against this application by The Rocky Mountain Parks Transportation Company, The Denver Cab Company and The Colorado and Southern Railway Company.

This application was set down for hearing on February 10, 1927, at the Hearing Room of the Commission, State Office Bldg., Denver, Colorado, at which time evidence in support of and in opposition thereto was received.

The applicant herein seeks a motor operation to serve the tourist and sightseeing public from Denver. He does not operate on a regular schedule. The equipment of the applicant consists

of two automobiles. He has been in business for six years. His capital investment amounts to approximately $2,250.

The Commission has fully discussed the principles, circumstances and conditions applicable to the tourist and sightseeing business from Denver by motor operation in the application of Champa 3 Auto Livery Company, No. 545, Decision 1106, to which reference is hereby made, and, therefore, deems it unnecessary in the instant application to again make a detailed report. After a careful consideration of all the evidence introduced in this application, the Commission is of the opinion, and so finds, that the present and future public convenience and necessity requires the motor transportation system of passengers, operated by Robert H. Logan, under the name of the Logan Auto Tours, to transport passengers over the following routes, Denver to Denver Mountain Parks, Denver to Mt. Evans, Denver to Silver Plume and Denver to Pikes Peak; that all operations over the routes designated are limited solely to round trip service on the same day, and no intermediate business of any kind shall be done on any of said routes.

O R D E R.

IT IS THEREFORE ORDERED, That the present and future public convenience and necessity requires the motor vehicle operation for the transportation of passengers by Robert H. Logan, doing business as the Logan Auto Tours, applicant herein, over the following routes:

A. Denver to Denver Mountain Parks.

B. Denver to Mt. Evans.

C. Denver to Silver Plume.

D. Denver to Pikes Peak.

Said routes being more fully set forth in the application filed herein, which by reference thereto are made a part hereof; and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That no transportation of passengers to any intermediate points on the routes designated shall be permitted.

(b) That all operations by the applicants herein shall be limited to sightseeing, round trip, one day operations.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the applicant herein shall file his written acceptance of the certificate herein granted within a period of fifteen days from the date hereof, and shall file tariffs of rates, rules and regulations and time schedules as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof.

IT IS FURTHER ORDERED that this certificate is issued subject to compliance by the applicant with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

W. D. Lawson

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 12th day of March, 1927.

(Decision No. 1141)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

- - - - -

IN THE MATTER OF THE APPLICATION OF)
RAY E. OTT, DOING BUSINESS UNDER)
THE NAME OF THE SQUARE DEAL AUTO) APPLICATION NO. 593
SERVICE COMPANY, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY.)

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March 12, 1927.
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Appearances: A. P. Anderson, Esq., Denver, Colorado, for applicant;
J. Q. Dier, Esq., Denver, Colorado, for The Colorado and Southern Railway Company;
D. Edgar Wilson, Esq., Denver, Colorado, for The Rocky Mountain Motor Company, The Rocky Mountain Parks Transportation Company and The Denver Cab Company.

S T A T E M E N T

By the Commission:

On April 30, 1926, Ray E. Ott, doing business under the name of The Square Deal Auto Service Company, filed his application with this Commission for a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers over eight routes and to certain designated points fully set forth in the application. Oral protests were made against this application by The Rocky Mountain Parks Transportation Company, The Denver Cab Company and The Colorado and Southern Railway Company.

This application was set down for public hearing on February 10, 1927, at the Hearing Room of the Commission, State Office Building, Denver, Colorado, at which time evidence in support of and in opposition thereto was received.

The applicant herein seeks a motor operation to serve the tourist and sightseeing public from Denver. He does not operate on regular schedule. The equipment of the applicant consists of two Cadillac cars. He has been in business for about five years. His capital investment amounts to approximately $2,000.

At the time of the hearing the applicant amended his application by striking out route (g), Royal Gorge, which amendment was allowed.

The Commission has fully discussed the principles, circumstances and conditions applicable to the tourist and sightseeing business from Denver by motor operation in the application of Champa 3 Auto Livery Company, No. 545, Decision 1106, to which reference is hereby made, and, therefore, deems it unnecessary in the instant application to again make a detailed report. After a careful consideration of all the evidence introduced in this application, the Commission is of the opinion, and so finds, that the present and future public convenience and necessity requires the motor transportation system of passengers operated by Ray E. Ott, doing business under the name of The Square Deal Auto Service Company, to transport passengers over the following routes, Denver to Pikes Peak, Denver to Georgetown Loop, Denver to Echo Lake and Mt. Evans, Denver to Denver Mountain Parks and Denver to Lookout Mountain; that all operations over the routes designated are limited solely to round trip service on the same day, and no intermediate business of any kind shall be done on any of said routes.

O R D E R

IT IS THEREFORE ORDERED, That the present and future public convenience and necessity requires the motor vehicle operation for the transportation of passengers by Ray E. Ott, doing business under the name of The Square Deal Auto Service Company, applicant herein, over the following routes:

A. Denver to Pikes Peak.

B. Denver to Georgetown Loop.

C. Denver to Echo Lake and Mt. Evans.

D. Denver to Denver Mountain Parks.

E. Denver to Lookout Mountain.

Said routes being more fully set forth in the application filed herein, which by reference thereto are made a part hereof; and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That no transportation of passengers to any intermediate points on the routes designated shall be permitted.

(b) That all operations by the applicant herein shall be limited to sightseeing, round trip, one day operation.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the applicant shall file his written acceptance of the certificate herein granted within a period of fifteen days from the date hereof, and shall file tariffs of rates, rules and regulations and time schedules as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof.

IT IS FURTHER ORDERED, That this certificate is issued subject to compliance by the applicant with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

W. L. Lawson

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 12th day of March, 1927.

(Decision No. 1142)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF ROBERT WIRTH, DOING BUSINESS UNDER THE NAME OF THE HOTEL DE SOTO SIGHTSEEING COMPANY, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 688

March 12, 1927.

Appearances: A. P. Anderson, Esq., Denver, Colorado, for applicant;
J. Q. Dier, Esq., Denver, Colorado, for The Colorado and Southern Railway Company;
D. Edgar Wilson, Esq., for The Rocky Mountain Motor Company, The Rocky Mountain Parks Transportation Company and The Denver Cab Company.

STATEMENT

By the Commission:

On June 3, 1926, Robert Wirth, doing business under the name of The Hotel De Soto Sightseeing Company, applicant herein, filed his application with this Commission for a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers over six routes and to certain designated points fully set forth in the application. Oral protests were made against this application by The Rocky Mountain Parks Transportation Company, The Denver Cab Company and The Colorado and Southern Railway Company.

This application was set down for public hearing on February 10, 1927, at the Hearing Room of the Commission, State Office Bldg., Denver, Colorado, at which time evidence in support of, and in opposition thereto was received.

The applicant herein seeks a motor operation to serve the tourist and sightseeing public from Denver. He does not operate on a regular schedule. The equipment of the applicant consists of one automobile; he has been in business about four years and his capital investment amounts to approximately $2,000.

The Commission has fully discussed the principles, circumstances and conditions applicable to the tourist and sightseeing business from Denver by motor operation in the application of Champa 3 Auto Livery Company, No. 545, Decision 1106, to which reference is hereby made, and, therefore, deems it unnecessary in the instant application to again make a detailed report. After a careful consideration of all the evidence introduced in this application, the Commission is of the opinion, and so finds, that the present and future public convenience and necessity requires the motor transportation system of passengers operated by Robert Wirth, doing business under the name of The Hotel De Soto Sightseeing Company, applicant herein, to transport passengers over the following routes: Denver to Pikes Peak; Denver to Georgetown Loop; Denver to Echo Lake and Mt. Evans; Denver to Denver Mountain Parks; that all operations over the routes designated are limited solely to round trip service on the same day, and no intermediate business of any kind shall be done on any of said routes.

O R D E R

IT IS THEREFORE ORDERED, That the present and future public convenience and necessity requires the motor vehicle operation for the transportation of passengers by Robert Wirth, doing business under the name of The Hotel De Soto Sightseeing Company, applicant herein, over the following routes:

A. Denver to Pikes Peak and Colorado Springs Region.

B. Denver to Georgetown Loop.

C. Denver to Echo Lake and Mt. Evans.

D. Denver to Denver Mountain Parks.

Said routes being more fully set forth in the application filed herein, which by reference thereto are made a part hereof; and this order shall be

taken, deemed and held to be a certificate of public convenience and necessity therefor, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That no transportation of passengers to any intermediate points on the routes designated shall be permitted.

(b) That all operations by the applicant herein shall be limited to sightseeing, round trip, one day operation.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the applicant shall file his written acceptance of the certificate herein granted within a period of fifteen days from the date hereof, and shall file tariffs of rates, rules and regulations and time schedules as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof.

IT IS FURTHER ORDERED, that this certificate is issued subject to compliance by the applicant with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

H. L. Lawson

Otto Bruk

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 12th day of March, 1927.

(Decision No. 1143)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF FRED E. WEIDMAN AND O. F. PARKER, A CO-PARTNERSHIP, DOING BUSINESS UNDER THE FIRM NAME OF THE WESTERN SCENIC AUTO COMPANY, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 645

March 18, 1927.

Appearances: John E. Nelson, Esq., Denver, Colorado, for applicant;
J. Q. Dier, Esq., Denver, Colorado, for The Colorado and Southern Railway Company;
D. Edgar Wilson, Esq., Denver, Colorado, for The Rocky Mountain Motor Company, The Rocky Mountain Parks Transportation Company and The Denver Cab Company.

S T A T E M E N T

By the Commission:

On May 14, 1926, Fred E. Weidman, doing business under the name of The Western Scenic Auto Company, filed his application with this Commission for a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers over six routes and to certain designated points set forth in the application. Oral protests were made by The Rocky Mountain Parks Transportation Company and The Denver Cab Company; also by The Colorado and Southern Railway Company.

Amended application was filed on May 19, 1926, alleging that The Western Scenic Auto Company is a co-partnership consisting of Fred E. Wiedman and O. F. Parker.

This application was set down for public hearing on February 11, 1927, at the Hearing Room of the Commission, State Office Bldg., Denver, Colorado, at which time evidence in support of, and in opposition thereto was received.

The applicants herein seek a motor operation to serve the tourist and sightseeing public from Denver. They do not operate on a regular schedule. Their equipment consists of three automobiles. They have been in business approximately six years; their capital investment amounts to approximately $4,000.

The Commission has fully discussed the principles, circumstances and conditions applicable to the tourist and sightseeing business from Denver by motor operation in the application of Champa 3 Auto Livery Company, No. 545, Decision 1106, to which reference is hereby made, and, therefore, deems it unnecessary in the instant application to again make a detailed report. After a careful consideration of all the evidence introduced in this application, the Commission is of the opinion, and so finds, that the present and future public convenience and necessity requires the motor transportation system of passengers operated by Fred E. Weidman and O. F. Parker, co-partners, doing business under the name of The Western Scenic Auto Company, to transport passengers over the following routes: Denver to Pikes Peak; Denver to Silver Plume; Denver to Denver Mountain Parks; Denver to Echo Lake and Mt. Evans, as more fully set out in the application herein, which by reference is made a part hereof; that all operations over the routes designated are limited solely to round trip service on the same day, and no intermediate business of any kind shall be done on any of said routes.

O R D E R

IT IS THEREFORE ORDERED, That the present and future public convenience and necessity requires the motor vehicle operation for the transportation of passengers by Fred E. Weidman and O. F. Parker, co-partners, doing business under the name of The Western Scenic Auto Company, applicants herein, over the following routes:

A. Denver to Pikes Peak.

B. Denver to Silver Plume.

C. Denver to Denver Mountain Parks.

D. Denver to Echo Lake and Mt. Evans.

Said routes being more fully set forth in the application filed herein, which by reference thereto are made a part hereof; and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That no transportation of passengers to any intermediate points on the routes designated shall be permitted.

(b) That all operations by the applicant herein shall be limited to sightseeing, round trip, one day operations.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the applicants shall file their written acceptance of the certificate herein granted within a period of fifteen days from the date hereof, and shall file tariffs of rates, rules and regulations and time schedules as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof.

IT IS FURTHER ORDERED, That this certificate is issued subject to compliance by the applicant with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

H. D. Lawson

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 12th day of March 1927

(Decision No. 1144)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF JAMES RYAN, JOHN RYAN AND ANNIE RYAN, CO-PARTNERS DOING BUSINESS UNDER THE NAME OF THE SHAMROCK TAXICAB COMPANY FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 574

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March 12, 1927.

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Appearances: C. R. Frohman, Esq., Denver, Colorado, for applicant;
J. Q. Dier, Esq., Denver, Colorado, for The Colorado and Southern Railway Company;
D. Edgar Wilson, Esq., Denver, Colorado, for The Rocky Mountain Motor Company, The Rocky Mountain Parks Transportation Company and The Denver Cab Company.

S T A T E M E N T

By the Commission:

On April 27, 1926, James Ryan, John Ryan and Annie Ryan, co-partners doing business under the name of The Shamrock Taxicab Company, applicants herein, filed their application with this Commission for a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers over seven routes and to certain designated points fully set forth in the application. At the hearing the applicants amended their application to the effect that they are a partnership and that they have been in business continuously since 1916. Oral protests were made against this application by The Rocky Mountain Parks Transportation Company, The Denver Cab Company and The Colorado and Southern Railway Company.

This application was set down for public hearing on February 11, 1927, at the Hearing Room of the Commission, State Office Building, Denver, Colorado, at which time evidence in support of, and in opposition thereto was received.

The applicants herein seek a motor operation to serve the tourist

and sightseeing public from Denver. They do not operate on a regular schedule. The equipment of the applicants consists of ten automobiles. They have been in business since 1916. Their capital investment amounts to approximately $10,000.

The Commission has fully discussed the principles, circumstances and conditions applicable to the tourist and sightseeing business from Denver by motor operation in the application of Champa 3 Auto Livery Company, No. 545, Decision 1106, to which reference is hereby made, and, therefore, deems it unnecessary in the instant application to again make a detailed report. After a careful consideration of all the evidence introduced in this application, the Commission is of the opinion, and so finds, that the present and future public convenience and necessity requires the motor transportation system of passengers operated by James Ryan, John Ryan and Annie Ryan, co-partners doing business under the name of The Shamrock Taxicab Company, to transport passengers over the following routes, Denver to Estes Park, via North St. Vrain Canon, Denver to Estes Park via South St. Vrain Canon, Denver to Pikes Peak and Colorado Springs Region, Denver to Georgetown Loop, Denver to Echo Lake and Mount Evans and Denver to Denver Mountain Parks, as more fully set out in the application herein, which by reference is made a part hereof; that all operations over the routes designated are limited solely to round trip service on the same day, and no intermediate business of any kind shall be done on any of said routes.

O R D E R

IT IS THEREFORE ORDERED, That the present and future public convenience and necessity requires the motor vehicle operation for the transportation of passengers by James Ryan, John Ryan and Annie Ryan, co-partners doing business under the name of The Shamrock Taxicab Company, applicants herein, over the following routes:

A. Denver to Estes Park, via North St.Vrain Canon.

B. Denver to Estes Park, via South St. Vrain Canon.

C. Denver to Pikes Peak and Colorado Springs Region.

D. Denver to Georgetown Loop.

E. Denver to Echo Lake and Mt. Evans.

F. Denver to Denver Mountain Parks.

Said routes being more fully set forth in the application filed herein, which by reference thereto are made a part hereof; and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That no transportation of passengers to any intermediate points on the routes designated shall be permitted.

(b) That all operations by the applicants herein shall be limited to sightseeing, round trip, one day operations.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the applicants shall file their written acceptance of the certificate herein granted within a period of fifteen days from the date hereof, and shall file tariffs of rates, rules and regulations and time schedules as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof.

IT IS FURTHER ORDERED, That this certificate is issued subject to compliance by the applicants with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

H. D. Lawson

Otto Bros

Dan S. Jones

Commissioners.

Dated at Denver, Colorado, this
12th day of March, 1927.

(Decision No. 1145)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

IN THE MATTER OF THE APPLICATION OF ROY L. SCHRAM, DOING BUSINESS UNDER THE NAME OF THE SCHRAM SCENIC AUTO TOURS, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.) APPLICATION NO. 677.

March 12, 1927.

Appearances: Roy L. Schram, Denver, Colorado, per se;
D. Edgar Wilson, Esq., Denver, Colorado, for The Rocky Mountain Motor Company, The Rocky Mountain Parks Transportation Company and The Denver Cab Company;
J. Q. Dier, Esq., Denver, Colorado, for The Colorado and Southern Railway Company.

S T A T E M E N T

By the Commission:

On May 28, 1926, Roy L. Schram, doing business under the name of the Schram Scenic Auto Tours, filed his application with this Commission for a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers over six routes and to certain designated points set forth in the application. Oral protests were made against this application by The Rocky Mountain Parks Transportation Company, The Denver Cab Company and The Colorado and Southern Railway Company.

This application was set down for public hearing on February 11, 1927, at the Hearing Room of the Commission, State Office Building, Denver, Colorado, at which time evidence in support of, and in opposition thereto was received.

The applicant herein seeks a motor operation to serve the tourist and sightseeing public from Denver. He does not

operate on a regular schedule. His equipment consists of two automobiles. He has been in business since 1914; his capital investment is approximately $2500.

The Commission has fully discussed the principles, circumstances and conditions applicable to the tourist and sightseeing business from Denver by motor operation in the application of Champa 3 Auto Livery Company, No. 545, Decision 1106, to which reference is hereby made, and, therefore, deems it unnecessary in the instant application to again make a detailed report. After a careful consideration of all the evidence introduced in this application, the Commission is of the opinion, and so finds, that the present and future public convenience and necessity requires the motor transportation system of passengers operated by Roy L. Schram, doing business under the name of the Schram Scenic Auto Tours, to transport passengers over the following routes: Denver to Pikes Peak; Denver to Silver Plume; Denver to Denver Mountain Parks; Denver to Echo Lake and Mt. Evans; Denver to Estes Park, as more fully set out in the application herein, which by reference is made a part hereof; that all operations over the routes designated are limited solely to round trip service on the same day, and no intermediate business of any kind shall be done on any of said routes.

O R D E R

IT IS, THEREFORE, ORDERED that the present and future public convenience and necessity requires the motor vehicle operation for the transportation of passengers by Roy L. Schram, doing business under the name of the Schram Scenic Auto Tours, applicant herein, over the following routes:

A. Denver to Pikes Peak.

B. Denver to Silver Plume.

C. Denver to Denver Mountain Parks.

D. Denver to Echo Lake and Mt. Evans.

E. Denver to Estes Park.

Said routes being more fully set forth in the application filed

herein, which by reference thereto are made a part hereof; and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That no transportation of passengers to any intermediate points on the routes designated shall be permitted.

(b) That all operations by the applicant herein shall be limited to sightseeing, round trip, one day operation.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the applicant shall file his written acceptance of the certificate herein granted within a period of fifteen days from the date hereof, and shall file tariffs of rates, rules and regulations and time schedules as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof.

IT IS FURTHER ORDERED, that this certificate is issued subject to compliance by the applicant with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

C. L. Lawson

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado
this 12th day of March, 1927.

(Decision No. 1146)

100

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF)
ARTHUR H. BUNNELL FOR A CERTIFICATE) APPLICATION NO. 820
OF PUBLIC CONVENIENCE AND NECESSITY.)

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March 12, 1927
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Appearances: Allen, Webster & Drath, Esq., Denver, Colorado, for applicant;
D. Edgar Wilson, Esq., Denver, Colorado, for The Rocky Mountain Motor Company, The Rocky Mountain Parks Transportation Company and The Denver Cab Company;
J. Q. Dier, Esq., Denver, Colorado, for The Colorado and Southern Railway Company.

S T A T E M E N T

By the Commission:

On January 29, 1927, Arthur H. Bunnell, applicant herein, filed his application with this Commission for a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers over five routes and to certain designated points fully set forth in the application. Protest was filed against this application by The Rocky Mountain Parks Transportation Company and The Denver Cab Company. Oral protest was also made against this application by The Colorado and Southern Railway Company.

This application was set down for public hearing on February 11, 1927, at the Hearing Room of the Commission, State Office Building, Denver, Colorado, at which time evidence in support of, and in opposition thereto was received.

The applicant herein seeks a motor operation to serve the tourist and sightseeing public from Denver. He does not operate on a regular schedule. His equipment consists of two automobiles. He has been in business for about five years; his capital investment amounts to approximately $2,900.

The Commission has fully discussed the principles, circumstances and conditions applicable to the tourist and sightseeing business from Denver by motor operation in the application of Champa 3 Auto Livery Company, No. 545, Decision 1106, to which reference is hereby made, and, therefore, deems it unnecessary in the instant application to again make a detailed report. After a careful consideration of all the evidence introduced in this application, the Commission is of the opinion, and so finds, that the present and future public convenience and necessity requires the motor transportation system of passengers operated by Arthur H. Bunnell, applicant herein, to transport passengers over the following routes: Denver to Denver Mountain Parks; Denver to Silver Plume; Denver to Pikes Peak, as fully set out in the application herein, which by reference is made a part hereof; that all operations over the routes designated are limited solely to round trip service on the same day, and no intermediate business of any kind shall be done on any of said routes.

O R D E R

IT IS THEREFORE ORDERED, That the present and future public convenience and necessity requires the motor vehicle operation for the transportation of passengers by Arthur H. Bunnell, applicant herein, over the following routes:

A. Denver to Denver Mountain Parks.

B. Denver to Silver Plume,

C. Denver to Pikes Peak.

Said routes being fully set forth in the application filed herein, which by reference thereto are made a part hereof; and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That no transportation of passengers to any intermediate points on the routes designated shall be permitted.

(b) That all operations by the applicant herein shall be limited to sightseeing, round trip, one day operation.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing

herein.

(d) That the applicant shall file his written acceptance of the certificate herein granted within a period of fifteen days from the date hereon, and shall file tariffs of rates, rules and regulations and time schedules as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof.

IT IS FURTHER ORDERED, That this certificate is issued subject to compliance by the applicant with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

H. D. Lannon

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 12th day of March, 1927.

(Decision No. 1147)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION)
OF RUSSELL M. GREENMAN FOR A)
TEMPORARY CERTIFICATE OF PUBLIC) TEMPORARY CERTIFICATE APPLICATION NO.1
CONVENIENCE AND NECESSITY)
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March 21, 1927.
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Appearances: George H. Swerer, Esq., Denver, Colorado, for applicant.

S T A T E M E N T

By the Commission:

On January 10, 1927, Russell M. Greenman, applicant herein, filed an application for a temporary certificate of public convenience and necessity to operate a motor bus line for the transportation of passengers between Lamar and Burlington, Colorado. It is alleged in the petition that the applicant desires a temporary certificate for ninety days for the purpose of ascertaining whether the public convenience and necessity sufficiently demands this service, there being no direct transportation facilities of any kind between the towns mentioned.

This application was set down for hearing at the Hearing Room of the Commission, State Office Building, Denver, Colorado, on February 9, 1927, at which time evidence was introduced in support of the application. It appears from the evidence that there is no transportation facilities offered to the public from Lamar to Burlington, in the eastern part of the State, said proposed operation running directly North and South. No evidence was introduced in opposition to this application.

After a careful consideration of all the evidence, the Commission is of the opinion, and so finds, that the applicant should be given an opportunity to ascertain just what, if any, motor transportation facilities for passengers the public convenience and necessity in the territory in question requires, and therefore will issue an order granting a temporary certificate for ninety days from the date hereof.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a temporary certificate for ninety days from the date hereof be granted to Russell M. Greenman, applicant herein, to transport as a motor vehicle carrier passengers between Lamar and Burlington, Colorado, and intermediate points, said certificate to expire on June 21, 1927, without any further hearing, and shall thereafter be null and void, unless otherwise ordered by this Commission.

IT IS FURTHER ORDERED, That the applicant shall file tariffs of rates, rules and regulations and time schedules as required by the Rules and Regulations of this Commission covering motor vehicle carriers within a period not to exceed twenty days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado, this
21st day of March, 1927.

Commissioners.

(Decision No. 1148)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

- - -

IN THE MATTER OF THE APPLICATION)
OF J. F. LINDSEY, FOR A TEMPORARY)
CERTIFICATE OF CONVENIENCE AND)
NECESSITY.)
- - - - - - - - - - -

TEMPORARY CERTIFICATE APPLICATION NO. 2.

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- - - - - - - - -
March 21, 1927.
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Appearances:

George H. Swerer, Esq., Denver, Colorado, for applicant.
J. Q. Dier, Esq., Denver, Colorado, for Chicago, Burlington and Quincy Railroad Company.
D. Edgar Wilson, Esq., Denver, Colorado, for Chicago, Rock Island and Pacific Railway Company.
E. G. Knowles, Esq., Denver, Colorado, for Union Pacific Railroad Company.

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S T A T E M E N T.

By the Commission:

On January 10, 1927, J. F. Lindsey, applicant herein, filed an application for a temporary certificate of public convenience and necessity to operate a motor bus line for the transportation of passengers between Holyoke, Wray and Burlington, Colorado. It is alleged in the petition that the applicant desires a temporary certificate for ninety days for the purpose of ascertaining whether the public convenience and necessity sufficiently demands this service, there being no direct transportation facilities of any kind between the towns mentioned.

This application was set down for hearing at the Hearing Room of the Commission, State Office Building, Denver, Colorado, on February 9, 1927, at which time evidence was introduced in

support of the application. At the hearing the applicant amended his petition to include Julesburg, which was allowed. . It appears from the evidence that there is no transportation facilities offered to the public from Burlington to Julesburg, in the eastern part of the State, said proposed operation running directly north and south. No evidence was introduced in opposition to this application.

After a careful consideration of all the evidence, the Commission is of the opinion, and so finds, that the applicant should be given an opportunity to ascertain just what, if any, motor transportation facilities for passengers the public convenience and necessity in the territory in question requires, and therefore will issue an order granting a temporary certificate for ninety days from the date hereof.

O R D E R.

IT IS THEREFORE ORDERED, that the public convenience and necessity requires that a temporary certificate for ninety days from the date hereof be granted to J. F. Lindsey, applicant herein, to transport as a motor vehicle carrier passengers between Burlington and Julesburg, Colorado, and intermediate points, said certificate to expire on June 21, 1927, without any further hearing, and shall thereafter be null and void, unless otherwise ordered by this Commission.

IT IS FURTHER ORDERED, that the applicant shall file tariffs of rates, rules and regulations and time schedules as required by the Rules and Regulations of this Commission covering motor vehicle carriers, within a period not to exceed twenty days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Dated at Denver, Colorado,
this 21st day of March, 1927.

Commissioners.

(Decision No. 1149)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION)
OF C. L. PRESTON, DOING BUSINESS)
UNDER THE FIRM NAME AND STYLE OF)
THE NORTHERN TRANSFER COMPANY FOR) APPLICATION NO. 96-A
PERMISSION TO TRANSFER CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY.)

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- - - - - - - - - -
March 21, 1927.
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Appearances: D. A. Maloney, Esq., Attorney for Applicant, Denver, Colorado.

S T A T E M E N T

By the Commission:

On February 24, 1927, C. L. Preston, applicant herein, filed his application with the Commission in which he asks for authority to assign and transfer the certificate of public convenience and necessity issued to him on May 1, 1922 for the operation of a motor truck freight transportation line between Denver and Greeley and intermediate points, to the Northern Transportation Company, a corporation organized under the laws of the State of Colorado.

Notice was served upon the Union Pacific Railroad Company, the American Railway Express Company and the Colorado Motor Way, Inc. of this proposed transfer and the same was set down for hearing on March 21, 1927, at the Hearing Room of the Commission, State Office Building, Denver, Colorado. No protests were filed.

The Colorado Motor Way, Inc., through its counsel, filed a statement that it had no objections to the transfer.

The Commission having carefully considered the evidence introduced at the hearing is of the opinion and so finds that the public convenience and necessity requires that the certificate of public convenience and necessity heretofore issued to C. L. Preston, doing business under the name of the Northern Transfer Company, be transferred to the Northern Transportation Company, a corporation organized under the laws of the State of Colorado.

O R D E R

IT IS THEREFORE ORDERED, That C. L. Preston, doing business under the name of the Northern Transfer Company is hereby authorized to assign and transfer to the Northern Transportation Company, a corporation organized under the laws of the State of Colorado, the certificate of public convenience and necessity heretofore issued to said, C.L.Preston, on May 1, 1922.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado, this
21st day of March, 1927.

(Decision No. 1150)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION OF FRANK W. HOSSACK, FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE OPERATION OF AUTOMOBILE TRUCK SERVICE FOR TRANSPORTATION OF FREIGHT AND EXPRESS BETWEEN MEEKER, COLORADO, AND RIFLE, COLORADO.	APPLICATION NO. 702

- - - - - - - - -
March 22, 1927.
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Appearances: John R. Clark, Esq., Meeker, Colorado, for applicant.

S T A T E M E N T

By the Commission:

It appearing that the applicant herein has withdrawn his application, the cause should be dismissed.

O R D E R

IT IS THEREFORE ORDERED, That this cause be, and the same is hereby, dismissed without prejudice.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

H. L. Lamon

Otto Bock

Dan L. Jones

Commissioners.

Dated at Denver, Colorado, this
22nd day of March, 1927.

(Decision No. 1151)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

- - - - - -

IN THE MATTER OF THE APPLICATION OF JAMES A. BURT FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE OPERATION OF AUTOMOBILE TRUCK SERVICE FOR TRANSPORTATION OF FREIGHT AND EXPRESS BETWEEN MEEKER, COLORADO AND RIFLE, COLORADO.

APPLICATION NO. 703

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March 22, 1927

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Appearances: John R. Clark, Esq., Meeker, Colorado
for the applicant.

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S T A T E M E N T

By the Commission:

It appearing that the applicant herein has withdrawn his application, the cause should be dismissed.

O R D E R

IT IS THEREFORE ORDERED, That this cause be, and the same is hereby dismissed without prejudice.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

E. J. Lannon

Otto Bock

Dan L. Jones

Commissioners.

Dated at Denver, Colorado, this
22nd day of March, 1927.

(Decision No. 1152)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION OF BOYD F. CRAWFORD AND L. W. WEBB, COPARTNERS, FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE OPERATION OF AUTOMOBILE TRUCK SERVICE FOR TRANSPORTATION OF FREIGHT AND EXPRESS BETWEEN MEEKER, COLORADO, AND RIFLE, COLORADO.	APPLICATION NO. 704

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March 22, 1927

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Appearances: John R. Clark, Esq., Meeker, Colorado for Mr. Crawford.

S T A T E M E N T

By the Commission:

It appearing that the applicant herein has withdrawn his application, the cause should be dismissed.

O R D E R

IT IS THEREFORE ORDERED, That this cause be, and the same is hereby dismissed without prejudice.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

(SEAL)

F. P. LANEEN

OTTO SOUK

Dated at Denver, Colorado,
this 22nd day of March, 1927.

DAN S. JONES

Commissioners.

I do hereb certify that the above and foregoing is a true and correct copy of the original order of the Public Utilities Commission of the State of Colorado entered in the above entitled cause and now on file in this office.

Secretary.

(Decision No. 1153.)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION)
OF THE SAN LUIS VALLEY BUS COMPANY,)
A COLORADO CORPORATION, TO OPERATE)
LINES OF MOTOR BUSES FOR CARRYING) APPLICATION NO. 800
PASSENGERS AND SMALL PACKAGES)
BETWEEN ALAMOSA AND CENTER, COLORADO,)
VIA HOME-LAKE AND SARGEANT SCHOOLS.)
- -

- - - - - - - - -
March 22 1927
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S T A T E M E N T

By the Commission:

It appearing that the applicant herein has withdrawn his application, the cause should be dismissed.

O R D E R

IT IS THEREFORE ORDERED, That this cause be, and the same is hereby, dismissed without prejudice.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

H. L. Lamm

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 22nd day of March, 1927

(Decision No. 1154)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION OF THE BOARD OF COUNTY COMMISSIONERS OF EL PASO COUNTY AND THE CITY OF COLORADO SPRINGS, A MUNICIPAL CORPORATION, FOR THE APPROVAL OF PLANS AND SPECIFICATIONS FOR THE RECONSTRUCTION OF A BRIDGE FOR A PUBLIC HIGHWAY CROSSING OVER THE RIGHT-OF-WAY OF THE CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY COMPANY AT THE CORPORATE LIMITS OF SAID MUNICIPALITY, AND TO PRESCRIBE THE TERMS AND PROPORTION IN WHICH THE EXPENSE THEREOF SHOULD BE DIVIDED BETWEEN THE VARIOUS PARTIES IN INTEREST.	APPLICATION NO. 818

- - - - - - -

March 25, 1927

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S T A T E M E N T

By the Commission:

This proceeding arises out of an application of the Board of County Commissioners of El Paso County, and the City of Colorado Springs, Colorado, a municipal corporation, in compliance with Section 29 of the Public Utilities Act of the State of Colorado, as amended April 16, 1917, for the approval of plans and specifications for the reconstruction of a bridge for the public highway crossing over the right-of-way and track of The Chicago, Rock Island and Pacific Railway Company at the corporate line of said municipality at the end of Nevada Avenue, and to prescribe the terms and proportion of expense that each party in interest shall bear in the reconstruction of said bridge.

Copies of this application were duly served on all the parties concerned but the matter was not set down for hearing as the Commission was advised that negotiations between all the parties at interest were pending that might lead to an agreement satisfactory to all, and in that case request would be made for dismissal of the application.

Under date of March 15, 1927, the Commission was advised by the County Attorney of El Paso County that he was authorized by the Board of County Commissioners of said county to request dismissal of the application concerned herein.

Therefore, in accordance with aforesaid request, the Commission will now enter its order for dismissal of the application.

O R D E R

IT IS THEREFORE ORDERED, That in compliance with the request of the applicant, the Board of County Commissioners of El Paso County, Colorado, Application No. 818, for the approval of plans and specifications and determining the terms and apportionment of costs of the reconstruction of a public highway bridge over the right-of-way and track of The Chicago, Rock Island and Pacific Railway Company at the end of Nevada Avenue at the corporate limits of the City of Colorado Springs, Colorado, be, and the same is hereby, dismissed without prejudice to the interests therein of any of the parties concerned in said application.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

W. P. Lamon

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado, this
25th day of March, 1927.

(Decision No. 1155)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION OF)
THE MISSOURI PACIFIC RAILROAD COMPANY)
FOR A TEMPORARY CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY.)
- - - - - - - - - - - - - - - -

TEMPORARY CERTIFICATE APPLICATION No. 11

- - - - - - - -
March 25, 1927.
- - - - - - - -

Appearances:

Todd C. Storer, Esq., Pueblo, Colorado,
for applicant.

S T A T E M E N T.

By the Commission:

On March 21, 1927, the Missouri Pacific Railroad Company, a corporation organized under the laws of the State of Missouri and authorized to do business in the State of Colorado, filed its application with this Commission for a temporary certificate of public convenience and necessity, to operate a motor vehicle system for the transportation of passengers and their hand baggage between Pueblo, Colorado, and Ordway, Colorado, and intermediate points.

The Atchison, Topeka and Santa Fe Railway Company, which system parallels the Missouri Pacific Railroad Company as far east as Nepesta, Colorado, has no objection to this application, There is no motor vehicle transportation system now serving the territory involved in this application.

The Commission has had an informal hearing in this matter, and it appears that the applicant desires to obtain a temporary certificate for six months to give it an opportunity to ascertain just what, if any, motor service the public convenience and necessity requires in the territory in question.

After a careful consideration of all the facts presented, the Commission is of the opinion, and so finds, that the public

convenience and necessity requires that the applicant be given a certificate for six months from the date hereof to operate a motor vehicle transportation system for the transportation of passengers and their hand baggage in the territory in question, and therefore, will issue an order granting a temporary certificate for the time indicated.

O R D E R.

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a temporary certificate for six months from the date hereof be granted to the Missouri Pacific Railroad Company, applicant herein, for a motor vehicle transportation system for the transportation of passengers and their hand baggage between Pueblo, Colorado, and Ordway, Colorado, and intermediate points, said certificate to expire on September 25, 1927, without any further hearing, and thereafter shall be null and void unless otherwise ordered by this Commission.

IT IS FURTHER ORDERED, That the applicant shall file tariffs of rates, rules and regulations, and time schedules, as required by the Rules and Regulations of this Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

W. D. Lawson

Otto Bock

Dan S. Jones

Commissioners

Dated at Denver, Colorado,
this 25th day of March, 1927.

(Decision No. 1156)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

IN THE MATTER OF THE APPLICATION OF)
C. H. SCRIBNER FOR A CERTIFICATE OF) APPLICATION NO. 795
PUBLIC CONVENIENCE AND NECESSITY.)

March 25, 1927

Appearances: Chas. M. White, Esq., Denver, Colorado
for applicant.

S T A T E M E N T

By the Commission:

On November 6, 1926, C. H. Scribner filed an application with this Commission for a certificate of public convenience and necessity to operate a motor vehicle system for the transportation of passengers, express and freight between Deertrail, Colorado, and the Colorado-Kansas State line, and intermediate points, on a route known as the Air Line road. It is alleged in the application, among other facts, that there is no available means of transportation between the points involved on the proposed operation, and that the said road passes through the intermediate town of Anton, Coke, Joes and Idalia, and that the public necessity and convenience requires the proposed freight and passenger transportation system.

The Union Pacific Railroad Company filed a statement to the effect that it would not resist the application. The County Commissioners of Washington County refused their consent to the operation mainly because of road conditions.

The application was filed in behalf of a corporation to be formed, known as The Air Line Bus and Transportation Company, which corporation is to conduct the proposed transportation system.

The application was set down for hearing on December 20, 1926, at 10:00 A. M. at the Hearing Room of the Commission, State Office Building, Denver, Colorado, at which time evidence in support of said application was introduced. A certified copy of the articles of incorporation of The Air Line Bus and Transportation Company was filed with the Commission. The evidence shows that the territory from Deertrail to the Colorado-Kansas State line on the road known as the AirLine road, does not now have any transportation facilities either for passengers, express or freight. A number of witnesses appeared and testified to the public convenience and necessity for such service. Suffice it to say that no testimony was introduced in opposition to the application. Because of road conditions the applicant suggested that the certificate be not made effective until on or before July 1, 1927, this in order to permit the improvements of the roads upon which this operation is to be conducted. The investment in this operation will amount to approximately $50,000.

After a careful consideration of all the evidence introduced at the hearing, the Commission is of the opinion, and so finds, that the present and future public convenience and necessity requires the motor vehicle system of The Air Line Bus and Transportation Company, a corporation, to transport passengers, express and freight between Deertrail, Colorado, and the Colorado-Kansas State line, and intermediate points, on the route designated as Air Line road.

O R D E R

IT IS, THEREFORE, ORDERED, That the present and future public convenience and necessity requires the operation of the motor vehicle transportation system for the transportation of passengers, express and freight by The Air Line Bus and Transportation Company, a corporation, between Deertrail, Colorado, and the Colorado-Kansas State

line, and intermediate points, over the route designated as the Air Line road, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

IT IS FURTHER ORDERED That The Air Line Bus and Transportation Company shall operate such motor vehicle system as set forth throughout the year, except when prevented by the Act of God, the public enemy or unusual or extreme weather conditions, and this order is made subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with reference to motor vehicle carriers, and also subject to any legislative action that may in the future be taken with respect thereto.

IT IS FURTHER ORDERED That this order shall become effective on or before July 1, 1927.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

C. L. Lamson

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 25th day of March, 1927.

(Decision No. 1157)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF James W. Carey, doing business under the name of the Jim Carey Auto Service, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 636

March 29 , 1927.

Appearances: James W. Carey, Esq., Colorado Springs, Colorado, per se.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the rqutes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No. 1158)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF W.F.Conway and Frank R. Conway, partners doing business as Conway Brothers

FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 621

March 29 , 1927.

Appearances:

J. L. Bennett, Esq., Colorado Springs, Colorado, for the applicants.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado; to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

H. R. Lawson

Otto Bock

Dan S. Jones

Commissioners

Dated at Denver, Colorado,
this 29th day of March, 1927.

(Decision No. 1159)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF
Almeron Davis

FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 620

March 29 , 1927.

Appearances:

Almeron Davis, Colorado Springs, Colorado, per se.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado; to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No. 1160)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF The Acacia Auto Company, a corporation, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 618

March 29 , 1927.

Appearances: J. W. Atkinson, Esq., Colorado Springs, Colorado, for the applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 29th day of March, 1927.

(Decision No. 1161)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF F. B. BRYANT, DOING BUSINESS UNDER THE NAME OF THE BRYANT AUTO LIVERY, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 615

March 29 , 1927.

Appearances: J. Alfred Ritter, Esq., Colorado Springs, Colorado, for the applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No.1162)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF C. F. GARRIOTT, DOING BUSINESS AS THE C. F. GARRIOTT SIGHT SEEING COMPANY FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 613

March 29 , 1927.

Appearances: Young & Meikle, Colorado Springs, Colorado, for the applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is nc proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No. 1163)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF GEORGE J. WETHERALD, E. E. WETHERALD AND JOS.PREMO, A PARTNERSHIP DOING BUSINESS AS THE G.& W.GARAGE AND TOURS COMPANY, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 612

March 29 , 1927.

Appearances: Samuel H. Kingsley, Esq., Colorado Springs, Colorado, for the applicants.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Manitou, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from **Manitou, Colorado** to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No. 1164)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF J. R. SNYDER, DOING BUSINESS UNDER THE NAME OF THE SNYDER SCENIC AUTO COMPANY, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 609

March 29 , 1927.

Appearances: A. P. Anderson, Esq., Denver, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

H. D. Lamon

Otto Brock

Dan S. Jones

Commissioners

Dated at Denver, Colorado,
this 29th day of March, 1927.

(Decision No. 1165)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF THE YELLOW CAB COMPANY OF COLORADO SPRINGS, A CORPORATION, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 635

March 29 , 1927.

Appearances: J. A. Carruthers, Esq., Colorado Springs, Colorado, for the applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No.1166)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF T. E. ANDERSON, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 614

March 29 , 1927.

Appearances: C. B. Horn, Esq., Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Manitou, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from **Manitou, Colorado** to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No. 1167)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF EDWARD R. NICHOLS FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 601 and 602

March 29 , 1927.

Appearances: Samuel H. Kingsley, Esq., Colorado Springs, Colorado, for the applicant

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Manitou, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from **Manitou, Colorado** to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No. 1168)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF HARRY L. ANDERSON, DOING BUSINESS AS THE ANDERSON AND HARRY SEEING COLORADO COMPANY FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 595

March 29 , 1927.

Appearances: C. B. Horn, Esq., Colorado Springs, Colorado, for the applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Manitou, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from **Manitou, Colorado** to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 29th day of March, 1927.

(Decision No. 1169)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF THE HAMMOND SCENIC AUTO COMPANY, A CORPORATION, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO.581

March 29 , 1927.

Appearances: H. J. McGarry, Esq., Colorado Springs, Colorado, for the applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs and Manitou, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs and Manitou to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

J. D. Lawson

Walter Bock

Dan S. Jones

Commissioners

Dated at Denver, Colorado,
this 29th day of March, 1927.

(Decision No. 1170)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF L. E. DICKS, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 599

March 29 , 1927.

Appearances: C. E. Williamson, Esq., 2916 West Bijou St., Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Manitou and Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Manitou and Colorado Springs, Colo. to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No. 1171)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF THOMAS L. REASONER, DOING BUSINESS AS THE SCENIC AUTO COMPANY, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 594

March 29 , 1927.

Appearances: D. P. Strickler, Esq., Colorado Springs, Colorado, for the applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No. 1172)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF THE PIKES PEAK AUTOMOBILE COMPANY

FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 573

March 29 , 1927.

Appearances: J. A. Carruthers, Esq., Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 29th day of March, 1927.

(Decision No. 1173)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF J. M. BUSTER AND J. C. WILLIAMS, DOING BUSINESS AS THE BUSTER AND WILLIAMS TOURING COMPANY, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 572

March 29 , 1927.

Appearances: C. B. Horn, Esq., Colorado Springs, Colorado, for the applicants.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No. 1174)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF JOHN O'BYRNE, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 592

March 29 , 1927.

Appearances: D. P. Strickler, Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 29th day of March, 1927.

(Decision No. 1175)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF WILLIAM IRVINE, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 637

March 29 , 1927.

Appearances: Samuel H. Kingsley, Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 29th day of March, 1927.

(Decision No. 1176)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF RUSSELL FOSTER, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 640

March 29 , 1927.

Appearances: C. W. Dolph, Manitou, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Manitou, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Manitou, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 29th day of March, 1927.

(Decision No. 1177)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF GEORGE H. MILLER, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 643

March 29 , 1927.

Appearances: George H. Miller, Colorado Springs, per se.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No. 1178)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF LUTHER C. JOHNSON, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO.647

March 29 , 1927.

Appearances: Luther C. Johnson, Colorado Springs, Colorado, per se.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No. 1179)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF F.M.THOMPSON, PAUL R. FINNEY & W.C. MERCER DOING BUSINESS AS THE COLORADO SPRINGS SIGHTSEEING COMPANY, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 652

March 29 , 1927.

Appearances: W. C. Mercer, Colorado Springs, Colorado, per se.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 29th day of March, 1927.

(Decision No. 1180)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF L. L. SCHWARTZ, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 653

March 29 , 1927.

Appearances: L. L. Schwartz, Colorado Springs, Colorado, per se.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No. 1181)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF OTTO QUILLEN DOING BUSINESS AS OTTO'S SCENIC COMPANY	APPLICATION NO. 668
FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	

March 29 , 1927.

Appearances: J. Alfred Ritter, Colorado Springs, Colorado, per se.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Prospect Lake Auto Camp, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Prospect Lake Auto Camp, Colo. to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No. 1182)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF ELK HOTEL COMPANY FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 659

March 29 , 1927.

Appearances: O. E. Collins, Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 29th day of March, 1927.

(Decision No. 1185)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF JAMES T. FREEMAN, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 661

March 29 , 1927.

Appearances: James T. Freeman, Colorado Springs, Colorado, per se.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No. 1184)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF MRS. D. F. GAINES, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 666

March 29 , 1927.

Appearances: C. B. Horn, Colorado Springs, Colorado, for the applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 29th day of March, 1927.

(Decision No. 1185)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF M. H. GRAMS, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 825

March 29 , 1927.

Appearances: C. B. Horn, Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 29th day of March, 1927.

(Decision No. 1186)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF C. W. KIGHT AND E.J.TARMAN DOING BUSINESS AS KIGHT AND TARMAN SIGHTSEEING COMPANY, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 694

March 29 , 1927.

Appearances: J. Alfred Ritter, Colorado Springs, Colorado, for applicants.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No. 1187)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF WILLIAM OLSON

FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 837

March 29 , 1927.

Appearances:

J. W. Kriger, Colorado Springs, Colorado, for the applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Manitou, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Manitou, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 29th day of March, 1927.

(Decision No. 1188)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF FLORENZ ORDELHEIDE, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 718

March 29 , 1927.

Appearances: Fred N. Bentall, Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No. 1189)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF T. H. SMITH, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 753

March 29 , 1927.

Appearances: Fred N. Bentall, Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Rodeo Camp Grounds, Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Rodeo Camp Grounds, Colorado Springs to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No. 1190)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF F. J. BURGHART, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 780

March 29 , 1927.

Appearances: Fred N. Bentall, Colorado Springs, Colorado, for applicant,

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Manitou, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from **Manitou, Colorado** to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 29th day of March, 1927.

(Decision No. 1191)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF P. B. TURNER, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 713

March 29 , 1927.

Appearances: Young & Meikle, Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No. 1192)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF OSCAR BAUGHMAN, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 714

March 29 , 1927.

Appearances: Young & Meikle, Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Green Mountain Falls , Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Green Mountain Falls, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No. 1193)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF P. B. MCCRARY AND STANLEY C. LYNN, A CO-PARTNERSHIP DOING BUSINESS AS THE COLORADO TOURING COMPANY, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 715

March 29 , 1927.

Appearances: Young & Meikle, Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No. 1194)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF O.M.EARLY,TONY COLYN,LEONARD COLYN, GEORGE SINNOTT, DOING BUSINESS AS THE CADILLAC TOURING COMPANY, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 733

March 29 , 1927.

Appearances: Young & Meikle, Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is nc proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 29th day of March, 1927.

(Decision No. 1195)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF ANTLERS LIVERY & TAXICAB COMPANY, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 787

March 29 , 1927.

Appearances: C.H.Smith and Sherwin & Hungerford, Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No. 1196)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF J. G. SHABOUH, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 736

March 29 , 1927.

Appearances: J. G. Shabouh, Manitou, Colorado, per se.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs and Manitou, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs and Manitou, Colo. to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 29th day of March, 1927.

(Decision No. 1197)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF CLYDE W. CARMER, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 748

March 29 , 1927.

Appearances: Clyde W. Carmer, Colorado Springs, Colorado, per se.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Manitou, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from **Manitou, Colorado** to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

H. D. Lamm

Otto Bock

Dan L. Jones

Commissioners

Dated at Denver, Colorado,
this 29th day of March, 1927.

(Decision No. 1198)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF GEO. E. BATEMAN, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 749

March 29 , 1927.

Appearances: Geo. E. Bateman, Manitou, Colorado, per se.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Manitou, Colorado; there is nc proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from **Manitou, Colorado** to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No. 1199)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF ARTHUR S. HILLES, DOING BUSINESS AS THE COLORADO SPRINGS SCENIC COMPANY FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 670

March 29 , 1927.

Appearances: James I. Purcell, Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 29th day of March, 1927.

Commissioners

(Decision No. 1200)

PUC 9

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF)
WESTERN SLOPE MOTOR WAY, INC., FOR)
A CERTIFICATE OF PUBLIC CONVENIENCE) APPLICATION NO. 667
AND NECESSITY.)
- - - - - - - - - - - - - - - - - - - -

- - - - - - - -
March 29, 1927.
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S T A T E M E N T

By the Commission:

On January 28, 1927, the Commission entered an order in the above application authorizing the Western Slope Motor Way, Inc. to discontinue the operation of motor busses for the transportation of passengers, baggage and parcel freight between Delta and Paonia, and intervening points, from January 30, 1927, to March 31, 1927, inclusive, and from July 15, 1927, to October 15, 1927, inclusive, provided, however, that during said periods The Denver and Rio Grande Western Railroad Company shall operate passenger trains between Delta and Somerset, Colorado. Pursuant to said order, The Denver and Rio Grande Western Railroad Company is about to discontinue its passenger service between Delta and Somerset.

The Commission is in receipt of a statement from Hon. J. E. Moore, Senator from the Eleventh Senatorial District, in which it is requested that the effective date of the proposed change in the date of the abandoning of the train service to the motor service on the North Fork Branch be postponed from April 1 to May 1, 1927, for the reason that the citizens of Delta County have not had a representative hearing in this matter and that they would like to be heard before this change in service is made.

Under the circumstances, the Commission feels that the public, in the territory involved, should be given an opportunity to be heard as to the service proposed in the order of January 28, 1927.

O R D E R

IT IS THEREFORE ORDERED, That The Denver and Rio Grande Western Railroad Company continue to operate its passenger trains between Delta and Somerset according to the schedule, Supplement No. 1, Time Table No. 98, now on file with this Commission, until May 1, 1927.

IT IS FURTHER ORDERED, That the Western Slope Motor Way, Inc, be permitted to discontinue the operation of its motor busses for the transportation of passengers, baggage and parcel freight between Delta and Paonia, and intervening points, until May 1, 1927.

IT IS FURTHER ORDERED, That a hearing be held, relative to the transportation service required on the North Fork Branch of The Denver and Rio Grande Western Railroad Company, at Hotchkiss, Colorado, on April 27, 1927, at 10:00 o'clock A.M.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

W. P. Lawson

Otto Bock

Dan S. Jones

Commissioners

Dated at Denver, Colorado,
this 29th day of March, 1927.

(Decision No. 1201)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION OF W.D.PAULSON AND J.M.TORRENCE, COPARTNERS DOING BUSINESS UNDER THE FIRM NAME AND STYLE OF THE MANITOU FUEL AND TRANSFER COMPANY FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 772

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March 29, 1927.
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Appearances: W. D. Paulson, per se.

S T A T E M E N T.

By the Commission:

On August 16, 1926, W. D. Paulson and J. M. Torrence, copartners doing business under the firm name and style of The Manitou Fuel and Transfer Company, filed their application with this Commission for a certificate of public convenience and necessity to operate a motor transportation system of baggage and freight between Manitou and Colorado Springs and vicinity, in El Paso County, Colorado. No protest was filed against this application.

This application was set down for hearing on March 16, 1927, at the City Hall, Colorado Springs, Colorado, at which time evidence in support of the same was received. It appears from the testimony that this baggage and transfer business has been in continuous operation for about 25 years; that the equipment consists of four trucks, and that the investment is approximately $10,000. Evidence was introduced showing that the equipment was sufficient to take care of this transportation service between Manitou and Colorado Springs. The business is located at Manitou. The service given extends to a radius of five miles from Manitou and Colorado Springs.

After careful consideration of all the testimony introduced at this hearing, the Commission is of the opinion, and so finds, that the public convenience and necessity requires the motor transportation system for the transportation of baggage and freight by the applicants between Manitou and Colorado Springs, and within a radius of five miles from Manitou and Colorado Springs.

O R D E R

IT IS THEREFORE ORDERED, that the public convenience and necessity requires the operation of the motor transportation system for the transportation of baggage and freight between Manitou and Colorado Springs and within a radius of five miles from Manitou and Colorado Springs by W. D. Paulson and J. M. Torrence, copartners doing business under the firm name and style of The Manitou Fuel and Transfer Company, applicants, and this order shall be deemed, taken and held to be a certificate of public convenience and necessity therefor.

IT IS FURTHER ORDERED that the applicants shall file a tariff of rates and schedules as required by the Rules and Regulations of this Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof, and that this order is subject to compliance by applicants with the rules and regulations now in force or to be hereafter adopted by this Commission with reference to motor vehicle carriers, and also subject to any legislative action that may in the future be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

(SEAL)

F. P. LANNON

OTTO BOCK

DAN S. JONES

Commissioners.

Dated at Denver, Colorado,
this 29th day of March, 1927.

I do hereby certify that the above and foregoing is a true and correct copy of the original order of the Public Utilities Commission of the State of Colorado entered in the above entitled cause and now on file in this office.

Secretary.

(Decision No. 1202)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

IN THE MATTER OF THE APPLICATION OF EDWARD E. NICHOLS FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY. — APPLICATION NO. 600.

March 29, 1927.

Appearances:

Samuel H. Kingsley, Esq., Colorado Springs, Colorado, for applicant.
H. J. McGarry, Esq., Colorado Springs, Colorado, for The Manitou Transfer Company.

S T A T E M E N T.

By the Commission:

On May 4, 1926, Edward E. Nichols, applicant herein, filed with this Commission an application to transport passengers and their baggage between the Town of Manitou and the City of Colorado Springs. It is alleged in the application that the applicant desires to transport passengers and their baggage from the railroad stations and bus line transportation termini and hotels in the City of Colorado Springs to the Cliff House, in the Town of Manitou.

This matter was set down for hearing at Colorado Springs on August 17th, 1926, at which time evidence in support of this application was introduced. Oral objection was made at the hearing by The Manitou Transfer Company to a general certificate for the transfer of baggage in the territory in question. The Denver and Rio Grande Western Railroad Company filed a statement with the Commission to the effect that if the applicant desired to stand his busses at the station property of The Denver and Rio Grande Western Railroad Company for the purpose of soliciting business, that it desired to protest against this because an exclusive

privilege of handling the transfer business from the Railroad Company's station at Colorado Springs is held under contract by Wandell and Lowe Transfer and Storage Company.

At the hearing the applicant narrowed his application to conduct a transportation business of passengers and their baggage from the Cliff House in Manitou to the railroad stations and bus termini at Colorado Springs, and vice versa. No protest was made against this operation.

The Commission, after a careful consideration of the testimony introduced at the hearing, is of the opinion, and so finds, that the public convenience and necessity requires the applicant's service to transport passengers and their baggage from the Cliff House at Manitou to the railroad and bus termini at Colorado Springs and vice versa.

O R D E R.

IT IS THEREFORE ORDERED, that the public convenience and necessity requires the operation of a motor transportation system for the transportation of passengers and their baggage from the Cliff House at Manitou, Colorado, to the railroad and bus termini at Colorado Springs, and vice versa, by Edward E. Nichols, applicant herein, and this order shall be deemed, taken and held to be a certificate of public convenience and necessity therefor.

IT IS FURTHER ORDERED, that the applicant shall file a tariff of rates and time schedules as required by the rules and regulations of this Commission governing motor vehicle carriers within a period not to exceed twenty days from the date hereof, and that this order is subject to

to compliance by applicant with the rules and regulations now in force or to be hereafter adopted by this Commission with reference to motor vehicle carriers, and also subject to any legislative action that may in the future be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

C. H. LaMar

Walter Bouck

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 29th day of March, 1927.

(Decision No. 1203)

147

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

IN THE MATTER OF THE APPLICATION OF)
THE CRAGMORE SANITORIUM COMPANY, A)
CORPORATION, FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY.)

APPLICATION NO. 689.

March 29, 1927

Appearances: C. H. Smith, Esq., and Sherwin & Hungerford, Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all scenic attractions in the so-called Pikes Peak Region. The proposed operation is for the purpose of serving the tourist and sightseeing public from Cragmore Sanitorium, located about five miles northeast from Colorado Springs. There is also a proposal to operate a regular schedule for the transportation of passengers and their baggage between the Cragmore Sanitorium and Colorado Springs. The sightseeing and tourist operation is limited solely to round trip service, and no one way operations are in contemplation. The regular passenger service between Colorado Springs and Cragmore Sanitorium is on a regular schedule twice daily.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate for such operations be issued at this time for the period of one year, in order that the Commission, as well as the operators, may have the

benefit of a regulated service of this kind of an operation over that period, to better determine what the public convenience and necessity requires. The Commission is frank to admit that there are several problems in connection with the sightseeing operation that it is not now in a position to answer, and which may be more satisfactorily adjusted and determined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also have a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission on the record made has been unable to determine just how to regulate such service, and therefore defers any opinion relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation for the transportation of passengers and baggage between Colorado Springs and Cragmore Sanitorium, and a sightseeing and tourist business from Cragmore to the attractions in the Pikes Peak Region for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires.

The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year to operate a motor transportation system for the transportation of passengers and their baggage between Colorado Springs and Cragmore Sanitorium, and a

sightseeing operation to the various scenic attractions in the Pikes Peak Region from Cragmore, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions, which in the opinion of the Commission the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service;

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region;

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing;

(d) That the certificate of public convenience and necessity hereby issued shall only be good for one year from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof, and that this certificate is issued subject to compliance by the applicant with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

C. L. Lawson

Otto Bock

Dan S. Jones

Dated at Denver, Colorado,
this 29th day of March, 1927.

(Decision No. 1204)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION)
OF ROBERT BENSBERG FOR A CERTIFI-)
CATE OF PUBLIC CONVENIENCE AND) APPLICATION NO. 756
NECESSITY.)
- - - - - - - - - - - - - - - - - - - -

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March 29, 1927.
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Appearances: Robert Kerr, Esq., Colorado Springs, for applicant.

S T A T E M E N T

By the Commission:

On July 9, 1926, Robert Bensberg, applicant herein, filed an application with this Commission for a certificate of public convenience and necessity to operate a passenger line between Colorado Springs and Woodmen Sanitarium and Cragmore Sanitorium and intermediate points.

This application was set down for hearing on March 16, 1927, at the City Hall, Colorado Springs, Colorado, at which time and place evidence was introduced in support of the same. The evidence shows that the applicant has been engaged in transporting passengers in the territory involved since July 1, 1918; his equipment consists of two busses, one rated as a 16 passenger and the other as a 21 passenger; his investment is approximately $11,000. His service to the territory involved has been satisfactory and efficient. It is operated on a regular schedule. No testimony in opposition to this service was offered.

The applicant also desires a certificate to charter or rent his busses to wherever patrons may desire to use the same. The Commission is unable from the record made in this case to determine that the public convenience and necessity requires such service, and therefore will not grant a certificate for such service.

After a careful consideration of all the evidence in this case, the Commission is of the opinion, and so finds, that the public convenience

and necessity requires and will require the transportation system of the applicant for the transportation of passengers between Colorado Springs, Cragmore Sanitorium and Woodmen Sanitarium, and intermediate points.

O R D E R

IT IS THEREFORE ORDERED, That the present and future public convenience and necessity requires the operation of a motor transportation system for the transportation of passengers between Colorado Springs, Woodmen Sanitarium and Cragmore Sanitorium, and intermediate points, by Robert Bensberg, applicant herein, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

IT IS FURTHER ORDERED, That the applicant shall operate such motor transportation system as herein set forth throughout the year, except when prevented by the Act of God, the public enemy, or unusual or extreme weather conditions, and this order is subject to compliance by applicant with the Rules and Regulations now in force or to be hereafter adopted by this Commission with reference to motor vehicle carriers, and also subject to any legislative action that may in the future be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

H. L. Lamon

Walter Brick

Dan L. Jones

Commissioners.

Dated at Denver, Colorado,
this 29th day of March, 1927.

(Decision No. 1205)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY TO TEMPORARILY SUBSTITUTE BUS SERVICE FOR PASSENGER RAILWAY TRAIN SERVICE BETWEEN SALIDA AND ALAMOSA.	TEMPORARY CERTIFICATE APPLICATION NO. 5

- - - - - - - - -
March 31, 1927.
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Appearances: Thomas R. Woodrew, Esq., Denver, Colorado.
George M. Corlett, Esq., Monte Vista, Colorado.

S T A T E M E N T

By the Commission:

On January 19, 1927, The Denver and Rio Grande Western Railroad Company filed its application with this Commission to temporarily substitute passenger motor bus service for passenger railway train service between Salida and Alamosa, Colorado, and intermediate points. On March 18, 1927, an amended application was filed. It is alleged in this application, among other facts, that the applicant for many years last past has been operating a railroad as a common carrier for hire between Salida and Alamosa; that it operates a passenger train daily, except Sunday, between Salida and Alamosa; that said passenger train service is now and for some time past has been operated at a loss to the applicant, for the reason that the total expense of such passenger train operation is in excess of the total amount of revenue received from the transportation of passengers, mail and express; that the expense of such operation for the year 1926 was $64,348; that the total revenue accruing from said operation for 1926 was $29,525.45; that the deficit accruing from said operation has been steadily increasing on account of the constantly increasing use of motor vehicles, both privately owned and operated by common carriers; that in 1925 the total passengers carried was 6372, and in 1926, 7096; that the average number of passengers carried per day in 1925 was 28,

and in 1926, 23; that notwithstanding the passenger train service offered by the applicant between Salida and Alamosa, there appears to be a great demand for motor bus transportation on the part of the travelling public between said points; that the use of motor vehicles, both private and public, will in all probability increase in the future, with the inevitable result that the passenger revenues of applicant will be further reduced and the deficit incident to such operation will be steadily increased; that the applicant applies to the Commission for discontinuance of the operation of its present passenger trains between Salida and Alamosa for such time as to this Commission shall seem proper and just, and to permit the substitution therefor and in lieu thereof of a bus motor service to be operated by and in the name of the applicant's subsidiary corporation, to-wit, The Rio Grande Motor Way, Inc., which Company has filed with this Commission an application for the operation of passenger motor bus service over the highway extending between Salida and Alamosa, via Mineral Hot Springs, Moffat, Gibson, Hooper and Mosca; and also between Salida, Mineral Hot Springs, Saguache, Center and Monte Vista; that The Rio Grande Motor Way, Inc., is a Colorado corporation with a capitalization of $50,000, with power to engage in the transportation of passengers, baggage and parcels by motor bus between Salida and Alamosa and other points in the State of Colorado; that the applicant herein, The Denver and Rio Grande Western Railroad Company, has and will continue to have the controlling interest in the outstanding capital stock of The Rio Grande Motor Way, Inc., and is prepared to and at all times will furnish such subsidiary corporation sufficient capital to purchase the best and most modern motor equipment and other property necessary to adequately perform the motor transportation service designated herein and to best serve the needs and convenience of the public; that if at any time it becomes impossible on account of weather or snow conditions, or for any other reasons to operate busses over said proposed route, the applicant will have available and will operate the railway passenger train between Salida and Alamosa for the accommodation of the travelling public, and if and whenever the operation of motor bus service as proposed herein shall for any reason be discontinued, or shall become inadequate to serve the needs of the territory involved, said passenger train service will

be restored and operated by applicant.

This application was set down for public hearing on March 24, 1927, at the Hearing Room of the Commission, State Office Building, Denver, Colorado, upon due notice to all parties interested. Evidence in support of said application was received at that time.

On March 15, 1927, a protest was filed by a number of residents of Hooper and Mosca, signed by about forty citizens, protesting against the abandonment of passenger car service between Alamosa and Salida. It appears from the testimony of some of the witnesses who signed this protest that the same was made under the mistaken notion that the mail service would come through Center, Colorado, and would not be nearly as efficient and expeditious as now served. The evidence shows that the mail service as proposed by motor bus substitution of The Rio Grande Motor Way, Inc. will be considerably better, giving seven days mail instead of six, and more deliveries than now exist.

It appears from the testimony that the actual out of pocket expense amounts to $32,464.46. This does not include maintenance of equipment and general overhead expense. Undoubtedly the applicant can make some substantial economies in the discontinuance of the passenger train service. No evidence in opposition thereto was introduced. It was, however, expressly understood, and so appears in the evidence, that the freight service now offered to the public in the territory involved shall in no way be curtailed, and that every effort will be made, notwithstanding the curtailment of the passenger service, to give the shipping public the best freight service consistent with the needs of the territory. Some question was raised as to the conveyance of seriously injured employes to hospitals, and the Commission was assured by the railroad representatives that the applicant would, as in the past, expeditiously by special rail service convey injured employes to hospitals for attention.

The witnesses that appeared representing the public, from the communities involved, had no opposition to the discontinuance of the passenger service, provided the applicant would assume the full responsibility of the motor bus service to be operated. This the railroad representatives absolutely agreed to assume.

The Commission is asked to determine just how long this discontinuance

shall remain in effect. The Commission, from the record, is not in a position to state a definite time, but will retain jurisdiction over this case for such a time as it feels the discontinuance proposed has been fully tried out in conjunction with the motor bus service offered in its stead.

After a careful consideration of all the evidence introduced at this hearing, and especially having in mind the proposed motor passenger service offered by the applicant through The Rio Grande Motor Way, Inc., the Commission is of the opinion, and so finds, that the public convenience and necessity will permit the discontinuance of the passenger service on the railroad of the applicant between Salida and Alamosa, at least for a reasonable length of time from the date of the order herein, and until the Commission after hearing should otherwise determine, subject, however, to the conditions stated in the order.

O R D E R

IT IS THEREFORE ORDERED, That the applicant, The Denver and Rio Grande Western Railroad Company, is hereby authorized to discontinue its railroad passenger service between Alamosa and Salida, effective April 15, 1927, subject to the following conditions which in the opinion of the Commission the public convenience and necessity requires;

(a) That whenever unusual and extreme weather conditions make it impossible for motor bus passenger transportation service, that the applicant will operate passenger trains sufficiently to properly take care of the travelling public;

(b) That the applicant retains control of the outstanding capital stock of The Rio Grande Motor Way, Inc., unless otherwise ordered by this Commission;

(c) That the applicant will extend to The Rio Grande Motor Way, Inc., credit in the sum of $50,000, to enable said Company to efficiently, properly and adequately serve the travelling public in the

territory involved,

(d) That the present freight service offered by the applicant herein shall in no wise be curtailed, nor shall this order be considered as in any way indicating an intention to abandon the Denver and Rio Grande Western Railroad in the territory involved.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

C. D. Lawson

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 31st day of March, 1927.

(Decision No. 1206)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

In the matter of the application of The Rio Grande Motor Way, Inc., for authorization of transfer of certificates of public convenience and necessity issued in Applications Nos. 409 and 425.

APPLICATION NO. 841.

March 31, 1927.

Appearances: Thomas. R. Woodrow, Esq., Denver, Colorado, for applicant;
George M. Corlett, Esq., Monte Vista, Colorado, for The San Luis Valley Bus Company;
D. Edgar Wilson, Esq., Denver, Colorado, for The San Luis Central Railroad Company.

S T A T E M E N T.

By the Commission:

On March 18, 1927, The Rio Grande Motor Way, Inc., a Colorado corporation, filed with this Commission an application requesting an order authorizing the sale, transfer and assignment to the applicant of the certificates of public convenience and necessity heretofore issued by this Commission to The San Luis Valley Bus Company in application No. 409, and to The San Luis Central Railroad Company in application No. 425. Supplementary thereto The San Luis Central Railroad Company filed its petition in the instant application joining with The Rio Grande Motor Way, Inc. for authority to transfer its certificate to the applicant. Likewise, The San Luis Valley Bus Company filed its petition supplementing the application and joining with the Rio Grande Motor Way, Inc. for authority to transfer its certificate to the applicant. No protests were filed in this application.

The Commission set this application down for public hearing on March 24, 1927, at the hearing room of the Commission, State Office Building, Denver, Colorado, at which time evidence in support of the same was introduced.

The Rio Grande Motor Way, Inc., is a Colorado corporation capitalized in the sum of $50,000. The majority of its outstanding capital is held by The Denver and Rio Grande Western Railroad Company through its subsidiary The Western Slope Motor Way, Inc. The Railroad Company assumes full responsibility for the financial dependability of the applicant. The Commission on this day is issuing an order granting a certificate of public convenience and necessity to The Rio Grande Motor Way, Inc., to operate a motor transportation system for the transportation of passengers, baggage, mail and parcel freight between Salida and Alamosa, Colorado, and intermediate points, to substitute for the present rail passenger service.

The San Luis Valley Bus Company in application No. 409, on August 5, 1925, received a certificate of public convenience and necessity to operate a motor transportation line between Center and Salida, Colorado, for the transportation of passengers and express. The San Luis Central Railroad Company in application No. 425, on May 25, 1925, received from this Commission a certificate of public convenience and necessity to operate a motor transportation line for the transportation of passengers, l.c.l. freight and express between the City of Monte Vista and the town of Center, Colorado. The purpose of the transfer of the two certificates in question to the Rio Grande Motor Way, Inc. is to consolidate the entire bus transportation service offered to the public in the San Luis Valley, commencing at Alamosa and between there and Salida, and commencing at Monte Vista over the Gun Barrell Highway via Center and Saguache to Salida. This will bring about a co-related and coordinated bus service in the San Luis Valley reaching the terminals of Alamosa, Monte Vista and Salida.

The Commission, after a careful consideration of all the evidence introduced at this hearing is of the opinion, and so finds, that the public convenience and necessity requires the transfer of the certificate issued on May 25, 1925, to The San Luis Central Railroad Company in application No. 425 to The Rio Grande Motor Way, Inc., and the transfer of the certificate issued on August 5, 1925 to The San Luis Valley Bus Company in application 409 to The Rio Grande Motor Way, Inc.

O R D E R.

IT IS THEREFORE ORDERED, that The San Luis Valley Bus Company and The San Luis Central Railroad Company be and they are hereby authorized to sell, transfer and assign to The Rio Grande Motor Way, Inc. the respective certificates of public convenience and necessity held by them, issued in applications Nos. 409 and 425.

IT IS FURTHER ORDERED that The Rio Grande Motor Way, Inc. shall file its tariffs, together with its rules and regulations covering this proposed consolidated service within a period of twenty days from the date of this order.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

W. R. Lawson

Alva Bush

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 31st day of March, 1927.

(Decision No. 1207)

At a General Session of the Public Utilities Commission of the State of Colorado held at its office in Denver, Colorado, on the 31st day of March, 1927.

INVESTIGATION AND SUSPENSION DOCKET No. 88

In re: Increase in Wholesale Rates for Resale of Electric Power to the Town of Lyons by the City of Longmont, Electrical Department.

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IT APPEARING, That there has been filed with the Public Utilities Commission of the State of Colorado by the Electrical Department, City of Longmont, J. F. Brown, Superintendent, a new schedule of wholesale rates available to other municipalities for distribution and resale, to become effective on the 1st day of April, 1927, designated as follows:

City of Longmont, Colo. P.U.C. NO.3

1st Revised Sheet No. 7

AND IT APPEARING, That the Town of Lyons, by O. J. Ramey, Mayor, has filed with the Public Utilities Commission on March 30th, 1927, a formal protest against the proposed change in rates in-so-far as said change affects the existing rates of the said Town of Lyons, alleging certain reasons why said proposed rates are unjust and requesting the Commission to either refuse to grant the increased rate or to require the City of Longmont to furnish electric current to the Town of Lyons at the rates now in effect and published by the City of Longmont for commercial power consumers.

AND IT FURTHER APPEARING, That said proposed schedule makes certain increases in rates for electric service, whereby the right and interests of the public may be injuriously affected; and it being the opinion of the Commission that the effective date of said schedule should be postponed, pending an investigation, hearing and decision thereon.

IT IS THEREFORE ORDERED, That the Commission upon complaint, without formal pleading, enter upon a hearing concerning the lawfulness and reasonableness of the said proposed schedule of rates.

City of Longmont, P.U.C. Colo. No.3

1st Revised Sheet No. 7

IT IS FURTHER ORDERED, That the rates in said proposed schedule be suspended for 120 days unless otherwise ordered by the Commission, and no change shall be made in such rates during the said period of suspension.

IT IS FURTHER ORDERED, That the rates now in effect for this service thereby sought to be altered shall not be changed by any subsequent schedule until this investigation and suspension proceeding has been disposed of or until the period of said suspension or any extension thereof has expired.

AND IT IS FURTHER ORDERED, That a copy of this order be filed with said schedule in the office of the Commission and copies hereof be forthwith served upon the City of Longmont, Electrical Department and the Mayor of the Town of Lyons.

IT IS FURTHER ORDERED, That this proceeding be assigned for hearing at a future date to be determined by the Commission, due notice of such date and place of hearing being given all interested parties.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Dated at Denver, Colorado,
this 31st day of March, 1927.

Commissioners.

(Decision No. 1208)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

IN THE MATTER OF THE APPLICATION)
OF THE RIO GRANDE MOTOR WAY, INC.,)
FOR A CERTIFICATE OF PUBLIC CON-) APPLICATION NO. 840
VENIENCE AND NECESSITY.)

March 31, 1927

Appearances: Thomas R. Woodrow, Esq., Denver, Colorado, for applicant;
George M. Corlett, Esq., Monte Vista, Colorado, for The San Luis Valley Bus Company.
D. Edgar Wilson, Esq., for The San Luis Central Railroad Company.

S T A T E M E N T

By the Commission:

On March 18, 1927, The Rio Grande Motor Way, Inc., a corporation organized under the laws of the State of Colorado, filed an application with this Commission for a certificate of public convenience and necessity, authorizing it to operate a motor vehicle transportation system for the transportation of passengers, baggage, mail and parcel freight between Salida and Alamosa, Colorado, and intermediate points.

The San Luis Valley Bus Company, which is now operating in a part of this territory, consents and agrees to the granting of the certificate herein; likewise, The Denver and Rio Grande Western Railroad Company has filed a statement consenting and agreeing to the granting of the certificate to the applicant.

This application was set down for hearing on March 24, 1927, at the hearing room of the Commission, State Office Building, Denver, Colorado, at which time evidence in support of the same was received. The applicant

filed a certified copy of its articles of incorporation, and is capitalized in the sum of $50,000. The equipment which it proposes to use in the operation of the transportation system involved is one 20-passenger bus, one 12-passenger bus, one 9-passenger bus, two 7-passenger busses, and four trucks, the capital invested in which is $21,000. being fully paid and against which there are no incumbrances of any name or nature.

The territory involved has been served by The Denver and Rio Grande Western Railroad Company, by operating a passenger train daily, except Sunday, for a great number of years. The Commission has entered an order conditionally suspending this passenger service effective April 15, 1927. The applicant herein proposes to serve the territory more adequately and more expeditiously than it was heretofore served by the Railroad Company. The evidence shows that the condition of the roads of the proposed operation are such that it will permit motor transportation. Furthermore, the mail service offered by the proposed service will be more frequent. While the train service was only six days a week the bus service will be daily, including Sundays.

The testimony shows that The Denver and Rio Grande Western Railroad Company controls a majority of the outstanding capital stock of the applicant. The consent given to this application by the public involved was mainly conditioned on the fact that this proposed motor operation by the applicant was in fact an operation by The Denver and Rio Grande Western Railroad Company. The record shows that the Railroad Company is willing to assume full responsibility from a financial as well as a service standpoint. Its motive in this is mainly because of economies that the railroad can introduce on account of the discontinuance of the passenger train service, in fact the service by motor bus, as well as by rail, is so correlated and interwoven that the Commission would not feel impelled to grant a certificate of this nature under all the circumstances unless the railroad did assume the major responsibility of the proposed motor operation.

Under all these circumstances, and after a careful consideration of all the evidence introduced at this hearing, the Commission is of

the opinion, and so finds, that the present and future public convenience and necessity requires the motor transportation system of The Rio Grande Motor Way, Inc., applicant herein, between Salida and Alamosa, Colorado, and intermediate points, for the transportation of passengers, baggage, mail and parcel freight.

O R D E R

IT IS, THEREFORE ORDERED That the present and future public convenience and necessity requires the motor transportation system for the transportation of passengers, baggage, mail and parcel freight between Salida and Alamosa, Colorado, and intermediate points, by The Rio Grande Motor Way, Inc., applicant herein, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor, subject to the following terms and conditions which in the opinion of the Commission the public convenience and necessity requires:

(a) That the applicant herein shall not in any manner encumber its equipment necessary and used in this operation;

(b) That the capital stock of the applicant now held by The Denver and Rio Grande Western Railroad Company, through its subsidiary The Wstern Slope Motor Way, Inc., be not sold, assigned or transferred for a period of ten years from the date hereof, except by an order of this Commission;

(c) That the majority of the outstanding capital stock of The Rio Grande Motor Way, Inc., shall remain in control of The Denver and Rio Grande Western Railroad Company until the further order of this Commission;

(d) That The Denver and Rio Grande Western Railroad Company will extend credit to the applicant herein in the sum of $50,000. to properly and efficiently operate the service of the applicant, and to purchase any additional equipment necessary to serve the public.

(e) That the applicant, as well as The Denver and Rio Grande Western Railroad Company shall file written acceptance of the certificate herein under the conditions above enumerated within a period of fifteen days from the date hereof, and shall file tariffs of rates, rules and regulations and time schedules as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period not exceeding twenty days from the date hereof.

IT IS FURTHER ORDERED That the applicant shall operate such motor transportation system according to the schedules filed with this Commission, except when prevented from so doing by the Act of God, the public enemy or unusual and extreme weather conditions, and this order is made subject to compliance by the applicant with the Rules and Regulations now in force and to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

W. D. Lamm

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 31st day of March, 1927.

(Decision No. 1209)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

- - -

In the matter of the application of)
The Colorado Utilities Corporation)
for a certificate of public con-) APPLICATION NO. 826.
venience and necessity.)

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April 1st, 1927.
- - - - - - - -

Appearances: John S. Macbeth, Esq., and W. W. Grant, Jr., Esq., Denver, Colorado, for applicant.

S T A T E M E N T.

By the Commission:

On February 10, 1927, The Colorado Utilities Corporation filed an application with this Commission for a certificate of public convenience and necessity to engage in serving the public in the business of generation, transmission, distribution and sale of electric energy for light, heat and power purposes within the corporate limits of Craig, Moffat County, Colorado, Hayden, Steamboat Springs, Oak Creek, Yampa and the unincorporated village of Phippsburg, Routt County, Colorado, as well as proposed operations within the counties of Moffat and Routt, and that portion of Grand County west of 106 degrees west longitude, and all of Jackson County except that portion served by the municipal electric plant of Walden and the territory adjacent thereto, and all of Rio Blanco County except that portion served by the electric plant of Meeker and its lessees and the territory adjacent thereto, all in accordance with a map attached to the application, marked Exhibit A.

Notice of this application was served upon the Mayors of Craig, Steamboat Springs, Oak Creek, Hayden, Phippsburg, Walden and Meeker, Colorado, and the County Commissioners of

Moffat, Routt, Jackson and Rio Blanco Counties.

A statement that no objection existed against the granting of a certificate to applicant was filed by the Mayor of Oak Creek, Colorado, the Board of County Commissioners of Moffat County, Colorado, the Mayor of the Town of Craig, Colorado, the Town attorney for Steamboat Springs, Colorado, and the County Commissioners of Jackson County, Colorado.

This application was set down for public hearing on March 8, 1927, at 10:00 A.M. at the State Office Building, Denver, Colorado, at which time evidence in support of this application was introduced. All the evidence is undisputed, no testimony having been introduced in opposition. The record discloses a certified copy of the articles of incorporation of the applicant under the laws of the State of Colorado. The capitalization is 4,000 shares of common stock, without par value, and 4,000 shares of preferred stock, par value $50. per share. The applicant has invested approximately $750,000. in this project. It has issued first mortgage bonds in the sum of $450,000. of which $300,000. have been sold to the public. The applicant is now operating electric plants at Craig, Hayden, Steamboat Springs, Oak Creek and the unincorporated village of Phippsburg. The record shows a copy of the franchise for its operation within the corporate limits of the Town of Craig, the Town of Hayden, the Town of Oak Creek and a 10 year lighting contract with the Town of Steamboat Springs. The central power plant intended to serve this territory which is located at McGregor, Colo., has been completed and is now in operation. The Town of Yampa has requested the applicant to serve it with electric energy for light and power, and a franchise has been submitted to the Trustees of the Town of Yampa for approval. The applicant has received requests to deliver electric current to coal mines between the Town of Craig on the west and Yampa on

the east, as well as the development of other properties for irrigation purposes, for pumping oil wells and for other purposes for which electricity is used in the exploitation of natural resources. Similar requests have been received from various parts of Jackson County not served by the municipal electric plant at Walden, and from various parts of Rio Blanco County not served by the Meeker Light and Water Company, lessee of the municipal electric and water system of the town of Meeker, Colorado. The applicant, under these circumstances, offers to serve the general public with electric current and energy in the various territories involved aside from the towns already served by it as soon as the requirements are sufficient to warrant the expense. The Commission feels, under these circumstances, that in that territory in which the applicant does not now operate it should have a prior right for a certain period to offer its service. The Commission feels that a reasonable period will be three years from the date of this certificate.

After a careful consideration of the evidence in this case, the Commission is of the opinion, and so finds, that the present and future public convenience and necessity requires the proposed system of the applicant to serve the general public in the business of generation, transmission, distribution and sale of electric energy for light, heat and power in the Towns of Craig, Hayden, Steamboat Springs, Oak Creek, Phippsburg and Yampa, Colorado, and the general public in the counties of Moffat, Routt, Grand County west of 106 degrees west longitude, Jackson County except that portion served by the municipal electric plant of Walden and the territory adjacent thereto, and Rio Blanco County except that portion served by the municipal electric plant of Meeker, and its lessees, and the territory adjacent thereto, and an appropriate order will issue.

O R D E R.

IT IS THEREFORE ORDERED, that the present and future public convenience and necessity requires the proposed service by The Colorado Utilities Corporation, applicant herein, to serve the general public in the generation, transmission, distribution and sale of electric energy for light, heat and power in the Towns of Craig, Hayden, Steamboat Springs, Oak Creek, Phippsburg and Yampa, Colorado, and the territory immediately adjacent thereto, as well as the general public in the counties of Routt, Moffat, Jackson, Grand and Rio Blanco, except such territory as is served by the municipal electric light plant of Walden, Colorado and the Meeker Light and Water Company at Meeker, Colorado, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor subject to the conditions hereinafter stated, which in the opinion of the Commission the public convenience and necessity requires.

(a) That the applicant shall have three years from the date hereof to extend its service to the territory granted under the certificate herein, and in which it is now operating, and that any territory involved herein that remains unserved after the said period of three years shall be considered eliminated thereafter from this certificate.

(b) That this certificate shall not become effective until the applicant herein has filed with the Commission its schedules and rates, rules and regulations governing the service and operation involved, as required by law and the rules and regulations of this Commission.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Dated at Denver, Colorado,
this 1st day of April, 1927.

Commissioners.

(Decision No. 1210)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

- - - - -

IN THE MATTER OF THE APPLICATION OF THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY TO TEMPORARILY SUBSTITUTE BUS SERVICE FOR PASSENGER RAILWAY TRAIN SERVICE BETWEEN SALIDA AND ALAMOSA.	TEMPORARY CERTIFICATE APPLICATION NO. 5.

MODIFICATION OF ORDER IN DECISION NO. 1205.

The Denver and Rio Grande Western Railroad Company, applicant in the above entitled proceeding, having this day applied to the Commission for modification of the order entered March 31, 1927, in this matter, (Decision No. 1205) wherein the applicant was authorized to discontinue its railway passenger service between Alamosa and Salida effective April 15, 1927, and the Commission finding that said order should be amended, changed and modified as hereinafter set forth; NOW, THEREFORE

IT IS ORDERED That the decision of this Commission (Decision No. 1205) heretofore entered on March 31, 1927, be and the same is amended, changed and modified by striking from said order the following conditions therein set forth, to-wit:

> "(b) That the applicant retains control of the outstanding capital stock of the Rio Grande Motor Way, Inc., unless otherwise ordered by this Commission:
>
> "(c) That the applicant will extend to the Rio Grande Motor Way, Inc., credit in the sum of $50,000. to enable said Company to efficiently, properly and adequately serve the traveling public in the territory involved;"

And substituting therefor a condition as follows, to-wit:

> "That the applicant shall restore said railroad passenger train service if and whenever the operation of said motor bus service as proposed shall for any reason be discontinued, or shall at any time be found by this Commission to be inadequately or insufficient

to serve the needs of the territory involved".

Dated at Denver, Colorado, this 1st day of April, 1927.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

W. P. LANNON

(SEAL) OTTO BOCK

DAN S. JONES
Commissioners.

I do hereby certify that the above and foregoing is a true and correct copy of the original order of the Public Utilities Commission of the State of Colorado, modifying Decision No. 1205, entered in the above entitled cause and now on file in this office.

Secretary.

(Decision No. 1211)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

- - - -

IN THE MATTER OF THE APPLICATION)
OF THE RIO GRANDE MOTOR WAY, INC.,)
FOR A CERTIFICATE OF PUBLIC CON-) APPLICATION NO. 840
VENIENCE AND NECESSITY.)
- - - - - - - - - - - - - -)

MODIFICATION OF ORDER IN DECISION NO. 1208.

The Rio Grande Motor Way, Inc., applicant in the above proceeding, having this day applied to the Commission for modification of the order entered March 31, 1927, in this matter, (Decision No. 1208) wherein the applicant was granted a certificate of public convenience and necessity for the operation of a motor transportation system between Salida and Alamosa and intermediate points, and the Commission finding that said order should be amended, changed and modified as hereinafter set forth; NOW, THEREFORE

IT IS ORDERED That the decision of this Commission (Decision No. 1208) heretofore entered on March 31, 1927, be and the same is amended, changed and modified by striking from said order the following terms and conditions therein set forth, to wit:

> "(b) That the capital stock of the applicant now held by The Denver and Rio Grande Western Railroad Company through its subsidiary The Western Slope Motor Way, Inc., be not sold, assigned or transferred for a period of ten years from the date hereof, except by an order of this Commission;
>
> "(c) That the majority of the outstanding capital stock of the Rio Grande Motor Way, Inc., shall remain in control of The Denver and Rio Grande Western Railroad Company until the further order of this Commission;
>
> "(d) That The Denver and Rio Grande Western Railroad Company will extend credit to the applicant herein in the sum of $50,000. to properly and efficiently

operate the service of the applicant, and to purchase any additional equipment necessary to serve the public.

Dated at Denver, Colorado, this 1st day of April, 1927.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

(SEAL)

F. P. LANNON

OTTO BOCK

DAN S. JONES
Commissioners.

I do hereby certify that the above and foregoing is a true and correct copy of the original order of the Public Utilities Commission of the State of Colorado, modifying Decision No. 1208, entered in the above entitled cause and now on file in this office.

Secretary.

(Decision No. 1212)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

IN THE MATTER OF THE APPLICATION)
OF FLORENCE C. MOLLOY AND MABEL N.)
MACLEAY, CO-PARTNERS, DOING BUSI-) APPLICATION NO. 706
NESS UNDER THE FIRM NAME OF MOLLOY)
TOURS FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY.)
- - - - - - - - - - - - - - - - - -

- - - - - - -
April 4, 1927
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Appearances: Frank L. Moorhead, Esq., Boulder, Colorado, for the applicant.
J. Q. Dier, Esq., Denver, Colorado for The Colorado and Southern Railway Co.

S T A T E M E N T

By the Commission:

On June 10, 1926, Florence C. Molloy and Mabel N. Macleay, co-partners, doing business under the firm name of Molloy and Macleay, filed their application with this Commission for a Certificate of Public Convenience and Necessity to conduct a motor transportation system for the transportation of the sightseeing public from the City of Boulder to various scenic attractions. No written protest was filed against this application. The same was set down for hearing at the Hearing Room of the Commission, Denver, Colorado, on February 10, 1927, at which time evidence in support of said application was received. Oral protest was entered by the Colorado and Southern Railway Company at the time of the hearing. The applicants asked that their petition be amended so as to show that the name under which this business is to be conducted be designated as the Molloy Tours, which was allowed.

Points to which this service from Boulder, Colorado, is to be operated are as follows: Estes Park, Idaho Springs, Mount Evans, Corona, Stapp's Lake, Arapahoe Glacier Region, Apex and Georgetown Loop, Colorado Springs, Cripple Creek, Grand Lake and Gold Hill. The operations are not conducted on regular schedule. It consists of sightseeing business from Boulder, mainly during the summer months, to enable the traveling public to see the various scenic attractions by the more flexible service offered by automobile transportation commencing and terminating at Boulder. No one-way tickets are sold to any point and there is no intention on the part of the applicants to serve the public as a passenger operation as distinguished from a sightseeing operation.

The equipment of the applicants consists of five 7-passenger automobiles. The investment is approximately $15,000.

After a careful consideration of all the evidence introduced at the hearing in this application, the Commission is of the opinion and so finds that the present and future public convenience and necessity requires the motor transportation system of passengers operated by Florence C. Molloy and Mabel N. Macleay, co-partners doing business under the name of the Molloy Tours to transport sightseeing passengers from Boulder to Estes Park, Idaho Springs, Mount Evans, Corona, Stapp's Lake, Arapahoe Glacier Region, Apex and Georgetown Loop, Colorado Springs, Cripple Creek, Grand Lake and Gold Hill and return subject to certain conditions contained in the order.

O R D E R

IT IS THEREFORE ORDERED, That the present and future public convenience and necessity requires the motor vehicle system for the transportation of passengers by Florence C. Molloy and Mabel N. Macleay, co-partners doing business under the name of Molloy Tours, applicants herein,

A. Boulder to Estes Park,

B. Boulder to Idaho Springs,

C. Boulder to Mount Evans,

D. Boulder to Corona.

E. Boulder to Stapp's Lake,

F. Boulder to Arapahoe Glacier Region,

G. Boulder to Apex and Georgetown Loop,

H. Boulder to Colorado Springs,

I. Boulder to Cripple Creek,

J. Boulder to Grand Lake and Gold Hill,

and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That no transportation of passengers to any intermediate point shall be permitted.

(b) That all operations by the applicants herein shall be limited to sightseeing round trip operations originating and terminating at Boulder, Colorado.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the applicants shall file a written acceptance of the Certificate herein granted within a period of 15 days from the date hereof and shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period not to exceed 20 days from the date hereof.

IT IS FURTHER ORDERED, That this Certificate is granted subject to the compliance by the applicants with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

H. G. Lannon

Walter Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 4th day of April, 1927

(Decision No. 1213)

At a General Session of the Public Utilities Commission of the State of Colorado, held at its office in Denver, Colorado, on the 4th day of April, 1927.

INVESTIGATION AND SUSPENSION DOCKET NO. 89.

Re; Vegetables, carloads.

It Appearing, That there has been filed with the Public Utilities Commission of the State of Colorado, by The Denver and Rio Grande Western Railroad Company, Geo. Williams, Freight Traffic Manager, a tariff containing schedules stating new individual rates and charges, to become effective on the 10th day of April 1927, designated as follows:

The Denver and Rio Grande Western Railroad Company
Supplement No. 10 to Freight Tariff D.&.R.G.W., G.F.D.
No. 5922-B, Colo. P.U.C. No. 61.

IT IS ORDERED, That the Commission upon complaint, without formal pleading, enter upon a hearing concerning the lawfulness of the rates and charges stated in the said schedules contained in said tariff, viz:

The Denver and Rio Grande Western Railroad Company:
Supplement No. 10 to Freight Tariff D.&.R.G.W., G.F.D.
No. 5922-B, Colo. P.U.C. No. 61.

Items 111, 830-A, 870-A, 910-A, 945-A, 970-A, 1055-A, 1445-A, 1615-A, 1695-A, 2101-A, 2500-A, 2505-A, 2650-A.

IT FURTHER APPEARING, That the said schedule makes certain increases in rates for the transportation of Vegetables, whereby the rights and interests of the public may be injuriously affected; and it being the opinion of the Commission that the effective date of said schedules contained in said tariff should be postponed, pending said hearing and decision thereon.

IT IS FURTHER ORDERED, That the operation of the said schedules contained in said tariffs be suspended, and that the use of the rates, charges, regulations and practices therein stated be deferred 120 days or until the 9th day of August, 1927, unless otherwise ordered by the Commission, and no change shall be made in such rates, charges, regulations and practices during the said

period of suspension.

IT IS FURTHER ORDERED, That the rates and charges and the regulations and practices thereby sought to be altered shall not be changed by any subsequent tariff or schedule until this investigation and suspension proceeding has been disposed of or until the period of suspension or any extension thereof has expired.

AND IT IS FURTHER ORDERED, That a copy of this order be filed with said schedule in the office of the Commission and that copies hereof be forthwith served upon The Denver and Rio Grande Western Railroad Company and Montrose County Chamber of Commerce.

IT IS FURTHER ORDERED, That this proceeding be assigned for hearing at a future date to be determined by the Commission, due notice of such date and place of hearing being given all interested parties.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

W. P. Lawson

Alva Bock

Dan L. Jones

Commissioners.

Dated at Denver, Colorado,
this 4th day of April, A.D.
1927.

(Decision No. 1214)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

- - -

In Re: Apples, Cull or Windfall)
Refuse and Waste.)
Investigation & Suspension
Docket No. 80.

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April 4, 1927.

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Appearances:

J. A. Gallaher and B. W. Robbins, Denver, Colorado, for The Denver and Rio Grande Western Railroad Company.
Geo. A. Crowder and Henry Sobal, Denver, Colorado, for Puritan Products Company.

S T A T E M E N T.

By the Commission:

This cause is before the Commission as a result of state amendment No. 16 to freight tariff D.&.R.G.W., G.F.D No. 5922-B, Colo. P.U.C. No. 61 filed July 21, 1926 to become effective August 24, 1926 by The Denver and Rio Grande Western Railroad Company, wherein it proposes to cancel the 34 cents per 100 pounds rate on Apples, Cull, Windfall, Refuse and Waste (in box cars) from Mack, Paonia and Montrose, Colorado to Denver, Colorado Springs, Colorado City, Jansen, Minnequa, Pueblo, Trinidad and Walsenburg, Colorado and in lieu thereof to apply the 63½ cent rate as provided in item No. 365 of above mentioned tariff, description of which is as follows: "Apples, carloads, minimum weight 30,000 pounds."

This amendment was suspended by the Commission, by an order dated August 23, 1926, upon complaint, until November 14, 1926, and resuspended by an order dated November 5, 1926, until May 23, 1927, and the case set down for hearing January 17, 1927, at the Hearing Room of the Commission, 305 State Office Building, Denver, Colorado, 10:00 o'clock A.M.

The complainant, a packer and manufacturer of high grade fruit products, vinegar and cider, with its place of business at Denver, Colorado, contends that if the 63½ cent rate is allowed to go into effect it will have the affect of forcing them to

discontinue the manufacture of cider and vinegar as the margin of profit is about 03 cents per gallon at the present time. The evidence is clear that the traffic in question will not bear any increase.

The present 34 cent rate is the outcome of a 30 cent rate established by an order of this Commission in Case No. 18, Grand Valley Fruit Rate Association v. D.&.R.G.W. R.R. Co., Et Al., 1 Colo. P.U.C. 111. This 30 cent rate was increased 25% by order of the Director General of Railroads in General Order No. 28, making it 37½ cents, and at the request of The Denver Chamber of Commerce was not increased under the general advance of 1920, it being agreed to continue the 37½ cent for the balance of that season, however, the carrier failed to cancel the said 37½ cent rate with the result that same was reduced 10% under the 1922 general reduction.

Considerable stress was layed by the defendant to the abuse which was being practiced by certain shippers who ship first class apples in mixed carloads with cull or windfalls and secure the cull apple rate and then re-sort the apples in their warehouses and pack those that are in good shape and dispose of them at the first class apple price, however, there is nothing in the record establishing as a fact that these conditions actually exist and defendants witness was unable to offer anything in evidence to substantiate their contention, although they were satisfied in their own minds that this was being done. In further testimony defendant testified they had no objections to continue a provision for a cull apple rate, providing the same spread was applied as was prescribed by this Commission in Case No. 18, supra.

This Commission is of the opinion that the policing of shipments is a matter entirely up to the carrier, if their tariff provides a cull apple rate such rate must apply on that commodity and the question of what use it is to be put to has nothing whatsoever to do with the rate, and if shippers are inclined to misrepresent their shipment by false billing to secure the lower

rate at the time of shipment, the carrier would be up against the same abuse on any other rate established, which was any less than the first class apple rate.

The issue before the Commission in this case is the reasonableness or unreasonableness of the proposed 63½ cent rate on cull apples and not the policing of the carrier's shipments. If shippers misrepresent their shipments in order to defeat the legal rate applicable to same they are laying themselves liable to criminal action and furthermore the carrier has recourse thru the civil courts.

After a careful consideration of the entire record the Commission finds that the proposed increase has not been justified. An order will be entered requiring the cancellation of the suspended schedule.

O R D E R.

IT IS THEREFORE ORDERED, That the respondent herein be, and they are hereby, notified and required to cancel item 220-B, State Amendment No. 16, to Freight Tariff D.&.R.G.W. G.F.D. No. 5922-B, Colo. P.U.C. No. 61 on or before May 23, 1927, upon notice to this Commission and to the public by filing and posting in the manner prescribed in section 16 of the Public Utilities Act of the State of Colorado.

IT IS FURTHER ORDERED, That the respondent herein be, and it is hereby, notified and required to establish on or before May 23, 1927, upon notice to this Commission and to the public by filing and posting in the manner prescribed in Section 16 of the Public Utilities Act, and thereafter maintain and apply to the transportation of apples, cull, windfall refuse and waste (in box cars) from Mack, Paonia and Montrose, Colorado to

Denver, Colorado Springs, Colorado City, Jansen, Minnequa, Pueblo Trinidad and Walsenburg, Colorado, a rate which shall not exceed 34 cents per 100 pounds, and that this proceeding be discontinued.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

W. P. Lannon

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 4th day of April, A.D. 1927.

(Decision No. 1215)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

IN THE MATTER OF THE APPLICATION OF FRANK BRESSAN AND MARY BRESSAN, CO-PARTNERS DOING BUSINESS UNDER THE NAME OF THE BERWIND AUTO LINE, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 796

April 6, 1927.

Appearances: J. E. Martinez, Esq., and Hawley & Erickson, Trinidad, Colorado, for applicants.

S T A T E M E N T

By the Commission:

On November 10, 1926, Frank Bressan and Mary Bressan, co-partners, doing business as The Berwind Auto Line, filed their application with this Commission for a certificate of public convenience and necessity authorizing the operation of a motor vehicle transportation system for the transportation of passengers, baggage, small parcels and express between the City of Trinidad, and Vallorso, Colorado, and intermediate points. On December 13, 1926, The Colorado and Southern Railway Company filed an answer and protest. This matter was set down for hearing at the Hearing Room of the Commission, State Office Building, Denver, Colorado, on April 5th, 1927, at 2:00 P. M., at which time testimony in support of the application was introduced. No appearance

was made by the protestant, and no evidence was introduced in opposition to the application.

The testimony shows that Ciperano Bressan, husband of Mary Bressan, and father of Frank Bressan, the applicants commenced the operation of transporting passengers and express between the points involved here about 25 years ago by stage line. In 1915 automobiles were substituted for the stage, and ever since that time this operation has been by motor vehicle. The copartnership now existing is a direct succession of the transportation business commenced about 25 years ago. The motor vehicle carrier system, therefore, which we have in the instant case, is one that was in existence prior to July 16, 1917, and therefore the applicants would be entitled to a certificate of public convenience and necessity without any additional showing. However, applicants produced several witnesses who testified to the public convenience and necessity of this operation. The Colorado and Southern Railroad operates between Trinidad and Ludlow. The rail passenger service, however, afforded to the public in that territory is not such as will meet the public convenience and necessity in the territory served by the applicants. The operation of the applicants is for the convenience of certain coal mining camps about six miles west of Ludlow. The time schedule is constructed in such a way that it is for the convenience of the public located at Berwind, Vallorso and Three Pines, operating into Trinidad in the morning and leaving Trinidad in the afternoon. The equipment of the applicant consists of three automobiles, in which the capital invested is approximately $8,600.

After a careful consideration of all the evidence introduced in this case, the Commission is of the opinion, and so finds, that the public convenience and necessity requires the motor vehicle system operated by the applicants herein for the transportation of passengers baggage, small parcels and express between Trinidad, Colorado, and Vallorso and Three Pines, Colorado, and intermediate points.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires the motor vehicle carrier system of Frank Bressan and Mary Bressan, copartners, doing business under the name of The Berwind Auto Line, for the transportation of passengers, baggage, small parcels and express between Trinidad, Colorado, and Vallorso and Three Pines, Colorado, and intermediate points, and this certificate shall be deemed, taken and held to be a certificate of public convenience and necessity therefor.

IT IS FURTHER ORDERED, That the applicants herein shall file tariffs of rates and time schedules as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period not to exceed twenty days from the date hereof; that the applicants shall operate such motor vehicle carrier system according to the schedules filed with this Commission, except when prevented from so doing by the Act of God, the public enemy or unusual and extreme weather conditions; and this order is made subject to compliance by the applicants with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Dated at Denver, Colorado,
this 6th day of April.

Commissioners.

(Decision No. 1216)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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In the matter of the application of H. S. Harp and Thad S. Harp for a Certificate of Authority to operate a public transportation line between the Town of Rifle in Garfield County, Colorado and the Town of Meeker in Rio Blanco County, Colorado, and in territory adjacent to the Town of Meeker in Rio Blanco County, Colorado.	)	APPLICATION NO. 632.

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April 14, 1927.

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Appearances:

Frank Delaney, Esq., Glenwood Springs, Colorado, for applicant.
John R. Clark, Esq., Meeker, Colorado for Rio Blanco County.
J. N. Neal, Esq., Meeker, Colorado for himself.

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S T A T E M E N T.

By the Commission:

On May 10th, 1926, petition was filed with this Commission by H. S. Harp and Thad S. Harp, copartners doing business under the firm name and style of Harp Brothers, for a certificate of public convenience and necessity to operate a bus and truck line for the transportation of passengers, express and freight, between the town of Rifle in Garfield County, Colorado, and the town of Meeker in Rio Blanco County, Colorado.

The applicants set forth in their application that they had operated over this route for a number of years, last past, that they were obliged to use horses and mules with sleds during the winter months, for about twelve miles of the route, on account of heavy snows falling at the higher altitudes thus

causing them to transfer all loads from automobiles and trucks to sleds drawn by teams and then transfer back again to automobiles and trucks at the end of the snow area, thus calling for a different schedule during the winter period; that there was no other means of transportation between the towns set forth in this application, as Meeker was located about 43½ miles from any railroad and Rifle was the nearest and most accessible railroad point from which to operate such needed transportation line.

This application was set down for hearing at the City Hall, Rifle, Colorado, for December 8, 1926, at 9:00 o'clock A.M. and the Commission duly proceeded to receive such testimony and evidence as was submitted by parties in interest.

The applicants appeared by Attorney Frank Delaney and in person. Rio Blanco County was represented by Attorney John R. Clark and J. N. Neal appeared for himself.

The testimony introduced substantiated the facts set forth in the application herein, showing that the public convenience and necessity absolutely required the operation of such a transportation line as herein applied for. That the applicants had operated a similar line over the route herein prayed for during the last 30 years; that the snow conditions required an equipment such as they possessed, that they had shown themselves as capable and efficient in every way to render the service required and that they were at all times in a position to serve the public in the territory along this route.

The testimony shows that their equipment consists of two ten passenger busses; two five passenger Studebaker cars; two 1½ ton freight trucks; one 1-ton truck; eight mules, eight horses, together with harness and sleds; barns along the route, and offices and garages equipped for the complete handling of these operations, all valued at $21,300.

The evidence shows that the operation of this system was giving a net income of about $300. per month over and above a mail contract which the applicants held from the Government amounting to $4,000. annually, covering the instant route applied for in this application.

All other parties appearing in this case disclaimed any objection to the granting of a certificate to the applicants herein, and after a careful consideration of all the testimony and facts adduced from the hearing of this application the Commission is of the opinion and so finds that the public convenience and necessity requires and will in the future require the transportation system of the applicants herein over the proposed route as set forth in their application for the transportation of passengers, express and freight.

O R D E R.

IT IS THEREFORE ORDERED, That the present and future public convenience and necessity requires and will require the operation of a transportation system for the transportation of passengers, express and freight between the town of Rifle in Garfield County, Colorado, and the town of Meeker, Rio Blanco County, Colorado, and intermediate and adjacent territory thereto, by the firm of Harp Brothers, applicants herein, by such an operation as is by them provided viz: automobiles, busses and trucks during the summer months and during the winter months, or snow period, by a combination of said conveyances with horse drawn sleds across such snow area as may exist during that period, and this order shall be taken, deemed and held to be, a certificate of public convenience and necessity therefor.

IT IS FURTHER ORDERED, That the applicants shall operate such transportation line as herein set forth, throughout the year, except when prevented by the Act of God, the public enemy or unusual or extreme weather conditions, and this order is subject to compliance by applicants with the rules and regulations now in force or to be hereafter adopted by this Commission with reference to motor vehicle carriers, and also subject to any legislative action that may in the future be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

C. L. Lamm

Otto Bock

Dan T. Jones

Commissioners.

Dated at Denver, Colorado,
this 14th day of April, 1927.

(Decision No. 1217).

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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In the matter of the application of John B. Dade and Rollie I. Dade, copartners, for a certificate of public convenience and necessity for the operation of a public transportation service over State Highway No. 64 between Meeker, Colorado and Rangely, Colorado.

APPLICATION NO. 730.

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April 14, 1927.
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Appearances:

John R. Clark, Esq., Meeker, Colorado for the applicant.

S T A T E M E N T.

By the Commission:

On June 19th, 1926, John B. Dade and Rollie I. Dade copartners, filed an application for a certificate of public convenience and necessity for the operation of a public transportation system by motor vehicle including the carrying of passengers, freight and express between the towns of Meeker, Colorado and Rangely, Colorado, called The Meeker-Rangely Stage Line.

The application herein, sets forth that neither Meeker or Rangely is located on a railroad; that Rangely received its mail service from Meeker three times per week, which mail contract the applicants now hold; that they operate from Meeker to Rangely one day and back the next, thus making a tri-weekly service, that the supplies and necessities of life were furnished to the settlers along this route by this service and that the oil fields developing along this line also required the

service of this operation of the applicants herein.

The Commission set this application down for hearing at Rifle, Colorado, for December 8, 1926, at 9:00 o'clock, A.M. at the City Hall, and the testimony and facts relating thereto were submitted to the Commission by all parties interested at that time and place.

The applicants appeared by John R. Clark, their attorney. No appearances were entered in protest and the testimony introduced substantiated the allegations set forth in the application, showing that the people living along this route required the operation thereof as well as the towns located at its terminal points, viz: Meeker and Rangely.

The applicants testimony showed that the operation of this stage and freight line required an equipment consisting of one 1½ ton Dodge Truck, one Star Automobile, four sleds, four wagons, twelve head of mules, harness, etc., conservatively valued at $4,800.

The State Highway No. 64 over which this Stage Line is operated was shown, by evidence introduced, to be very narrow and crooked, when dry it is a very good road but when wet it is very slippery and hard to drive a car upon, as well as being very muddy in places, causing the use of teams to pull cars and trucks out of the mud holes, when stuck. Competent witnesses testified to the good service rendered by the applicants and to the public convenience and necessity of such a service over this route; that the length of the line between the towns of Meeker and Rangely was about 63 miles and required such equipment as that owned by the applicants to carry on the business under existing conditions. The evidence showed that the parties to this copartnership were financially responsible to the extent of $22,000; that the average receipts in cash during the last five months for these operations were $225. per month, plus $333.33 received monthly from the mail contract,

making a fairly profitable business for the applicants for this certificate.

After a careful consideration of all of the evidence and facts introduced at this hearing the Commission is of the opinion, and so finds, that the present and future public convenience and necessity requires and will require the transportation system offered by the applicants herein between the towns of Meeker, Colorado, and Rangely, Colorado.

O R D E R.

BE IT THEREFORE ORDERED, That the present and future public convenience and necessity requires and will in the future require the operation of a transportation system for the transportation of passengers, freight and express between the towns of Meeker, Colorado, and Rangely, Colorado, and intermediate settlements by John B. Dade and Rollie I. Dade, known and operating under the style and name of The Meeker-Rangely Stage Line, applicants herein by such an operation as is by them provided, viz: by the use of motor trucks during the summer seasons and by the use of horsedrawn vehicles in the winter months and this order shall be taken, deemed and held to be, a certificate of public convenience and necessity therefor.

IT IS FURTHER ORDERED, That the applicants shall operate a motor transportation system as set forth, throughout the year, except when prevented by the Act of God, the public enemy, or unusual or extreme weather conditions, and this order is made subject to compliance by applicants with the rules and regulations now in force or to be hereafter adopted by the Commission with reference to motor vehicle carriers, and

also subject to any legislative action that may in the future be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

W. D. Lamon

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 14th day of April, 1927.

(Decision No. 1218)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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In the matter of the application of Raymond E. Janes for a certificate of public convenience and necessity to operate an automobile truck service for the transportation of freight and express between Meeker, Colorado and Rifle, Colorado. — APPLICATION NO. 701.

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April 14, 1927.

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Appearances:

John R. Clark, Esq., Meeker, Colorado for the applicant.

S T A T E M E N T.

By the Commission:

This proceeding arises upon the petition of Raymond E. Janes, filed June 9th, 1926 for a certificate of public convenience and necessity to operate a freight and express service by motor vehicle, between the towns of Meeker, Colorado, and Rifle, Colorado.

The applicant sets forth in his application that Meeker is located about 44 miles from the railroad. That Rifle is the most feasible railroad point from which to operate a truck line, both to and from, as the roads leading thereto are in good condition and are kept open during most of the year; that large shipments of wool, farm produce and lumber are constantly being hauled over this route, as well as the supplies and necessities of life for towns and communities located at long distances from railroad supply points lying near to and along this route.

This application was set down for hearing at the City Hall in Rifle, Colorado, for December 8th, 1926, at 9:00 o'clock, A.M. and the testimony and evidence was duly submitted to the Commission by the parties in interest at that time.

Attorney John R. Clark entered his appearance for the applicant. No appearances were entered in protest and the testimony introduced substantiated the allegations set forth in the application.

The applicant testified that during just 100 days last winter he had to use teams with sleds to transfer his freight across the snow area and that the previous winter the snow period lasted only 32 days; that he made arrangements with his neighbors for the use of teams and sleds for this transfer and for the keeping open of the roads during the snow period; that his equipment consisted of two new 1½ ton Graham Brothers Trucks valued at $4,000; that he had hauled approximately 151,741 pounds of grain and hay to Rifle for the White River Lumber Company and hauled back for them 609,456 pounds of lumber, hardware, doors, etc., also 287,148 pounds of cement plaster and lime during the last three months, that he also hauled large quantities of wool out, and salt, cotton seed cake and supplies in, for stock feeders and ranchmen along this route.

The evidence showed that the applicant operated one round trip daily except Sunday during the larger part of the year and three round trips per week during the snow period.

This evidence was fully substantiated by several witnesses, no protests or objections were made against the application and the Commission finds, after careful consideration of all matters and facts introduced, and is of the opinion, that the applicant is entitled to a certificate of public convenience and necessity to operate such a freight service as above described between the towns of Rifle and Meeker, Colorado.

O R D E R.

IT IS THEREFORE ORDERED, That the present and future public convenience and necessity requires and will in the future require the operation of a truck transportation system for the transportation of freight and express between the towns of Rifle, Colorado, and Meeker, Colorado and intermediate and adjacent territory thereto, by Raymond E. Janes applicant herein, by such an operation as is by him provided, viz: the use of motor trucks during the summer and open season, and by the use of both motor trucks and horsedrawn sleds during the snow period, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

IT IS FURTHER ORDERED, That the applicant shall operate such a transportation line as herein set forth, throughout the year, except when prevented by the Act of God, the public enemy or unusual or extreme weather conditions, and this order is subject to compliance by applicant with the rules and regulations now in force or to be hereafter adopted by this Commission with reference to motor vehicle carriers, and also subject to any legislative action that may in the future be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Commissioners.

Dated at Denver, Colorado,
this 14th day of April, 1927.

(Decision No. 1219)

PUC-26

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

In the matter of the application of Edward Harbison, doing business under the firm name and style of The Harbison Transfer Company, for permit to assign certificate of public convenience and necessity.

APPLICATION NO. 291-A.

April 16th, 1927.

Appearances:

D. A. Maloney, Esq., Denver, Colorado, attorney for applicant.

S T A T E M E N T.

By the Commission:

On March 24, 1927, Edward Harbison, applicant herein, doing business under the name and the style of The Harbison Transfer Company, applicant herein, filed his application with the Commission in which he asks for authority to assign and transfer the certificate of public convenience and necessity issued to him on December 8th, 1924 for the operation of a motor truck freight transportation line between Denver and Louisville and Denver and Firestone, Colorado, to The Colorado Rapid Transit Company, a corporation organized under the laws of the State of Colorado.

Notice was served upon The Union Pacific Railroad Company, The Colorado and Southern Railway Company and The American Railway Express Company, and motor operations now existant in that territory under certificate of public convenience and necessity. No protest was filed.

This application was set down for hearing at the Hearing Room of the Commission, Denver, Colorado, on April 16th, 1927,

at which time evidence in support of same was received. The Commission has carefully considered the evidence introduced at the hearing, and is of the opinion and so finds, that the public convenience and necessity requires that the certificate of public convenience and necessity heretofore issued to Edward Harbison, doing business under the name of The Harbison Transfer Company, be transferred to The Colorado Rapid Transit Company, a corporation organized under the laws of the State of Colorado.

O R D E R.

IT IS THEREFORE ORDERED, That Edward Harbison, doing business under the name of The Harbison Transfer Company, is hereby authorized to assign and transfer to The Colorado Rapid Transit Company, a corporation organized under the laws of the State of Colorado, the certificate of public convenience and necessity heretofore issued to said Edward Harbison, on December 8th, 1924.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Otto Bock

Dan S. Jones

H. D. Lawson

Commissioners.

Dated at Denver, Colorado,
this 16th day of April, 1927.

(Decision No. 1220)

At a General Session of the Public Utilities Commission of the State of Colorado held at its office in Denver, Colorado, April 30, 1927.

Investigation and Suspension Docket No. 90.

Re: Discontinuance of D. & R. G. W. RR. Station at Colorado City, Colorado as an Agency Station.

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It Appearing, That there has been filed with the Public Utilities Commission of the State of Colorado, by The Denver and Rio Grande Western Railroad Company, L. F. Wilson, Assistant General Manager, a petition for permission of the Commission to abandon its said station at Colorado City, Colorado, as an agency station, and to withdraw the agent therefrom, effective the 15th day of May, 1927.

It Is Ordered, That the Commission, upon complaint without formal pleadings, enter upon a hearing concerning the lawfulness of the closing of said station in the said petition.

It Further Appearing, That the said petition seeks to make certain changes in station service, whereby the rights and interests of the public may be injuriously affected; and it being the opinion of the Commission that the effective date of the closing of the agency station contained in said petition should be postponed pending said hearing and decision thereon;

It Is Further Ordered, That the operation of the said effective date contained in said petition be suspended until the 1st day of July, 1927, unless otherwise ordered by the Commission, and no change shall be made in said service during the said period of suspension.

It Is Further Ordered, That a copy of this order be filed with the said petition in the office of the Public Utilities Commission of the State of Colorado, and that copies hereof be forthwith served on The Denver and Rio Grande Western Railroad Company, and the West Side Commercial Club, Colorado Springs, Colorado, protestant.

It Is Further Ordered, That this proceeding be assigned for hearing May 13, 1927, at the City Hall, Colorado Springs, Colorado, at 10:00 o'clock A.M.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Walter Bock

Harry E. Jones

Walter Allen

Commissioners.

Dated at Denver, Colorado,
this 30th day of April, 1927.

(Decision No. 1221)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

IN THE MATTER OF THE APPLICATION OF THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY FOR PERMISSION TO TEMPORARILY CLOSE ITS STATION AT DOYLE, COLORADO.

APPLICATION NO. 492

May 3, 1927.

S T A T E M E N T

By the Commission:

It appearing that the applicant herein has withdrawn the application, the cause should be dismissed.

O R D E R

IT IS THEREFORE ORDERED, That this cause be, and the same is hereby, dismissed.

Dated at Denver, Colorado,
this 3rd day of May, 1927.

Commissioners.

(Decision No. 1222)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

IN THE MATTER OF THE APPLICATION OF WALTER BYRON FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF A PASSENGER MOTOR BUS LINE BETWEEN COLORADO SPRINGS AND LEADVILLE, VIA PENROSE, CANON CITY, SALIDA AND BUENA VISTA, COLORADO.

APPLICATION NO. 508

May 6, 1927.

S T A T E M E N T

By the Commission:

It appearing that the counsel for applicant has requested dismissal of this cause, the Commission is of the opinion that the same should be dismissed.

O R D E R

IT IS THEREFORE ORDERED, That this cause be, and the same is hereby dismissed.

Dated at Denver, Colorado,
this 6th day of May, 1927.

Commissioners.

(Decision No. 1223)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

IN THE MATTER OF THE APPLICATION OF WALTER BYRON FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF A PASSENGER MOTOR BUS LINE BETWEEN DENVER AND GLENWOOD SPRINGS BY WAY OF MORRISON, EVERGREEN, BERGEN PARK, IDAHO SPRINGS, GEORGETOWN, DILLON, FRISCO, KOKOMO, LEADVILLE AND MEREDITH, COLORADO.

APPLICATION NO. 510

April 3, 1927

STATEMENT

By the Commission:

It appearing that the route over which applicant contemplates operation is not complete and that operation over this route is impossible at this time, the Commission is of the opinion that the cause should be dismissed.

ORDER

IT IS THEREFORE ORDERED, That this cause be, and the same is hereby, dismissed without prejudice.

Dated at Denver, Colorado,
this 3rd day of May, 1927.

Commissioners.

(Decision No. 1224)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

IN THE MATTER OF THE APPLICATION OF THE COLORADO BUS TRANSPORTATION COMPANY FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE LINES OF MOTOR BUSSES FOR CARRYING PASSENGERS FOR HIRE AND FOR CARRYING PARCELS AND SMALL PACKAGES BETWEEN THE POINTS OF DENVER AND LEADVILLE, COLORADO, AND INTERMEDIATE POINTS.

APPLICATION NO. 528

May 3, 1927.

S T A T E M E N T

By the Commission:

It appearing that there has been no prosecution of the cause herein, the Commission is of the opinion that the same should be dismissed.

O R D E R

IT IS THEREFORE ORDERED, That this cause be, and the same is hereby dismissed.

Dated at Denver, Colorado,
this 3rd day of May, 1927.

Commissioners.

(Decision No. 1225)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION OF THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY FOR AN ORDER AUTHORIZING IT TO WAIVE THE COLLECTION OF AN UNDERCHARGE OF $109.91 ON ONE CARLOAD SHIPMENT OF CRUDE CLAY FROM PLEASANTON, COLORADO, BILLED AT COTOPAXI, COLORADO, TO DENVER, COLORADO, NOVEMBER 2, 1926.

APPLICATION NO. 889

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May 6, 1927.

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S T A T E M E N T.

By The Commission:

This matter is before the Commission upon an application made informally by The Denver and Rio Grande Western Railroad Company for an order of the Commission authorizing it to waive the collection of an undercharge of $109.91 on one carload shipment of Crude Clay (99,920 lbs.) from Chas. Smith, Pleasanton, Colorado, billed at Cotopaxi, Colorado, consigned to Metalloid Company, Denver, Colorado, November 2, 1926.

The application is supported by a statement from Mr. Geo. Williams, Freight Traffic Manager, The Denver and Rio Grande Western Railroad Company, that the legal rate and charges were exacted on the basis of $4.70 per ton of 2000 lbs., made $1.70 per net ton or 8½ cents cwt., from Pleasanton, Colorado to Texas Creek, Colorado, using Class E. 14 miles distance rate applicable for 11.59 miles in Table 2, Page 231 of Freight Tariff D. & R. G. W. G.F.D. 4900-F, Colo. P.U.C. 126, effective June 15, 1926, issued by H. J. Early, A.G.F.A., D.&.R.G.W.RR.Co., Denver, Colorado, Class E rating per item 22, page 134 of Western Classification 59, R. C. Fyfe's Colo. P.U.C. 8, effective February 10, 1925.

$3.00 per net ton, carload minimum weight 80,000 lbs., from Texas Creek, Colorado, intermediate to Westcliffe, Colorado to Denver, Colorado, per item 2363, page 185 and item 525 page 77 of first above mentioned tariff.

Prior to the time this shipment moved, the carrier contemplated the establishment of a rate of $2.50 per net ton minimum weight marked capacity of car on crude clay from Metalloid, Colorado, a more distant point than Pleasanton to Denver, Colorado. However, the reduced rate was not published until the publication of Amendment No. 57, effective November 22, 1926 to Freight Tariff D. & R. G. W.,G.F.D. 4900-F, Colo. P.U.C. No. 126 effective June 15, 1926, or subsequent to this movement, and for this reason The Denver and Rio Grande Western Railroad Company feels that it would be demanding the consignee to pay an unreasonable rate in forcing collection of the rate as in effect at the time the shipment was made.

The Commission finds that the charges assessed on this shipment were excessive and unreasonable to the extent that they exceeded the charges that would have accrued on a rate of $2.50 per net ton, and an order will be issued for the waiving of the collection of the undercharge amountint to $109.91.

O R D E R.

IT IS THEREFORE ORDERED, That The Denver and Rio Grande Western Railroad Company be, and it is hereby authorized and directed to waive the collection of the undercharge amounting to $109.91 on one carload shipment of crude clay from Chas. Smith, Pleasanton, Colorado, billed at Cotopaxi, Colorado, consigned to the Metalloid Company, Denver, Colorado, November 2, 1926 and

IT IS FURTHER ORDERED, That this rate of $2.50 per net ton on Crude Clay, carload minimum weight, marked capacity of car, from Metalloid, Colorado to Denver, Colorado, shall not be exceeded for a period of at least one year, which shall run from the date of this order.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Walter Bock

Dana L. Jones

Commissioners.

Dated at Denver, Colorado,
this 6th day of May, A.D. 1927.

(Decision No. 1226)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION OF THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY FOR AN ORDER AUTHORIZING IT TO WAIVE THE COLLECTION OF UNDERCHARGES AMOUNTING TO $350.24 ON THREE CARLOAD SHIPMENTS OF SECOND-HAND RAILS, NATHROP, COLORADO, BILLED AT BUENA VISTA, COLORADO TO LEADVILLE, COLORADO, AUGUST 21, 25 and SEPTEMBER 3, 1926.

APPLICATION NO. 890

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May 6, 1927.

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S T A T E M E N T.

By the Commission:

This matter is before the Commission upon an application made informally by The Denver and Rio Grande Western Railroad Company for an order of the Commission authorizing it to waive the collection of undercharges amounting to $350.24 on three carload shipments second-hand rails (318,400 lbs.) from Colorado and Southern Railway Company, Nathrop, Colorado, billed at Buena Vista, Colorado, consigned to Colorado and Southern Railway Company, Leadville, Colorado, August 21, 25 and September 3rd, 1926.

The application is supported by a statement from Mr. Geo. Williams, Freight Traffic Manager, The Denver and Rio Grande Western Railroad Company, that the legal rate and charges were exacted on the basis of .11 cents cwt., carload minimum weight, 30,000 pounds Nathrop, Colorado, to Buena Vista, Colorado, using 5th class distance rate for 9 miles applicable for 7.49 miles in Table No. 2, page 231 of Freight Tariff D.&.R.G.W., G.F.D. 4900-F,

Colo. P.U.C. No. 126, effective June 15, 1926, issued by H. J. Early, A.G.F.A., D.&.R.G.W. RR. Co.,Denver, Colorado. Carload minimum weight per item 380 paragraph D, page 69 of above tariff, 5th class rating per item 10, page 251 of Western Classification 59, R. C. Fyfe's Colo. P.U.C. 8, effective February 10, 1925. $1.50 per gross ton carload minimum weight 30,000 lbs., Buena Vista, Colorado to Leadville, Colorado per item 3041 in Amendment 23 effective July 23, 1926 to Colo. P.U.C. 126, supra.

Prior to the time these shipments moved the carrier contemplated the establishment of a rate of $1.50 per gross ton carload minimum weight 30,000 pounds on second-hand rails from Nathrop, Colorado to Leadville, Colorado. However, the reduced rate was not published until the publication of amendment 37 effective September 15, 1926 to Colo. P.U.C. 126, supra, which expired December 31, 1926, and was re-established in amendment 70, effective March 2, 1927, or subsequent, to these movements, and for this reason The Denver and Rio Grande Western Railroad feels that it would be demanding the consignee to pay an unreasonable rate in forcing collection of the rate as in effect at the time shipments were made.

The Commission finds that the charges assessed on these shipments were excessive and unreasonable to the extent that they exceeded the charges that would have accrued on a rate of $1.50 per gross ton, and an order will be issued for the waiving of the collection of the undercharges amounting to $350.24.

O R D E R.

IT IS THEREFORE ORDERED, That The Denver and Rio Grande Western Railroad Company be,and it is hereby authorized and directed to waive the collection of the undercharges amounting

to $350.24 on three carload shipments of second-hand rails from Colorado and Southern Railway Company, Nathrop, Colorado, billed at Buena Vista, Colorado, consigned to Colorado and Southern Railway Company, Leadville, Colorado, August 21, 25 and September 3, 1926 and

IT IS FURTHER ORDERED, That this rate of $1.50 per gross ton on second-hand rails carload minimum weight 30,000 pounds from Nathrop, Colorado to Leadville, Colorado shall not be exceeded for a period of at least one year, which shall run from the date of this order.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Otto Bock

John S. Jones

Commissioners.

Dated at Denver, Colorado,
this 6th day of May, A.D. 1927.

(Decision No. 1227)

AT A GENERAL SESSION OF THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO HELD AT ITS OFFICE IN DENVER, COLORADO, MAY 9, 1927.

INVESTIGATION AND SUSPENSION DOCKET NO. 91.

Re: Closing of Colorado and Southern Station at Westminster, in Adams County, Colorado.

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IT APPEARING, That there has been filed with the Public Utilities Commission of the State of Colorado, by The Colorado and Southern Railway Company, by J. T. Rice, E. B. Evans, and J. Q. Dier, its attorneys, a petition for permission of the Commission to close its said station at Westminster, Colorado, as an agency station, and to withdraw the agent therefrom, effective the 15th day of May, 1927.

IT IS ORDERED, That the Commission, upon complaint without formal pleadings, enter upon a hearing concerning the lawfulness of the closing of said station stated in the said petition.

IT FURTHER APPEARING, That the said petition seeks to make certain changes in station service, whereby the rights and interests of the public may be injuriously affected; and it being the opinion of the Commission that the effective date of the closing of the agency station contained in said petition should be postponed pending said hearing and decision thereon.

IT IS FURTHER ORDERED, That the operation of the said effective date contained in said petition be suspended, until the 15th day of July, 1927, unless otherwise ordered by the Commission, and no change shall be made in said service during the said period of suspension.

IT IS FURTHER ORDERED, That a copy of this order be filed with the said petition in the office of the Public Utilities Commission of the State of Colorado, and that copies hereof be forthwith served on the Colorado and Southern Railway Company, and the Town of Westminster, Colorado, by Gabriel, Mills and Mills, its Attorneys, protestant.

IT IS FURTHER ORDERED, That this proceeding be assigned for hearing at a future date to be determined by the Commission, due notice of such date and place of hearing being given all interested parties.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Commissioners.

Dated at Denver, Colorado,
this 9th day of May, A. D. 1927.

(Decision No. 1228)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF)
THE RIO GRANDE MOTOR WAY, INC., FOR)
A CERTIFICATE OF PUBLIC CONVENIENCE) APPLICATION NO. 873
AND NECESSITY.)
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May 16, 1927.
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Appearance: Thos. R. Woodrow, Esq., Denver, Colorado,
for applicant.

S T A T E M E N T

By the Commission:

On April 22, 1927, The Rio Grande Motor Way, Inc. filed with this Commission an application for a certificate of public convenience and necessity for the operation of motor vehicles for the transportation of passengers, hand baggage and mail between Alamosa and Monte Vista. On April 30, answer was filed by the Monte Vista Commercial Club, in which it is alleged in substance that there is no objection to the granting of the application, provided the granting of the certificate will not lead to the curtailment of the present railroad passenger service between Alamosa and Creede, via Monte Vista.

This application was set down for hearing at the Hearing Room of the Commission, State Office Bldg., Denver, Colorado, on May 2, 1927, at which time evidence in support of said application was introduced. No testimony in opposition to the same was received.

The Rio Grande Motor Way, Inc. is a corporation organized under the laws of the State of Colorado, and the majority of the stock is held by The Denver and Rio Grande Western Railroad Company. In Application No. 841, this

Commission authorized the transfer and assignment of Certificates of Public Convenience and Necessity, heretofore issued, covering the operation between Monte Vista and Salida, via Center and Saguache. In Application No. 840, the applicant was authorized, by this Commission, to operate motor busses between Salida and Alamosa, via Mosca and Hooper. The testimony shows that, in order to give Center and Saguache expedited, first class mail service from Alamosa in the morning, it is necessary to commence this operation at Alamosa rather than wait until the train from Alamosa in the morning reaches Monte Vista, about 8:20 A.M. Furthermore, in the event the applicant waited at Monte Vista for the rail train and there received the mail destined to Saguache and Center, it could not make its schedule time to connect with the passenger train east at Salida; in other words, unless the applicant is permitted to commence the transportation of mail from Alamosa, via Monte Vista, at 6:45 A.M., it would disturb its entire passenger schedule. The proposed schedule upon which the applicant expects to operate daily is as follows, to-wit:

Westbound		Eastbound	
Leave Alamosa	6:45 A.M.	Leave Monte Vista	7:45 P.M.
Arrive Monte Vista	7:20 A.M.	Arrive Alamosa	8:20 P.M.

This schedule will afford the passengers from Monte Vista the opportunity to leave there at 7:45 P.M. to make connections with the passenger train leaving Alamosa at 8:30 P.M. for Pueblo and Denver. Westbound the passenger train arrives at Alamosa at 6:00 A.M. but the passengers in the sleepers are not required to leave the train until 7:30 A.M. However, such as do desire to expedite their trip to Monte Vista can do so by motor bus leaving Alamosa at 6:45 A.M. and arriving at Monte Vista at 7:20 A.M.

The Commission was assured that no curtailment of the present passenger rail service between Alamosa and Creede, via Monte Vista, was intended. Some testimony was introduced to the effect that it is the desire of The Denver and Rio Grande Western Railroad Company to put in a passenger train schedule leaving Creede, going east, about 2:30 P.M., reaching Monte Vista about 5:00 P.M., which train makes connection with the eastbound train at Alamosa. At the suggestion of the Commission, the Railroad Company expressed a willingness to make the rail tickets and motor bus tickets interchangeable,

so that a ticket for Denver could be purchased at Monte Vista, and the passenger could leave on the bus at 7:45 P.M., arriving at Alamosa at 8:20 P.M., and leaving on the rail train from Alamosa at 8:30 P.M. rather than requiring the passenger to take the passenger train at Monte Vista at 5:00 P.M. for Alamosa. The Railroad further expressed a willingness to take any trunks the passenger from Monte Vista may have on its passenger train, and permit the passenger to ride on the bus, thereby giving him an opportunity to eat supper before leaving Monte Vista and to take the motor bus direct to the rail station at Alamosa where he would be transferred to the passenger train. It was testified that such a change would result in economies to the railroad amounting to about $130 per month. The Commission, of course, desires to encourage any economies that the Railroad Company may make consistent with proper and reasonable passenger service to the general public.

After a careful consideration of all the evidence introduced at the hearing herein, the Commission is of the opinion, and so finds, that the public convenience and necessity requires the operation of motor vehicles for the transportation of passengers, hand baggage and mail by the applicant between Alamosa and Monte Vista, subject to the conditions in Application No. 840

O R D E R

IT IS THEREFORE ORDERED, That the future public convenience and necessity requires, and will require, the motor vehicle operation for the transportation of passengers, hand baggage and mail between Alamosa and Monte Vista, Colorado, and intermediate points, by The Rio Grande Motor Way, Inc., and this order shall be taken, deemed and held to be a Certificate of Public Convenience and Necessity therefor, subject to the following conditions:

(a) Conditions in Application No. 840.

(b) That the applicant shall file tariffs of rates, rules and regulations, and time schedules as required by the Rules and Regulations of this Commission Governing Motor Vehicle Carriers within a period not to exceed twenty days from the date hereof, which tariff shall provide an interchange of passenger tickets with The Denver and Rio Grande Western Railroad Company, to and from any point on its system.

(c) That trunks belonging to passengers traveling between Alamosa and Monte Vista shall be carried by The Denver and Rio Grande Western Railroad Company without any additional charge except as provided by its tariffs.

IT IS FURTHER ORDERED, That the applicant shall operate such motor vehicle carrier system according to the schedule filed with this Commission except when prevented from so doing by the Act of God, the public enemy, or unusual or extreme weather conditions; and this order is made subject to compliance by the applicant with the rules and regulations now in force or to be hereafter adopted by this Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 16th day of May, 1927.

(Decision No. 1230)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION OF THE COLORADO AND SOUTHERN RAILWAY COMPANY FOR AN ORDER AUTHORIZING IT TO WAIVE THE COLLECTION OF AN UNDER-CHARGE AMOUNTING TO $39.78 ON ONE CARLOAD OF CAST IRON PIPE AND FITTINGS FROM AUGUSTA, COLORADO TO DENVER, COLORADO, NOVEMBER 12, 1926.

APPLICATION NO. 899.

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May 16, 1927.

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S T A T E M E N T.

By the Commission:

This matter is before the Commission upon an application made informally by The Colorado and Southern Railway Company for an order of the Commission authorizing it to waive the collection of an undercharge amounting to $39.78 on one carload shipment of Cast Iron Pipe and Fittings from Colorado Machinery and Auto Company, Augusta, Colorado, consigned to Peerless Alloy Company, Denver, Colorado, November 12, 1926.

The application is supported by a statement from J. E. Buckingham, General Freight and Passenger Agent, The Colorado and Southern Railway Company, that the legal rate and charges were exacted on the basis of 40½ cents per 100 pounds based fifth class, 29 cents per 100 pounds from Augusta, Colorado to Pueblo, Colorado, as published under Index 157, page 97, C. & S. Freight Tariff No. 1-O, Colo. P.U.C. No. 440, and 11½ cents per 100 pounds from Pueblo, Colorado to Denver, Colorado as published in item 3410 of the same tariff. Charges on this shipment were thru error assessed on the basis of 36½ cents per 100 pounds, which is the rate applicable from Denver to Augusta as

published in item 3345 of C. & S. Colo. P.U.C. No. 440, reparation is also being sought in this application.

Prior to the time this shipment moved there was in effect a rate of 25 cents per 100 pounds, on second hand machinery, lumber, scrap iron, etc., from Augusta to Denver, which was established to take care of the dismanteling of the old powder works at Augusta, which rate was published to expire September 30, 1926. However, all the old material had not been disposed of at that time and effective December 5, 1926, in Amendment No. 62 to C. & S. Colo. P.U.C. 440 the 25 cent rate was reestablished. The shipment involved in this application moved during the period in which the thru rate was 40½ cents per 100 pounds as outlined above. In view of the fact that a rate of 25 cents per 100 pounds had been in effect and was again established, the Colorado and Southern Railway Company feels that it would be demanding the consignee to pay an unreasonable rate in forcing collection of the rate as in effect at the time shipment was made.

The Commission finds that the charges assessed on this shipment were excessive and unreasonable to the extent that they exceeded the charges that would have accrued at a rate of 25 cents per 100 pounds, and orders will be issued for the waiving of the collection of the undercharges amounting to $39.78, and reparation amounting to $114.38. The order for reparation being entered upon the informal reparation docket.

O R D E R.

IT IS THEREFORE ORDERED, That the Colorado and Southern Railway Company be, and it is hereby, authorized and directed to waive the collection of an undercharge amounting to $39.78 on one carload shipment of cast iron pipe fittings from Colorado Machinery and Auto Company, Augusta, Colorado, consigned to Peerless Alloy Company, Denver, Colorado, November 12, 1926 and

IT IS FURTHER ORDERED, That this rate of 25 cents per 100 pounds on cast iron pipe and fittings from Augusta, Colorado to Denver, Colorado, shall not be exceeded for a period of not less than one year from the date of this order.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Commissioners.

Dated at Denver, Colorado,
this 16th day of May, A.D. 1927.

(Decision No. 1231)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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PUC-9

IN THE MATTER OF THE APPLICATION OF WESTERN SLOPE MOTOR WAY, INC., FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF A PASSENGER BUS LINE BETWEEN PAONIA AND SOMERSET AND A FREIGHT TRUCK LINE BETWEEN BOWIE AND SOMERSET.	APPLICATION NO. 684

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May 17, 1927.

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Appearances: Thos. R. Woodrow, for The Denver and Rio Grande Western RR Company, and the Western Slope Motor Way, Inc.;

Milliard Fairlamb, Esq., Delta, Colorado, and Arthur A. Clemments, Esq., Paonia, Colorado, for The Chambers of Commerce of the City of Delta, the town of Paonia, and the town of Hotchkiss;

Milton R. Welch, Esq., Delta, Colorado, for the Board of County Commissioners of Delta County, Colorado.

S T A T E M E N T

By the Commission:

Western Slope Motor Way, Inc., a corporation, now has a certificate of public convenience and necessity, authorizing it to operate a passenger bus line between Delta and Paonia, and a freight truck line between Delta and Bowie, Colorado. It has applied for a certificate of public convenience and necessity for the operation of a passenger bus line between Paonia and Somerset and a freight truck line between Bowie and Somerset, Colorado. In other words, it seeks to extend its present passenger operations from Paonia to Somerset, and its present freight operations from Bowie to Somerset. The distance from Paonia to Somerset is some 12 or 13 miles. Bowie is an intermediate point.

By separate order, bearing even date herewith, entered in the matter of Application No. 667, The Denver and Rio Grande Western Railroad Company, which is at the present time furnishing the only passenger, baggage and express service between Paonia and Somerset, is authorized

to discontinue said service, under certain conditions, for a portion of the year. Unless motor vehicle service is rendered, there will be no public passenger service rendered between Paonia and Somerset. After public hearing had hereon we find that the public convenience and necessity does require the furnishing by Western Slope Motor Way, Inc., of daily bus passenger, baggage and express service between these points when no such service is offered by rail transportation.

We further find that the public convenience and necessity requires the extension of the motor vehicle freight service by Western Slope Motor Way, Inc., from Bowie to Somerset, Colorado.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity does now and will in the future require motor vehicle operation for the transportation of passenger, baggage and express between Paonia and Somerset and intermediate points, and for the transportation of freight by said company between Bowie and Somerset, Colorado, by the applicant herein and this shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

IT IS FURTHER ORDERED, That the applicant shall operate such motor vehicle carrier system according to schedule which it shall file with the Commission within fifteen days from the date hereof, except when prevented from so doing by the Act of God, the public enemy, or unusual or extreme weather conditions; and this order is made subject to compliance by the applicant with the rules and regulations now in force or to be hereafter adopted by this Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Bock

John L. Jones

Walter Allen

Commissioners.

Dated at Denver, Colorado,
this 17th day of May, 1927.

Supplemental
(Decision No. 1231)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

PUC-9

IN THE MATTER OF THE APPLICATION OF WESTERN SLOPE MOTOR WAY, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF A PASSENGER BUS LINE BETWEEN PAONIA AND SOMERSET AND A FREIGHT TRUCK LINE BETWEEN BOWIE AND SOMERSET.

APPLICATION NO. 684.

May 28, 1927.

S T A T E M E N T

By the Commission:

The decision made and order rendered in this matter is dated May 18, 1927. Since that date it has been brought to the attention of the Commission that while the Western Slope Motor Way, Inc. is not required to begin its operations until October 15, 1927, the Commission in the order required the Motor Way to file its schedule with the Commission within twenty days of the date of the order. It now appears that no useful purpose will be served by the filing of the schedule so long in advance of the beginning of operations. The Commission, therefore, finds that the public convenience and necessity does not require a filing of said schedule earlier than September 15, 1927.

O R D E R

IT IS THEREFORE ORDERED, That that portion of the order of the Commission made on May 18, 1927, requiring Western Slope Motor Way, Inc. to file its schedule with the Commission within twenty days of the date of said order be, and the same is hereby, revoked and annulled, and that said Western Slope Motor Way, Inc. be, and it hereby is ordered to file said schedule with the Commission on or before September 15, 1927.

IT IS FURTHER ORDERED, That said order of May 18, 1927, in all respects other than the date of the filing of said schedule, remain and continue in full force and effect until further order of the Commission.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Bock

Dan L. Jones

Commissioners.

Dated at Denver, Colorado, this
28th day of May, 1927.

(Decision No. 1232)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

PUC 9

IN THE MATTER OF THE APPLICATION OF)
WESTERN SLOPE MOTOR WAY, INC., FOR)
TEMPORARY DISCONTINUANCE OF ITS)
PASSENGER, BAGGAGE, AND EXPRESS SER-)
VICE BETWEEN DELTA AND PAONIA AND)
THE REQUEST OF THE DENVER AND RIO) APPLICATION NO. 667.
GRANDE WESTERN RAILROAD COMPANY FOR)
DISCONTINUANCE, DURING A PORTION OF)
THE YEAR, OF ITS passenger SERVICE BETWEEN)
DELTA AND SOMERSET.)

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May 18, 1927.

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Appearances: Thos. R. Woodrow, Esq., for The Denver and Rio Grande Western Railroad Company, and Western Slope Motor Way, Inc.;

Milliard Fairlamb, Esq., Delta, Colorado, and Arthur A. Clemments, Esq., Paonia, Colorado, for The Chambers of Commerce of the City of Delta, the town of Paonia, and the town of Hotchkiss;

Milton R. Welch, Esq., Delta, Colorado, for the Board of County Commissioners of Delta County, Colorado.

S T A T E M E N T.

By the Commission:

The question involved herein is whether The Denver and Rio Grande Western Railroad Company, hereinafter referred to as the Railroad Company, which operates a branch line from Delta to Somerset, both in the State of Colorado, known as the North Fork Branch, should be permitted to discontinue passenger train service thereon except from July 1 to October 15 of each year. The Railroad Company offers to furnish express service three times a week during the last half of June and the last half of October in connection with its freight train. The citizens of the communities served, by and through the Chambers of Commerce of Delta, Paonia and Hotchkiss, and the Board of County Commissioners of Delta County, have seriously protested against said discontinuance.

The hearing herein was had in the town of Hotchkiss, beginning on April 26, 1927, concluding on the 28th following.

The passenger service rendered by the Railroad Company between said points has been as follows: From November 16, 1914 to April 2, 1921, daily mixed train from Delta to Somerset and return; from April 3, 1921, to March 15, 1924, daily passenger train between Delta and Somerset and return; from March 16, 1924, to June 5, 1926, daily passenger train from Grand Junction through Delta to Somerset and return; from June 6, 1926, to January 29, 1927, daily mixed train between Delta and Somerset and return; from January 30, 1927, to date, daily passenger train between Grand Junction and Somerset and return.

On June 15, 1923 this Commission granted to The Motor Transportation Company, a corporation, a certificate of public convenience and necessity authorizing the operation of motor vehicles for transporting passengers, express and baggage between Grand Junction, Delta, Montrose, Paonia and intervening points. On May 19, 1926, Western Slope Motor Way, Inc., a Colorado corporation, hereinafter referred to as the Western Slope company, agreed to purchase from said The Motor Transportation Company, and the latter agreed to sell to the Western Slope company, the motor vehicles used and operated by said The Motor Transportation Company pursuant to said certificate of public convenience and necessity. The said agreement for purchase and sale included also the certificate of public convenience and necessity held by The Motor Transportation Company, and also the good will and common carrier business which theretofore had been conducted between the points mentioned in said certificate.

The transfer and assignment provided for in said agreement was approved and authorized by the order of this Commission dated May 26, 1926, which order constituted a certificate of public convenience and necessity to the Western Slope company.

Daily passenger, express and baggage service between Paonia and Delta has been rendered by said The Motor Transportation Company and its said successor, first by the former, later by the latter, from the year 1923 to February 1, 1927, without interruption or cessation for a single day,

except that occasionally, on account of road conditions, one round trip instead of two was made daily.

As the result of a conference by and between officers of the Railroad Company, the officers of the Western Slope company and some of the citizens served by the North Fork Branch, permission of this Commission was asked by the Western Slope company for temporary abandonment of said service rendered by the latter company. An order granting said permission was entered January 28, 1927, upon the agreed condition that the Railroad Company furnish daily service during the temporary period, originally fixed as the months of February and March.

The Western Slope company on June 1, 1926, filed an application for a certificate of public convenience and necessity for the operation of a motor transportation line for the carriage of passengers, baggage and express between Paonia and Somerset and intervening points. If granted such certificate, the Western Slope company would then be authorized to operate from one end of the North Fork Branch to the other. This application is granted in a separate order of even date herewith.

The Western Slope company is a subsidiary of the Railroad Company. It has a capitalization of One Hundred Thousand dollars ($100,000), the majority of which is owned by the Railroad Company. It has much adequate equipment, and on March 1, 1927, had a cash balance of Sixteen Thousand dollars, ($16,000). None of its equipment is encumbered. That it has a strong financial condition is not questioned. Its service has consisted of one round trip daily from Paonia to Delta, and in the future will consist of said trip and an additional round trip daily from Somerset to Delta.

If the application of the Railroad Company for said discontinuance is granted, the Western Slope company and the Railroad Company agree to use the railroad stations as bus stations, to sell through interchangeable tickets good on both the motor bus and the Railroad Company lines, to receive baggage and express with the same through privileges as are customarily given express and baggage originating on the railroad alone. Moreover, the

Railroad Company offers to run a passenger train from Somerset to Delta and return on all days, if any, when the highway is in such a condition that busses cannot be operated, provided it has notice of such condition by 11:59 o'clock P. M. of the day preceding.

The certificate of public convenience and necessity was granted said The Motor Transportation Company, as aforesaid, against the vigorous protest of the Railroad Company. The organization of the Western Slope company and the purchase by it of the assets of its predecessor was prompted by a desire of the Railroad Company to protect itself, and its revenues.

The rail passenger, baggage and express service on the North Fork Branch is furnished at a heavy loss. During February and March of this year, when the passenger motor busses were not operating and the Railroad Company had a monopoly, the loss was at the rate of more than Ten Thousand ($10,000) dollars per year.

The citizens of the communities served make two principal contentions.

1. They say the fruit, for which the district is noted , is seriously injured by the jars and dust incident to shipment by motor bus express. The evidence shows there is no substantial amount of fruit moving from the district prior to June 15. After November 1 the only fruit moved by express is an occasional small shipment of apples. As the Railroad Company will operate an express car on its passenger train from July 1 to October 15, and on its freight train on Tuesdays, Thursdays and Saturdays from June 15 to July 1, and from October 15 to November 1, as it offered at the hearing, practically all the fruit shipped by express will move by train.

2. It is contended the highway over which the busses operate is seriously injured by them, and that the county cannot afford to stand the expense of the resulting repairs and maintenance required. Much evidence to this point was admitted. The Superintendent of Maintenance, District No. 2, of the State Highway department, in whose district the road is located, testified that the average annual per mile maintenance cost during the past

four years, in which period the passenger busses have been operating, on the road from Delta to Hotchkiss is One Hundred Twenty Five to One Hundred Thirty dollars, and from Hotchkiss through Paonia to Somerset Fifty to Sixty dollars. The same witness testified that two passenger busses making the round trip daily increase the annual maintenance cost some thirty dollars per mile from Hotchkiss to Somerset, and very little from Delta to Hotchkiss. We take this testimony as stating the facts, because the witness is both qualified to speak with accuracy and more disinterested than other witnesses.

Whether the question of the effect upon the road of the operation of motor busses thereon is material is not free from doubt. If it be material it is a circumstance, an item of evidence which is not conclusive. But assuming that it is material, we are confronted, on the one hand with a serious loss in rail passenger, baggage and express service tending to impair the general service rendered by the Railroad Company in the State, and, on the other, with the fact that the Railroad Company is paying Sixty Two Thousand Five Hundred dollars a year general taxes to Delta County, Ten Thousand Four Hundred of which is for road purposes, and the further fact that the Western Slope company will be paying to the State and county quite substantial revenue in the form of per passenger mile taxes, license fees, and personal property taxes on its equipment. If the damage to the road is material it is more than counter-balanced by the facts stated.

It is further urged that the highway between Paonia and Somerset is highly dangerous because of certain railroad crossings and a narrow road between Bowie and Somerset which runs between an irrigation ditch and the North Fork Branch of the Gunnison river. This, of course, is material. In places this road is only some 13 or 14 feet in width. It is a State Highway on which the public in general travel. While it is dangerous if reckless driving is done thereon, we believe experience shows that bus drivers as a rule are much more careful than drivers of privately owned and operated cars, and that fewer accidents occur on what is considered a dangerous road than on roads considered safe, on which the driving is usually more reckless. The evidence shows in this case that the drivers of the busses operated by the Western Slope company are very careful and that for the period they have operated between Paonia and Delta no accidents of any consequence, if at all, have occurred. It is possible, although at considerable

expense, to place the irrigation ditch further from the road, as has been done once in recent years, and thus make the road wider. The highway apparently is deemed by the State Highway department and the County Commissione rs safe enough at the present time for the general public to be allowed to travel over it, and we see no reasonable probability of any accident on the part of the busses so long as they are operated, as we assume they will be, in a reasonably careful manner.

Of course, if the rail passenger service were, under all the facts, "a necessary service" such as we find described in Colorado and Southern Ry. Co. vs. State Railroad Commission, et al, 54 Colo. 64, 94, it would obviously be improper to allow the discontinuance, but the facts in that case, on which the necessity was based, are so dissimilar that they need no comparison. As was held in Donovan, P. U. R. 1921 D, 488 at 493, the phrase "public convenience and necessity" means a reasonable necessity to meet a convenience of the public. What is reasonably adequate service is a question of fact depending upon all the circumstances surrounding the case. Wayne vs. Pere Marquette Ry. Co., 1924 D, 317 at 319.

While the fact that the Railroad Company is earning a substantial profit on its freight service on the North Fork Branch, as is the fact, is not conclusive, neither is the fact that the passenger service is being rendered at a loss conclusive. It was contended at the hearing that if the passenger service rendered on a branch line is not profitable, that service, as distinguished from the entire operations on the branch, could be discontinued, irrespective of the profits made on the branch or the road as a whole in that or other lines of service, citing Gardiner Train Service, P. U. R. 1925 B, 367. There the Montana Commission held that, in view of all the facts, "the carrier will be discharging its primal obligation to serve by furnishing the mixed passenger train service four days a week" on that particular branch. That there is no absolute right to discontinue passenger service on a branch line merely because that class of service

thereon is not profitable is held by the New York Public Service Commission in Long Island Railroad Company, P.U.R. 1919 E, 275, in which the Commission said, 278-279:

> "The passenger traffic on this branch taken by itself does appear to be unprofitable but that fact alone does not justify the company in discontinuing it. The total business of the branch is not unprofitable. Most of the passengers on this are commuters who originate at points on the Montauk division, where they reside; and there is no claim that this division or the railroad as a whole is not prosperous, or that the passenger service as a whole is not profitable. The company is under certain obligations to serve the passengers who patronize this branch, and it is not excused from performance merely because the branch taken by itself does not pay. It cannot, to repeat the common expression, pick and choose, but must take the lean with the fat."

With this statement we fully agree.

But after giving serious and careful thought and consideration to all the facts and circumstances, we are of the opinion, and so find, subject to the exceptions and conditions herein stated, that the public convenience and necessity does not and will not in the future, require operation by the Railroad Company except from July 1 to October 15 each year of its passenger train.

We believe and find that the public convenience and necessity requires the Railroad Company to furnish a round trip passenger train service daily, not only when the highway is impassable, but also when the condition thereof is such that the motor bus or busses cannot make the trip within a reasonable time. If the trip cannot be made within a reasonable time, the public convenience and necessity is not adequately served, although the bus may at some late hour finish the trip. We believe and find that the public convenience and necessity requires train service when, on account of inability of motor busses to arrive in Delta on time, reasonable rail and motor bus connections cannot be made in Delta. We shall not attempt at this time to limit the excess time required, by reason of the condition of the highway, to make the motor trip, but shall for the present leave the matter to the discretion of the Western Slope company and the Railroad Company, subject to what we have stated about reasonable time connections. We do believe it advisable and necessary, in order that this Commission and the public may have a check on the delays that may occur in the motor bus operations, due to bad roads or accidents, that a registration book be kept in the railroad and motor

bus offices in Delta, Somerset and Paonia, which should have columns for and show the number of the bus, the date, time of departure, time of arrival, and cause for delay, if the delay exceed one half hour, which should be filled in and signed daily by the driver and initialed by the operator or agent for correctness. This book should be kept open for the inspection of the Commission and any representative thereof and the public in general. We believe, since the rail passenger service is now in operation and the time for its being put on for regular summer and fall service is so near at hand, that the Railroad Company should continue to operate said train until October 15, at which time it should furnish express car service on Tuesdays, Thursdays and Saturdays in connection with the operation of its freight train for and during the period expiring on October 31.

O R D E R

IT IS THEREFORE ORDERED, Upon the conditions hereinafter stated that the public convenience and necessity does not and will not, in the future, require the operation of passenger, baggage and express service on the North Fork Branch of The Denver and Rio Grande Western Railroad Company, except as hereinafter required.

BE IT FURTHER ORDERED, That the authority for partial abandonment, as herein granted, is upon and subject to, the condition that Western Slope Motor Way, Inc. and The Denver and Rio Grande Western Railroad Company within twenty days from this date shall file with this Commission amendments to their passenger tariffs which shall provide:

(a.) For an interchange of passengers and baggage one with the other, to and from all points on the Railroad Company's system and on that part of the system of the Western Slope company running from Delta to Somerset.

(b.) For the same baggage allowance per passenger on all baggage originating at or destined to the stations at Delta and Somerset and intervening points, as is now made by the Railroad Company.

That said authority is granted upon and subject to the further condition that The Denver and Rio Grande Western Railroad Company shall cause to be maintained to and from all points on the said North Fork Branch, when there is no railway express service thereon, substantially the same

express service and rates as are now in effect.

IT IS FURTHER ORDERED, That the Railroad Company shall from June 15 to June 30, both inclusive, and from October 15 to October 31, both inclusive, furnish express service on its freight train on the North Fork Branch on Tuesdays, Thursdays and Saturdays, and that it shall furnish passenger, baggage and express service as now performed, daily on said branch from July 1 to October 14, both inclusive.

IT IS FURTHER ORDERED, That when the highway from Somerset to Delta is impassable or in such condition the trip by motor bus cannot be made within a reasonable time and reasonable railroad and bus connections cannot be made in Delta, the Railroad Company shall furnish passenger, baggage and express service, provided it has knowledge of such condition not later than 11:59 o'clock P.M. of the day preceding.

IT IS FURTHER ORDERED, That a book be kept in the railroad and motor bus offices in Delta, Somerset and Paonia, which should have columns for and show the number of the bus, the date, time of departure, time of arrival, and cause for delay, which should be signed daily by the driver and initialed by the operator or agent for correctness, provided, however, no record need be made of the cause of delay unless the delay exceeds thirty minutes. This book shall be kept open for the inspection by the Commission and any representative thereof and the public in general.

IT IS FURTHER ORDERED, That when rail passenger, baggage and express service is furnished, the Western Slope company shall not be required to furnish such service by bus or busses.

Jurisdiction of this matter is retained by the Commission for such further action as future operations and conditions may require.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Walter Bock

John S. Jones

Commissioners.

Dated at Denver, Colorado
this 18th day of May, 1927.

Supplemental
(Decision No. 1232)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

PUC 9

IN THE MATTER OF THE APPLICATION OF WESTERN SLOPE MOTOR WAY, INC., FOR TEMPORARY DISCONTINUANCE OF ITS PASSENGER, BAGGAGE, AND EXPRESS SERVICE BETWEEN DELTA AND PAONIA AND THE REQUEST OF THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY FOR DISCONTINUANCE, DURING A PORTION OF THE YEAR, OF ITS PASSENGER SERVICE BETWEEN DELTA AND SOMERSET.	)	APPLICATION NO. 667

May 28, 1927.

S T A T E M E N T

By the Commission:

The decision made and order rendered in this matter is dated May 18, 1927. Since that date it has been brought to the attention of the Commission that while the Western Slope Motor Way, Inc. is not required to begin its operations until October 15, 1927, the Commission in the order required the Motor Way to file its passenger and baggage tariff with the Commission within twenty days of the date of the order. It now appears that no useful purpose will be served by the filing of the tariff so long in advance of the beginning of operations. The Commission, therefore, finds that the public convenience and necessity does not require a filing of said tariff earlier than September 15, 1927.

O R D E R

IT IS THEREFORE ORDERED, That that portion of the order of the Commission made on May 18, 1927, requiring Western Slope Motor Way, Inc. to file its passenger and baggage tariff with the Commission within twenty days of the date of said order be, and the same is hereby, revoked and annulled, and that said Western Slope Motor Way, Inc. be and it hereby is ordered to file said passenger and baggage tariff with the Commission

on or before September 15, 1927.

IT IS FURTHER ORDERED, That said order of May 18, 1927, in all respects other than the date of the filing of said tariff, remain and continue in full force and effect until further order of the Commission.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado, this
28th day of May, 1927.

(Decision No. 1233)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION)
OF BURNS WILL FOR CERTIFICATE OF) APPLICATION NO. 580
PUBLIC CONVENIENCE AND NECESSITY.)

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May 24,1927.
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Appearances: Burns Will, per se.

S T A T E M E N T

By the Commission:

This proceeding arises upon the application of Burns Will for a certificate of public convenience and necessity to operate an automobile and truck line between Allenspark and the following named cities, towns and places: Denver, Boulder, Longmont, Lyons, Estes Park, Longs Peak, Nederland, and the coal fields of Marshall, Louisville and Lafayette.

The applicant sets forth in his application, that he has been engaged in the hotel business at Allenspark during the past sixteen years; that he has found it necessary to operate a transportation system for the use of both passengers and freight for a number of years last past, and that prior to July 1, 1917 he had furnished such service and had continued so to do at all times thereafter. That it is the desire of the applicant to continue such service and it is necessary for him to cover the following routes to successfully serve his patrons:

From Allenspark to Denver, returning via Lyons, Longs Peak and Estes Park.

From Allenspark to Boulder, the Coal fields of Marshall, Louisville and Lafayette, returning via Boulder or Longmont through Lyons and Estes Park.

From Allenspark to Lyons, Boulder and the Coal fields, returning via Boulder, Nederland, Ward and Peaceful Valley.

The applicants prayer is for a certificate of public conven-

ience and necessity, authorizing him to transport passengers, freight, express and merchandise between the points named herein.

The Commission set this matter down for hearing at the hearing room of the Commission in Denver, to be heard on December 18th, 1926 at 10:00 o'clock A.M. and testimony was then and there taken relative to the public convenience and necessity for this operation. No appearance was entered protesting this application.

The testimony introduced through the applicant and two witnesses shows that this applicant commenced these operations about March, 1916, with one White Truck and one touring car as equipment, that he now operates two trucks and two passenger cars valued at $7,000 or $8,000. That during the summer season there are about 1000 people located at Allenspark to be supplied with transportation, merchandise, etc., and that at other seasons of the year, some twelve or fifteen families are living in this vicinity and hence the freight transportation becomes necessary as an all the year round operation while the passenger operations are an absolute necessity only during the summer months or from June 15th to September 15th, when it can be run on a regular schedule.

The hauling of coal was shown to be a much needed operation to supply the families living in the mountain region and in the communities mentioned along the several routes, and this the applicant asks to do, holding himself out to furnish such service at any and all times when necessary so to do.

By virtue of the establishment of these operations over the routes designated at a time previous to the enactment of the law regulating the same, as well as by the evidence introduced showing the reliability and responsibility of the applicant, the Commission is of the opinion and so finds, that the present and future public convenience and necessity requires and will require the operation of such a system of transportation over the routes designated by the applicant herein.

O R D E R

IT IS THEREFORE ORDERED, That the present and future public

convenience and necessity requires and will require the operation of a motor transportation system for the transportation of passengers, freight, express and merchandise by Burns Will, the applicant herein, over the following routes viz:

(1) From Allenspark to Denver, returning via Lyons, Longs Peak and Estes Park.

(2) From Allenspark to Boulder, the Coal fields of Marshall, Louisville and Lafayette, returning via Boulder or Longmont, through Lyons and Estes Park.

(3) From Allenspark to Lyons, Boulder and the Coal fields, returning via Boulder, Nederland, Ward and Peaceful Valley.

That the passenger service shall be maintained as a regular scheduled service over the routes from June 15 to September 15, of each year, and that the freight service shall be maintained through the entire year and as the needs of the public may require and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

IT IS FURTHER ORDERED, That no transportation business shall be permitted between intermediate points, it being the intention to limit this certificate to the requirements of Allenspark only.

IT IS FURTHER ORDERED, That the applicant shall operate such a transportation line as herein set forth, throughout the periods designated except when prevented by the Act of God, the public enemy or unusual or extreme weather conditions, and that this order is subject to compliance by applicant with the rules and regulations now in force or to be hereafter adopted by the Commission with reference to automobile common carriers, and also subject to any legislative action that may in the future be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado, this
24th day of May, 1927.

Commissioners.

(Decision No. 1234)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF)
THE COLORADO AND SOUTHERN RAILWAY)
COMPANY FOR AN ORDER AUTHORIZING THE)
DISCONTINUANCE OF PASSENGER TRAIN) APPLICATION NO. 770
SERVICE UPON ITS CLEAR CREEK DISTRICT)
BRANCH.)

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May 25, 1927.

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Appearances: E. L. Regennitter, Esq., Idaho Springs, Colorado, J. Q. Dier, Esq., and J. L. Rice, Esq., Denver, Colorado, for applicant;
B. F. Naphey Jr., Idaho Springs, Colorado, Joel E. Stone, Esq., Littleton, Colorado, for protestants Clear Creek County and Gilpin County;
John J. White, Esq., Georgetown, Colorado, for The Clear Creek County Metal Mining Association, and for the citizens of Silver Plume, Georgetown, Empire, Lawson, Dumont, Idaho Springs and those represented at the mass meeting in Idaho Springs on December 1, 1926, from Gilpin County;
James M. Seright, Esq., Central City, Colorado, for the County Commissioners of Gilpin County, City of Central City and City of Black Hawk.

STATEMENT

By the Commission:

On August 10, 1926, The Colorado and Southern Railway Company, applicant herein, filed its application with this Commission for an order authorizing it to discontinue all of its passenger train service on the Clear Creek District branch, and to close its Forks Creek station as an agency station.

The petition alleges, among other facts, that the applicant, hereinafter called the Railroad Company, owns a line extending from Denver through

Clear Creek Canon and serving the towns of Idaho Springs, Dumont, Lawson, Empire and Georgetown to Silver Plume, with a branch extending from Forks Creek to Central City, which railroad is commonly referred to or designated as its Clear Creek District railroad; that for many years prior to December 1, 1921, the Railroad Company operated daily two passenger trains in each direction between Denver and Silver Plume with connecting passenger train service for Black Hawk and Central City, and also during the summer season many additional passenger trains for the accommodation of excursionists and tourists desiring to take the so-called Georgetown Loop trip; that, in recent years since the advent of automobile transportation, the excursion or tourist travel over said Clear Creek District has so fallen off that during the summer excursion or tourist season two regular passenger trains have been more than sufficient to take care of all passenger transportation requirements between Denver and Silver Plume, and for several years there has been no need or occasion for the operation of special excursion trains; that by virtue of the authority of this Commission, the Railroad Company since December 1, 1921, has been operating two regular passenger trains daily in each direction, between Denver and Silver Plume with connecting train service for Black Hawk and Central City, from on or about June 1 to on or about September 30 of each year, and during the remaining portion of the year one regular passenger train each way daily between Denver and Silver Plume, with connecting train service for Black Hawk and Central City; that in the past few years, the public highway extending into and through the territory served by the Railroad Company has been greatly improved for the use of automobiles, motor busses and trucks; that during said period, the people residing in the communities served by said Clear Creek District railroad, as well as the general traveling public, have acquired automobiles in large numbers and have put the same to use on said highway greatly to the detriment of the passenger business, theretofore carried on by the petitioner, over said Clear Creek District railroad; that, in addition thereto, common carriers by motor bus entered, and are now engaged, in the business of carrying passengers, together with parcels and express for hire upon said highway, in competition with the Railroad Company, and are now operating numerous motor busses between Denver and the principal towns along said

railroad, all of which are extensively patronized by the public; that, because of the use of private automobiles and the operation and patronage of common carrier automobiles and motor busses, the passenger business on said railroad has so gradually and continuously declined that there are now but very few passengers being carried upon said passenger trains operated over said railroad; that, because of the decline in, and inactivity in mining in Clear Creek and Gilpin Counties, and the consequent decrease in the population thereof, and because of other reasons, the railroad has been, and is now, being operated at a very heavy loss, "such loss having averaged per annum during the 1921 and 1925 period approximately $125,000"; that, for many years last past, the operation of said passenger trains upon said railroad has resulted in an actual and unavoidable out-of-pocket loss to the Railroad Company of many thousands of dollars per annum, such loss in 1925 being $22,649.29. That, on June 18, 1926, in Application No. 543 of The Denver Cab Company, et al, this Commission issued a certificate of public convenience and necessity to The Denver Cab Company and The Rocky Mountain Motors Company, authorizing the operation daily upon regular schedules of motor busses serving the territory now being served by said railroad; that The Denver Cab Company and The Rocky Mountain Motors Company, pursuant to the authority aforesaid, have inaugurated and are now operating daily regular motor transportation between Denver and Silver Plume; that a large number of so-called sightseeing automobile common carriers are engaged in the furnishing of sightseeing service for tourists between Denver and Silver Plume, many of whom have applications for certificates of public convenience and necessity pending before this Commission; that, because of the conditions now obtaining as aforesaid, the traveling public does not, and will not, patronize said passenger train service and by reason thereof the same is no longer required by or for public convenience and necessity, and there is no longer any public need or demand therefor; that, in the event the passenger train service is authorized to be discontinued over said Clear Creek District, there will no longer be any need for maintaining the station of Forks Creek as an agency station or keeping a station agent thereat.

Protests against this application were filed by The Clear Creek

County Metal Mining Association of Georgetown, the Mayor of Silver Plume, Colorado, the Postmaster at Dumont, Colorado, the City of Central City, the City of Black Hawk, Board of County Commissioners of Gilpin County, Gilpin County Metal Miners Association, the Mayor of the Town of Empire, County Commissioners of Clear Creek County, The Clear Creek County Metal Mining Association of Dumont, and petitions by numerous other citizens who reside in that district.

This application was set down for hearing on December 13, 1926, at 11:00 A.M., at Idaho Springs, Colorado, at which time and place, the Commission heard testimony for several days, and thereafter continued the hearing to the Hearing Room of the Commission, Denver, Colorado, on the 28th day of December, 1926, at which time further testimony was introduced in support of, and in opposition to the application herein. At the time of the hearing, counsel for the protestants filed a demurrer to the jurisdiction of the Commission to determine herein the matters contained in and prayed for in the application, on the ground that the Commission is without jurisdiction to determine herein the question of abandonment of all passenger service as prayed for in petitioner's application. The Commission took this demurrer to its jurisdiction under advisement, to be disposed of in this order.

The jurisdiction of the Commission in matters relating to the service of a railroad company was passed upon in the case of the People, ex rel vs. Colorado Title & Trust Company, 65 Colo. 472, in which it was held that the Commission has exclusive jurisdiction to determine whether a railroad company may abandon service upon a railroad lying wholly within the State of Colorado. The Railroad Company does not seek an abandonment of its railroad but seeks a discontinuance of the passenger train service offered by the railroad on one of its branch lines. It is claimed that the Interstate Commerce Commission has the sole jurisdiction of the discontinuance of intrastate passenger service of a railroad that does also an interstate business such as is done by the applicant in the instant case. Our attention has not been called to any authority that sustains that contention.

While the Interstate Commerce Commission undoubtedly has exclusive jurisdiction to abandon a railroad doing an interstate business, so far as it

relates to interstate business, we know of no law that has taken away the jurisdiction of the State to regulate and supervise the service given on a branch line, lying wholly within the state, even though it does some business in interstate commerce. The Interstate Commerce Commission, in the case of Railroad Commission of Wisconsin vs. Chicago and Northwestern Railroad Company, 87 I.C.C. 195, held that the operation of passenger trains was not within the exclusive jurisdiction of the Interstate Commerce Commission. This application, involving only passenger service and not involving the abandonment of the railroad, the Commission is of the opinion that it has complete jurisdiction of the application herein to determine what passenger service, if any, will be adequate and reasonable on an intrastate branch line of railroad which does some interstate business, and the demurrer is therefore denied.

The issue which the Commission has to determine in the instant application is the reasonable requirements as to passenger transportation required by the public in the territory in question. The Railroad Company takes the position that the public convenience and necessity does not further require a daily passenger service or any passenger service by rail; that the public demands are being fully met by other transportation facilities. The protestants take the position that the public convenience and necessity require passenger service by rail in the territory in question; first, because the public highways are not sufficiently safe to use motor transportation for all year round service, especially on the highway between Black Hawk and Central City and Idaho Springs; second, that the discontinuance of the passenger train service will ultimately result in the abandonment of the railroad. The Commission desires to say at the outset that it does not look upon this application as in any way affecting the freight service by rail to the communities involved nor an abandonment of the railroad; that the only thing that the Commission is now concerned with is the requirements of the public as to passenger service.

We believe it to be a fair statement, based upon investigation and the experience of the past five years, that passenger transportation by rail has been, and still is, on a general decline in this State as well as in other parts of the country, especially as to short distance travel. Motor transpor-

tation, which has developed considerably in the past five years, is mainly responsible for the decrease of the use of passenger service by rail. In our opinion, privately owned automobiles are the cause of most of the loss to the rail carrier. The Commission, of course, has no jurisdiction over such operation. Common carrier motor transportation, of course, has somewhat affected the rail carriers' passenger earnings but not to a very great extent. The elimination of common carrier motor transportation would not materially add to the rail passenger business.

The carrier introduced at the hearings herein evidence showing the loss that it has been sustaining in its passenger business. This evidence, of course, is only a circumstance that goes to show how much the public is using the railroad facilities. The fact alone that the carrier is losing on its passenger service is not controlling in a situation of this kind. The main question is, is the passenger train service reasonably necessary in addition to all other transportation facilities now offered? The carrier's testimony shows that the revenues from passenger service on the Clear Creek branch in 1923 were $62,850.28 per annum; in 1926, $34,490.52. The total revenue from passenger, mail and express in 1923 was $76,666.71, while in 1926, it was $47,313.83. In 1923, the average number of passengers per train was 22.64; in 1924, 18.47; in 1925, 17.86; in 1926, 13.83. The loss on passenger train service in 1923 was $10,553.53; in 1924, $16,066.33; in 1925, $16,889.40; in 1926, $21,008.93. This evidence clearly indicates that the loss is undoubtedly becoming greater, and further shows that the traveling public is gravitating to either privately owned automobiles or to common carrier motor transportation.

If there were no other passenger transportation facilities except by rail, the Commission's problems would be simple. Passenger service by rail would then be necessary. If, however, the transportation facilities now offered the public, aside from rail service, are sufficient to meet all the reasonable requirements of the public, then it would be false economy and arbitrary on the part of the Commission to require the Railroad Company to continue its passenger train service.

In this connection, the condition of the public highway, as a proper and safe method of operation, has given the Commission great concern. The

evidence in this regard is in dispute. Testimony was offered by the carrier that the public highways were sufficiently safe for motor transportation. On the other hand, the public offered a considerable amount of testimony that the public highway, especially between Black Hawk, Central City and Idaho Springs, is not sufficiently safe for motor transportation. While the record shows that motor transportation has been successfully operated on the highways in question, nevertheless, because of their alleged unsafeness, and for this reason only, the Commission has concluded to establish a test period to definitely determine whether the public highways in question are sufficiently safe for motor transportation. If not, then of course, the carrier will be required to furnish rail passenger transportation. If they are sufficiently safe, then, in the opinion of the Commission, under the record as it now stands, the motor passenger transportation service offered to the public meets all the reasonable requirements of the territory involved. In this connection, the Commission desires to state that, on June 18, 1926, a certificate of public convenience and necessity was issued to The Denver Cab Company and The Rocky Mountain Motors Company to operate as a common carrier of passengers and express in the territory in question. Their operations are, in our opinion, financially dependable, and have behind them considerable transportation facilities and experience. If it were otherwise, the Commission would hesitate before turning over to this utility, at least permanently, the privilege of serving the public in this important territory.

The Commission also has before it for decision the application of Oscar Williams, Application No. 792, hearing on which was concluded on the 15th day of December, 1926. The Commission will issue to said Oscar Williams a certificate of public convenience and necessity, to be in effect for the test period, to operate between Central City, Black Hawk and Idaho Springs as a common carrier of passengers. While this test period is in effect, the Commission will retain jurisdiction over this application.

Something should be said about the expressed fear of the public, and the record is replete with such fears, that the discontinuance of the passenger service in the Clear Creek District is an entering wedge to abandon the entire railroad in the Clear Creek District. The Commission desires to state

emphatically that such is not the case so far as its jurisdiction is concerned. The main industry in the Clear Creek District is the mining industry. We believe it is fair to state that the mining activities within the last few years have increased about fifty per cent. Not as it relates to tonnage offered the railroad for transportation but as to the revival of mining activities. The Commission appreciates that mining activities can not be carried on in the Clear Creek District without rail transportation facilities of freight. Especially does that apply to the shipment of ore. The record sufficiently indicates, and the Commission so states, that the public convenience and necessity will require transportation of a rail carrier to transport freight from the Clear Creek District, as long as there are any substantial mining industries located there. The Commission further states that it will, in nowise, permit the curtailment of the rail transportation facilities of freight from the Clear Creek District territory. At least not until the mining industry has been exhausted. One of the reasons, but not the controlling reason, for permitting the discontinuance of the passenger service is to make more certain, permanent and efficient the freight service now offered by the Railroad Company, which is very essential to a continuance of the mining industry. The economies that the Railroad Company will be permitted to make, if the passenger service should finally be discontinued, should work towards a better and more efficient freight service. An exhibit introduced by the Railroad Company indicates that the entire operation on the Clear Creek District is being carried on at a loss at the present time, and perhaps, if the passenger service should be discontinued, this loss will be greatly reduced and probably eliminated. The public involved, however, should make every effort to see to it that the Railroad Company obtains all freight business, to which it is justly entitled, and not permit it to go to privately owned or common carrier trucks. The Railroad Company should receive all the cooperation and encouragement possible from the public in the shipment of the freight that requires transportation.

The protestants contend very strongly that, because the Railroad Company has not shown a loss over its entire system, under the authority of the case of The Colorado and Southern Railway Company vs. Railroad Commission,

54 Colo. 90, the carrier is required to furnish the passenger service in question under any and all circumstances. As stated before, the Commission only considers the evidence introduced by the carrier, insofar as loss on the passenger train service in the Clear Creek District is concerned, as a circumstance in determining the reasonableness of the passenger service. The Colorado and Southern Railway Company case, supra, involved the abandonment of all railroad service whatsoever. If the railroad had been permitted, in that case, to abandon its entire service, the public would have been without any transportation facilities and, therefore, the Court properly held that the order of the Railroad Commission refusing abandonment was proper. The legal obligations of the railroad is to furnish the necessary transportation facilities. The question as to what is necessary is what the Commission is attempting to decide in the instant case. The Commission, in the instant case, is of the opinion that the motor transportation facilities do meet all the requirements of the traveling public, provided the public highways are sufficiently safe for such operation and, in order to determine whether such highways are sufficiently safe, it will establish a test period of one year. In the meantime, it will retain jurisdiction. The Commission, therefore, feels that the facts involved in the case of The Colorado and Southern Railway Company vs. Railroad Commission, supra, are different entirely from those in the instant case and the fact that the Railroad Company did not show a loss over its entire railroad system is not material in the instant case.

During this test period, the Commission believes that the public interest requires certain conditions so that, in no event, the public may suffer for want of passenger transportation. The Railroad Company will be required to carry a tariff on file with the Commission providing for group passenger service of not less than one hundred twenty-five persons to any point in the Clear Creek District. The rail carrier will also be required to operate its freight train as a mixed train, so that passengers may be accommodated in this service, both to and from the Silver Plume branch, as well as to the Black Hawk branch. Furthermore, the rail carrier will be required to cause, and be maintained, substantially the same express service and rates, both to incoming and outgoing points, as now prevails.

After a careful consideration of all the evidence introduced in

this case, the Commission is of the opinion, and so finds, that the public convenience and necessity does not require the operation of the regular passenger train service now offered by the applicant to the traveling public, provided that the public highways are sufficiently safe for motor transportation service. That in order to determine the safety of the highways for motor transportation, a test period will be established from June 5, 1927 to June 4, 1928, inclusive, and that, during that test period, the Railroad Company will not be required to maintain a regular passenger train service, except as provided by the order herein, and will not be required to maintain a station agent at Forks Creek, Colorado.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity require that The Colorado and Southern Railway Company be, and it is hereby, authorized to discontinue its passenger, baggage and express service on the Clear Creek District branch for the period of one year, commencing on June 5, 1927, and extending to June 4, 1928, inclusive, unless otherwise ordered by the Commission, subject to the following conditions:

(a) That The Colorado and Southern Railway Company shall cause to be maintained, to and from all points on the said Clear Creek branch when there is no railway express service thereon, substantially the same express service and rates as are now in effect.

(b) That The Colorado and Southern Railway Company shall keep on file with this Commission, or file upon request, a tariff providing for Group Passenger Transportation, to and from points in the Clear Creek District, of groups not less than one hundred twenty-five (125) persons.

(c) That The Colorado and Southern Railway Company shall restore said passenger train service if, and whenever, the operation of motor bus service shall, for any reason, be discontinued, or shall, at any time, be found by this Commission to be inadequate, unsafe or insufficient to serve the needs of the territory involved.

(d) That the regular freight trains operated by The Colorado and Southern Railway Company shall carry a passenger coach for the accommodation of passengers during the test period above mentioned.

The Commission expressly retains jurisdiction over this application, and the matters therein involved, during the test period above mentioned, and until

this matter shall be finally disposed of.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Walter Bach

Dyke S. Jones

Commissioners.

Dated at Denver, Colorado,
this 25th day of May, 1927.

(Decision No. 1235)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF)
OSCAR WILLIAMS, DOING BUSINESS AS)
THE WILLIAMS LIVERY COMPANY, FOR A) APPLICATION NO. 792
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY.)
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May 25, 1927.
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Appearances: Leroy J. Williams, Esq., Denver, Colorado, for applidant;
E. L. Regennitter, Esq., Idaho Springs, J. Q. Dier, Esq., and J. L. Rice, Esq., Denver, Colorado;
B. F. Naphey Jr., Idaho Springs, and Joel E. Stone, Esq., Littleton, Colorado;
John J. White, Esq., Georgetown, Colorado;
James M. Seright, Esq., Central City, Colorado.

S T A T E M E N T

By the Commission:

This is an application for a certificate of public convenience and necessity to operate a motor vehicle system for the transportation of passengers, express and freight between Central City, Black Hawk and Idaho Springs, Colorado.

The hearing in this matter was concluded on December 15, 1927. The application is conditioned that, in the event The Colorado and Southern Railway Company is granted permission to abandon its passenger service to Black Hawk and Central City, Colorado, then this applicant desires a certificate, otherwise not.

The Commission today has issued an order permitting The Colorado and Southern Railway Company to discontinue its passenger train service in the Clear Creek District for a test period of one year. Under these circum-

stances, the Commission is issuing a certificate to the applicant for a like period.

The Commission, after a careful consideration of all the evidence in this case, is of the opinion, and so finds, that the public convenience and necessity requires the operation of the motor vehicle system proposed by the applicant for a period of one year from June 5, 1927 to June 4, 1928, inclusive, for the transportation of passengers, express and freight between Central City, Black Hawk and Idaho Springs, Colorado. This certificate is to be considered only as a temporary one, and subject to the final disposition by the Commission of the application by The Colorado and Southern Railway Company, No. 770, involving the passenger service in the Clear Creek District.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity require the motor vehicle transportation system of Oscar Williams, doing business as The Williams Livery Company, applicant herein, for the period of one year commencing on June 5, 1927, and extending to June 4, 1928, inclusive, unless otherwise ordered by the Commission, for the transportation of passengers, express and freight between Central City, Black Hawk and Idaho Springs, Colorado, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

IT IS FURTHER ORDERED, That the applicant shall file tariffs of rates, rules and regulations, and time schedules, as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof.

IT IS FURTHER ORDERED, That the applicant shall operate such motor vehicle carrier system according to the schedules on file with this Commission, except when prevented from so doing by the Act of God, the public enemy, or unusual or extreme weather conditions; and this order is made subject to compliance by the applicant with the rules and regulations now in force, or to be hereafter adopted by this Commission with respect to motor vehicle car-

riers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 25th day of May, 1927.

(Decision No. 1236.)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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In the matter of the application of Sam J. Parrino for a certificate of public convenience and necessity.) APPLICATION NO. 462.

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May 26, 1927.
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S T A T E M E N T

By the Commission:

This application was set down for hearing on May 10, 1927, at the Court House, Trinidad, Colorado, at which time counsel for applicant moved that this application be dismissed.

O R D E R

IT IS, THEREFORE, ORDERED that the application of Sam J. Parrino, No. 462, be and the same is hereby dismissed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO,

Commissioners.

Dated at Denver, Colorado,
this 26th day of May, 1927.

(Decision No. 1237.)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION OF ANTONIO SANDOVAL FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.) APPLICATION NO. 868.

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IN THE MATTER OF THE APPLICATION OF JOE FESTI FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.) APPLICATION NO. 869.

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May 26, 1927.
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Appearances: A. L. Olson, Esq., Trinidad, Colorado, for applicant in No. 868.
Hawley & Erickson, Trinidad, Colorado, for applicant in No. 869.

S T A T E M E N T

By the Commission:

On April 20, 1927, Antonio Sandoval, applicant in No. 868, filed his application with this Commission for a certificate of public convenience and necessity to operate a motor vehicle transportation system for the transportation of passengers between Delagua, Hastings and Trinidad.

On the same date Joe Festi, applicant in No. 869, filed an application for a certificate of public convenience and necessity to operate a motor vehicle system for the transportation of passengers and baggage between Delagua and Trinidad, Colorado, and intermediate points.

Protests were filed against said applications by The Denver and Rio Grande Western Railroad Company and The Colorado and Southern Railway Company. Joe Festi filed an answer and protest against the application of Antonio Sandoval, No. 868.

These applications were set down for public hearing on May 10, 1927, at the Court House, Trinidad, Colorado, and were consolidated for hearing at that time. Evidence in support of and in opposition thereto was presented.

Counsel in Application No. 869 asked that the same be amended, so as to show that Joe Festi has been operating since 1919, at which time he purchased this operation from Camillo Benedetti who had been operating as a common carrier for about ten years prior thereto. This amendment was allowed.

It appears from the testimony that both applicants, or their predecessors, have been operating as common carriers some time prior to July 16, 1917, at which time Section 35 of the Public Utilities Act became effective. Under these circumstances nothing remains for the Commission but to grant a certificate, the operations being considered as public utilities in operation prior to the effective date of requiring certificates of public convenience and necessity.

It is our understanding from the evidence that both of these operations are limited to Delagua and Trinidad and intermediate points, except between Ludlow and Trinidad. The capital investment of Antonio Sandoval, No. 868, is $3000.00 and of Joe Festi, No. 869, $6800.00.

After a careful consideration of all the evidence introduced at the hearing herein, the Commission is of the opinion, and so finds, that the public convenience and necessity requires the motor vehicle systems of the applicants, Antonio Sandoval, Application No. 868, and Joe Festi, doing business under the name of the Festi Bus Line, Application No. 869, to transport passengers and baggage from Delagua to Trinidad and intermediate points, except between Ludlow and Trinidad.

O R D E R

IT IS, THEREFORE, ORDERED, that the public convenience and necessity requires and will require the motor vehicle transportation system for the transportation of passengers and baggage by Antonio Sandoval, Application No. 868, between Delagua and Trinidad and intermediate points, except between Ludlow and Trinidad, and this order shall be deemed and held to be a certificate of public convenience and necessity therefor.

IT IS FURTHER ORDERED, that the public convenience and necessity requires and will require the motor vehicle system for the transportation of passengers and baggage by Joe Festi, doing business under the name of the "Festi Bus Line", Application No. 869, between Delagua and Trinidad

and intermediate points, except between Ludlow and Trinidad, and this order shall be deemed and held to be a certificate of public convenience and necessity therefor.

IT IS FURTHER ORDERED, that the applicants herein shall file tariffs of rates, rules and regulations and time schedules, as required by the rules and regulations of this Commission governing motor vehicle carriers within a period not to exceed twenty days from the date hereof.

IT IS FURTHER ORDERED , that the applicants shall operate such motor vehicle carrier systems according to the schedules filed with this Commission, except when prevented from so doing by the Act of God, the public enemy or unusual and extreme weather conditions; and this order is made subject to compliance by the applicants with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 26th day of May, 1927.

(Decision No. 1238)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF FRANK BARBERO FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.) APPLICATION NO. 858

IN THE MATTER OF THE APPLICATION OF P. C. GONZALES FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.) APPLICATION NO. 867

IN THE MATTER OF THE APPLICATION OF LEVO PEDRI FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY) APPLICATION NO. 878

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May 26,1927.
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Appearances: Hawley & Erickson, Trinidad, Colorado, for Applicant in 858;
A. L. Olson, Esq., Trinidad, Colorado, for Applicant in 867;
J. E. Martinez, Esq., Trinidad, Colorado, for Applicant in 878;
Fred Farrar, Esq., Denver, Colorado for Protestant The Colorado & Wyoming Ry.Co.

S T A T E M E N T

By the Commission:

On April 12, 1927, Frank Barbero, applicant in No. 858, filed his application with this Commission for a certificate of public convenience and necessity to operate a motor service for the transportation of passengers and baggage between Primero and Trinidad.

On April 20, 1927, P. C. Gonzales, applicant in No. 867, filed an application for a certificate of public convenience and necessity to transport passengers between Segundo, Valdez and Trinidad, Colorado.

On April 29, 1927, Levo Pedri, applicant in No. 878, filed his application with this Commission for a certificate of public convenience and necessity to operate a motor service for the transportation of passengers and baggage between Primero and Trinidad.

The Colorado and Wyoming Railway Company filed a written protest against all of the above applicants. Levo Pedri, applicant in No. 878, made an oral protest against Applications Nos. 858 and 867, with permission to file a written protest within ten days. Frank Barbero, applicant in Application No. 858, filed an answer and protest in Applications Nos. 878 and 867.

These applications were set down for public hearing at the Court House, Trinidad, Colorado, on May 10, 1927, at 10:00 o'clock A.M., and by consent of all parties were consolidated for hearing, at which time evidence in support of and in opposition thereto was introduced. Because of the conclusions hereinafter reached by the Commission, it is unnecessary to make a detailed statement of the testimony.

Applicant Levo Pedri, in Application No. 878, has been operating as a common carrier in the transportation of passengers and baggage between Primero and Trinidad for some time prior to July 16, 1917; therefore, he is entitled to a certificate of public convenience and necessity on that ground alone, having been a common carrier prior to the effective date of the Public Utilities Act, which is July 16,1917.

The evidence conclusively shows that there is sufficient business for only one operation, and since applicants in Nos. 858 and 867 commenced to operate subsequent to July 16, 1917, their applications will be denied. A motion to dismiss without prejudice was made after hearing in Application No. 867 but this motion was made too late. A further reason for the denial of Applications Nos. 858 and 867 is that The Colorado and Wyoming Railway Company, which serves the territory in question by rail to a great extent, is meeting all the public convenience and necessity of the travelling and shipping public, especially that which originates at Trinidad in the mornings and desires return to Trinidad in the evenings. The Railway Company has been furnishing this service at a considerable loss, and therefore should receive from the public all the protection possible from motor competition.

Counsel for applicant Levo Pedri amended his application by striking therefrom the request to transport small parcels and express. This amendment was allowed. The Commission feels that all freight and express business should

as much as possible be conserved for transportation by rail in this territory.

The certificate granted to Levo Pedri is for the purpose of meeting the public convenience and necessity of the travelling public at Primero, Valdez and Segundo which desires to travel to Trinidad in the morning and return in the evening, in this way not greatly competing with the service offered by The Colorado and Wyoming Railway Company, which operates its trains out of Trinidad in the morning west.

After a careful consideration of all the evidence in the above applications, the Commission is of the opinion and so finds that the public convenience and necessity requires the motor vehicle operation of Levo Pedri, Application No. 878, to operate a motor vehicle system for the transportation of passengers and baggage between Primero and Trinidad, Colorado, and intermediate points, conditioned that the motor operation by said Levo Pedri should be for the convenience of the public at Primero, Valdez and Segundo operating to Trinidad in the morning and from Trinidad in the afternoon.

The Commission is of the opinion and so finds that the public convenience and necessity does not require the operations proposed by P.C.Gonzales, Application No. 867, and Frank Barbero, Application No. 858, and an order will be entered denying said applications.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires and will require the motor vehicle system for the transportation of passengers and baggage by Levo Pedri between Primero and Trinidad, Colorado, and intermediate points, and this order shall be deemed and held to be a certificate of public convenience and necessity therefor, subject to the following conditions:

(a) That the operations of said Levo Pedri commence at Primero in the morning going east and from Trinidad in the afternoon going west;

(b) That the applicant shall file tariffs of rates, rules and regulations and time schedules as required by the rules and regulations of this Commission covering motor vehicle carriers within a period not to

exceed twenty days from the date hereof.

IT IS FURTHER ORDERED, That the applicant shall operate such motor vehicle carrier system according to the schedules filed with this Commission except when prevented from so doing by the Act of God, the public enemy or unusual and extreme weather conditions; and this order is made subject to compliance by the applicant with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

IT IS FURTHER ORDERED, That the application of Frank Barbero, Application No. 858, be, and the same is hereby, denied.

IT IS FURTHER ORDERED, That the application of P. C. Gonzales, Application No. 867, be, and the same is hereby, denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 26th day of May, 1927.

(Decision No. 1239)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION OF)
TONY P. VOZZA FOR A CERTIFICATE OF) APPLICATION NO. 876.
PUBLIC CONVENIENCE AND NECESSITY.)

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May 26, 1927.
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Appearances:

A. L. Olson, Esq., Trinidad, Colorado, for applicant.
Hawley & Erickson, Trinidad, Colorado, for protestant Charles Maxday, Sr., Inc.

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S T A T E M E N T.

By the Commission:

On April 27, 1927, Tony P. Vozza, applicant herein, filed his application with this Commission for a certificate of public convenience and necessity, authorizing a motor transportation system for the transportation of passengers between Broadhead, Royal, Aguilar and Trinidad, Colorado. A protest was filed against this application by The Denver and Rio Grande Western Railroad Company, The Colorado and Southern Railway Company and The Charles Maxday, Sr. Inc. This application was set down for public hearing at the Court House, Trinidad, Colorado, on May 10, 1927, at which time evidence in support of and in opposition thereto was received.

The equipment used in this operation is held in the name of applicant's mother. The business of the applicant between Aguilar and Trinidad has averaged about three passengers a day each way. The Charles Maxday, Sr. Inc., received a certificate of public convenience and necessity from this Commission on the 26th day of August, 1924, and has operated an up-to-date dependable and

reliable passenger service between Aguilar and Trinidad. No complaint has been made against the Maxday operation, nor is there any evidence in the record to warrant this Commission in finding that passenger service additional to the Maxday service is required. The testimony shows that the applicant does not desire a certificate between Broadhead and Aguilar, because this is not sufficiently profitable to warrant such an operation. The testimony of the applicant as to public convenience and necessity is very meager and unsatisfactory. His financial ability is very doubtful.

After a careful consideration of all the evidence introduced at this hearing, the Commission is of the opinion, and so finds, that the public convenience and necessity does not require the operation of Tony P. Vozza, applicant herein, and an appropriate order will be entered denying the same.

O R D E R.

IT IS, THEREFORE, ORDERED, That the application of Tony P. Vozza, No. 876, be and the same is hereby denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Commissioners.

Dated at Denver, Colorado,
this 26th day of May, 1927.

(Decision No. 1240)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION OF CLAUDIO LEFEBERE FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 866.

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May 26, 1927.

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Appearances:

A. L. Olson, Esq., Trinidad, Colorado, for applicant;
J. E. Martinez, Esq., Trinidad, Colorado, for Berwind Auto Line.

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S T A T E M E N T.

By the Commission:

On April 20, 1927, Claudio Lefebere filed an application with this Commission for a certificate of public convenience and necessity to operate a motor vehicle system for the transportation of passengers between Bear Canon, Berwind, Tobasco and Trinidad, Colorado, and intermediate points. A protest was filed against this application by Frank Bressan and Mary Bressan, doing business under the name of the Bressan Auto Line, and The Colorado and Southern Railway Company. This application was set down for public hearing at the Court House, Trinidad, Colorado, on May 10, 1927, at 10:00 A.M., at which time evidence in support of and in opposition to said application was received.

On April 6, 1927, this Commission granted a certificate of public convenience and necessity to Frank Bressan and Mary Bressan,

under the name of the Berwind Auto Company, to operate a motor transportation system for the transportation of passengers, baggage, small parcels and express in the territory involved here. The evidence shows conclusively that there is only sufficient business in the territory in question for one operation, and that the protestant, the Berwind Auto Line, is fully equipped to meet all the public requirements in the transportation of passengers, baggage and express. The evidence as to public convenience and necessity of applicant's motor system was very meager.

After a careful consideration of all the evidence introduced at this hearing, the Commission is of the opinion, and so finds, that the public convenience and necessity does not require the motor vehicle system of Claudio Lefebere, applicant herein, and an appropriate order will be entered denying his application.

O R D E R

IT IS, THEREFORE, ORDERED, That the application of Claudio Lefebere, Application No. 866, be and the same is hereby denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Commissioners.

Dated at Denver, Colorado,
this 26th day of May, 1927.

(Decision No. 1241.)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION)
OF PETE GOVICH FOR A CERTIFICATE) APPLICATION NO. 857.
OF PUBLIC CONVENIENCE AND NECESSITY.)

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May 26, 1927.
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Appearances: John N. Mabry, Esq., Trinidad, Colorado, for applicant;
A. L. Olson, Esq., Trinidad, Colorado, for Tony P. Vozza;
Hawley & Erickson, Trinidad, Colorado, for Charles Maxday, Sr., Inc.

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S T A T E M E N T

By the Commission:

On April 12, 1927, Pete Govich filed an application with this Commission for a certificate of public convenience and necessity to operate a taxi service from Aguilar, Colorado, to other points in the State of Colorado, and particularly at and within Las Animas County and Huerfano County. A motion to dismiss was filed by Charles Maxday, Sr. Inc., upon April 22, 1927. Answer and protest was filed by the same party on May 10, 1927. This application was set down for public hearing on May 10, 1927, at the Court House, Trinidad, Colorado, at which time evidence in support of and in opposition thereto was introduced.

Because of the conclusion reached by the Commission, it is deemed unnecessary to pass upon the motion to dismiss filed by protestant Maxday.

The testimony shows that the applicant has been operating what he calls a taxi line between Aguilar, Trinidad, Brodhead and certain mining towns in and near Aguilar. This Commission on the 26th day of August, 1924 granted a certificate of public convenience and necessity to Charles

Maxday, Sr. Inc., for the transportation of passengers between Aguilar, Walsenburg and Trinidad, and intermediate points. Witnesses produced by the applicant testified that he has transported them from Aguilar to Trinidad and return on a number of occasions at the rate of eighty cents one way per person. These operations were on or about or near the time schedule that the Maxday operation is conducted between Aguilar and Trinidad. The applicant testified that he was doing a taxi business in and around Aguilar, but that this taxi business did not sufficiently pay him unless he could operate between Aguilar and Trinidad. The applicant cannot read or write, and the testimony offered as to public convenience and necessity was very meager and unsatisfactory. Perhaps the public requires a taxi service in and around Aguilar, but the applicant does not desire a certificate for that alone. The service offered to the public between Aguilar and Trinidad by the Maxday operation has been satisfactory and dependable, and is of the highest type of passenger bus operation.

After a careful consideration of all the facts introduced at this hearing, the Commission is of the opinion, and so finds, that the public convenience and necessity does not require the motor vehicle system of Pete Govich, applicant herein, and an appropriate order will be entered denying the same.

O R D E R

IT IS THEREFORE ORDERED, That the application of Pete Govich, Application No. 857, be and the same is hereby denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Otto Bock

Dan S. Jones

A. Hoff Allen

Commissioners.

Dated at Denver, Colorado,
this 26th day of May, 1927.

(Decision No. 1242.)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION)
OF THOMAS L. WILSON FOR A CERTIFI-) APPLICATION NO. 802.
CATE OF PUBLIC CONVENIENCE AND)
NECESSITY.)

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May 26, 1927.

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Appearances: Hawley & Erickson, Trinidad, Colorado,
for applicant.

S T A T E M E N T

By the Commission:

On December 27, 1926, Thomas L. W ilson, Applicant herein, filed his application with this Commission for a certificate of public convenience and necessity to operate a motor vehicle transportation system for the transportation of passengers from Trinidad to T ollerburg and return. On January 7, 1927, The Colorado and Southern Railway Company file d a protest against this application. The same was set down for public hearing at the Court House, Trinidad, Colorado, on May 10, 1927, at which time evidence in support of said application was received.

The applicant is a miner who lives at Trinidad, but works in a coal mine at Tollerburg, Colorado. He desires to transport a number of miners who live at Trinidad to Tollerburg each morning, and after working hours to return the same miners to their homes at Trinidad. He does not desire any authority to operate his motor transportation system in any other way. His schedule provides for leaving Trinidad at 5:30 A. M., arriving at Tollerburg at 6:30 A. M., and leaving Tollefburg at 4:30 P. M. and arriving Trinidad 5:30 P. M. There is some question as to whether the applicant's operation is such as would bring him within the term of a common carrier. However, since the same is not sufficiently defined in the evidence to make it a private carrier, the Commission deems it advisable from a regulatory standpoint for the present to consider it as a common

carrier. His capital investment is $1500.00.

After a careful consideration of all the evidence introduced at this hearing, the Commission is of the opinion, and so finds, that the public convenience and necessity requires the motor transportation system for the transportation of passengers by Thomas L. Wilson, applicant herein, from Trinidad to Tollerburg and return, but not between any intermediate points, limited to the schedule hereinabove mentioned.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires the motor vehicle transportation system for passengers by Thomas L. Wilson from Trinidad to Tollerburg and return, and this order shall be deemed and held to be a certificate of public convenience and necessity therefor, subject to the following conditions:

(a.) That the applicant shall not be permitted to do any transportation between any intermediate points, all of his business originating and terminating at Trinidad and Tollerburg, Colorado.

(b.) That the applicant's operation is limited to the schedule defined in his application, which leaves Trinidad at 5:30 A. M., arriving Tollerburg 6:30 A. M.; leaves Tollerburg 4:30 P. M., arriving Trinidad 5:30 P. M.

(c.) That the applicant shall file tariffs of rates, rules and regulations and time schedules as required by the rules and regulations of this Commission governing motor vehicle carriers within a period not to exceed twenty days from the date hereof. This order is made subject to compliance by the applicant with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 26th day of May, 1927.

(Decision No. 1243)

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF)
CHARLES MAXDAY, SR. INC., FOR A CER-)
TIFICATE OF PUBLIC CONVENIENCE AND) APPLICATION NO. 798
NECESSITY.)
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May 26, 1927
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Appearances: Hawley & Erickson and J.E.Martinez, Trinidad, Colorado, for applicant;
B. H. Shattuck, Esq., Trinidad, Colorado, for the City of Trinidad;
Samuel Fruedenthal, Esq., Trinidad, Colorado, for Fouret Brothers.

S T A T E M E N T

By the Commission:

On November 29, 1926, Charles Maxday, Sr.Inc., a corporation organized under the laws of the State of Colorado, filed its application with this Commission for a certificate of public convenience and necessity to operate motor busses for the carrying of passengers within the City of Trinidad, Colorado. No protest was filed against this application, and the same was set down for hearing at Trinidad, Colorado, on May 10, 1927, at which time evidence in support of said application was received.

The evidence is undisputed. In July, 1926, J. G. McKenzie and J. C. Humiston were operating a bus line for the transportation of passengers in the City of Trinidad, Colorado, only, and over its streets, by virtue of a franchise granted to them by the City Council of Trinidad, Colorado. The franchise in question was introduced as Exhibit A, and is for a period of ten years, granting an exclusive right, privilege and license to operate and conduct a passenger motor bus line in the City of Trinidad. This franchise, with the consent of the City Council of Trinidad, was transferred to the applicant herein on or about July 19, 1926, and it has been operating under said franchise ever since that time. The testimony further shows that the service has been very satisfactory,

and that a city the size of Trinidad requires a regular scheduled dependable motor bus operation for the transportation of the general public. The capital investment especially in use in this operation is about $9500.00. The applicant has other equipment which it sometimes used in this operation, but mainly uses it in its motor system between Walsenburg and Trinidad. The applicant is fully equipped from a financial as well as experience standpoint to operate the bus line in question.

The applicant is required to file under the franchise in question a schedule of its rates. The applicant has up to date filed on three routes. Route No. 1 is designated as the regular route; Route No. 2 is for special occasions to Central Park, and Route No. 3 is for all carnival, circus and Fair ground occasions.

After a careful consideration of all the evidence introduced at the hearing, the Commission is of the opinion, and so finds, that the public convenience and necessity requires the motor vehicle system of the applicant for the transportation of passengers within the City of Trinidad as designated upon routes required by the franchise, introduced herein as Exhibit A.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires and will require the motor vehicle transportation system for the transportation of passengers by Charles Maxday, Sr. Inc., applicant herein, within the City of Trinidad upon such routes as are authorized under the franchise designated as Exhibit A, and this order shall be deemed and held to be a certificate of public convenience and necessity therefor.

IT IS FURTHER ORDERED, That the applicant shall file tariffs of rates, rules and regulations and time schedules, as required by the rules and regulations of this Commission covering motor vehicle carriers within a period not to exceed twenty days from the date hereof.

IT IS FURTHER ORDERED, That the applicant shall operate such motor

vehicle carrier system according to the schedules filed with this Commission, except when prevented from so doing by the Act of God, the public enemy or unusual and extreme weather conditions, and this order is made subject to compliance by the applicant with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 26th day of May, 1927.

(Decision No. 1244)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

IN THE MATTER OF THE APPLICATION OF THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY FOR AN ORDER AUTHORIZING IT TO WAIVE THE COLLECTION OF AN UNDERCHARGE OF $18.94 ON ONE CARLOAD OF PEA COAL FROM ORMAN, COLORADO TO JOBAL SIDING, COLORADO, SEPTEMBER 15, 1925.

APPLICATION NO. 911

May 27, 1927.

S T A T E M E N T.

By the Commission:

This matter is before the Commission upon an application made informally by The Denver and Rio Grande Western Railroad Company for an order of the Commission authorizing it to waive the collection of an undercharge of $18.94 on one carload shipment of Pea Coal from Aztic Coal Mining Company, Orman, Colorado, consigned to John C. Caddell, Jobal Siding, Colorado, September 15, 1925.

The application is supported by a statement from Mr. Geo. Williams, Freight Traffic Manager, The Denver and Rio Grande Western Railroad Company, that the legal rate and charges were exacted on the basis of 10 cents per 100 pounds, using Class D as provided in Western Classification 59, R. C. Fyfes Colo. P.U.C. No. 8, item 25, page 136. The class D rate for a distance of 5 miles applicable for 1.03 miles is 10 cents per table one, page 134, supplement 8, Colo. P.U.C. No. 80, effective June 10, 1925. Thru error an .08 cent per 100 pounds rate was applied upon this shipment.

Prior to the time this shipment moved the carrier contemplated the establishment of a rate of 60¢ per net ton on Pea Coal from Orman, Colorado to Jobal Siding, Colorado. However, the

reduced rate was not published until the publication of Amendment 16, Colo. P.U.C. No. 89, effective September 18, 1925, or subsequent to this movement, and for this reason The Denver and Rio Grande Western Railroad Company feels that it would be demanding the consignee to pay an unreasonable rate in forcing collection of the rate as in effect at the time shipment was made. Reparation is also being sought to the basis of the 60 cent per net ton rate.

The Commission finds that the charges assessed on this shipment were excessive and unreasonable to the extent that they exceeded the amount that would have accrued on a rate of 60 cents per net ton, and separate orders will be issued for the waiving of the undercharge amounting to $18.94 and reparation amounting to $47.35. The reparation order is being entered on the Informal Reparation Docket.

O R D E R.

IT IS, THEREFORE ORDERED, That the Denver and Rio Grande Western Railroad Company be, and it is hereby authorized and directed to waive the collection of an undercharge amounting to $18.94 on one carload of Pea Coal from Aztec Coal Mining Company, Orman, Colorado, consigned to John C. Caddell, Jobal Siding, Colorado, September 15, 1925, and

IT IS FURTHER ORDERED, That this said rate of 60 cents per net ton on Pea Coal from Orman, Colorado to Jobal Siding, Colorado shall not be exceeded for a period of at least one year from the date of this order.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Commissioners.

Dated at Denver, Colorado,
this 27th day of May, A.D. 1927.

(Decision No. 1245)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION OF THE COLORADO AND SOUTHERN RAILWAY COMPANY FOR AN ORDER AUTHORIZING IT TO WAIVE THE COLLECTION OF AN UNDER-CHARGE AMOUNTING TO $242.76 ON TWO CARLOAD SHIPMENTS OF MERRY-GO-ROUNDS FROM BRECKENRIDGE, COLORADO TO LEAD-VILLE, COLORADO, JULY 24, 1926 AND TWO CARLOAD SHIPMENTS MERRY-GO-ROUNDS FROM LEADVILLE, COLORADO TO BRECK-ENRIDGE, COLORADO, JULY 30, 1926.	APPLICATION NO. 912.

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May 27, 1927.

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S T A T E M E N T.

By the Commission:

This matter is before the Commission upon an application made informally by The Colorado and Southern Railway Company for an order of the Commission authorizing it to waive the collection of undercharges amounting to $242.76 on four carload shipments of merry-go-rounds between Breckenridge, Colorado and Leadville, Colorado, consignor and consignee being Harry Anheir, shipments moving July 24 and 30, 1926.

The application is supported by a statement from J. E. Buckingham, General Passenger and Freight Agent, The Colorado and Southern Railway Company, that the legal rate and charges were exacted on the basis of 53½¢ cwt., minimum weight 16,000, pounds, per car, the third class rate between Breckenridge and Leadville as provided at index 325, page 104, C. & S. Colo. P.U.C. No. 440.

At the time these shipments moved the only rate available on merry-go-rounds between Breckenridge and Leadville was the third class rate named above. There was in effect, however,

between all points on the Colorado and Southern Railway, a rate of 61¢ per mile per single car movement of ferris wheels, in straight carloads with merry-go-rounds, item 4555, Colo. & Sou. Colo. P.U.C. 440. There was also in effect in the Clear Creek District of Colorado and Southern a rate of 61¢ per mile per single car and $1.21½ per double car movement of merry-go-rounds, in view of which item 4560, was amended in supplement No. 17, to C. & S. Colo. P.U.C. 440, effective February 25, 1927 to provide the same charge on merry-go-rounds on the Platte Canon District as was in effect on the Clear Creek District. However, the reduced rate was not published until the publication of Sup. 17 supra, which was subsequent to these movements, and for this reason the Colorado and Southern Railway Company feels that it would be demanding the consignee to pay an unreasonable rate in forcing collection of the rate as in effect at the time shipments were made.

The Commission finds that the charges assessed on these shipments were excessive and unreasonable to the extent that they exceeded $99.64, the amount that would have accrued on the basis of a rate of $1.21½ per mile per double carload, and an order will be issued authorizing the waiving of the collection of the undercharges amounting to $242.76.

O R D E R.

IT IS, THEREFORE ORDERED, That the Colorado and Southern Railway Company be, and it is hereby, authorized and directed to waive the collection of undercharges amounting to $242.76 on four carload shipments of merry-go-rounds between Breckenridge, Colorado and Leadville, Colorado, consignor and consignee being one Harry Anheir, shipments moving July 24 and 30, 1926, and

IT IS FURTHER ORDERED, That this rate of $1.21½ per mile per double carload on merry-go-rounds minimum weight 16,000 pounds per narrow gauge car between Breckenridge, Colorado and Leadville, Colorado shall not be exceeded for a period of at least one year from the date of this order.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Commissioners.

Dated at Denver, Colorado,
this 27th day of May, A.D. 1927.

(Decision No. 1246)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF HENRY MUSCATI FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	)	APPLICATION NO. 651.

May 25
~~March 29~~ , 1927.

Appearances: J. W. Kriger, Esq., Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Manitou, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Manitou, Colorado, to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 25th day of May, 1927.

(Decision No. 1247)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF

FRANK W. HOEPNER

FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 664

May 25, 1927.

Appearances: J. W. Kriger, Esq., Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Manitou, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from **Manitou, Colorado,** to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 25th day of May, 1927.

(Decision No. 1248)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF

WILLIAM NUTTALL

FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 776

May 25, 1927.

Appearances: W. E. Johnson, Esq., Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado, to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this ~~29th~~ 25th day of ~~March~~ May, 1927.

(Decision No. 1249)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF

B. E. BEALS

FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 847

May 25, 1927.

Appearances: B. E. Beals, per se.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado, to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this ~~29th~~ 25th day of ~~March~~ May, 1927.

(Decision No. 1250)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF I. C. COLLINS AND M. M. SKINNER, a copartnership, doing business as The Mountain Circle Auto Company FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 849

May 25, 1927.

Appearances: I. C. Collins, per se.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado, to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this ~~28th~~ 25th day of ~~March~~ May, 1927.

(Decision No. 1251)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF THE SEVEN FALLS COMPANY FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	)	APPLICATION NO. 750.

May 25, 1927.

Appearances: D. W. Strickler, Esq., Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Seven Falls, Stratton Park, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Seven Falls, Stratton Park, to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 25th day of May, 1927.

(Decision No. 1252)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF O. J. LEPEL FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 855

May 25, 1927.

Appearances: Fred N. Bentall, Esq., Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado, to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 25th day of May, 1927.

(Decision No. 1253)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

- - - -

IN THE MATTER OF THE APPLICATION OF CHARLES HETER FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 856

May 25, 1927.

Appearances: Charles Heter, per se.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is nc proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado, to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 25th day of May, 1927.

(Decision No. 1254)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF NATHAN W. PARKER FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	)	APPLICATION NO. 862.

May 25, 1927.

Appearances: Young & Meikle, Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado, to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 25th day of May, 1927.

(Decision No. 1255)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF BERYL SPRADLING FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	)	APPLICATION NO. 864.

May 25, 1927.

Appearances: J. W. Kriger, Esq., Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Manitou, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from **Manitou, Colorado,** to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 25th day of May, 1927.

(Decision No. 1256)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

171

IN THE MATTER OF THE APPLICATION OF

W. H. WALKER

FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 865.

May 25, 1927.

Appearances: Fred N. Bentall, Esq., Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Manitou, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Manitou, Colorado, to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 25th day of May, 1927.

(Decision No. 1257)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF GEORGE W. CLARK FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 877.

May 25, 1927.

Appearances: Fred N. Bentall, Esq., Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above application, in addition to a large number of applications heard by this Commission, proposes a motor transportation system for the transportation of passengers to all the scenic attractions in the so-called Pikes Peak Region. The proposed operation is solely for the purpose of serving the tourist and sightseeing public from Colorado Springs, Colorado; there is no proposal to operate on a regular schedule, nor is there any suggestion that the proposed operation would be in competition with any established transportion service for passengers operated on schedule. All operations over the routes designated are limited solely to round trip service and no one way operations are in contemplation.

A number of the larger sightseeing motor operations in Colorado Springs have suggested to the Commission that a certificate be issued at this time for

the period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period to better determine what the public convenience and necessity requires.

The Commission is frank to admit that there are several problems in connection with these operations that it is not now in a position to answer, and which may be more satisfactorily adjusted and determmined after the experience under regulated service of one year's operation. Some of the applicants in this sightseeing and tourist business also operate a taxi service, as well as renting cars by the hour and the day to wherever a patron may desire to go. The Commission, on the record made, has been unable to determine now just how to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this application.

The Commission is of the opinion that the public convenience and necessity requires that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination some time within the next year, unless such time is further extended, and the record made in this application shall be taken into consideration in addition to such further record as may be deemed necessary before such application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for the term of one year, to operate a motor transportation system for the transportation of passengers from Colorado Springs, Colorado, to the various scenic attractions in the Pikes Peak Region, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions which, in the opinion of the Commission, the public convenience and necessity requires:

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one way transportation of passengers is permitted to any of the points in said Pikes Peak Region.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this ~~25th~~ day of ~~May~~, 1927.
25th May

(Decision No. 1258.)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

- - - - -

IN THE MATTER OF THE APPLICATION)
OF J. C. COLLIER FOR A CERTIFICATE) APPLICATION NO. 746.
OF PUBLIC CONVENIENCE AND NECESSITY)

- - - - - - - - - -

May 31, 1927.

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S T A T E M E N T

By the Commission:

This application was set down for hearing at the City Hall, Colorado Springs, on May 13, 1927, at 10:00 o'clock A.M. Upon being called for hearing at that time and place no appearance whatever was made. Under these circumstances the application will be dismissed.

O R D E R

IT IS THEREFORE ORDERED, That the application of J. C. Collier, No. 746, be and the same is hereby dismissed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 31st day of May, 1927.

Commissioners.

(Decision No. 1259.)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

- - - - -

IN THE MATTER OF THE APPLICATION)
OF E. W. COOK FOR A CERTIFICATE) APPLICATION NO. 872.
OF PUBLIC CONVENIENCE AND NECESSITY.)

- - - - - - - - - -
May 31, 1927.
- - - - - - - - - -

Appearances: C. B. Horn, Esq., Colorado Springs, Colorado,
for applicant

S T A T E M E N T

By the Commission:

This is an application for a certificate of public convenience and necessity, filed on April 21, 1927, for authorization to operate a sight-seeing business by motor vehicle to scenic points in the Pikes Peak Region. This applicant has not operated heretofore. The Commission has now granted a large number of certificates for such an operation to such as have heretofore operated in this business. The testimony shows that there is now a sufficient number of operations such as is involved in this application to reasonably take care of the sightseeing public in the territory involved. Under these circumstances the Commission believes that no further certificates should be issued, at least until such time as the Commission has more knowledge of the matter. The record herein is not comprehensive enough to warrant the issuance of certificates to new operations. The Commission therefore finds from the evidence that the public convenience and necessity does not require the operation of the applicant.

O R D E R

IT IS THEREFORE ORDERED, That the application of E. W. Cook, No. 872, be and the same is hereby denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Bock

Dana S. Jones

Commissioners.

Dated at Denver, Colorado,
this 31st day of May, 1927.

(Decision No. 1260.)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

- - - - -

IN THE MATTER OF THE APPLICATION)
OF JAMES W. CAREY, DOING BUSINESS)
UNDER THE NAME OF JIM CAREY AUTO) APPLICATION NO. 636.
SERVICE, FOR AUTHORIZATION TO)
CHANGE NAME.)

- - - - - - - - -

May 31, 1927.

- - - - - - - - -

Appearances: John Dingle, Esq., Colorado Springs, Colo.
for applicant.

S T A T E M E N T

By the Commission:

On April 19, 1927, the above applicant filed with this Commission a petition for authorization to change the name of his operation from Jim Carey Auto Service to Jim Carey Auto Livery, on the ground that the former name under which the applicant had operated his business conveys the wrong impression, the name "Jim Carey Auto Service" commonly conveying the impression that a garage service or some other kindred service is being rendered, which as a matter of fact is the farthest from the truth. Hearing was had on this matter on May 13th, 1927, at Colorado Springs.

The Commission after a careful consideration of the facts submitted, is of the opinion, and so finds, that the applicant should be permitted to change his operation from the Jim Carey Auto Service to the Jim Carey Auto Livery.

O R D E R

IT IS THEREFORE ORDERED, That James W. Carey, Applicant herein, be, and he is hereby, authorized to change the name of his motor operation from "Jim Carey Auto Service" to "Jim Carey Auto Livery".

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 31st day of May, 1927.

(Decision No. 1261)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

- - - - -

IN THE MATTER OF THE APPLICATION OF)
THE PIKES PEAK COTTAGE CITY CORPORA-)
TION FOR A CERTIFICATE OF PUBLIC) APPLICATION NO. 853
CONVENIENCE AND NECESSITY.)
- -

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May 31, 1927
- - - - - - - - -

Appearances: J. W. Carruthers, Esq., Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

This is an application for a certificate of public convenience and necessity to operate motor busses in the Pikes Peak Region. The same was set down for hearing at Colorado Springs on May 13,1927, at 10:00 o'clock A.M.; counsel for applicant at that time moved that the application be dismissed, because the articles of incorporation of the applicant were not sufficiently broad to permit motor operation as a common carrier.

O R D E R

IT IS THEREFORE ORDERED, That the application of The Pikes Peak Cottage City Corporation, No. 853, be, and the same is hereby, dismissed without prejudice.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

T

Commissioners

Dated at Denver, Colorado,
this 31st day of May, 1927.

(Decision No. 1262)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF)
N. F. MOORE, DOING BUSINESS UNDER)
THE NAME OF THE ZOO SIGHTSEEING) APPLICATION NO. 682
COMPANY, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY.)
- - - - - - - - - - - - - - - - - - - -

- - - - - - - - - -
May 31, 1927
- - - - - - - - - -

S T A T E M E N T

By the Commission:

This application was set down for hearing at Colorado Springs on May 13, 1927, at 10:00 o'clock A.M., at which time it was moved by the applicant that the same be withdrawn.

O R D E R

IT IS THEREFORE ORDERED, That the application of N. F. Moore, No. 682, be, and the same is hereby, dismissed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Bock

John L. Jones

Commissioners.

Dated at Denver, Colorado,
this 31st day of May, 1927.

(Decision No. 1263)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

- - - - -

IN THE MATTER OF THE APPLICATION OF)
EDWARD E. NICHOLS FOR A CERTIFICATE) APPLICATIONS NOS. 600,601 and 602.
OF PUBLIC CONVENIENCE AND NECESSITY.)
- -

- - - - - - - - -
May 31,1927.
- - - - - - - - -

Appearances: Edward E. Nichols, per se.

S T A T E M E N T

By the Commission:

On May 13, 1927, Edward E. Nichols, certificate holder in the above applications, appeared before the Commission at Colorado Springs, and requested that the certificates issued in the above applications to him be transferred to The E. E. Nichols Hotel and Realty Company, a corporation organized under the laws of the State of Colorado. Mr.Nichols stated that these certificates should have been issued to the corporation in the first instance, but owing to an oversight on his part this matter was overlooked. The applicant was ordered to file a copy of the Articles of Incorporation of The E. E. Nichols Hotel and Realty Company within ten days, which order has been complied with.

After a careful consideration of this matter, the Commission is of the opinion, and so finds, that the public convenience and necessity requires the transfer of the certificates of public convenience and necessity issued in the above applications from E. E. Nichols to The E. E. Nichols Hotel and Realty Company, a corporation organized under the laws of the State of Colorado.

O R D E R

IT IS THEREFORE ORDERED, That E. E. Nichols, certificate holder in Applications Nos. 600, 601 and 602, be, and he is hereby, authorized to assign and transfer the certificates of public convenience and necessity issued in the above numbered applications to The E. E. Nichols Hotel and Realty Company, a corporation organized under the laws of the State of Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Boeg

Dagg A. Jones

Commissioners.

Dated at Denver, Colorado,
this 31st day of May, 1927.

(Decision No. 1264)

At a General Session of the public Utilities Commission of the State of Colorado held at its office in Denver, Colorado, May 31, 1927.

INVESTIGATION AND SUSPENSION DOCKET NO. 92

RE: DISCONTINUANCE OF D.&R.G.W. RR.STATIONS AT DOYLE AND PITKIN,COLORADO.

IT APPEARING, That there has been filed with the public Utilities Commission of the State of Colorado, by The Denver and Rio Grande Western Railroad Company, E. N. Clark and Thos. R. Woodrow, its attorneys, a petition for permission of the Commission to discontinue its agencies at Doyle and at Pitkin and to open and establish an agency at Parlin, effective the 1st day of June, 1927.

IT IS ORDERED, That the Commission, upon complaint without formal pleadings, enter upon a hearing concerning the lawfulness of the closing of stations Doyle and Pitkin and the opening of a station at Parlin.

IT FURTHER APPEARING, That the said petition seeks to make certain changes in station service, whereby the rights and interests of the public may be injuriously affected; and it being the opinion of the Commission that the effective date of the proposed change contained in said petition should be postponed pending said hearing and decision thereon;

IT IS FURTHER ORDERED, That the operation of the said effective date contained in said petition be suspended for a period of 120 days or until September 28, 1927, unless otherwise ordered by the Commission, and no change shall be made in said service during the said period of suspension.

IT IS FURTHER ORDERED, That a copy of this order be filed with the said petition in the office of the Public Utilities Commission of the State of Colorado, and that copies hereof be forthwith served on The Denver and Rio Grande Western Railroad Company, and E. D. Stephenson, Vernon Marlatt, A. E. Marlatt, W. C. Klein, T. J. Noble, Ed. P. Klinker, G. A. Des Combes, of Doylesville, Colorado, A. L. Pearson, Pitkin, Colorado and Stitzer Bros., Waunita Hot Springs, Colorado, protestants.

IT IS FURTHER ORDERED, That this proceeding be assigned for hearing by the Commission June 29, 1927 at the La Veta Hotel, Gunnison, Colorado at 10:00 o'clock A.M.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 31st day of May, 1927.

(Decision No. 1265)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION)
OF)
H. D. RICE FOR A CERTIFICATE OF) APPLICATION NO. 845
PUBLIC CONVENIENCE AND NECESSITY.)

June 1,1927.

Appearance: Frank L. Moorhead, Attorney for applicant, Boulder, Colorado.

S T A T E M E N T

By the Commission:

The above applicant, in addition to a large number of other applicants, all of whose cases were set for hearing and heard in the Court House in the City of Boulder, on May 19,1927, filed an application for a certificate of public convenience and necessity authorizing the transportation of passengers by motor vehicle to a number of scenic attractions in Colorado. Most of the applicants seek to render round trip service from Boulder. There is no proposal by any of the applicants to operate on a regular schedule, nor is there any suggestion that the proposed operations will be in competition with any established transportation service for passengers operated on schedule, except The Glacier Route, Inc., operating between Boulder and the scenic points named in the certificate issued to said The Glacier Route, Inc., and except as the round trips from Boulder to Estes Park may possibly affect the established one-way trips between Boulder and Estes Park. All operations over the routes designated are limited solely to round trip service and no one-way operations are in contemplation, except as hereinafter stated.

The proprietors of a large number of sightseeing motor vehicle operations in the City of Colorado Springs suggested to the Commission that a certificate be issued to those operating out of that city for a period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period better to determine what the public convenience and necessity requires.

This suggestion was adopted in most of the operations out of that city and we have deemed it advisable to adopt the same scheme with reference to the operations out of the City of Boulder.

The Commission is frank to admit that there are several problems in connection with these operations, which it is not now in a position intelligently to solve, and which may be more satisfactorily solved and adjusted after the experience under regulated service for one year, including the experience and knowledge that may be gained under the operation of what is known as H.B. No. 430, passed this year by the legislature. Some of the applicants in this sightseeing and tourist business desire also the privilege of operating a taxi service from the City of Boulder, under private contract, to any point where a patron may desire to go. The Commission, on the record made, and for lack of more experience and knowledge, has been unable to determine just how and to what extent to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this and the other said applications, except that it is now of the opinion, and so finds, that the public convenience and necessity does not and will not in the future require the operation from the City of Boulder of any one-way trips where there is now an established service either by motor vehicle or railroad, or in part by one and in part by the other.

The Commission is of the opinion that the public convenience and necessity does now require that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system from Boulder to the various points named in the application herein for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination sometime within the next year, unless such time is further extended, and the record made in this application shall be taken and considered as a part of the record when the application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for a term of one year to operate a motor transportation system for the transportation of passengers on round trips from the City of Boulder to the various points named in the application herein, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one-way transportation of passengers is permitted between the City of Boulder and any point [redacted] where there exists regular established transportation by either railroad or motor vehicle carriers, or in part by one and in part by the other.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to

all legislative action already or hereafter to become effective.

IT IS FURTHER ORDERED, That this order and certificate shall not become effective, and no rights shall be exercised thereunder, until such time as applicant shall have filed with the Commission a certificate by the Clerk of the City of Boulder, showing compliance by the applicant with all municipal requirements of said city relating to the applicant and the operations to be conducted by him.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 1st day of June, 1927.

(Decision No. 1266)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

174

IN THE MATTER OF THE APPLICATION)
OF THE YELLOW CAB COMPANY OF)
BOULDER FOR A CERTIFICATE OF) APPLICATION 838
PUBLIC CONVENIENCE AND NECESSITY.)

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June 1,1927.
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Appearance: C. D. Bromley, Attorney for Applicant, Boulder,Colo.

S T A T E M E N T

By the Commission:

The above applicant, in addition to a large number of other applicants, all of whose cases were set for hearing and heard in the Court House in the City of Boulder, on May 19, 1927, filed an application for a certificate of public convenience and necessity authorizing the transportation of passengers by motor vehicle to a number of scenic attractions in Colorado. Most of the applicants seek to render round trip service from Boulder. There is no proposal by any of the applicants to operate on a regular schedule, nor is there any suggestion that the proposed operations will be in competition with any established transportation service for passengers operated on schedule, except The Glacier Route, Inc., operating between Boulder and the scenic points named in the certificate issued to said The Glacier Route, Inc., and except as the round trips from Boulder to Estes Park may possibly affect the established one-way trips between Boulder and Estes Park. All operations over the routes designated are limited solely to round trip service and no one-way operations are in contemplation, except as hereinafter stated.

The proprietors of a large number of sightseeing motor vehicle operations in the City of Colorado Springs suggested to the Commission that a certificate be issued to those operating out of that city for a period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period better to determine what the public convenience and necessity requires.

This suggestion was adopted in most of the operations out of that city and we have deemed it advisable to adopt the same scheme with reference to the operations out of the City of Boulder.

The Commission is frank to admit that there are several problems in connection with these operations, which it is not now in a position intelligently to solve, and which may be more satisfactorily solved and adjusted after the experience under regulated service for one year, including the experience and knowledge that may be gained under the operation of what is known as H.B. No. 430, passed this year by the legislature. Some of the applicants in this sightseeing and tourist business desire also the privilege of operating a taxi service from the city of Boulder, under private contract, to any point where a patron may desire to go. The Commission, on the record made, and for lack of more experience and knowledge, has been unable to determine just how and to what extent to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this and the other said applications, except that it is now of the opinion, and so finds, that the public convenience and necessity does not and will not in the future require the operation from the City of Boulder of any one-way trips where there is now an established service either by motor vehicle or railroad, or in part by one and in part by the other.

The Commission is of the opinion that the public convenience and necessity does now require that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system from Boulder to the various points named in the application herein for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination sometime within the next year, unless such time is further extended, and the record made in this application shall be taken and considered as a part of the record when the application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for a term of one year to operate a motor transportation system for the transportation of passengers on round trips from the City of Boulder to the various points named in the application herein, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one-way transportation of passengers is permitted between the City of Boulder and any point where there exists regular established transportation by either railroad or motor vehicle carriers, or in part by one and in part by the other.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to

all legislative action already or hereafter to become effective.

IT IS FURTHER ORDERED, That this order and certificate shall not become effective, and no rights shall be exercised thereunder, until such time as applicant shall have filed with the Commission a certificate by the Clerk of the City of Boulder, showing compliance by the applicant with all municipal requirements of said city relating to the applicant and the operations to be conducted by it.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 1st day of June, 1927.

(Decision No. 1267)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

IN THE MATTER OF THE APPLICATION)
OF)
W. N. CLARK FOR A CERTIFICATE OF) APPLICATION NO. 859
PUBLIC CONVENIENCE AND NECESSITY.)

June 1, 1927.

Appearance: Frank L. Moorhead, Attorney for applicant, Boulder, Colorado.

S T A T E M E N T.

By the Commission:

The above applicant, in addition to a large number of other applicants, all of whose cases were set for hearing and heard in the Court House in the City of Boulder, on May 19, 1927, filed an application for a certificate of public convenience and necessity authorizing the transportation of passengers by motor vehicle to a number of scenic attractions in Colorado. Most of the applicants seek to render round trip service from Boulder. There is no proposal by any of the applicants to operate on a regular schedule, nor is there any suggestion that the proposed operations will be in competition with any established transportation service for passengers operated on schedule, except The Glacier Route, Inc., operating between Boulder and the scenic points named in the certificate issued to said The Glacier Route, Inc., and except as the round trips from Boulder to Estes Park may possibly affect the established one-way trips between Boulder and Estes Park. All operations over the routes designated are limited solely to round trip service and no one-way operations are in contemplation, except as hereinafter stated.

The proprietors of a large number of sightseeing motor

vehicle operations in the City of Colorado Springs suggested to the Commission that a certificate be issued to those operating out of that city for a period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period better to determine what the public convenience and necessity requires. This suggestion was adopted in most of the operations out of that city and we have deemed it advisable to adopt the same scheme with reference to the operations out of the City of Boulder.

The Commission is frank to admit that there are several problems in connection with these operations, which it is not now in a position intelligently to solve, and which may be more satisfactorily solved and adjusted after the experience under regulated service for one year, including the experience and knowledge, that may be gained under the operation of what is known as H.B. No. 430, passed this year by the legislature. Some of the applicants in this sightseeing and tourist business desire also the privilege of operating a taxi service from the City of Boulder, under private contract, to any point where a patron may desire to go. The Commission, on the record made, and for lack of more experience and knowledge has been unable to determine just how and to what extent to regulate such service and, therefore, defers any opinion as relating to such service until the final/de termination of this and the other said applications, except that it is now of the opinion, and so finds, that the public convenience and necessity does not and will not in the future require the operation from the City of Boulder of any one-way trips where there is now an established service either by motor vehicle or railroad, or in part by one and in part by the other.

The Commission is of the opinion that the public convenience and necessity does now require that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system from Boulder to the various

points named in the application herein for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination sometime within the next year, unless such time is further extended, and the record made in this application shall be taken and considered as a part of the record when the application is finally determined.

O R D E R.

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for a term of one year to operate a motor transportation system for the transportation of passengers on round trips from the City of Boulder to the various points named in the application herein, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one-way transportation of passengers is permitted between the City of Boulder and any point in the same where there exists regular established transportation by either railroad or motor vehicle carriers, or in part by one and in part by the other.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the

date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file, tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to all legislative action already or hereafter to become effective.

IT IS FURTHER ORDERED, That this order and certificate shall not become effective, and no rights shall be exercised thereunder, until such time as applicant shall have filed with the Commission a certificate by the Clerk of the City of Boulder, showing compliance by the applicant with all municipal requirements of said city relating to the applicant and the operations to be conducted by him.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Commissioners.

Dated at Denver, Colorado,
this 1st day of June, 1927.

(Decision No. 1268)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION)
OF)
J. F. GORDON FOR A CERTIFICATE OF) APPLICATION NO. 851.
PUBLIC CONVENIENCE AND NECESSITY.)
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June 1, 1927.
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Appearance: Frank L. Moorhead, Attorney for applicant, Boulder, Colorado.

S T A T E M E N T.

By the Commission:

The above applicant, in addition to a large number of other applicants, all of whose cases were set for hearing and heard in the Court House in the City of Boulder, on May 19, 1927, filed an application for a certificate of public convenience and necessity authorizing the transportation of passengers by motor vehicle to a number of scenic attractions in Colorado. Most of the applicants seek to render round trip service from Boulder. There is no proposal by any of the applicants to operate on a regular schedule, nor is there any suggestion that the proposed operations will be in competition with any established transportation service for passengers operated on schedule, except The Glacier Route, Inc., operating between Boulder and the scenic points named in the certificate issued to said The Glacier Route, Inc., and except as the round trips from Boulder to Estes Park may possibly affect the established one-way trips between Boulder and Estes Park. All operations over the routes designated are limited solely to round trip service and no one-way operations are in contemplation, except as hereinafter stated.

The proprietors of a large number of sightseeing motor vehicle operations in the City of Colorado Springs suggested to the Commission that a certificate be issued to those operating out of that city for a period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period better to determine what the public convenience and necessity requires. This suggestion was adopted in most of the operations out of that city and we have deemed it advisable to adopt the same scheme with reference to the operations out of the City of Boulder.

The Commission is frank to admit that there are several problems in connection with these operations, which it is not now in a position intelligently to solve, and which may be more satisfactorily solved and adjusted after the experience under regulated service for one year, including the experience and knowledge, that may be gained under the operation of what is known as H.B.No. 430, passed this year by the legislature. Some of the applicants in this sightseeing and tourist business desire also the privilege of operating a taxi service from the City of Boulder, under private contract, to any point where a patron may desire to go. The Commission, on the record made, and for lack of more experience and knowledge has been unable to determine just how and to what extent to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this and the other said applications, except that it is now of the opinion, and so finds, that the public convenience and necessity does not and will not in the future require the operation from the City of Boulder of any one-way trips where there is now an established service either by motor vehicle or railroad, or in part by one and in part by the other.

The Commission is of the opinion that the public convenience and necessity does now require that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system from Boulder to the various

points named in the application herein for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination sometime within the next year, unless such time is further extended, and the record made in this application shall be taken and considered as a part of the record when the application is finally determined.

O R D E R.

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for a term of one year to operate a motor transportation system for the transportation of passengers on round trips from the City of Boulder to the various points named in the application herein, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one-way transportation of passengers is permitted between the City of Boulder and any point where there exists regular established transportation by either railroad or motor vehicle carriers, or in part by one and in part by the other.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the

date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file, tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to all legislative action already or hereafter to become effective.

IT IS FURTHER ORDERED, That this order and certificate shall not become effective, and no rights shall be exercised thereunder, until such time as applicant shall have filed with the Commission a certificate by the Clerk of the City of Boulder, showing compliance by the applicant with all municipal requirements of said city relating to the applicant and the operations to be conducted by him.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Otto Bock

John S. Jones

Commissioners.

Dated at Denver, Colorado,
this 1st day of June, 1927.

(Decision No. 1269)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION)
OF)
H. F. BRANDHORST FOR A CERTIFICATE) APPLICATION NO. 850.
OF PUBLIC CONVENIENCE AND NECESSITY.)

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June 1, 1927.
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Appearance: Frank L. Moorhead, Attorney for applicant, Boulder, Colorado.

S T A T E M E N T.

By the Commission:

The above applicant, in addition to a large number of other applicants, all of whose cases were set for hearing and heard in the Court House in the City of Boulder, on May 19, 1927, filed an application for a certificate of public convenience and necessity authorizing the transportation of passengers by motor vehicle to a number of scenic attractions in Colorado. Most of the applicants seek to render round trip service from Boulder. There is no proposal by any of the applicants to operate on a regular schedule, nor is there any suggestion that the proposed operations will be in competition with any established transportation service for passengers operated on schedule, except The Glacier Route, Inc., operating between Boulder and the scenic points named in the certificate issued to said The Glacier Route, Inc., and except as the round trips from Boulder to Estes Park may possibly affect the established one-way trips between Boulder and Estes Park. All operations over the routes designated are limited solely to round trip service and no one-way operations are in contemplation, except as hereinafter stated.

The proprietors of a large number of sightseeing motor vehicle operations in the City of Colorado Springs suggested to the Commission that a certificate be issued to those operating out of that city for a period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period better to determine what the public convenience and necessity requires. This suggestion was adopted in most of the operations out of that city and we have deemed it advisable to adopt the same scheme with reference to the operations out of the City of Boulder.

The Commission is frank to admit that there are several problems in connection with these operations, which it is not now in a position intelligently to solve, and which may be more satisfactorily solved and adjusted after the experience under regulated service for one year, including the experience and knowledge, that may be gained under the operation of what is known as H.B.No. 430, passed this year by the legislature. Some of the applicants in this sightseeing and tourist business desire also the privilege of operating a taxi service from the City of Boulder, under private contract, to any point where a patron may desire to go. The Commission, on the record made, and for lack of more experience and knowledge has been unable to determine just how and to what extent to regulate such service and, therefore, defers any opinion as relating to such service until the final/de termination of this and the other said applications, except that it is now of the opinion, and so finds, that the public convenience and necessity does not and will not in the future require the operation from the City of Boulder of any one-way trips where there is now an established service either by motor vehicle or railroad, or in part by one and in part by the other.

The Commission is of the opinion that the public convenience and necessity does now require that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system from Boulder to the various

points named in the application herein for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination sometime within the next year, unless such time is further extended, and the record made in this application shall be taken and considered as a part of the record when the application is finally determined.

O R D E R.

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for a term of one year to operate a motor transportation system for the transportation of passengers on round trips from the City of Boulder to the various points named in the application herein, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one-way transportation of passengers is permitted between the City of Boulder and any point where there exists regular established transportation by either railroad or motor vehicle carriers, or in part by one and in part by the other.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the

date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file, tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to all legislative action already or hereafter to become effective.

IT IS FURTHER ORDERED, That this order and certificate shall not become effective, and no rights shall be exercised thereunder, until such time as applicant shall have filed with the Commission a certificate by the Clerk of the City of Boulder, showing compliance by the applicant with all municipal requirements of said city relating to the applicant and the operations to be conducted by him.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Otto Brock

Dan L. Jones

Tom Allen

Commissioners.

Dated at Denver, Colorado,
this 1st day of June, 1927.

(Decision No. 1270)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF RAY S. HALL AND FLOSSIE M. HALL, CO-PARTNERS, DOING BUSINESS UNDER THE FIRM NAME OF HALL'S BLACK AND WHITE CAB COMPANY, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 848

June 1, 1927.

Appearance: Frank L. Moorhead, Attorney for applicant, Boulder, Colo.

S T A T E M E N T

By the Commission:

The above applicants, in addition to a large number of other applicants, all of whose cases were set for hearing and heard in the Court House in the City of Boulder, on May 19, 1927, filed an application for a certificate of public convenience and necessity authorizing the transportation of passengers by motor vehicle to a number of scenic attractions in Colorado. Most of the applicants seek to render round trip service from Boulder. There is no proposal by any of the applicants to operate on a regular schedule, nor is there any suggestion that the proposed operations will be in competition with any established transportation service for passengers operated on schedule, except The Glacier Route, Inc., operating between Boulder and the scenic points named in the certificate issued to said The Glacier Route, Inc., and except as the round trips from Boulder to Estes Park may possibly affect the established one-way trips between Boulder and Estes Park. All operations over the routes designated are limited solely to round trip service and no one-way operations are in contemplation, except as hereinafter stated.

The proprietors of a large number of sightseeing motor vehicle operations in the City of Colorado Springs suggested to the Commission that a certificate be issued to those operating out of that city for a period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period better to determine what the public convenience and necessity requires.

This suggestion was adopted in most of the operations out of that city and we have deemed it advisable to adopt the same scheme with reference to the operations out of the City of Boulder.

The Commission is frank to admit that there are several problems in connection with these operations, which it is not now in a position intelligently to solve, and which may be more satisfactorily solved and adjusted after the experience under regulated service for one year, including the experience and knowledge that may be gained under the operation of what is known as H.B.No. 430, passed this year by the legislature. Some of the applicants in this sightseeing and tourist business desire also the privilege of operating a taxi service from the City of Boulder, under private contract, to any point where a patron may desire to go. The Commission, on the record made, and for lack of more experience and knowledge, has been unable to determine just how and to what extent to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this and the other said applications, except that it is now of the opinion, and so finds, that the public convenience and necessity does not and will not in the future require the operation from the City of Boulder of any one-way trips where there is now an established service either by motor vehicle or railroad, or in part by one and in part by the other.

The Commission is of the opinion that the public convenience and necessity does now require that the applicants herein receive a certificate of public convenience and necessity to operate a motor transportation system from Boulder to the various points named in the application herein for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination sometime within the next year, unless such time is further extended, and the record made in this application shall be taken and considered as a part of the record when the application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicants herein for a term of one year to operate a motor transportation system for the transportation of passengers on round trips from the City of Boulder to the various points named in the application herein, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one-way transportation of passengers is permitted between the City of Boulder and any point where there exists regular established transportation by either railroad or motor vehicle carriers, or in part by one and in part by the other.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicants herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicants with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to

all legislative action already or hereafter to become effective.

IT IS FURTHER ORDERED, That this order and certificate shall not become effective, and no rights shall be exercised thereunder, until such time as applicants shall have filed with the Commission a certificate by the Clerk of the City of Boulder, showing compliance by the applicants with all municipal requirements of said city relating to the applicants and the operations to be conducted by them.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 1st day of June, 1927.

(Decision No. 1271)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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171

IN THE MATTER OF THE APPLICATION)
OF SETH ARMSTEAD, DOING BUSINESS)
UNDER THE NAME OF ARMSTEAD SCENIC) APPLICATION NO. 882
TOURS, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY.)

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June 1, 1927.
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Appearance: Frank L. Moorhead, Attorney for applicant, Boulder, Colorado.

S T A T E M E N T

By the Commission:

The above applicant, in addition to a large number of other applicants, all of whose cases were set for hearing and heard in the Court House in the City of Boulder, on May 19, 1927, filed an application for a certificate of public convenience and necessity authorizing the transportation of passengers by motor vehicle to a number of scenic attractions in Colorado. Most of the applicants seek to render round trip service from Boulder. There is no proposal by any of the applicants to operate on a regular schedule, nor is there any suggestion that the proposed operations will be in competition with any established transportation service for passengers operated on schedule, except The Glacier Route, Inc., operating between Boulder and the scenic points named in the certificate issued to said The Glacier Route, Inc., and except as the round trips from Boulder to Estes Park may possibly affect the established one-way trips between Boulder and Estes Park. All operations over the routes designated are limited solely to round trip service and no one-way operations are in contemplation, except as hereinafter stated.

The proprietors of a large number of sightseeing motor vehicle operations in the City of Colorado Springs suggested to the Commission that a certificate be issued to those operating out of that city for a period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period better to determine what the public convenience and necessity requires.

This suggestion was adopted in most of the operations out of that city and we have deemed it advisable to adopt the same scheme with reference to the operations out of the City of Boulder.

The Commission is frank to admit that there are several problems in connection with these operations, which it is not now in a position intelligently to solve, and which may be more satisfactorily solved and adjusted after the experience under regulated service for one year, including the experience and knowledge that may be gained under the operation of what is known as H.B. No. 430, passed this year by the legislature. Some of the applicants in this sightseeing and tourist business desire also the privilege of operating a taxi service from the City of Boulder, under private contract, to any point where a patron may desire to go. The Commission, on the record made, and for lack of more experience and knowledge, has been unable to determine just how and to what extent to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this and the other said applications, except that it is now of the opinion, and so finds, that the public convenience and necessity does not and will not in the future require the operation from the City of Boulder of any one-way trips where there is now an established service either by motor vehicle or railroad, or in part by one and in part by the other.

The Commission is of the opinion that the public convenience and necessity does now require that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system from Boulder to the various points named in the application herein for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination sometime within the next year, unless such time is further extended, and the record made in this application shall be taken and considered as a part of the record when the application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for a term of one year to operate a motor transportation system for the transportation of passengers on round trips from the City of Boulder to the various points named in the application herein, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one-way transportation of passengers is permitted between the City of Boulder and any point where there exists regular established transportation by either railroad or motor vehicle carriers, or in part by one and in part by the other.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to

all legislative action already or hereafter to become effective.

IT IS FURTHER ORDERED, That this order and certificate shall not become effective, and no rights shall be exercised thereunder, until such time as applicant shall have filed with the Commission a certificate by the Clerk of the City of Boulder, showing compliance by the applicant with all municipal requirements of said city relating to the applicant and the operations to be conducted by him.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 1st day of June, 1927.

(Decision No. 1272)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION)
OF ROY ARMSTEAD, DOING BUSINESS)
UNDER THE NAME OF ARMSTEAD SCENIC)
COMPANY, FOR A CERTIFICATE OF PUB-) APPLICATION NO. 883
LIC CONVENIENCE AND NECESSITY.)

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June 1, 1927.
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Appearances: Frank L. Moorhead, Attorney for applicant, Boulder, Colorado.

S T A T E M E N T

By the Commission:

The above applicant, in addition to a large number of other applicants, all of whose cases were set for hearing and heard in the Court House in the City of Boulder, on May 19, 1927, filed an application for a certificate of public convenience and necessity authorizing the transportation of passengers by motor vehicle to a number of scenic attractions in Colorado. Most of the applicants seek to render round trip service from Boulder. There is no proposal by any of the applicants to operate on a regular schedule, nor is there any suggestion that the proposed operations will be in competition with any established transportation service for passengers operated on schedule, except The Glacier Route, Inc., operating between Boulder and the scenic points named in the certificate issued to said The Glacier Route, Inc., and except as the round trips from Boulder to Estes Park may possibly affect the established one-way trips between Boulder and Estes Park. All operations over the routes designated are limited solely to round trip service and no one-way operations are in contemplation, except as hereinafter stated.

The proprietors of a large number of sightseeing motor vehicle operations in the City of Colorado Springs suggested to the Commission that a certificate be issued to those operating out of that city for a period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that

period better to determine what the public convenience and necessity requires. This suggestion was adopted in most of the operations out of that city and we have deemed it advisable to adopt the same scheme with reference to the operations out of the City of Boulder.

The Commission is frank to admit that there are several problems in connection with these operations, which it is not now in a position intelligently to solve, and which may be more satisfactorily solved and adjusted after the experience under regulated service for one year, including the experience and knowledge that may be gained under the operation of what is known as H.B. No. 430, passed this year by the legislature. Some of the applicants in this sightseeing and tourist business desire also the privilege of operating a taxi service from the City of Boulder, under private contract, to any point where a patron may desire to go. The Commission, on the record made, and for lack of more experience and knowledge, has been unable to determine just how and to what extent to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this and the other said applications, except that it is now of the opinion, and so finds, that the public convenience and necessity does not and will not in the future require the operation from the City of Boulder of any one-way trips where there is now an established service either by motor vehicle or railroad, or in part by one and in part by the other.

The Commission is of the opinion that the public convenience and necessity does now require that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system from Boulder to the various points named in the application herein for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination sometime within the next year, unless such time is further extended, and the record made in this application shall be taken and considered as a part of the record when the application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for a term of one year to operate a motor transportation system for the transportation of passengers on round trips from the City of Boulder to the various points named in the application herein, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one-way transportation of passengers is permitted between the City of Boulder and any point where there exists regular established transportation by either railroad or motor vehicle carriers, or in part by one and in part by the other.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to

all legislative action already or hereafter to become effective.

IT IS FURTHER ORDERED, That this order and certificate shall not become effective, and no rights shall be exercised thereunder, until such time as applicant shall have filed with the Commission a certificate by the Clerk of the City of Boulder, showing compliance by the applicant with all municipal requirements of said city relating to the applicant and the operations to be conducted by him.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 1st day of June, 1927.

(Decision No. 1273)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

181

IN THE MATTER OF THE APPLICATION OF JOHN GRANT, DOING BUSINESS UNDER THE FIRM NAME OF OUT WEST SIGHT-SEEING COMPANY FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

APPLICATION NO. 884.

June 1, 1927.

Appearance: Frank L. Moorhead, Attorney for applicant, Boulder, Colorado.

S T A T E M E N T

By the Commission:

The above applicant, in addition to a large number of other applicants, all of whose cases were set for hearing and heard in the Court House in the City of Boulder, on May 19, 1927, filed an application for a certificate of public convenience and necessity authorizing the transportation of passengers by motor vehicle to a number of scenic attractions in Colorado. Most of the applicants seek to render round trip service from Boulder. There is no proposal by any of the applicants to operate on a regular schedule, nor is there any suggestion that the proposed operations will be in competition with any established transportation service for passengers operated on schedule, except The Glacier Route, Inc., operating between Boulder and the scenic points named in the certificate issued to said The Glacier Route, Inc., and except as the round trips from Boulder to Estes Park may possibly affect the established one-way trips between Boulder and Estes Park. All operations over the routes designated are limited solely to round trip service and no one-way operations are in contemplation, except as hereinafter stated.

The proprietors of a large number of sightseeing motor vehicle operations in the City of Colorado Springs suggested to the Commission that a certificate be issued to those operating out of that city for a period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period better to determine what the public convenience and necessity requires.

This suggestion was adopted in most of the operations out of that city and we have deemed it advisable to adopt the same scheme with reference to the operations out of the City of Boulder.

The Commission is frank to admit that there are several problems in connection with these operations, which it is not now in a position intelligently to solve, and which may be more satisfactorily solved and adjusted after the experience under regulated service for one year, including the experience and knowledge that may be gained under the operation of what is known as H.B. No. 430, passed this year by the legislature. Some of the applicants in this sightseeing and tourist business desire also the privilege of operating a taxi service from the City of Boulder, under private contract, to any point where a patron may desire to go. The Commission, on the record made, and for lack of more experience and knowledge, has been unable to determine just how and to what extent to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this and the other said applications, except that it is now of the opinion, and so finds, that the public convenience and necessity does not and will not in the future require the operation from the City of Boulder of any one-way trips where there is now an established service either by motor vehicle or railroad, or in part by one and in part by the other.

The Commission is of the opinion that the public convenience and necessity does now require that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system from Boulder to the various points named in the application herein for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination sometime within the next year, unless such time is further extended, and the record made in this application shall be taken and considered as a part of the record when the application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for a term of one year to operate a motor transportation system for the transportation of passengers on round trips from the City of Boulder to the various points named in the application herein, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one-way transportation of passengers is permitted between the City of Boulder and any point where there exists regular established transportation by either railroad or motor vehicle carriers, or in part by one and in part by the other.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to

all legislative action already or hereafter to become effective.

IT IS FURTHER ORDERED, That this order and certificate shall not become effective, and no rights shall be exercised thereunder, until such time as applicant shall have filed with the Commission a certificate by the Clerk of the City of Boulder, showing compliance by the applicant with all municipal requirements of said city relating to the applicant and the operations to be conducted by him.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 1st day of June, 1927.

(Decision No. 1274)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF)
FORD DUNNING AND OSCAR DUNNING DOING)
BUSINESS UNDER THE FIRM NAME OF) APPLICATION NO. 887
DUNNING BROTHERS, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY.)

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June 1,1927.
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Appearance: Frank L. Moorhead, Attorney for applicant, Boulder,Colo.

S T A T E M E N T

By the Commission:

The above applicants, in addition to a large number of other applicants, all of whose cases were set for hearing and heard in the Court House in the City of Boulder, on May 19, 1927, filed an application for a certificate of public convenience and necessity authorizing the transportation of passengers by motor vehicle to a number of scenic attractions in Colorado. Most of the applicants seek to render round trip service from Boulder. There is no proposal by any of the applicants to operate on a regular schedule, nor is there any suggestion that the proposed operations will be in competition with any established transportation service for passengers operated on schedule, except The Glacier Route, Inc., operating between Boulder and the scenic points named in the certificate issued to said The Glacier Route, Inc., and except as the round trips from Boulder to Estes Park may possibly affect the established one-way trips between Boulder and Estes Park. All operations over the routes designated are limited solely to round trip service and no one-way operations are in contemplation, except as hereinafter stated.

The proprietors of a large number of sightseeing motor vehicle operations in the City of Colorado Springs suggested to the Commission that a certificate be issued to those operating out of that city for a period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period better to determine what the public convenience and necessity requires.

This suggestion was adopted in most of the operations out of that city and we have deemed it advisable to adopt the same scheme with reference to the operations out of the City of Boulder.

The Commission is frank to admit that there are several problems in connection with these operations, which it is not now in a position intelligently to solve, and which may be more satisfactorily solved and adjusted after the experience under regulated service for one year, including the experience and knowledge that may be gained under the operation of what is known as H. B. No. 430, passed this year by the legislature. Some of the applicants in this sightseeing and tourist business desire also the privilege of operating a taxi service from the City of Boulder, under private contract, to any point where a patron may desire to go. The Commission, on the record made, and for lack of more experience and knowledge, has been unable to determine just how and to what extent to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this and the other said applications, except that it is now of the opinion, and so finds, that the public convenience and necessity does not and will not in the future require the operation from the City of Boulder of any one-way trips where there is now an established service either by motor vehicle or railroad, or in part by one and in part by the other.

The Commission is of the opinion that the public convenience and necessity does now require that the applicants herein receive a certificate of public convenience and necessity to operate a motor transportation system from Boulder to the various points named in the application herein for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination sometime within the next year, unless such time is further extended, and the record made in this application shall be taken and considered as a part of the record when the application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicants herein for a term of one year to operate a motor transportation system for the transportation of passengers on round trips from the City of Boulder to the various points named in the application herein, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one-way transportation of passengers is permitted between the City of Boulder and any point where there exists regular established transportation by either railroad or motor vehicle carriers, or in part by one and in part by the other.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicants herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicants with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to

all legislative action already or hereafter to become effective.

IT IS FURTHER ORDERED, That this order and certificate shall not become effective, and no rights shall be exercised thereunder, until such time as applicants shall have filed with the Commission a certificate by the Clerk of the City of Boulder, showing compliance by the applicants with all municipal requirements of said city relating to the applicants and the operations to be conducted by them.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 1st day of June, 1927.

(Decision No. 1275)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION OF E. E. HARRIS FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.) APPLICATION NO. 895.

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June 1, 1927.
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Appearance: Frank L. Moorhead, Attorney for applicant, Boulder, Colorado.

S T A T E M E N T.

By the Commission:

The above applicant, in addition to a large number of other applicants, all of whose cases were set for hearing and heard in the Court House in the City of Boulder, on May 19, 1927, filed an application for a certificate of public convenience and necessity authorizing the transportation of passengers by motor vehicle to a number of scenic attractions in Colorado. Most of the applicants seek to render round trip service from Boulder. There is no proposal by any of the applicants to operate on a regular schedule, nor is there any suggestion that the proposed operations will be in competition with any established transportation service for passengers operated on schedule, except The Glacier Route, Inc., operating between Boulder and the scenic points named in the certificate issued to said The Glacier Route, Inc., and except as the round trips from Boulder to Estes Park may possibly affect the established one-way trips between Boulder and Estes Park. All operations over the routes designated are limited solely to round trip service and no one-way operations are in contemplation, except as hereinafter stated.

The proprietors of a large number of sightseeing motor vehicle operations in the City of Colorado Springs suggested to the Commission that a certificate be issued to those operating out of that city for a period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that period better to determine what the public convenience and necessity requires. This suggestion was adopted in most of the operations out of that city and we have deemed it advisable to adopt the same scheme with reference to the operations out of the City of Boulder.

The Commission is frank to admit that there are several problems in connection with these operations, which it is not now in a position intelligently to solve, and which may be more satisfactorily solved and adjusted after the experience under regulated service for one year, including the experience and knowledge, that may be gained under the operation of what is known as H. B. No. 430, passed this year by the legislature. Some of the applicants in this sightseeing and tourist business desire also the privilege of operating a taxi service from the City of Boulder, under private contract, to any point where a patron may desire to go. The Commission, on the record made, and for lack of more experience and knowledge has been unable to determine just how and to what extent to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this and the other said applications, except that it is now of the opinion, and so finds, that the public convenience and necessity does not and will not in the future require the operation from the City of Boulder of any one-way trips where there is now an established service either by motor vehicle or railroad, or in part by one and in part by the other.

The Commission is of the opinion that the public convenience and necessity does now require that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system from Boulder to the various

points named in the application herein for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination sometime within the next year, unless such time is further extended, and the record made in this application shall be taken and considered as a part of the record when the application is finally determined.

O R D E R.

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for a term of one year to operate a motor transportation system for the transportation of passengers on round trips from the City of Boulder to the various points named in the application herein, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one-way transportation of passengers is permitted, between the City of Boulder and any point where there exists regular established transportation by either railroad or motor vehicle carriers, or in part by one and in part by the other.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the

date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to all legislative action already or hereafter to become effective.

IT IS FURTHER ORDERED, That this order and certificate shall not become effective, and no rights shall be exercised thereunder, until such time as applicant shall have filed with the Commission a certificate by the Clerk of the City of Boulder, showing compliance by the applicant with all municipal requirements of said city relating to the applicant and the operations to be conducted by him.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Commissioners.

Dated at Denver, Colorado,
this 1st day of June, 1927.

(Decision No. 1276)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION)
OF C. W. TOWNSEND, FOR A CERTIFI-)
CATE OF PUBLIC CONVENIENCE AND) APPLICATION NO. 896
NECESSITY.)
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June 1, 1927.
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Appearance: Frank L. Moorhead, Attorney for applicant, Boulder, Colorado.

S T A T E M E N T

By the Commission:

The above applicant, in addition to a large number of other applicants, all of whose cases were set for hearing and heard in the Court House in the City of Boulder, on May 19, 1927, filed an application for a certificate of public convenience and necessity authorizing the transportation of passengers by motor vehicle to a number of scenic attractions in Colorado. Most of the applicants seek to render round trip service from Boulder. There is no proposal by any of the applicants to operate on a regular schedule, nor is there any suggestion that the proposed operations will be in competition with any established transportation service for passengers operated on schedule, except The Glacier Route, Inc., operating between Boulder and the scenic points named in the certificate issued to said The Glacier Route, Inc., and except as the round trips from Boulder to Estes Park may possibly affect the established one-way trips between Boulder and Estes Park. All operations over the routes designated are limited solely to round trip service and no one-way operations are in contemplation, except as hereinafter stated.

The proprietors of a large number of sightseeing motor vehicle operations in the City of Colorado Springs suggested to the Commission that a certificate be issued to those operating out of that city for a period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that

period better to determine what the public convenience and necessity requires. This suggestion was adopted in most of the operations out of that city and we have deemed it advisable to adopt the same scheme with reference to the operations out of the City of Boulder.

The Commission is frank to admit that there are several problems in connection with these operations, which it is not now in a position intelligently to solve, and which may be more satisfactorily solved and adjusted after the experience under regulated service for one year, including the experience and knowledge that may be gained under the operation of what is known as H.B.No. 430, passed this year by the legislature. Some of the applicants in this sightseeing and tourist business desire also the privilege of operating a taxi service from the City of Boulder, under private contract, to any point where a patron may desire to go. The Commission, on the record made, and for lack of more experience and knowledge, has been unable to determine just how and to what extent to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this and the other said applications, except that it is now of the opinion, and so finds, that the public convenience and necessity does not and will not in the future require the operation from the City of Boulder of any one-way trips where there is now an established service either by motor vehicle or railroad, or in part by one and in part by the other.

The Commission is of the opinion that the public convenience and necessity does now require that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system from Boulder to the various points named in the application herein for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination sometime within the next year, unless such time is further extended, and the record made in this application shall be taken and considered as a part of the record when the application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for a term of one year to operate a motor transportation system for the transportation of passengers on round trips from the City of Boulder to the various points named in the application herein, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one-way transportation of passengers is permitted between the City of Boulder and any point where there exists regular established transportation by either railroad or motor vehicle carriers, or in part by one and in part by the other.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to

all legislative action already or hereafter to become effective.

IT IS FURTHER ORDERED, That this order and certificate shall not become effective, and no rights shall be exercised thereunder, until such time as applicant shall have filed with the Commission a certificate by the Clerk of the City of Boulder, showing compliance by the applicant with all municipal requirements of said city relating to the applicant and the operations to be conducted by him.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 1st day of June, 1927.

(Decision No. 1277)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION)
OF BEN WACKER FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESS-) APPLICATION NO. 897.
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June 1, 1927.
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Appearance: C. D. Bromley, Attorney for applicant,
Boulder, Colo.

S T A T E M E N T

By the Commission:

The above applicant, in addition to a large number of other applicants, all of whose cases were set for hearing and heard in the Court House in the City of Boulder, on May 19, 1927, filed an application for a certificate of public convenience and necessity authorizing the transportation of passengers by motor vehicle to a number of scenic attractions in Colorado. Most of the applicants seek to render round trip service from Boulder. There is no proposal by any of the applicants to operate on a regular schedule, nor is there any suggestion that the proposed operations will be in competition with any established transportation service for passengers operated on schedule, except The Glacier Route, Inc., operating between Boulder and the scenic points named in the certificate issued to said The Glacier Route, Inc., and except as the round trips from Boulder to Estes Park may possibly affect the established one-way trips between Boulder and Estes Park. All operations over the routes designated are limited solely to round trip service and no one-way operations are in contemplation, except as hereinafter stated.

The proprietors of a large number of sightseeing motor vehicle operations in the City of Colorado Springs suggested to the Commission that a certificate be issued to those operating out of that city for a period of one year, in order that the Commission, as well as the operators, may have the benefit of a regulated service of this kind of an operation over that

period better to determine what the public convenience and necessity requires. This suggestion was adopted in most of the operations out of that city and we have deemed it advisable to adopt the same scheme with reference to the operations out of the City of Boulder.

The Commission is frank to admit that there are several problems in connection with these operations, which it is not now in a position intelligently to solve, and which may be more satisfactorily solved and adjusted after the experience under regulated service for one year, including the experience and knowledge that may be gained under the operation of what is known as H.B. No. 430, passed this year by the legislature. Some of the applicants in this sightseeing and tourist business desire also the privilege of operating a taxi service from the City of Boulder, under private contract, to any point where a patron may desire to go. The Commission, on the record made, and for lack of more experience and knowledge, has been unable to determine just how and to what extent to regulate such service and, therefore, defers any opinion as relating to such service until the final determination of this and the other said applications, except that it is now of the opinion, and so finds, that the public convenience and necessity does not and will not in the future require the operation from the City of Boulder of any one-way trips where there is now an established service either by motor vehicle or railroad, or in part by one and in part by the other.

The Commission is of the opinion that the public convenience and necessity does now require that the applicant herein receive a certificate of public convenience and necessity to operate a motor transportation system from Boulder to the various points named in the application herein for the transportation of passengers in the sightseeing and tourist business for one year from the date of this order, subject to such conditions as the Commission deems the public convenience and necessity requires. The Commission, however, will retain jurisdiction over this application for final determination sometime within the next year, unless such time is further extended, and the record made in this application shall be taken and considered as a part of the record when the application is finally determined.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein for a term of one year to operate a motor transportation system for the transportation of passengers on round trips from the City of Boulder to the various points named in the application herein, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for one year from the date hereof, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That all sightseeing and tourist operations by the applicant herein shall be limited to round trip operations originating and terminating at the point of origin of the service.

(b) That no one-way transportation of passengers is permitted between the City of Boulder and any point where there exists regular established transportation by either railroad or motor vehicle carriers, or in part by one and in part by the other.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the certificate of public convenience and necessity hereby issued shall be good for one year only from the date hereof, and that the Commission retains jurisdiction over the application herein for further hearing and determination, and for such disposition as the Commission deems the public convenience and necessity shall require.

IT IS FURTHER ORDERED, That the applicant herein shall file tariffs of rates, rules and regulations as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof; and that this certificate is issued subject to compliance by the applicant with the Rules and Regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to

all legislative action already or hereafter to become effective.

IT IS FURTHER ORDERED, That this order and certificate shall not become effective, and no rights shall be exercised thereunder, until such time as applicant shall have filed with the Commission a certificate by the Clerk of the City of Boulder, showing compliance by the applicant with all municipal requirements of said city relating to the applicant and the operations to be conducted by him.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 1st day of June, 1927.

(Decision No. 1278)

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION OF MELTON B. EDMONDSON FOR AN ORDER AUTHORIZING THE TRANSFER OF THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY ISSUED TO ROBERT A. ARNETT TO MELTON B. EDMONDSON, SAID CERTIFICATE BEING APPLICATION NO. 329, DECISION NO. 742.

APPLICATION NO. 329-A

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June 1, 1927.
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Appearances:

E. D. DeSoto, Esq., for the applicant.
Elmer L. Brock, Esq., for The Denver and Salt Lake Railway Company.

S T A T E M E N T.

By the Commission:

On July 20, 1925 the Commission received an application from Robert A. Arnett to transfer a certain certificate of public convenience and necessity, issued to him by this Commission for the operation of an automobile transportation line between Steamboat Springs and Craig, Colorado to Melton B. Edmondson. On August 5, 1925 an application was received from Melton B. Edmondson applying for the same transfer as above stated, thereby making joint application for the transfer of said certificate.

The hearing of this matter by the Commission was delayed awaiting further advice from that section of the State of the necessity of making so long a trip with but one case to be heard. However, by agreement of all parties interested this application was finally set down for hearing for Friday, April 15, 1927, at the Hearing Room of the Commission at Denver.

The matter of the public convenience and necessity need not enter into this decision as that was definitely settled by the issuance of the original certificate which is sought to be transferred.

The applicants allege that the said Melton B. Edmondson has sufficient equipment and is financially able and responsible in every way to operate and furnish service such as the public requires, for the operation of this motor vehicle line.

The evidence introduced at the hearing substantiated the statements set forth in the application and further showed that the said Melton B. Edmondson had paid the said Robert A. Arnett the sum of $500. in good faith for the operation in question.

The protestants showed that the D.&.S.L.Ry. was operating daily trains between these points and was fully prepared to serve the public in an expeditious and substantial manner. It was also shown, and it was acknowledged by the applicants, that the original holder of the certificate had transported passengers continuously over this route in connection with his truck operations and had led the present operator of the line, (the purchaser of the operation) to believe that the certificate involved herein, allowed such practice of hauling passengers.

But this is aside from the question involved in this case as the certificate issued by this Commission on August 26, 1924 plainly states that no passenger traffic was to be engaged in by the said Robert A. Arnett over this route and furthermore upon petition by above applicant for a rehearing, asking to be allowed to carry passengers, it was again denied by the Commission, setting forth good and sufficient reasons therefor in a decision rendered August 26, 1924.

After careful consideration of all the facts and testimony adduced at this hearing, the Commission is of the opinion and so finds that the said transfer of the certificate issued to Robert

A. Arnett under application No. 329 should be transferred to Melton B. Edmondson, but the Commission expressly prohibits the hauling of passengers under this said certificate, as set forth in the denial of a rehearing of above entitled matter in Decision No. 732, dated September 26, 1924.

O R D E R.

IT IS, THEREFORE ORDERED, That Robert A. Arnett be and he is hereby authorized to assign and transfer to Melton B. Edmondson a certain certificate of public convenience and necessity to operate a motor vehicle transportation line for the transportation of baggage, freight and express between Steamboat Springs and Craig, Colorado, originally issued to said Robert A. Arnett, in Application No. 329.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Commissioners.

Dated at Denver, Colorado,
this 1st day of June, 1927.

(Decision No. 1279)

34

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION)
OF FRANK A. HART.) APPLICATIONS NOS. 294 and 308

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June 3, 1927.
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S T A T E M E N T.

By the Commission:

On February 28, 1927, Frank A. Hart addressed a letter to the Commission from Jacksonville, Florida, in which he states that he regrets to write that he is surrendering his certificates for the operation of trucks and busses, and that it is impossible for him to return to Colorado to conduct this business, and he feels the only honorable thing to do is to surrender his privilege and allow the same to be canceled voluntarily. On March 4, 1927, the applicant telegraphed the Commission that he had received an offer of $25.00 for his trucking permit from one George Mahon, and requested that the sale be allowed to go through.

In the application of Oscar Baughman, Application No. 854, involving the same territory which was heard on May 13, 1927, at Colorado Springs, a notice of which was received by Mr. Hart, it was testified that Hart has not operated as a common carrier over the particular lines in question for the past year.

Under all the circumstances above enumerated, the Commission is of the opinion, and so finds, that the public convenience and necessity requires the cancellation of the certificates issued in Applications Nos. 294 and 308.

O R D E R.

IT IS, THEREFORE ORDERED, That the certificates of public convenience and necessity issued to Frank A. Hart in Applications Nos. 294 and 308, be and the same are hereby canceled and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Commissioners.

Dated at Denver, Colorado,
this 3rd day of June, 1927.

(Decision No. 1280)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION OF THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY FOR PERMISSION TO DISCONTINUE ITS AGENCY AT COLORADO CITY, COLORADO.

I. & S. NO. 90.

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June 3, 1927.
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Appearances: Thomas R. Woodrow, Esq., Denver, Colorado, for applicant;
G. E. Blunt, Esq., Colorado Springs, Colorado, for West Side Commercial Club, protestant.

S T A T E M E N T.

By the Commission:

This is an application by The Denver and Rio Grande Western Railroad Company to discontinue the station agency at Colorado City, effective May 15, 1927. The Commission on April 30, 1927, suspended this effective date until July 1, 1927, unless otherwise ordered by the Commission. Protests were filed by the West Side Commercial Club of Colorado Springs, Colorado, and by a number of merchants from the same place.

Public hearing was had on this matter at Colorado Springs on May 13, 1927, at which time evidence in support of and in opposition thereto was introduced. The testimony shows that the Colorado City depot is a distance of 2.1 miles from the Colorado Springs depot; that there is no passenger business to speak of from this point; that a mixed train is operated three times a week, and that there is no contemplation of any change in the freight service. Colorado City some time ago was annexed to Colorado Springs, and it is one and the same city now. The railroad also maintains an agency 3.1 miles west of Colorado City at

Manitou. The testimony further shows that the business done at this station has not been very considerable in the last several years; furthermore, the Railroad Company maintains that the business handled at the Colorado City station can be just as conveniently taken care of at the Colorado Springs Station.

It would seem to the Commission that the shipping public, under all the circumstances as they appear in the evidence, does not require a station agency at two places in what is now Colorado Springs, especially since the Express Company will maintain the same pickup service as it now maintains in Colorado City, and the railroad, as a condition to the granting of the discontinuance of this agency, will not change any switching rates as now reflected in its tariffs.

After a careful consideration of all the evidence introduced, the Commission is of the opinion, and so finds, that the public needs do not further require the station agency at Colorado City.

O R D E R.

IT IS, THEREFORE ORDERED, That The Denver and Rio Grande Western Railroad Company is hereby authorized to discontinue its said station at Colorado City, Colorado, as an agency station, effective June 15, 1927, subject to the conditions above stated.

IT IS FURTHER ORDERED, that the proceedings herein be and the same are hereby discontinued.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Commissioners.

Dated at Denver, Colorado,
this 3rd day of June, 1927.

(Decision No. 1281)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF FLORENCE C. MOLLOY AND MABEL N. MACLEAY, CO-PARTNERS, DOING BUSINESS UNDER THE FIRM NAME OF MOLLOY AND MACLEAY, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	APPLICATION NO. 706.

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June 3, 1927.
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Appearance: Frank L. Moorhead, Attorney for applicants, Boulder, Colorado.

S T A T E M E N T

By the Commission:

On April 4, 1927, this Commission signed an order which constituted a certificate of public convenience and necessity, authorizing Florence C. Molloy and Mabel N. Macleay, co-partners, doing business under the firm name and style of Molloy Tours, to transport sightseeing passengers from the City of Boulder to certain points named in said order. On April 15, 1927, said parties filed a petition herein for an amended order, praying that the order be amended so that paragraph "(b)" thereof shall read as follows (the new portion thereof being underscored):

(b) That all operations by the applicants herein shall be limited to sightseeing round trip operations originating and terminating at Boulder or Gold Hill, Colorado.

Said petition alleges that there is located in the City of Boulder an institution owned and controlled by The Holiday House Association, known as "Blue Bird Cottage", which is operated

as a recreation center for Chicago girls on their vacations; that said association maintains also a branch of the "Blue Bird Cottage" at Gold Hill, Colorado, a small camp located about twelve miles west of Boulder; that there is located also at Gold Hill a resort known as the Double-M ranch and that the applicants have served said "Blue Bird Cottage", from both Boulder and Gold Hill, for a number of years on sightseeing trips, and will serve both said cottage and said ranch in the future if authorized so to do; that there is no sightseeing operation out of Gold Hill other than that of these applicants.

The said petition or supplemental application to which no objection was made, was set for hearing and heard in the Court House in the City of Boulder on May 19, 1927.

The Commission finds that the public convenience and necessity requires that the applicants herein receive a certificate of public convenience and necessity authorizing and requiring them to operate a motor transportation system from Gold Hill, Colorado to the various points named in the original order herein.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicants herein, authorizing and requiring them to operate a motor transportation system for the transportation of passengers on round trips from Gold Hill, Colorado, to the various points named in the original order herein, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity for such operation, subject to the terms and conditions contained in the original order, which said terms and conditions,

in the opinion of the Commission, the public convenience and necessity requires.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 3rd day of June, 1927.

(Decision No. 1282.)

1282

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF CLARENCE G. GUY FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A STAGE LINE BETWEEN LAMAR, SPRINGFIELD, AND THE COLORADO STATE LINE, CONTINUING ON TO BOISE CITY, OKLAHOMA.

APPLICATION NO. 823.

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June 3, 1927.
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Appearances: Earl H. Ellis, Esq., Denver, Colorado, and Herschel Horn, Esq., Lamar, Colorado, for Applicant.

S T A T E M E N T

By the Commission:

Clarence G. Guy, a resident of the City of Lamar, Colorado, on February 9, 1927, filed his application with the Commission asking for a certificate of public convenience and necessity authorizing the transportation by motor vehicle of passengers, light parcels, bread, laundry and the like from "Lamar south via Springfield and Campo to the Colorado State line with continuation to Boise City, Oklahoma." In the amendment to the application, filed May 10, 1927, the applicant has withdrawn, without prejudice, his request for authority to operate south of Springfield.

No protest against the application was filed. The matter was set down for hearing in the Court House in Lamar at 9:30 A.M., May 5, 1927, at which time and place the hearing was held.

The territory between Lamar and Springfield is served by no other system or line of transportation than that of the applicant. The distance between these two points is fifty miles. Applicant has furnished motor vehicle transportation between the two said points for about two years. His predecessor, whom applicant bought out, furnished such transportation for twelve years immediately preceding. Neither the City of Lamar nor the town

of Springfield has any municipal requirements to be complied with by applicant.

Much testimony was introduced showing the public convenience and necessity for applicant's operations, the dependability thereof and applicant's satisfactory financial condition, etc. The testimony included that of hotel men and the county commissioners of Prowers County. No single witness testified in opposition to the application. Applicant has a capital investment in the five cars owned by him of $2500.

The Commission is of the opinion, and so finds, that the public convenience and necessity does now, and in the future will, require motor vehicle operation by the applicant for the transportation of passengers, small packages, bread, laundry, and the like, between the City of Lamar and the town of Springfield, Colorado.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires that a certificate of public convenience and necessity be issued to the applicant herein, authorizing the operation by him of a motor transportation system for the transportation of passengers, small packages, bread, laundry, and the like, from the City of Lamar to the town of Springfield, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

IT IS FURTHER ORDERED, That the applicant shall operate such motor vehicle carrier system according to the schedules filed with this Commission except when prevented from so doing by the Act of God, the public enemy or unusual and extreme weather conditions; and this order is made subject to compliance by the applicant with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 3rd day of June, 1927.

(Decision No. 1283)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION OF E. D. EARLES AND WM. GEISER, A CO-PARTNERSHIP, OPERATING UNDER THE FIRM NAME AND STYLE OF THE BLUE STREAK TAXI COMPANY, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE BUS SERVICE BETWEEN LAMAR, COLORADO, AND BOISE CITY, OKLAHOMA.

APPLICATION NO. 852

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June 3, 1927.

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Appearance: J. S. Underwood, Esq., Lamar, Colorado for applicants.

S T A T E M E N T.

By the Commission:

On March 31, 1927, E. D. Earles and Wm. Geiser, co-partners, doing business under the firm name and style of The Blue Streak Taxi Company, filed their application with this Commission for a certificate of public convenience and necessity to operate a motor transportation system for the transportation of passengers between the City of Lamar, Colorado, and Boise City, Oklahoma, and intermediate points.

A written protest and objection was filed by Clarence G. Guy. The application was set down for hearing in the Court House, at Lamar, Colorado, at 9:30 A.M. May 5, 1927. When the matter was called for hearing at the time and place stated, the applicants appeared by their attorney, J. S. Underwood, Esq., and stated to the Commission that at the time the application was filed, applicants were of the opinion that, on account of the anticipated oil developments in the vicinity, transportation business over the route specified in the application would be much better than it had developed to be; that they do not now desire to operate the motor

transportation system and would like to have the Commission continue the case indefinitely.

The Commission, after careful consideration of the matter, has found that the appropriate action to be taken is to dismiss the application, without prejudice.

O R D E R.

IT IS THEREFORE ORDERED, That the application herein be, and the same is hereby, dismissed without prejudice.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Otto Bock

Dave S. Jones

Commissioners.

Dated at Denver, Colorado,
this 3rd day of June, 1927.

(Decision No. 1284)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF ED. S. ARMENTROUT FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY. — APPLICATION NO. 881.

IN THE MATTER OF THE APPLICATION OF GEORGE B. MAHON FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY. — APPLICATION NO. 891.

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June 3, 1927.

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Appearances: O. E. Collins, Esq., Attorney for Ed. S. Armentrout, Colorado Springs, Colorado.

John M. Meikle, Esq., Attorney for George B. Mahon, Colorado Springs, Colorado.

S T A T E M E N T

By the Commission:

These two cases, by consent of applicants, were consolidated for hearing.

The application of Ed. S. Armentrout was filed April 30, 1927, that of George B. Mahon on May 9, 1927. The two applications were set down for hearing and were heard at the City Hall in Colorado Springs on May 14, 1927. Both applicants seek a certificate authorizing the transportation by them by motor vehicle, of baggage between the town of Green Mountain Falls and the City of Colorado Springs. The applicant Mahon asks also for authority to transport baggage between the town of Cascade and the City of Colorado Springs. The towns of Green

Mountain Falls and Cascade are mountain resorts located fifteen and twelve miles respectively west of Colorado Springs, in the valley of Fountain Creek, in what is commonly called Ute Pass. The population of Green Mountain Falls and Cascade during the summer is approximately 1800 and 200 respectively. During the balance of the year it is some 25 and 15 respectively. The summer population begins arriving about the 15th of June and, for the most part, has departed by Labor Day, although a few people continue to stay there until somewhat later.

While there is rail service to and from Colorado Springs once daily, no station has been maintained at either of said towns for some fifteen years and very few of the summer inhabitants or visitors use the train in going to and from the two towns. The transportation used by them is motor vehicle. No objection to the applications has been filed by the railroad company.

The Commission finds that the public convenience and necessity requires that there be in operation during the summer season, being June 15 to September 15, both inclusive, a motor vehicle transportation system between the towns of Green Mountain Falls and Cascade and the City of Colorado Springs, and that a certificate of public convenience and necessity authorizing the operation during said seasonal period of a motor transportation system between said points be issued.

It is agreed by both applicants, and the Commission finds, that there is not enough business to warrant the issuance of a certificate to both of them. The Commission has given careful consideration to the question to which of the applicants a certificate should be issued. Both seem dependable both morally and financially, although the financial responsibility of the applicant Armentrout is substantially greater than that of the applicant Mahon. The applicant Armentrout has also more equipment. His capital investment in his two trucks is $650. While the date of the filing of an application

ordinarily is one of the least important considerations yet, other things being equal or nearly so, it may of necessity turn the scales. We are inclined to believe, and so find, that because of the somewhat stronger financial condition of the applicant Armentrout and because also his application was filed first, public convenience and necessity requires that the certificate be issued to him, upon and subject to the following conditions which we find the public convenience and necessity requires:

(a) That he render the same class of service to the town of Cascade and the people temporarily residing there in the summer, that is rendered to the town of Green Mountain Falls and its population, such service including the making and maintaining of an arrangement by which orders may be left at all reasonable hours at some reasonably convenient place in Cascade for the transportation of baggage thereto and therefrom.

(b) That, aside from a minimum charge to be made for all pieces of baggage, the charges be based on weight.

(c) That the applicant shall not carry any express unless it be baggage sent to Colorado Springs by express.

O R D E R

IT IS THEREFORE ORDERED, That the application of George B. Mahon, No. 891, be and the same hereby is denied.

IT IF FURTHER ORDERED, That the public convenience and necessity does now and in the future will require that a certificate of public convenience and necessity be issued to the applicant Ed. S. Armentrout authorizing and requiring him to operate a motor vehicle transportation system for the transportation during the seasonal period, June 15 to September 15, both inclusive, of baggage between the towns of Green Mountain Falls and Cascade and the City of Colorado Springs,

Colorado, and that this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor, subject to the following terms and conditions:

(a) That he render the same class of service to the town of Cascade and the people temporarily residing or sojourning there in said seasonal period, that is rendered to the town of Green Mountain Falls and its population, such service including the making and maintaining of an arrangement by which orders may be left at all reasonable hours at some reasonably convenient place in Cascade for the transportation of baggage thereto and therefrom.

(b) That, aside from a mimimum charge to be made for all pieces of baggage, the charges be based on weight.

(c) That the applicant shall not carry any express unless it be baggage sent to Colorado Springs by express.

IT IS FURTHER ORDERED, That the applicant shall file tariffs of rates, rules and regulations and time schedules as required by the Rules and Regulations of this Commission governing motor vehicle carriers within a period not to exceed twenty days from the date hereof.

IT IS FURTHER ORDERED, That the applicant shall operate such motor vehicle carrier system according to the schedules filed with this Commission except when prevented from so doing by the Act of God, the public enemy or unusual and extreme weather conditions, and this order is made subject to compliance by the applicant with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Bock

Dan S. Jones

Walt Allen

Commissioners.

Dated at Denver, Colorado,
this 3rd day of June, 1927.

(Decision No. 1285)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION OF C. H. WILLIAMS & SON FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.) APPLICATION NO. 870.

- - - - - - - - -
June 4, 1927.
- - - - - - - - -

Appearances: Ernest B. Upton, Esq., Cripple Creek, Colorado, for applicant;
Thomas R. Woodrow, Esq., Denver, Colorado, for The Denver and Rio Grande Western Railroad Company and American Railway Express Company.
Riley R. Cloud, Esq., Pueblo, Colorado, for Harry F. Satero.

S T A T E M E N T

By the Commission:

This is an application for a certificate of public convenience and necessity to authorize a motor vehicle carrier operation for the transportation of passengers, light baggage and light express between Colorado Springs and Canon City, Colorado. Protests were filed against this application by Harry F. Satero, operating a motor vehicle system between Pueblo, Florence and Canon City, Colorado, and The Denver and Rio Grande Western Railroad Company, operating a steam railroad between Colorado Springs and Canon City, and The American Railway Express Company. This application was heard at the City Hall, Colorado Springs, Colorado, on May 13, 1927.

The territory between Canon City and Colorado Springs is very sparsely settled, the main purpose being to transport passengers from Canon City. The evidence indicates that it is very doubtful whether such an operation as this could be profitably conducted. The Commission has granted certificates for the operation by motor vehicle between Colorado Springs and Pueblo, and Pueblo and Canon City. Furthermore,

The Denver and Rio Grande Western Railroad Company operates four passenger trains each way daily between Colorado Springs and Canon City.

The applicant requested a temporary certificate for the purpose of ascertaining just what transportation business could or would be developed by his operation. Under the record as it stands the Commission is not disposed to grant such a certificate.

After a careful consideration of all the evidence introduced in this hearing, the Commission is of the opinion, and so finds, that the public convenience and necessity does not require the motor vehicle operation proposed by the applicant herein.

O R D E R

IT IS THEREFORE ORDERED, That the application of C. H. Williams & Son, No. 870, be and the same is hereby denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 4th day of June, 1927.

(Decision No. 1286)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF)
GROVES BROTHERS, FOR A CERTIFICATE) APPLICATION NO. 880
OF PUBLIC CONVENIENCE AND NECESSITY.)
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- - - - - - - - -
June 4, 1927.
- - - - - - - - -

Appearances: Fred N. Bentall, Esq., Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

This is an application for a certificate of public convenience and necessity to operate a motor truck service from Manitou, Colorado, to other points, including Colorado Springs, Pueblo and Denver. A protest was filed against this application by The Denver and Rio Grande Western Railroad Company, The American Railway Express Company and The Colorado and Southern Railway Company. This application was heard on May 13,1927, at the City Hall, Colorado Springs, Colorado.

The applicant's testimony is to the effect that he is in the coal business as well as the excavating business at Manitou; that once in a while, not more than once or twice a year, he hauls brick and tile under private contract. It is apparent from the record that most of the applicant's business is the transportation of his own commodities; some of his business is purely under private contract. The testimony further shows that so far as the baggage business is concerned it even doesn't pay the applicant to obtain a license from Manitou, so this part must be very slight.

From the testimony in the record it is very doubtful that the applicant does any common carrier business whatsoever, except perhaps the hauling of some trunks between Manitou and Colorado Springs. The obligations and duties of a common carrier are of such a nature that it is questionable that the applicant could afford to assume them.

After a careful consideration of the evidence introduced at this hearing, the Commission is of the opinion, and so finds, that the public convenience and necessity does not require the proposed operation of the applicant as it relates to common carrier operations, which, after all, is the only operation with which this Commission is concerned.

O R D E R

IT IS THEREFORE ORDERED, That the application of Groves Brothers, No. 880, be, and the same is hereby, denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado, this
4th day of June, 1927.

(Decision No. 1287)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

- - - -

IN THE MATTER OF THE APPLICATION)
OF OSCAR BAUGHMAN FOR A CERTIFICATE)) APPLICATION NO. 854
OF PUBLIC CONVENIENCE AND NECESSITY.)

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June 4, 1927
- - - - - - - - -

Appearances: Young & Meikle, Esqs., Colorado Springs, Colorado, for applicant;
Ernest B. Upton, Esq., Cripple Creek, Colorado, for C. H. Williams & Son, protestants.

S T A T E M E N T

By the Commission:

This is an application by Oscar Baughman to operate a motor vehicle transportation system for the transportation of passengers between Green Mountain Falls and Cascade and Colorado Springs, Colorado. Protests were filed against this application by The Midland Terminal Railway Company and C. H. Williams & Son. This application was set down for hearing on May 13, 1927, at the City Hall, Colorado Springs, Colorado, at which time evidence in support of and in opposition thereto was received.

The Midland Terminal Railway Company and C. H. Williams & Son serve the same territory, one a steam railroad and the other a motor vehicle carrier. Protestant C. H. Williams & Son was granted a certificate by this Commission several years ago in Application No. 302. No complaint has been made to the Commission against this service. The testimony shows that the Williams operation, which is an all-year service, has not been able to put in a summer service between Green Mountain Falls and Colorado Springs because of the competition it was subjected to by other operations, including the operation of Frank A. Hart, which certificate has recently been cancelled by this Commission. Williams testified that he had recently purchased a large bus and that he stood ready and willing to give

all the service the passenger business required from Green Mountain Falls and intermediate points to Colorado Springs. The Commission feels that because of the prior certificate issued to him he should have an opportunity to serve this territory. It should be understood, however, that he will be required to furnish sufficient vehicles to take care of this territory conveniently, promptly and efficiently. The applicant's showing as to public convenience and necessity for his operation is rather slight; he asks for a seasonal operation only, and sells his entire equipment each year at the close of the season. The applicant introduced some testimony as to his connections with Frank A. Hart, who operated under certificate in 1925, but there is nothing in this testimony that would warrant the Commission in granting a certificate to the applicant because of the cancellation of the Hart certificate.

After a careful consideration of all the evidence introduced at the hearing herein, the Commission is of the opinion, and so finds, that the public convenience and necessity does not require the proposed operation by Oscar Baughman.

O R D E R

IT IS THEREFORE ORDERED, That the application of Oscar Baughman, No. 854, be and the same is hereby denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado, this
4th day of June, 1927.

(Decision No. 1288.)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF ARVEL A. HENRIKSON, DOING BUSINESS AS THE DENVER AND LOVELAND TRANSPORTATION, FOR PERMISSION OR CERTIFICATE OF THIS COMMISSION AUTHORIZING THE OPERATION AND MAINTENANCE OF A TRUCK LINE FROM DENVER TO LOVELAND, COLORADO, AND THE INTERMEDIATE POINT BERTHOUD, COLORADO, FOR THE TRANSPORTATION OF FREIGHT AND MERCHANDISE FOR THE GENERAL PUBLIC.

APPLICATION NO. 447.

- - - - - - -
June 4, 1927.
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S T A T E M E N T

By the Commission:

On May 16, 1927, the Commission issued its order giving The Colorado and Southern Railway Company twenty days in which to file, if it so desired, an application for a certificate of public convenience and necessity authorizing it to perform in the territory in question such service as the applicant herein desires to perform, and that in the event no such application was filed a final order on the application would be made as if the request of The Colorado and Southern Railway Company had not been made.

The Commission having on this date received notice from The Colorado and Southern Railway Company stating that the executives of the company have this matter under consideration and have not yet come to a conclusion, and asking an additional ten days to consider the matter, and that the same is not being unnecessarily delayed. Under these circumstances the Commission is of the opinion that such an extension of ten days should be granted.

O R D E R

IT IS THEREFORE ORDERED, That The Colorado and Southern Railway Company be, and the same is hereby, given ten days additional time in which to file, if it so desires, an application for a certificate of public convenience and necessity authorizing it to perform in the territory in question such service

as the applicant herein desires to perform.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 4th day of June, 1927.

(Decision No. 1289)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION OF R. A. WILSON FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 860.

- - - - - - - - -

June 6, 1927.

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Appearances: J. W. Kriger, Esq., Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

This is an application for a certificate of public convenience and necessity to operate a motor vehicle system for the transportation of freight, baggage, express and packages between Manitou and Colorado Springs, Colorado, and intermediate points. No protest was filed against the same. The Colorado Springs and Interurban Railway Company filed a statement with the Commission that it had no objections to the granting of the certificate.

Hearing was had on this application at Colorado Springs, Colorado, on May 13, 1927. No evidence was introduced in opposition thereto. The evidence shows that the applicant has been operating a baggage and transfer system between Manitou and Colorado Springs for about twenty seven years. His investment is approximately $500. He operates daily except Sunday.

After a careful consideration of the evidence introduced at this hearing, the Commission is of the opinion, and so finds, that the public convenience and necessity requires the motor vehicle carrier system for the transportation of freight, baggage, express and packages by the applicant between Manitou and Colorado Springs, Colorado.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires the operation of the motor vehicle carrier system for the trans-

portation of freight, baggage, express and packages between Manitou and Colorado Springs, Colorado, by R. A. Wilson, applicant herein, and this order shall be deemed, taken and held to be a certificate of public convenience and necessity therefor.

IT IF FURTHER ORDERED, That the applicant shall file a tariff of rates and schedules as required by the rules and regulations of this Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof, and that this order is subject to compliance by applicant with the rules and regulations now in force or to be hereafter adopted by this Commission with reference to motor vehicle carriers, and also subject to any legislative action that may in the future be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 6th day of June, 1927.

(Decision No. 1290)

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF LESLIE SUTHERLAND FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.) APPLICATION NO. 861.

- - - - - - - - -
June 6, 1927.
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Appearances: J. W. Kriger, Esq., Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

This is an application for a certificate of public convenience and necessity to operate a motor vehicle carrier system for the transportation of freight, baggage and express between Manitou and Colorado Springs, Colorado, and intermediate points. No protests were filed against the same. The Colorado Springs and Interurban Railway Company filed a statement with the Commission to the effect that it had no objection to the granting of the certificate.

This application was heard on May 13, 1927, at Colorado Springs, Colorado. No evidence was introduced in opposition thereto. The testimony shows that the applicant has been operating for the past twenty years in the baggage and transfer business between Manitou and Colorado Springs. His investment is approximately $500. He does not operate on regular schedule, but maintains an office at Manitou.

After a careful consideration of the evidence introduced at this hearing, the Commission is of the opinion, and so finds, that the public convenience and necessity requires the motor vehicle carrier system for the transportation of freight, baggage and express by the applicant between Manitou and Colorado Springs, Colorado.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires the operation of the motor vehicle carrier system for the transportation of freight, baggage and express between Manitou and Colorado Springs, Colorado, by Leslie Sutherland, applicant herein, and this order shall be deemed, taken and held to be a certificate of public convenience and necessity therefor.

IT IS FURTHER ORDERED, That the applicant shall file a tariff of rates and schedules as required by the rules and regulations of this Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof, and that this order is subject to compliance by applicant with the rules and regulations now in force or to be hereafter adopted by this Commission with reference to motor vehicle carriers, and also subject to any legislative action that may in the future be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 6th day of June, 1927.

(Decision No. 1229)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF ARVEL A HENRICKSON, DOING BUSINESS AS THE DENVER AND LOVELAND TRANSPORTATION, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.	))))))	APPLICATION NO. 447

- - - - - - - - -
May 16, 1927.
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Appearances: A. T. Monson, Esq., Denver, Colorado, and Henry S. Sherman, Esq., Fort Collins, Colorado, for applicant;
J. Q. Dier, Esq., Denver, Colorado, for The Colorado and Southern Railway Company;
D. Edgar Wilson, Esq., Denver, Colorado, for The Colorado Motor Way, Inc.;
J. S. Habenicht, Esq., Denver, Colorado, for the American Railway Express Company;
George Swerer, Esq., Denver, Colorado, for The McKie Transfer Company.

S T A T E M E N T

By the Commission:

On May 14, 1925, Arvel Henrickson, doing business as the Denver and Loveland Transportation, filed with this Commission an application for certificate of public convenience and necessity for the operation of motor vehicles for the transportation of freight and merchandise between Denver, Colorado, and Loveland, Colorado, and Denver, Colorado, and Berthoud, Colorado. On May 26, 1925, The Colorado and Southern Railway Company filed its answer and protest. On May 28, 1925 American Railway Express Company filed its answer and protest.

Thereafter a hearing was had on February 24, 1926 at which time evidence was introduced in support of, and in opposition to, the application. Thereafter on May 5, 1926, the Commission entered an order denying the application.

On May 14, 1926, the applicant filed a petition for rehearing. The rehearing was granted and the matter was heard a second time on February 16, 1927. The Colorado and Southern Railway Company at the

hearing requested that it be given an opportunity to determine whether or not it wants to engage in such service as is sought to be rendered by the applicant before any permit is issued to the applicant or any other person.

The Commission believes and finds that the public interest requires that before a final decision is rendered on the application herein, The Colorado and Southern Railway Company should be permitted, if it so desires, to file its application for a certificate authorizing it to perform the same kind of service. If such application be filed, the Commission will then hold a hearing thereon before the final disposition of the instant application.

O R D E R

IT IS THEREFORE ORDERED, That The Colorado and Southern Railway Company be and the same is hereby given twenty (20) days in which to file, if it so desires, an application for a certificate of public convenience and necessity authorizing it to perform in the territory in question, such service as the applicant herein desires to perform.

IT IS FURTHER ORDERED, That in the event no such application is filed, a final order on the application herein will be made as if the request of The Colorado and Southern Railway Company had not been made.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 16th day of May, 1927.

(Decision No. 1291)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

- - - -

IN THE MATTER OF THE APPLICATION OF)
L. M. CHAMPION FOR A CERTIFICATE OF) APPLICATION NO. 875
PUBLIC CONVENIENCE AND NECESSITY.)

- - - - - - - -
June 6, 1927.
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Appearances: J. W. Kriger, Esq., Colorado Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

This is an application for a certificate of public convenience and necessity to operate a motor vehicle carrier system for the transportation of freight, baggage, express and packages between Manitou and Colorado Springs, Colorado, and intermediate points. No protest was filed to this application. The Midland Terminal Railway Company and The Colorado Springs and Interurban Railway Company filed a statement with this Commission to the effect that they had no objection to the granting of the certificate. Edward E. Nichols, who operates under a certificate of public convenience and necessity between Manitou and Colorado Springs, filed a statement with the Commission that he has no objection whatever to this application, and that, in fact, he considers it an absolute necessity.

This application was heard at Colorado Springs, Colorado, on

May 13, 1927. No evidence was introduced in opposition thereto. The testimony shows that the applicant has been operating since September, 1926, when he purchased the rights of the Peck Transfer Company, which had been operating for four years prior to that time. His investment is approximately $500.

After a careful consideration of the evidence introduced at this hearing, the Commission is of the opinion, and so finds, that the public convenience and necessity requires the motor vehicle carrier system for the transportation of freight, baggage, express and packages by the applicant between Manitou and Colorado Springs, Colorado.

O R D E R

IT IS THEREFORE ORDERED, That the public convenience and necessity requires the operation of the motor vehicle carrier system for the transportation of freight, baggage, express and packages between Manitou and Colorado Springs, Colorado, by L. M. Champion, applicant herein, and this order shall be deemed, taken and held to be a certificate of public convenience and necessity therefor.

IT IS FURTHER ORDERED, That the applicant shall file a tariff of rates and schedules, as required by the rules and regulations of this Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof, and this order is subject to compliance by the applicant with the rules and regulations now in force or to be hereafter adopted by this Commission with respect to motor vehicle carriers, and also subject to any legislative action that may, in the future, be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Bock

Dwight S. Jones

Commissioners.

Dated at Denver, Colorado,
this 6th day of June, 1927.

(Decision No. 1292)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
THE THREE PEAKS SIGHTSEEING COMPANY)
FOR A CERTIFICATE OF PUBLIC CONVEN-) APPLICATION NO. 566.
IENCE AND NECESSITY.)

June 6, 1927

Appearances: Henry L. Schlink, Esq., Denver, Colorado, for applicant;
D. Edgar Wilson, Esq., Denver, Colorado, for The Rocky Mountain Parks Transportation Company, The Rocky Mountain Motor Company and The Denver Cab Company;
Sam Feldman, Esq., Denver, Colorado, for The Champa 3 Auto Livery Company.

S T A T E M E N T

By the Commission:

The application was set down for final hearing on May 24, 1927, at the Hearing Room of the Commission, 305 State Office Building, Denver, Colorado. At that time the applicant moved that the application herein be dismissed.

O R D E R

IT IS THEREFORE ORDERED, That the application of The Three Peaks Sightseeing Company, No. 566, be, and the same is hereby, dismissed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

Commissioners.

Dated at Denver, Colorado,
this 6th day of June, 1927.

(Decision No. 1293)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION)
OF BEN'S TAXI SERVICE COMPANY FOR)
A CERTIFICATE OF PUBLIC CONVENIENCE) APPLICATION NO. 588
AND NECESSITY.)

June 6,1927.

S T A T E M E N T

By the Commission:

This application was set down for hearing on May 24, 1927. This was the second time this application was set down for hearing. A. P. Anderson, Esq., counsel for applicant, appeared at the last date set, and stated that he had not heard from his client for some time, and did not know where he could locate him. He therefore moved that the application be dismissed with privilege to reinstate the same on good cause shown.

O_R_D_E_R

IT IS THEREFORE ORDERED, That the application of Ben's Taxi Service Company, No. 588, be, and the same is hereby, dismissed, with privilege to reinstate on good cause shown.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Bock

Dave S. Jones

Commissioners.

Dated at Denver, Colorado,
this 6th day of June, 1927.

(Decision No. 1294)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF HANS CLAUSEN, DOING BUSINESS AS THE WINDSOR TAXI SERVICE, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 626

June 6,1927.

S T A T E M E N T

By the Commission:

This application was set down for hearing on May 24, 1927, at the Hearing Room of the Commission, 305 State Office Building, Denver, Colorado. This was the second time the Commission set this application for hearing. The applicant, however, failed to appear.

O R D E R

IT IS THEREFORE ORDERED, That the application of Hans Clausen, doing business as the Windsor Taxi Service, No. 626, be, and the same is hereby, dismissed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado, this
6th day of June, 1927.

(Decision No. 1295)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION)
OF JOSEPH FREILINGER, DOING BUSI-)
NESS AS THE PREMIER SIGHT SEEING)
COMPANY, FOR A CERTIFICATE OF) APPLICATION NO. 583
PUBLIC CONVENIENCE AND NECESSITY.)

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June 6, 1927
- - - - - - - - - -

Appearances: Clarence Werthan, Esq., Denver, Colorado, for applicant;
D. Edgar Wilson, Esq., Denver, Colorado, for The Rocky Mountain Motor Company, The Rocky Mountain Parks Transportation Company and The Denver Cab Company;
Sam Feldman, Esq., Denver, Colorado, for The Champa 3 Auto Livery Company.

S T A T E M E N T

By the Commission:

On April 28, 1926, Joseph Freilinger, doing business under the name of The Premier Sight Seeing Company, filed his application with this Commission for a certificate of public convenience and necessity to operate a motor vehicle carrier system for the transportation of passengers over three routes and to certain designated points, fully set forth in the application. Oral protest was entered against this application by The Rocky Mountain Parks Transportation Company and The Denver Cab Company. This application was set down for hearing on May 24, 1927, at the Hearing Room of the Commission, 305 State Office Building, Denver, Colorado, at which time evidence in support of and in opposition thereto was received.

The applicant herein seeks a motor vehicle operation to serve the tourist and sightseeing public from Denver. He does not operate on a regular schedule; he has operated for the past two seasons; the equipment of the applicant consists of two automobiles; his capital investment amounts to approximately $2500.

The Commission has fully discussed the principles, circumstances and conditions applicable to the tourist and sightseeing business from

Denver by motor operation in the application of Champa 3 Auto Livery Company, No. 545, Decision 1106, to which reference is hereby made, and, therefore, deems it unnecessary in the instant application to again make a detailed report.

After a careful consideration of all the evidence introduced in this application, the Commission is of the opinion, and so finds, that the present and future public convenience and necessity requires the motor vehicle carrier system of passengers, operated by Joseph Freilinger, doing business under the name of The Premier Sight Seeing Company, over Routes 2 and 3 designated in the application herein, which by reference is made a part hereof; that all operations over the routes designated are limited solely to round trip service on the same day, and no intermediate business of any kind shall be done on any of said routes.

O R D E R

IT IS THEREFORE ORDERED, That the present and future public convenience and necessity requires the motor vehicle carrier operation for the transportation of passengers by Joseph Freilinger, doing business under the name of The Premier Sight Seeing Company, applicant herein, over the following routes:

1. To Pikes Peak by way of State Highway No.1.

2. To Georgetown and Silver Plume, by way of State Highways Nos. 2 and 91.

Said routes are fully set forth in the application filed herein, which by reference thereto are made a part hereof; and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That no transportation of passengers to any intermediate points on the routes designated shall be permitted.

(b) That all operations by the applicants herein shall be limited to sightseeing, round trip, one day operations.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the applicant shall file his written acceptance of the

certificate herein granted within a period of fifteen days from the date hereof, and shall file tariffs of rates, rules and regulations and time schedules as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof.

IT IS FURTHER ORDERED, That this certificate is issued subject to compliance by the applicant with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado, this
6th day of June, 1927.

(Decision No. 1295)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF JOSEPH FREILINGER, DOING BUSINESS AS THE PREMIER SIGHT SEEING COMPANY, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 583

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June 28, 1927

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Appearances: Clarence Werthan, Esq., Denver, Colorado, for applicant;
D. Edgar Wilson, Esq., Denver, Colorado, for The Rocky Mountain Motor Company, The Rocky Mountain Parks Transportation Company and The Denver Cab Company;
Sam Feldman, Esq., Denver, Colorado, for The Champa 3 Auto Livery Company.

S T A T E M E N T

By the Commission:

This matter, coming up for hearing on the application of Joseph Freilinger, doing business as the Premier Sight Seeing Company, to have the original application and certificate amended.

In the month of April, 1926, the applicant filed with this Commission an application ~~for permission~~ for a certificate of public convenience and necessity to operate a sight seeing line over various routes out of Denver. This application, among other routes, asked for permission to operate over what is designated in his application as Route 3, "From Denver to Georgetown and Silver Plume by way of State Highways Nos. 2 and 91."

In the order of this Commission of June 6, 1927, granting a certificate to the applicant, said route was designated as above set out. The applicant now desires permission to include in said trip a round trip through the Denver Mountain Parks and to Mt. Evans, returning by other highways, including State Highways Nos. 2, 8, 68, 73, 74, 91 and 103.

The applicant is operating a tourist and sight seeing business and finds it necessary in the conduct of this business to be able to make complete circle trips through the Mountain Park area back of Denver.

After careful consideration, the Commission is of the opinion that

said amendment to the original application and to the certificate should be granted to this applicant.

O R D E R

It is therefore ordered that the amendment prayed for be permitted and that the certificate of public convenience and necessity for the transportation of passengers granted to Joseph Freilinger, doing business under the name of the Premier Sight Seeing Company, be amended as follows:

That Route 2 be changed from "To Georgetown and Silver Plume by way of State Highways Nos. 2 and 91" to "From Denver via Denver Mountain Park System to Silver Plume, Echo Lake and Mt. Evans, making use of State Highways Nos. 2, 8, 68, 73, 74, 91 and 103;"

That all other matters and things set up in said order and certificate remain as therein set out.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Bock

Dave S. Jones

Commissioners.

(S E A L)

Dated at Denver, Colorado, this
28th day of June, 1927.

I do hereby certify that the above and foregoing is a true and correct copy of the order of the Public Utilities Commission of the State of Colorado, entered in the above entitled cause, now on file in this office.

Secretary

(Decision No. 1296.)

At a General Session of the Public Utilities Commission of the State of Colorado held at its office in Denver, Colorado, June 6, 1927.

INVESTIGATION AND SUSPENSION DOCKET NO. 93.

Re: Discontinuing Lamar, Colorado, as a Stop for Train Number Eleven.

IT APPEARING, That there has been filed with the Public Utilities Commission of the State of Colorado by The Atchison, Topeka and Santa Fe Railway Company, C. H. Bristol, Assistant General Manager, a time table containing schedules eliminating certain stops, to become effective on the 12th day of June, 1927, at 12:01 o'clock A.M., designated as follows:

The Atchison, Topeka and Santa Fe Railway Company,
Western Lines - Northern District,
Arkansas River Division,
Employes' Time Table No. 49.

IT IS ORDERED, That the Commission, upon complaint, without formal pleading, enter upon a hearing concerning the propriety of the changes stated in the said schedules contained in said time table, viz.,

The Atchison, Topeka and Santa Fe Railway Company,
Employes' Time Table No. 49,
Eliminating Lamar, Colorado, as a Stop for Train Number Eleven.

IT FURTHER APPEARING, That the said schedule makes certain changes in its facilities whereby the rights and interests of the public may be injuriously affected; and it being the opinion of the Commission that the effective date of the said schedules contained in said time table should be postponed pending said hearing and decision thereon.

IT IS FURTHER ORDERED, That the operation of the said schedules contained in said time table relating to Train Number Eleven at Lamar be suspended, and that the discontinuing of Lamar, Colorado, as a stop for Train Number Eleven be deferred for one hundred and twenty days, or until October 10, 1927, unless otherwise ordered by the Commission.

IT IS FURTHER ORDERED, That a copy of this order be filed with said schedules in the office of the Commission, and that copies hereof be forthwith served upon The Atchison, Topeka and Santa Fe Railway Company and C. H. Wooden, Secretary, Chamber of Commerce, Lamar, Colorado, protestant.

IT IS FURTHER ORDERED, That this proceeding be assigned for hearing in the Court House in the City of Lamar on Monday, June 20, 1927, at 9:30 o'clock A. M.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 6th day of June, 1927.

(Decision No. 1297)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF ALEXANDER WARWICK FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 633.

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March 14,1927.

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S T A T E M E N T

By the Commission:

This application was first set down for hearing on August 16, 1926, at Colorado Springs, Colorado. At that time the application was vacated. It was again set down for hearing at Colorado Springs on March 14, 1927, at which time the applicant moved that his application be dismissed.

O R D E R

IT IS THEREFORE ORDERED, That the application of Alexander Warwick, No. 633, be, and the same is hereby, dismissed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 14th day of March, 1927.

(Decision No. 1298)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF JOHN I. MYLES TO OPERATE SIGHT-SEEING AUTOMOBILES AND MOTOR VEHICLES FOR SIGHTSEEING FROM COLORADO SPRINGS AND MANITOU TO VARIOUS PLACES IN THE STATE OF COLORADO.

APPLICATION NO. 642

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March 14,1927.

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S T A T E M E N T

By the Commission:

This application was set down for hearing on March 14,1927, at the City Hall, Colorado Springs, Colorado. No appearance was made in this application at the time set, nor was there any representations made for a continuance. Under the circumstances, an order will be entered dismissing the same.

O R D E R

IT IS THEREFORE ORDERED, That the application of John I.Myles, No. 642, be, and the same is hereby, dismissed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 24 day of March,1927.

(Decision No. 1299)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF FRED W. McDOWELL, INDIVIDUAL, FOR A CERTIFICATE THAT THE PRESENT AND FUTURE PUBLIC CONVENIENCE AND NECESSITY WILL REQUIRE THE OPERATION OF A TOURIST AUTO LINE BETWEEN CERTAIN POINTS FROM THE TOWN OF MANITOU TO AND WITHIN WHAT IS KNOWN AS THE PIKES PEAK REGION AND VARIOUS CITIES ADJACENT THERETO.

APPLICATION NO. 648

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March 14,1927.

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S T A T E M E N T

By the Commission:

This application was set down for hearing on March 14,1927, at the City Hall, Colorado Springs, Colorado. No appearance was made in this application at the time set, nor was there any representations made for a continuance. Under the circumstances, an order will be entered dismissing the same.

O R D E R

IT IS THEREFORE ORDERED, That the application of Fred W.McDowell, No. 648, be, and the same is hereby, dismissed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 14th day of March, 1927.

(Decision No. 1500)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF ROY PADGETT, INDIVIDUAL, FOR CERTIFICATE THAT THE PRESENT OR FUTURE PUBLIC CONVENIENCE OR NECESSITY WILL REQUIRE THE OPERATION OF A TOURIST AUTO LINE BETWEEN CERTAIN POINTS FROM THE TOWN OF MANITOU TO AND WITHIN WHAT IS KNOWN AS THE PIKES PEAK REGION AND VARIOUS CITIES ADJACENT THERETO.

APPLICATION NO. 665

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March 14,1927

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S T A T E M E N T

By the Commission:

This application was set down for hearing on March 14, 1927, at the City Hall, Colorado Springs, Colorado. No appearance was made in this application at the time set, nor was there any representations made for a continuance. Under the circumstances, an order will be entered dismissing the same.

O R D E R

IT IS THEREFORE ORDERED, That the application of Roy Padgett, No. 665, be, and the same is hereby, dismissed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 14th day of March,1927.

(Decision No. 1301)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF)
GEORGE W. PASSMORE FOR A CERTIFICATE)
AUTHORIZING HIM TO OPERATE A PASSENGER)
CARRYING SIGHTSEEING AUTOMOBILE FROM)
COLORADO SPRINGS TO POINTS OF INTEREST) APPLICATION NO. 678
IN THE PIKES PEAK REGION AND VARIOUS)
CITIES ADJACENT THERETO.)
- -

- - - - - - - - - -
March 14,1927
- - - - - - - - - -

S T A T E M E N T

By the Commission:

This application was set down for hearing on March 14,1927, at the City Hall, Colorado Springs, Colorado. No appearance was made in this application at the time set, nor was there any representations made for a continuance. Under the circumstances, an order will be entered dismissing the same.

O R D E R

IT IS THEREFORE ORDERED, That the application of Geo. W. Passmore, No. 678, be, and the same is hereby, dismissed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Walter Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado,
this 14th day of March, 1927.

(Decision No. 1302)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION)
OF T. S. FRERICHS, DOING BUSINESS)
AS THE MANITOU AUTO LIVERY, TO)
OPERATE SIGHTSEEING AUTOMOBILES)
AND MOTOR VEHICLES FOR SIGHTSEEING) APPLICATION NO. 751
PURPOSES FROM MANITOU TO VARIOUS)
PLACES IN THE STATE OF COLORADO.)

March 14,1927.

S T A T E M E N T

By the Commission:

This application was set down for hearing on March 14, 1927, at the City Hall, Colorado Springs, Colorado. No appearance was made in this application at the time set, nor was there any representations made for a continuance. Under the circumstances, an order will be entered dismissing the same.

O R D E R

IT IS THEREFORE ORDERED, That the application of T. S.Frerichs, No. 751, be, and the same is hereby, dismissed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado, this
14th day of March, 1927.

(Decision No. 1303)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF SWAN HAGLIN, DOING BUSINESS UNDER THE NAME OF SWAN HAGLIN, FOR CERTIFICATE THAT THE PRESENT OR FUTURE PUBLIC CONVENIENCE OR NECESSITY WILL REQUIRE THE OPERATION OF A TOURIST AUTO LINE BETWEEN CERTAIN POINTS FROM COLORADO SPRINGS TO AND WITHIN WHAT IS KNOWN AS THE PIKES PEAK REGION AND VARIOUS CITIES ADJACENT THERETO.	APPLICATION NO. 731

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March 14,1927

- - - - - - - - -

S T A T E M E N T

By the Commission:

This application was set down for hearing on March 14, 1927, at the City Hall, Colorado Springs, Colorado. No appearance was made in this application at the time set, nor was there any representations made for a continuance. Under the circumstances, an order will be entered dismissing the same.

O R D E R

IT IS THEREFORE ORDERED, That the application of Swan Haglin, No. 731, be, and the same is hereby, dismissed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Bock

Dan S. Jones

Commissioners.

Dated at Denver, Colorado, this
14th day of March, 1927.

(Decision No. 1304)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION)
OF HARRY LARGE FOR A CERTIFICATE) APPLICATION NO. 839.
OF PUBLIC CONVENIENCE AND NECESS-)
ITY.

- - - - - - - - -

May 18, 1927.

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Appearances: Joel E. Stone, Esq., Denver, Colorado, for applicant.
Elmer L. Brock, Esq., Denver, Colorado, for The Denver and Salt Lake Railway Company.

S T A T E M E N T

By the Commission:

This is an application for a motor vehicle carrier system for the transportation of passengers between Denver and East Portal, Colorado. A protest was filed against this application by The Denver and Salt Lake Railway Company. The same was set down for hearing at Denver, Colorado, on May 18, 1927. At the hearing it developed that the applicant herein has been unlawfully operating as a common carrier since the filing of his application on March 17, 1927. The law is that no motor vehicle common carrier can operate without first having obtained a certificate of public convenience and necessity. Since the effective date of the last rules and regulations adopted by the Commission January 1, 1927, the Commission has taken the position that no applicant would receive a certificate of public convenience and necessity if he unlawfully operates at the time of the filing of his application and thereafter. These facts appearing from the testimony, counsel for protestant, The Denver and Salt Lake Railway Company, moved that this application, for the reasons above stated, be denied. This motion was granted.

O R D E R

IT IS THEREFORE ORDERED, That the application of Harry Large, No. 839, be and the same is hereby denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 18th day of May, 1927.

(Decision No. 1305)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF THE ROCKY MOUNTAIN PARK SIGHTSEEING COMPANY FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 550.

- - - - - - - - -
June 7, 1927.
- - - - - - - - -

Appearances: George H. Lerg, Esq., Denver, Colorado, for applicant.
D. Edgar Wilson, Esq., Denver, Colorado, for the Rocky Mountain Motor Company, The Rocky Mountain Parks Transportation Company and The Denver Cab Company.

S T A T E M E N T

By the Commission:

On March 7, 1927, this Commission entered an order in the above application denying the same. Thereafter a motion for rehearing was filed by the applicant, which was set down for argument on May 18, 1927, at Denver, Colorado. It was contended at the argument on rehearing that the evidence introduced at the first hearing was insufficient and somewhat misleading, and left a misunderstanding of the real facts, and that surprise testimony was introduced by one of the protestants which was not met properly with sufficient evidence.

The Commission after a careful consideration of the motion for rehearing, and the arguments presented thereon, is of the opinion that this application for rehearing should be granted.

O R D E R

IT IS THEREFORE ORDERED, That the motion for rehearing in the within application be and the same is hereby granted.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 7th day of June, 1927.

(Decision No. 1306)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

- - - - -

IN THE MATTER OF THE APPLICATION)
OF CLIFFORD MARTIN FOR A CERTI-)
FICATE OF PUBLIC CONVENIENCE) APPLICATION NO. 553.
AND NECESSITY.)
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- - - - - - - - -
June 7, 1927.
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Appearances: Morrison Shafroth, Esq., Denver, Colorado, for applicant.
D. Edgar Wilson, Esq., Denver, Colorado, for The Rocky Mountain Motor Company, The Rocky Mountain Parks Transportation Company and The Denver Cab Company.

S T A T E M E N T

By the Commission:

On March 7, 1927, this Commission entered an order dismissing the above application. At that time the Commission was informed that the applicant had closed his business and had left Denver. On March 30, 1927, a petition for rehearing was filed, in which it was alleged that the applicant was temporarily absent from the State on February 4, 1927, which was the date of a supplemental hearing order by the Commission, and therefore unable to appear; that immediately on his return he took the matter up with his attorneys and was informed that no appearance had been made; that he believes his application to be meritorious, that he is entitled to a certificate of public convenience and necessity, and therefore prays for a rehearing and that the order dismissing the application be vacated.

This matter was set down for argument on motion for rehearing on May 18, 1927. It was admitted at that time that the applicant did sell his equipment and go out of business some time in the fall of 1926. Because of this fact the Commission can see no basis for the instant application. At the first hearing the applicant testified that he was engaged in the business all year round. He having sold out his business and his equipment

it would seem that nothing remains for the Commission to do but to deny the rehearing.

O R D E R

IT IS THEREFORE ORDERED, That the motion for rehearing filed herein be, and the same is hereby, denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 7th day of June, 1927.

(Decision No. 1307)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

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IN THE MATTER OF THE APPLICATION OF ROBERT WIRTH, DOING BUSINESS UNDER THE NAME OF THE HOTEL DE-SOTO SIGHTSEEING COMPANY, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 688.

- - - - - - - - -
June 7, 1927
- - - - - - - - -

Appearances: A. P. Anderson, Esq., Denver, Colorado, for applicant.
D. Edgar Wilson, Esq., Denver, Colorado, for The Rocky Mountain Motor Company, The Rocky Mountain Parks Transportation Company and The Denver Cab Company.

S T A T E M E N T

By the Commission:

On March 12, 1927, the Commission entered an order in the above entitled application, granting a certificate of public convenience and necessity over four certain routes, more fully described therein. On March 31, 1927, the applicant filed a motion for rehearing. The purpose of this motion for rehearing is to broaden the certificate issued to him so as to include Estes Park in his routes of operation.

Because of the limited equipment of the applicant the Commission decided not to include the Estes Park route in the certificate in question. The Commission applied this same ruling to a number of other applicants similarly situated. To grant the applicant herein a certificate for the route to Estes Park would be a discrimination against a number of other certificate holders who are likewise limited. The Commission, under these circumstances, is of the opinion that the rehearing herein should be denied.

O R D E R

IT IS THEREFORE ORDERED, That the motion for rehearing in the within application be and the same is hereby denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 7th day of June, 1927.

(Decision No. 1308)

192

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

- - - - -

IN THE MATTER OF THE APPLICATION OF ED BURROWS, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 644

- - - - - - - - -

June 7, 1927.

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Appearances: Ed Burrows, per se;
D. Edgar Wilson, Esq., Denver, Colorado, for The Rocky Mountain Parks Transportation Company, The Denver Cab Company and The Rocky Mountain Motor Company;
Sam Feldman, Esq., Denver, Colorado, for Champa 3 Auto Livery Company.

S T A T E M E N T

By the Commission:

On May 13, 1926, Ed Burrows filed his application with this Commission for a certificate of public convenience and necessity to operate a motor vehicle carrier system for the transportation of passengers over five routes and to certain designated points fully set forth in the application. Oral protest was entered against this application by The Rocky Mountain Parks Transportation Company, The Rocky Mountain Motor Company and The Denver Cab Company.

This application was set down for public hearing on May 24, 1927, at the Hearing Room of the Commission, State Office Building, Denver, Colorado, at which time evidence in support of, and in opposition thereto was received.

The applicant herein seeks to serve the tourist and sightseeing public from Denver. He does not operate on a regular schedule. The equipment of the applicant consists of two automobiles. His capital investment amounts to approximately $2,000.

The Commission has fully discussed the principles, circumstances and conditions applicable to the tourist and sightseeing business from Denver by motor operation in the application of Champa 3 Auto Livery

Company, No. 545, Decision 1106, to which reference is hereby made, and, therefore, deems it unnecessary in the instant application to again make a detailed report. After a careful consideration of all the evidence introduced in this application, the Commission is of the opinion, and so finds, that the present and future public convenience and necessity requires the motor vehicle carrier system operated by Ed Burrows for the transportation of passengers over the four routes as hereinafter designated; that all operations over the routes designated are limited solely to round trip service on the same day, and no intermediate business of any kind shall be done on any of said routes.

O R D E R

IT IS THEREFORE ORDERED, That the present and future public convenience and necessity requires the motor vehicle operation for the transportation of passengers by Ed Burrows, applicant herein, over the following routes:

1. Denver to Pikes Peak and return;
2. Denver to Georgetown and Silver Plume, via Idaho Springs, and return via Bear Creek Canon;
3. Denver to Echo Lake, via Bear Creek Canon;
4. Denver to Mountain Parks.

Said routes are fully set forth in the application filed herein, which by reference thereto are made a part hereof; and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That no transportation of passengers to any intermediate points on the routes designated shall be permitted.

(b) That all operations by the applicant herein shall be limited to sightseeing, round trip, one day operation.

(c) That the quantity of equipment to be used in this operation shall be limited to 2 cars such as appears in the testimony offered at the hearing herein.

(d) That the applicant shall file his written acceptance of the certificate herein granted within a period of fifteen days from the date hereof, and shall file tariffs of rates, rules and regulations and time schedules as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof.

IT IS FURTHER ORDERED, That this certificate is issued subject to compliance by the applicant with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 7th day of June, 1927.

(Decision No. 1309)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF JOHN R. BEARD, DOING BUSINESS AS THE BEARD TAXI SERVICE, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 622.

June 7, 1927.

Appearances: A. J. Gould, Esq., Denver, Colorado, for applicant;
D. Edgar Wilson, Esq., Denver, Colorado, for The Rocky Mountain Motor Company, The Rocky Mountain Parks Transportation Company and The Denver Cab Company.

S T A T E M E N T

By the Commission:

On May 27, 1926, John R. Beard, doing business as The Beard Taxi Service, filed his application with this Commission for a certificate of public convenience and necessity to operate a motor vehicle carrier system for the transportation of passengers over six routes and to certain designated points fully set forth in the application. On February 23, 1927, the applicant filed an amended application, setting forth six routes over which he desires to operate. A protest was filed by the Rocky Mountain Parks Transportation Company, The Rocky Mountain Motor Company and The Denver Cab Company against the granting of this certificate.

This application was set down for public hearing on May 24, 1927, at the Hearing Room of the Commission, State Office Building, Denver, Colorado, at which time evidence in support of and in opposition thereto was received.

The applicant herein seeks a motor operation to serve the tourist and sightseeing public from Denver. He does not operate on a regular schedule. He has been in this business since 1920. The equipment of the applicant consists of two automobiles. His capital investment amounts to approximately $2,000.

The Commission has fully discussed the principles, circumstances

and conditions applicable to the tourist and sightseeing business from Denver by motor operation in the application of Champa 3 Auto Livery Company, No. 545, Decision 1106, to which reference is hereby made, and, therefore, deems it unnecessary in the instant application to again make a detailed report. After a careful consideration of all the evidence introduced in this application, the Commission is of the opinion, and so finds, that the present and future public convenience and necessity requires the motor vehicle carrier system operated by John R. Beard, doing business as the Beard Taxi Service for the transportation of passengers over the five routes as hereinafter designated; that all operations over the routes designated are limited solely to round trip service on the same day, and no intermediate business of any kind shall be done on any of said routes.

O R D E R

IT IS THEREFORE ORDERED, That the present and future public convenience and necessity requires the motor vehicle operation for the transportation of passengers by John R. Beard, doing business as the Beard Taxi Service, applicant herein, over the following routes:

1. Denver to Pikes Peak and return;
2. Denver to Silver Plume and return;
3. Denver to Echo Lake and return;
4. Denver to Denver Mountain Parks and return;
5. Denver to Lookout Mountain and return.

Said routes are fully set forth in the application filed herein, which by reference thereto are made a part hereof; and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That no transportation of passengers to any intermediate points on the routes designated shall be permitted.

(b) That all operations by the applicant herein shall be limited to sightseeing, round trip, one day operation.

(c) That the quantity of equipment to be used in this operation shall be limited to 2 cars such as appears in the testimony offered at the hearing herein.

(d) That the applicant shall file his written acceptance of the certificate herein granted within a period of fifteen days from the date hereof, and shall file tariffs of rates, rules and regulations and time schedules as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof.

IT IS FURTHER ORDERED, That this certificate is issued subject to compliance by the applicant with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Bock

Dana S. Jones

Commissioners.

Dated at Denver, Colorado,
this 7th day of June, 1927.

(Decision No. 1310)

19

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION)
OF DAVID D. MANNISON, FOR A CER-)
TIFICATE OF PUBLIC CONVENIENCE) APPLICATION NO. 885
AND NECESSITY.)

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- - - - - - - - -
June 7,1927
- - - - - - - - -

Appearances: David D. Mannison, per se;
D. Edgar Wilson, Esq., Denver, Colorado, for The Rocky Mountain Motor Company, The Rocky Mountain Parks Transportation Company and The Denver Cab Company.

S T A T E M E N T

By the Commission:

On May 3, 1927, David D. Mannison filed his application with this Commission for a certificate of public convenience and necessity to operate a motor vehicle carrier system for the transportation of passengers over six routes and to certain designated points fully set forth in the application.

This application was set down for public hearing on May 24, 1927, at the Hearing Room of the Commission, State Office Building, Denver, Colorado, at which time evidence in support, and in opposition thereto was received.

The applicant herein seeks to serve the tourist and sightseeing public from Denver. He does not operate on a regular schedule. The equipment of the applicant consists of three automobiles. His capital investment amounts to approximately $3,000.

The Commission has fully discussed the principles, circumstances and conditions applicable to the tourist and sightseeing business from Denver by motor operation in the application of Champa 3 Auto Livery Company, No. 545, Decision 1106, to which reference is hereby made, and, therefore, deems it unnecessary in the instant application to again make a detailed report. After a careful consideration of all the evidence introduced in

this application, the Commission is of the opinion, and so finds, that the present and future public convenience and necessity requires the motor vehicle carrier system, operated by David D. Mannison, for the transportation of passengers over the five routes as hereinafter designated; that all operations over the routes designated are limited solely to round trip service on the same day, and no intermediate business of any kind shall be done on any of said routes.

O R D E R

IT IS THEREFORE ORDERED, That the present and future public convenience and necessity requires the motor vehicle operation for the transportation of passengers by David D. Mannison, applicant herein, over the following routes:

1. Denver to Georgetown Loop and Silver Plume and return;
2. Denver to Denver Mountain Parks, via Bear Creek Canon, and return;
3. Denver to Lookout Mountain and return;
4. Denver to Pikes Peak and return;
5. Denver to Echo Lake and Mt. Evans and return.

Said routes are fully set forth in the application filed herein, which by reference thereto are made a part hereof; and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor, subject to the following terms and conditions, which, in the opinion of the Commission, the public convenience and necessity requires.

(a) That no transportation of passengers to any intermediate points on the routes designated shall be permitted.

(b) That all operations by the applicant herein shall be limited to sightseeing, round trip, one day operation.

(c) That the quantity of equipment to be used in this operation shall be limited to such as appears in the testimony offered at the hearing herein.

(d) That the applicant shall file his written acceptance of the certificate herein granted within a period of fifteen days from the date hereof, and shall file tariffs of rates, rules and regulations and time schedules as required by the Rules and Regulations of the Commission governing motor vehicle carriers within a period of not to exceed twenty days from the date hereof.

IT IS FURTHER ORDERED, That this certificate is issued subject to compliance by the applicant with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle carriers, and also subject to any future legislative action that may be taken with respect thereto.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Bock

Doyle S. Jones

Commissioners.

Dated at Denver, Colorado,
this 7th day of June, 1927.

(Decision No. 1311)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF)
AGNES M. McINTEE, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY.)
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APPLICATION NO. 655

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June 7, 1927.
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S T A T E M E N T

By the Commission:

This is an application to operate a sightseeing business from Denver to various points of scenic interest in the Rocky Mountain region. The same was set down for hearing on May 24, 1927, at Denver. The applicant testified that she had one automobile with which she served only two private institutions, namely, The Swedish Lutheran Missions and St.Rosa's Home, both located in Denver. Each operation is based upon a call from these institutions. She has no regular schedule or regular rate, each operation being based upon a special contract; she does not hold herself nor does she intend to serve the public in any way, but has an agreement with the two institutions above mentioned. She does not desire to indiscriminately do a sightseeing business.

Under these circumstances the Commission is of the opinion that the applicant is not a common carrier under our law.

O R D E R

IT IS THEREFORE ORDERED, That the application of Agnes M. McIntee, No.655, be, and the same is hereby, denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Otto Bock

Alva S. Jones

Commissioners.

Dated at Denver, Colorado, this
7th day of June, 1927.

(Decision No. 1312)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION)
OF T. G. GRANBERRY, DOING BUSINESS)
AS THE GRANBERRY TAXI AND BAGGAGE) APPLICATION NO. 676
COMPANY FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY.)

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June 7, 1927
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S T A T E M E N T

By the Commission:

This is an application by T. G. Granberry, doing business under the name of The Granberry Taxi and Baggage Company to operate a sightseeing business by motor vehicle. The same was set down for hearing on May 24, 1927, at Denver, Colorado. At that time Mr. James T. Sims appeared and testified that he now was the owner of the business formerly conducted by T. G. Granberry. Mr. Granberry did not appear. This being an application by T. G. Granberry, it seems to the Commission that under the issues as made the Commission cannot now issue a certificate to Sims, who has no application pending. If Mr. Sims desires to obtain a certificate it will be necessary for him to file an application in his own name with this Commission. An appropriate order will be entered dismissing this application.

O R D E R

IT IS THEREFORE ORDERED, That the application of T. G. Granberry, doing business under the name of The Granberry Taxi and Baggage Company, No. 676, be, and the same is hereby, dismissed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado, this 7th day of June, 1927.

(Decision No. 1313)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF THE BOARD OF COUNTY COMMISSIONERS OF WELD COUNTY, COLORADO, FOR AUTHORIZATION OF A PUBLIC HIGHWAY CROSSING OVER THE UNION PACIFIC RAILROAD COMPANY'S TRACK NEAR CORNISH STATION.

APPLICATION NO. 627.

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June 9, 1927.

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S T A T E M E N T

By the Commission:

This proceeding is based upon the application of the Board of County Commissioners of Weld County, Colorado, in compliance with Section 29 of the Public Utilities Act, as amended April 16, 1917, for the opening of a public highway crossing at grade over the main branch line track and right-of-way of the Union Pacific Railroad Company at a point at Mile Post 20.42, where the line between Sections 26 and 25, Township 7, North, Range 63, West of the 6th Principal Meridian, Weld County, Colorado, intersects the line of said railroad.

The application filed May 8, 1926, alleges that the crossing is necessary to provide an outlet for persons residing north of the railroad at this point to the main highway paralleling the south side of the railroad to Cornish and Briggsdale.

On May 21, 1926, the Commission's engineer, in company with the County Commissioners of Weld County and the railroad company's engineer, made an investigation of the site of the proposed crossing, and at that time there did not appear to be sufficient justification for the opening of a public crossing at this place. The application was therefore,

suspended for one year to allow for further determination of the need of the crossing. On May 5, 1927, the Commission received a communication from the County Attorney of Weld County, in behalf of the Board of County Commissioners, advising that conditions had now changed in the vicinity of the proposed crossing, due to the fencing off of private roads available to the aforesaid residents, and requesting the reinstatement of this application for further consideration. Accordingly, therefore, the Commission's engineer, with the Commissioners of Weld County and the railroad company's engineer, made a further inspection of the proposed site of the crossing on May 24, 1927, and found that there are a reasonable number of persons residing in this vicinity that now have no other means available for access to the main highway heretofore referred to except by a crossing at this point, and that there are no unsafe conditions at the site of the crossing. It was also ascertained from the county records that a public highway had been established and opened to public travel on the section line crossing the present location of the railroad at this point on July 8, 1902, several years prior to the construction of this line of railroad. The crossing, therefore, has a right to existence by priority of establishment.

On May 31, 1927, the Commission received a communication from the General Attorney of the Union Pacific Railroad Company advising that the said company would make no objection to the opening of the crossing as indicated in the application, if the cost thereof is apportioned as is usual in such cases.

Since, therefore, there appears to be a convenience and necessity for the proposed public highway grade crossing at the place specified in the application, and that no undue hazards exist at the site of the crossing, and that the railroad company has no objection to the opening of the crossing, the Commission will now, without further proceedings, issue its order granting permission for the establishment of a public highway crossing at grade as herein requested, as follows:

O R D E R

IT IS THEREFORE ORDERED, In accordance with Section 29 of the Public Utilities Act of the State of Colorado, as amended April 16, 1917, that a public highway crossing at grade be, and the same is hereby, permitted to be opened and established over the branch line track and right-of-way of the Union Pacific Railroad Company at a point at Mile Post 20.42 where the section line between Sections 26 and 25, Township 7, North, Range 63, West of the 6th Principal Meridian, Weld County, Colorado, intersects the line of said railroad, conditioned, however, that prior to the opening of said crossing to public travel it shall be constructed in accordance with plans and specifications as prescribed in the Commission's order In re Improvements of Grade Crossings in Colorado, 2 Colo. P.U.C. 128.

IT IS FURTHER ORDERED, That the expense of construction and maintenance of grading for the highway up to the track at the crossing, including the necessary drainage therefor, shall be borne by Weld County, Colorado, and the installation and maintenance of said crossing, including the necessary cattle guards and crossing signs, shall be borne by the respondent, the Union Pacific Railroad Company.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado, this 9th day of June, 1927.

(Decision No. 1314)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF THE BOARD OF COUNTY COMMISSIONERS OF LINCOLN COUNTY, COLORADO, FOR THE GRANTING OF A PUBLIC HIGHWAY CROSSING AT GRADE OVER THE TRACKS OF THE CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY COMPANY AT A POINT NEAR LIMON, COLORADO.

APPLICATION NO. 724.

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June 9, 1927.
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S T A T E M E N T

By the Commission:

This proceeding arises out of the application of the Board of County Commissioners of Lincoln County, Colorado, in compliance with Section 29 of the Public Utilities Act, as amended April 16, 1917, for the opening of a public highway crossing at grade over the main line track and right-of-way of The Chicago, Rock Island and Pacific Railway Company at a point where the section line between Sections 13 and 14, in Township 9, South, Range 56, West of the 6th Principal Meridian in Lincoln County, Colorado, intersects the line of said railroad. This application alleges that this crossing is necessary for the persons residing north of the railroad at this point to reach the state highway paralleling the railroad on the south side. The application was filed with the Commission on June 16, 1926.

The Commission's engineer, together with County Commissioner Kidder and the Division Engineer of the railroad company, made an inspection of the site of the proposed crossing on July 16, 1926, and they found the place where the crossing is desired is at the end of a long, deep railroad cut, and where there is a heavy grade on the railroad, all of which made the location a very dangerous one. It was also ascertained that there is a road north of the railroad leading to Limon, but on account of snow and the

nature of road material was almost impassable during certain seasons of the year, but with some improvements this road could be placed in good condition for use of these residents in reaching Limon for the transaction of their business. A grade crossing at this point was, therefore, found not desirable or absolutely necessary. The matter was, therefore, left with the County Commissioners to try to work out a solution whereby the crossing would not be required, and the application was to be held in abeyance until this could be done.

A reasonable time was allowed for further consideration of the matter, in case it was found to be necessary, and no further advice being received, the Commission, on May 13, 1927, addressed a letter to the County Attorney of Lincoln County suggesting a dismissal of the application in case the County Commissioners did not desire to consider the matter further, in view of all the circumstances of the case. The Commission is now in receipt of a request from the said Board of County Comm issioners to have the application dismissed, without prejudice.

Therefore, based upon all the facts in the matter and the request of the Commissioners of Lincoln County, the Commission now makes and enters its order as follows:

O R D E R

IT IS THEREFORE ORDERED, That the application for the establishment of a public highway crossing at grade over the main line track and the right-of-way of The Chicago, Rock Island and Pacific Railway Company at a point where the section line between Sections 13 and 14, Township 9, South, Range 56, West of the 6th Principal Meridian, Lincoln County, Colorado, intersects the line of said railroad, be, and the same is hereby dismissed, without prejudice to the interests of any of the parties concerned therein.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 9th day of June, 1927.