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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF WALLACE NIDEY, ROUTE 2, CAMPO, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5840-PP

March 27, 1942

Appearances: A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company; Truman A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association.

STATEMENT

By the Commission:

Wallace.Nidey, Campo, Colorado, filed his application for a Class "B" permit.

The matter was regularly set for hearing at La Junta, Colorado, on March 17, 1942, at 10:00 o'clock A.M., due notice of the time and place of hearing being forwarded to applicant.

Notwithstanding said notice, applicant failed to appear at the time and place designated for hearing.

Thereupon, Truman A. Stockton, Jr., Esq., for the Common Carrier Division of The Colorado Motor Carriers' Association, moved that said application be dismissed for lack of prosecution.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said motion should be granted. IT IS ORDERED:

That the above-styled application should be, and the same hereby is, dismissed for lack of prosecution.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 27th day of March, 1942.

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF E. M. STEVENS, ROUTE 3, LA JUNTA, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5839-PP

------March 27, 1942

Appearances: Sabin and Sabin, Esqs., La Junta, Colorado, for the applicant; A. J. Fregeau, Denver, Colorado, for Meicker Transfer and Storage Company; Truman A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers! Association, La Junta Transfer.

STATEMENT

By the Commission:

As limited by the testimony offered at the hearing in La Junta, Colorado, on March 17, 1942, applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of livestock between points within a radius of one hundred and fifty miles of La Junta, Colorado, and the transportation of farm products other than livestock, and baled hay, between points (except points in Bent County) within the area extending twenty miles north, west and south of La Junta, and fifteen miles east thereof.

There was no objection to the granting of the authority sought.

In addition to the testimony of applicant in support of his application for authority, Hugh W. Ford, and R. P. Lewis, who operate sales rings at La Junta, and Ike Greenberg, a livestock dealer, supported the application. From their testimony, it appeared that there is no common carrier service now adequately serving the La Junta area; that livestock in quantity moves to and from the La Junta sales rings, and between other points in said area; that large quantities of beets, hay, onions, melons, grain and other farm products are produced in the vicinity of La Junta, and move to markets, beet dumps, loading sheds, feeding yards, etc., in the vicinity of La Junta.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

ORDER

IT IS ORDERED:

That E. M. Stevens, La Junta, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of livestock between points within a radius of one hundred and fifty miles of La Junta, Colorado, and the transportation of farm products, except baled hay, between points within the area extending twenty miles north, west and south of La Junta, and fifteen miles east thereof, service in or from or to points in Bent County to be limited to transportation of livestock.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

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This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Commissioners

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Dated at Denver, Colorado, this 27th day of March, 1942.

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF E. SIMOLA, ROUTE 2, TRINIDAD, COLO-RADO, FOR A CLASS "B" PERMIT TO OP-ERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5838-PP

March 27, 1942

Appearances: E. Simola, Trinidad, Colorado, pro se.

STATEMENT

By the Commission:

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Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal between points within a radius of fifty miles of Trinidad, Colorado, except service to and from Aguilar, Colorado.

At the hearing, at Trinidad, Colorado, on March 16, 1942, it developed that applicant operates a coal mine at Tobasco, Colorado, with which service he operates trucks under a Commercial Permit; that one or more mines in the same vicinity do not have trucks available, and have requested him to haul coal for hire; that applicant is pecuniarily, and otherwise, able to conduct the proposed operation.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said permit should be granted.

ORDER

IT IS ORDERED:

That E. Simola, Trinidad, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal between points within a radius of fifty miles of Trinidad, Colorado, except service to or from Aguilar, Colorado.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Commissioners

Dated at Denver, Colorado, this 27th day of March, 1942.

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ALBERT A. GARCIA, 1208 LINDEN STREET, TRINIDAD, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5837-PP

March 27, 1942

Appearances: Albert A. Garcia, Trinidad, Colorado, pro se; A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company; James Couey, Trinidad, Colorado, for Couey Transfer and Storage Company.

STATEMENT

By the Commission:

As limited by the testimony offered at the hearing on the above-styled application, held in Trinidad, Colorado, on March 16, 1942, applicant seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel and ashes between points within a radius of fifty miles of (and including) Trinidad, Colorado; coal from points within a radius of ten miles of Trinidad to points within a radius of twenty-five miles thereof; lumber from lumber mills in Wet Canyon, and along the north, south and middle forks of the Purgatory River, to Trinidad, Colorado -

There was no objection to the issuance of permit, as limited. The operating experience and pecuniary responsibility of applicant were established to the satisfaction of the Commission.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

ORDER

IT IS ORDERED:

That Albert A. Garcia, Trinidad, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel and ashes between points within a radius of fifty miles of, and including, Trinidad, Colorado; coal from points within a radius of ten miles of Trinidad to points within a radius of twenty-five miles of Trinidad; lumber from lumber mills in Wet Canyon, and along the north, south and middle forks of the Purgatory River, to Trimidad, Colorado.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 27th day of March, 1942.

* * *

IN THE MATTER OF THE APPLICATION OF A. V. GOODRICH, 301 EAST JOHNSON AVENUE, TRINIDAD, COLORADO, BOR A CLASS "BW PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5809-PP

March 27, 1942

Appearances: A. V. Goodrich, Trinidad, Colorado, <u>pro se;</u> A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company.

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By the Commission:

As limited by the testimony offered at the hearing in Trinidad, Colorado, on March 16, 1942, A. V. Goodrich herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal between points within a radius of twentyfive miles of Trinidad, excepting service to or from Aguilar, Colorado; hay and grain between points within a radius of twenty-five miles of Trinidad, Colorado, without the right to haul between towns served by line haul motor vehicle carriers; water from Trinidad to farms within said twenty-five-mile radius.

Applicant also suggested that, although he could not list any customers at the time of the hearing, he might desire to haul livestock, but would waive request to be permitted to furnish such service if there was any objection on the part of common carriers.

Inasmich as applicant stated that he wanted to haul "livestock for anybody I can make a dollar out of," interested common carriers opposed the application for such authority, upon the ground that the service contemplated is that of a common carrier. Their position seems to be well taken.

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

After a careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

ORDER

IT IS ORDERED:

That A. V. Goodrich, Trinidad, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal between points within a radius of twenty-five miles of Trinidad, excepting service to or from Aguilar, Colorado; hay and grain between points within a radius of twenty-five miles of Trinidad, without the right to haul between towns served by line haul motor vehicle common carriers; water from Trinidad to farms within said twenty-five-mile radius.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 27th day of March, 1942.

* * *

IN THE MATTER OF THE APPLICATION OF JOE ROSE, TWO BUTTES, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

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APPLICATION NO. 5856

March 27, 1942

Appearances: Joe Rose, Two Buttes, Colorado, Dro se; A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company; Truman A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association.

STATEMENT

By the Commission:

Applicant herein seeks authority to operate as a common carrier by motor vehicle for hire for the transportation of houses and barns between points within the area lying south of U. S. Highway No. 50, and extending south to the Colorado-New Mexico State Line, west to a line drawn north and south through Branson, Colorado, and east to the Colorado-Kansas State Line.

At the hearing, on March 17, 1942, at La Junta, Colorado, it developed that the demand for applicant's service is due chiefly to the fact that the United States Government, for a number of years, has been buying a great number of farms in the area involved in the application; that it has been selling the improvements on said farms, which necessitates their movement from farm to farm, or farm to town; that applicant has special equipment, including rubber dollies, for the movement of said buildings, his equipment being valued at approximately one thousand dollars (\$1,000.00).

There were no objections to the granting of the authority sought. The Commission finds that public convenience and necessity require the proposed motor vehicle common carrier operation of applicant, and that certificate of public convenience and necessity should issue therefor.

ORDER

IT IS ORDERED:

That public convenience and necessity requires the proposed motor vehicle common carrier operation of Joe Rose, Two Buttes, Colorade, for the transportation of houses and barns between points within the area lying south of U. S. Highway No. 50, and extending south to the Colorado-New Mexico State Line, west to a line drawn north and south through Branson, Colorado, and east to the Colorado-Kansas State Line, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

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

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

This order is subject to compliance by applicant with all present and future laws and rules and regulations of this Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Dated at Denver, Colorado, this 27th day of March, 1942.

Commissioners

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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 RAYMOND H. MOSHER, ROUTE 2, BOX 21, TRINIDAD, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

IN THE MATTER OF THE APPLICATION OF) RAYMOND H. MOSHER, ROUTE 2, BOX 21,) TRINIDAD, COLORADO, FOR AN EXTEN-SION OF PERMIT NO. B-2537.

APPLICATION NO. 5502-PP-AB

APPLICATION NO. 5868-PP

March 27, 1942

Appearances: Raymond H. Mosher, Trinidad, Colorado, pro se; A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company.

STATEMENT

By the Commission:

On November 18, 1941, Charles Wilkens was authorized to transfer Permit No. B-2537 to Raymond Mosher, Decision No. 17895.

On February 18, 1942, said Mosher filed application for authority to haul milk and cream to Trinidad from points within the area extending three miles wast, thirteen miles west, ten miles north, and fifteen miles south of Aguilar, with back-haul of empty cans.

Inasmuch as said Mosher had been authorized to acquire said permit, No. B-2537, of said Charles Wilkens, the Commission then elected to treat said request to transport milk in cans as an application for extension under said permit.

At the hearing, at Trinidad, Colorado, on March 16, 1942, it developed that said Mosher does not desire to acquire said Permit No.

B-2537, and that the transfer authorized was not, and will not be, completed; that said Decision No. 17895 should be set aside, and said application for authority to haul milk treated as an original application, instead of an extension application.

It further developed at the hearing that said applicant is pecuniarily, and otherwise, able to carry on the proposed operation; that approximately five years ago, he operated under a permit issued by this Commission; that the milk in question will move to a cheese factory at Trinidad.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said Decision No. 17895 should be set aside, and that the authority sought to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of milk, cream and empty cans should be granted.

ORDER

IT IS ORDERED:

That Decision No. 17895, of date November 18, 1941, in Application No. 5302-PP-A, should be, and the same hereby is, set aside and held for naught.

That Raymond H. Mosher, Trinidad, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of milk and cream to Trinidad from points within the area extending three miles east, thirteen miles west, ten miles north, and fifteen miles south of Aguilar, with back-haul of empty cans.

All operations hereunder shall be sprictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissione

Dated at Denver, Colorado, this 27th day of March, 1942.

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IN THE MATTER OF THE APPLICATION OF PHILLIP SANDOVAL, DOING BUSINESS AS "SANDOVAL MOTOR FREIGHT," 602 ADAMS STREET, TRINIDAD, COLORADO, FOR AN EXTENSION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 708.

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APPLICATION NO. 2150-AB

March 27, 1942 المصاحب المشرا

Appearances: Phillip Sandoval, Trinidad, Colorado, pro se; James Couey, Trinidad, Colorado, for Couey Transfer and Storage Company; A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company.

STATEMENT

By the Commission:

Phillip Sandoval, doing business as "Sandoval Motor Freight," Trinidad, Colorado, is authorized, under certificate of public convenience and necessity No. 708, to operate as a "motor vehicle carrier" for hire, on schedule, between Trinidad, Colorado, and Tercio, Colorado, and intermediate points.

As limited by the testimony offered at the hearing, on March 16, 1942, at Trinidad, Colorado, applicant seeks authority to extend operations under said certificate to include the right to pick up and deliver freight originating at or destined to points he is now authorized to serve, at or to points within one mile of either side of State Highway No. 112, Weston to Stonewall Junction (Picket Wire Camp), and Highway No. 114, Stonewall Junction to Tercio; and to transport hay and grain from points within a radius of ten miles of Hoehne, Colorado to Morley, Valdez and Weston, and coal from Morley to points upon and along his

said "line haul."

There was no objection to the granting of the authority sought, as limited.

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

It also appeared that said applicant does not contemplate adding additional equipment to conduct operations under the extension.

The Commission, after a careful consideration of the record, is of the opinion, and finds, that public convenience and necessity require the proposed extended motor vehicle operations of applicant, and that certificate of public convenience and necessity should issue therefor.

ORDER

IT IS ORDERED:

That public convenience and necessity require the proposed extended motor vehicle operations of Phillip Sandoval, doing business as "Sandoval Motor Freight," Trinidad, Colorado, for transportation of freight to or from points he is now authorized to serve, from or to points within one mile of either side of State Highway No. 112, Weston to Stonewall Junction (Picket Wire Camp), and Highway No. 114, Stonewall Junction to Tercio; hay and grain from points within a radius of ten miles of Hoehne, Colorado, to Morley, Valdez and Weston, Colorado; coal from Morley to points upon and along his said "line haul," and this order shall be taken, deemed and held to be an extension of PUC No. 708.

The applicant shall file tariffs of rates, rules and regulations and time and distance schedules as required by the rules and regulations of this Commission within twenty (20) days from date.

The applicant shall operate his carrier system according to the schedule filed, except when prevented by Act of God, the public enemy or extreme conditions.

This order is subject to compliance by applicant with all present and future laws and rules and regulations of this Commission.

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This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Dated at Denver, Colorado, this 27th day of March, 1942.

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IN THE MATTER OF THE APPLICATION OF) THOMAS SANDOVAL, 805 SOUTH MAPLE STREET, TRINIDAD, COLORADO, FOR A REISSUE OF PERMIT NO. B-2484.

APPLICATION NO. 5855-PP

March 27, 1942.

Appearances: Thomas Sandoval, Trinidad, Colorado, pro se; James Couey, Trinidad, Colorado, for Coucy Transfer and Storage Company;

A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company.

<u>STATEMENT</u>

By the Commission:

On February 2, 1940, Decision No. 14710, Thomas Sandoval was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

> sand, gravel, dirt and coal between points within a radius of fifty miles (and including) Trinidad, Colorado.

On April 22, 1941, Decision No. 17025, he was allowed to suspend his operations for a period of not to exceed six months from April 10, 1941, said permit to stand revoked without right to reinstate, in default of reinstatement prior to expiration of suspension period.

Said Sandoval failed to reinstate said permit.

On February 14, 1942, he filed application to reissue permit, limited to authority granted in said Decision No. 14710. The matter was heard at Trinidad, Colorado, on March 16, 1942.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said request should be granted.

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ORDER

IT IS ORDERED:

That Permit No. B-2484, as limited by Decision No. 14710, heretofore

issued to Thomas Sandoval, Trinidad, Colorado, should be, and the same hereby is, reinstated, as of this date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado, this 27th day of March, 1942.

BH

IN THE MATTER OF THE APPLICATION OF EARL HOWE, ROUTE 1, LAS ANIMAS, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5841-PP

March 27, 1942.

Appearances: Earl Howe, Las Animas, Colorado, <u>pro se;</u> Truman A. Stockton, Jr., Emq., Benver, Colorado, for Las Animas Transfer, and the Common Carrier Division of The Colorado Motor Carriers' Ass'n; A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company.

<u>STATEMENT</u>

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of loose hay and melons, in bulk, from farms within a radius of ten miles of Las Animas to mills and sheds in said area.

At the hearing on March 17, 1942, at La Junta, Colorado, it developed that said Howe, under authority of the Commission, operated as a Class "B" private carrier by motor vehicle for hire for the transportation of hay, beets, melons and grain, Decision No. 12575, of date November 5, 1938.

Subsequently, said permit, No. B-2258, was revoked for failure to carry insurance, as required by our rules and regulations.

There was no objection to the issuance of permit, limited to the authority sought.

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

After a careful consideration of the record, the Commission is of the opinion, and finds, that said permit should issue, and that it should bear the number "B-2258".

ORDER

IT IS ORDERED:

That Earl Howe, Las Animas, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of loose hay and melons, in bulk, from farms within a radius of ten miles of Las Animas to mills and sheds in said area, said permit to bear the number "B-2258".

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Dated at Denver, Colorado, this 27th day of March, 1942.

BH

IN THE MATTER OF THE APPLICATION OF TWO BUTTES GROCERY AND MARKET, TWO BUTTES, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5857-PP

March 27, 1942.

Appearances: J. A. Campbell, Two Buttes, Colorado, <u>pro se;</u> A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company; Truman A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association.

STATEMENT

By the Commission:

J. A. Campbell, doing business as "Two Buttes Grocery and Market", Two Buttes, Colorado, herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of farm products, including livestock, between points within a radius of ten miles of Two Buttes, and from points in said area to Lamar, Springfield, Pueblo and Denver, with back-haul of coal from Florence-Canon City coal fields to points in said ten-mile area.

Said application was heard at La Junta, Colorado, on March 17, 1942, and taken under advisement.

There was no objection to the granting of the authority sought.

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

It further appeared that said area is without for-hire carrier service; that applicant's customers, especially in view of tire rationing restrictions now in effect, need the service contemplated by applicant.

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After a careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

ORDER

IT IS ORDERED:

That J. A. Campbell, doing business as "Two Buttes Grocery and Market", Two Buttes, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of farm products, including livestock, between points within a radius of ten miles of Two Buttes, and from points in said area to Lamar, Springfield, Pueblo and Denver, with back-haul of coal from Florence-Canon City coal fields to points in said ten-mile area.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado, this 27th day of March, 1942.

RE MOTOR VEHICLE OPERATIONS OF P. D. BARNES, CANON CITY, COLORADO.

APPLICATION NO. 5519-PP

March 27, 1942.

<u>STATEMENT</u>

By the Commission:

On May 10, 1941, Decision No. 17112, P. D. Barnes was authorized to operate as a Class "B" private carrier for the transportation of hay (loose and baled) and grain from farms within a radius of 14 miles of Hartman, to rail heads, elevators and mills in said area; sugar beets between points in said area, and commercial feed from points in said area to farms therein.

The Commission is now in receipt of a letter from Mr. Barnes under date of September 15, 1941, requesting that the authority granted him in said Decision No. 17112, be cancelled, for the reason that he had moved from said locality and the authority around Hartman is of no value to him.

After a careful consideration of the record and said request, the Commission is of the opinion, and so finds, that same should be granted.

<u>ORDER</u>

IT IS ORDERED:

That the authority granted to P. D. Barnes in Decision No. 17112, Application No. 5519-PP, dated May 10, 1941, be, and the same is hereby, cancelled, effective as of September 15, 1941.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado, this 27th day of March, 1942.

RE MOTOR VEHIGLE OPERATIONS OF)
)
W. A. HAMBLETON
)

PERMIT NO. C-13592

Box 83, Portales, New Mexico)

March. 27, 1942

<u>STATEMENT</u>

By the Commission:

The (Commission	n is in rea	ceipt of a	communication	from	
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W A	Hambleton			of Portales		New Mexico
	1399991 N.A.S. J.V.CA4		***************	.01 A.YA. MAAVN		. M.W.W
영상 영상 관광 영상			A 377A			
requesting	that his	Permit No	C-13592		be	cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this_____27.th_____day of______Karch_____, 19__42___

ORDER

THE PUBLIC UTILITIES COMMISSION THE STATE OR COLORADO FRANCIA

Commissioners.

Dated at Denver, Colorado,

r :- 1

C-7734

)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

)

PERMIT NO.

RE MOTOR VEHIGLE OPERATIONS OF)

PAUL MURPHY dba FLORENCE BAKERY

Florence, Colorado

March 27, 1942

STATEMENT

By the Commission:

	The	Commi	ssion	is in	receipt	of a	communica	ation f	rom		
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÷	V	Stark					of F			Colo	
	~ ~~~~~~~		*****			****	.01£.				Fagg
reque	stin	g that	his	Permit	No	C-77	4		be	cance	lled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

Sec. Sec. 4

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORAD rulan

Çommissioners.

....., 19...42

Dated at Denver, Colorado,

.....day of March

this____27th

RE MOTOR VEHICLE OPERATIONS OF MINNIE RAMER, 4387 WINONA COURT, DENVER, COLORADO

PRIVATE PERMIT NO. B-1686

March 27, 1942.

<u>STATEMENT</u>

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-1686 be suspended for a period of six months from March 30, 1942.

The Commission finds that said request should be granted.

<u>O R D E R</u>

IT IS ORDERED:

That Minnie Kramer, of Denver, Colorado, be, and she is hereby, authorized to suspend her operations under Permit No. B-1686 for a period of not to exceed six months from March 30, 1942.

That unless said Minnie Kramer shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

n P Commissioners.

Dated at Denver, Colorado, this 27th day of March, 1942.

* * * *

ROCKY MOUNTAIN MOTOR COMPANY, A Corporation,

Complainant.

VS.

CASE NO. 4867

C. W. DAVIS, doing business as DAVIS SIGHTSEEING SERVICE.

Respondent.

March 30, 1942.

Appearances: John Nolon, Jr., Esq., Manitou Springs, Colorado, for C. W. Davis; Conour and Conour, Esqs., Del Norte, Colorado, for Pikes Peak Auto Livery; Hodges, Vidal and Goree, Esqs., Denver, Colorado, for Rocky Mountain Motor Company.

STATEMENT

By the Commission:

This case was instituted by the filing of a written complaint on July 22, 1941, and through error, decision thereon was included in Decision No. 17479 on August 16, 1941. The error occurred in the belief that counsel had stipulated that the instant case might be determined upon the record made in the application to transfer P.U.C. No. 85, in Applications Nos. 577-B-A and 1654-B-A, while the stipulation only went so far as to permit the consideration of "pertinent evidence" given at the transfer hearing in the complaint case hearing.

The complaint sets forth the operating authority of complainant, both sightseeing and scheduled; alleges that winter scheduled operations are conducted at a loss, but nevertheless are maintained under the theory that summer sightseeing operations will be protected from ruinous competition under Decision No. 1106, "Re Champa 3 Auto Livery", VI Colo. P.U.C., page 704, and that since 1927, sightseeing trips have been reduced by more than 50% because

-1-

of the increased use of private automobiles.

Further allegations are to the effect that respondent had abandoned his right to operate more than one car in sightseeing service under Decision No. 1125 and under Decision No. 4320, and had abandoned all of his operating rights under Decision 10486.

It is further alleged that under a contract with the Pikes Peak Auto Livery, made in June, 1941, whereby certain cars were leased to the said Davis by the said Pikes Peak Auto Livery, operations thereunder were in fact those of Pikes Peak Auto Livery, and not of respondent; that Pikes Peak Auto Livery has been guilty of unlawful acts.

The prayer of the complaint asks that the right of Davis to operate more than one car under Decision No. 1123 and Decision 4320 be cancelled by reason of abandonment, and his right to operate any cars under Decision 10487 be cancelled for abandonment.

To said complaint, a written answer was filed by respondent, which included a motion to dismiss upon the ground that the complaint failed to allege any facts which would entitle complainant to any relief under the provisions of the Public Utilities Act; that the Commission was without jurisdiction of the subject matter, and also had no authority to limit the number or size of the vehicles operated or to be operated by respondent as a common carrier.

It is further alleged that Champa 5 Auto Livery has been out of business for several years; that its certificate had been revoked, and that the purported public policy attempted to be announced and established in Decision No. 1106 was then, and is now, beyond the power of the Commission to establish, and is "meaningless jargon".

After the filing of said answer, complainant filed a motion to cancel the certificate of convenience and necessity of respondent on the ground that if it were true, as alleged in the answer, that the Commission had no power to restrict the number of cars that respondent might use under its various certificates and no finding had been made by the Commission that

-2-

the public convenience and necessity required the operations of respondent with unlimited equipment, the said certificates are void in their entirety and should be forthwith cancelled by the Commission.

At the hearing, attorneys for respondent entered special appearances only upon the ground of lack of jurisdiction on the part of the Commission.

The evidence disclosed that respondent, under certificate of public convenience and necessity No. 85, is now the owner of certain operating rights granted under Decision No. 1123, dated March 7, 1927, Decision No. 4320, dated May 20, 1932, and Decision No. 10487, dated August 14, 1937. The operating rights under Decision No. 1123 were limited to the use of four cars. In 1934, the right to operate one of these cars was transferred to the Argonaut Garage, who later transferred same to Pikes Peak Auto Livery. The operating rights under Decision No. 4320 were limited to the operation of five six-passenger cars, and waid authority was also subject to the limitation,-

> "That applicant shall not be permitted, without further authority from the Commission, to establish a branch office or to have any agent employed in any other town or city than Denver for the purpose of developing business."

The operating rights under Decision No. 10487 were limited to the operation of three cars and also have the same limitation that no branch office may be established in any other town or city than Denver.

It was further disclosed that respondent, during the years 1939 and 1940, according to its annual reports to the Commission, has only owned and operated two cars. In 1941, no cab cards were issued for any of his own equipment, but during said year he operated three cars of Pikes Peak Auto Livery Company under lease, paying \$100.00 rental for each of said cars. Respondent's annual report to the Commission for the year 1938 indicates that he owned three cars, but only operated two. Respondent has been in continuous operation since his original certificate was grented in 1927, has made his reports and kept his insurance on file. His road reports would indicate that only one car was used during the years 1938, 1939 and 1940, in taking care of his trips outside of Denver, with possibly the use of two cars in one or two instances. Respondent testified that he never intended to abandon any portion

-3-

of his certificate and that the nonuse of all the equipment to which he was entitled was only due to the lack of business.

Complainant's evidence, in addition to the annual reports and road reports heretofore mentioned, was to the effect that the summer sightseeing business in Colorado out of Denver had declined over fifty per cent since 1927, due to increased use of private automobiles.

Exhibit No. 2, introduced by complainant, shows that the gross revenue of complainant decreased from \$198,604.30 in 1927 to \$61,399.27 in 1940. Complainant also introduced Decision No. 1106, <u>Re Champe 3 Auto Livery</u>, VI Colo., P.U.C. page 704, in which we find the following language:

> "Every operation that does not conduct a scheduled service should not have the privilege of seriously interfering with the operation of a regular, established, scheduled passenger service. One reason for this is that the regular traveling public is greatly interested in an all year round, dependable passenger service. If the Commission should grant certificates that would permit ruinous competition, with regular scheduled service during the only time of the year when the operation is profitable, the public may lose its regular dependable service during the winter months, when it is not profitable and when, nevertheless, a transportation agency may badly be needed.

"The Commission has discussed these problems as applied to the transportation of tourists and sightseers more fully in the instant application, having in mind the disposition of a number of similar applications without again discussing in each decision the reasons which actuated it in reaching its conclusions."

It would appear that we are concerned with four questions in the instant case:

(a) Whether or not the complaint states a cause of action that would give the Commission jurisdiction over the said matter.

(b) Has the Commission any power to limit the number of vehicles that may be used by respondent?

(c) Can we determine from the record whether or not there has been a partial abandonment by respondent of any part of his operating rights?

-4-

(d) May we determine in the instant case whether the public convenience and necessity requires all of the operating rights of respondent? Rule 11 (a) of the Rules and Regulations of the Commission, provides

that:

"No motor vehicle carrier having received from the Commission a certificate of public convenience and necessity shall abandon operations thereunder without first making application in writing to the Commission for permission so to do, and submitting evidence, giving reasons for same, and receiving an order based thereon, permitting such discontinuance and revoking and cancelling said certificate."

Rule 44 (b) provides that the failure of any motor vehicle carrier to comply with the provisions of these rules and regulations, of the laws of the State of Colorado, and all of the terms and conditions in his certificate of public convenience and necessity, shall be full and sufficient cause for the Commission to suspend any certificate of public convenience and necessity issued to such motor vehicle carrier and to proceed according to law to cancel and revoke the same.

In view of these two provisions of our rules and regulations, we are of the opinion that, based on the allegations of the complaint filed herein, the Commission has jurisdiction of the subject matter, irrespective of whether the complaint is filed by some third party or the action is based on a show cause order issued by the Commission on its own motion.

We fully believe that the Commission has power to limit the number of vehicles that may be used by respondent. Section 5 of Chapter 134, Session Laws of 1927, reads as follows:

"The Commission shall have power, under such rules of procedure governing the application therefor as it may prescribe, to issue a certificate of public convenience and necessity to a motor vehicle carrier or to issue it for the partial exercise only of the privilege sought; and may attach to the exercise of the rights granted by said certificate such terms and conditions as, in its judgment, the public convenience and necessity may require."

In addition to the provisions of the above section, Section 35 (c) of the Public Utilities Act, Chapter 137, 1935 C. S. A., which relates to the issuance of certificates of public convenience and necessity, provides:

> ** * * The Commission shall have power, after hearing, to issue said certificate, as prayed for, or to refuse to issue the same, or to issue it for the construction

of a portion only of the contemplated facility, line, plant, or system, or extension thereof, or for the partial exercise only of said right or privilege, and may attach to the exercise of the rights granted by said certificate such terms and conditions as in its judgment the public convenience and necessity may require."

While, generally speaking, it may be that the Commission might not have authority to grant a certificate to a bus company to operate over a regular route, between fixed termini and at scheduled times, and at the same time place a condition in the certificate that only a limited number of busses could be used, yet in our opinion the business of a sightseeing operator presents a different problem. The latter operations are irregular and are operated on call and demand and during the tourist season. They are somewhat analogous to the business of taxicab operations. We find that the Commission, back in the years 1927 and 1928 when sightseeing certificates were first granted in the Colorado Springs, Denver, and Boulder sightseeing areas, placed these restrictions on the number of vehicles that could be operated in nearly all the certificates then granted, and it is apparent from those early decisions of the Commission that the entire question of what the public convenience and necessity then required, was considered as well as the necessity of protecting the operations of year-round scheduled operators. See Decision No. 1106, Re Champa 3 Auto Livery, VI Colo. P.U.C., page 704. In McKay v. Public Utilities Commission, 104 Colo. 102, 411, our Supreme Court has stated:

> *Primary use of the highways is the general right of every citizen, to travel thereon and transport his property in the ordinary course of life, subject to reasonable police regulation. Secondarily, the highway is used by those who conduct thereon a business for profit * * *.

"* * * The advent of motor vehicle transportation undoubtedly has required legislative protection for the public, who have a right to a primary use."

It is a fair assumption to say that in protecting the general public under the primary use of the highways, the Legislature must have assumed that the unlimited increase in the number of automobiles used in sightseeing service should be regulated, and, in our opinion, this regulation

-8-

was delegated to the Commission by the Legislature when it authorized the Commission to attach such conditions and terms to the exercise of the rights granted as, in our opinion, the public convenience and necessity required. Railroad Commission v. Universal Transportation & Distributing Co., 86 S. W. (2), 250 (T.C.A.) is authority for the proposition that the Railroad Commission of that state has the right to limit certificates which the public convenience and necessity may require, regardless of what original rights may have been granted. Gershkowitz v. Bd. of Public Utilities Commissioners, 123 N. J. L. 606, 10 A (2d) 543, is authority for the proposition that the Board of Public Utilities Commissioners of that State has the power to determine how much of privilege and franchise is necessary and proper for the public convenience, and if the proof shows that some part is not necessary, the Board should so find. H. & K. Motor Transportation v. P. U. C. (Oh. St.), 19 N. E. (2d) 256, is authority for the proposition that where the public convenience and necessity demand a specialized type of motor service different from that afforded by transportation companies already in the field, a certificate of public convenience and necessity may issue, limited to such specialized service. The Ohio courts have also held that before a carrier may increase its equipment, the public convenience and necessity must demand such increase. See Stark B. R. Co. v. P.U.C., 121 Ohio St., 550, 170 N. C. 360. We should point out that Ohio has specific statutory authority for limiting equipment.

In <u>Publix Cars v. Yellow Cab and Baggage Co.</u> (Neb.), 265 N. W. 234, the Court held that the Nebraska Commission had authority to determine the number of taxicabs that might be required to satisfy the needs of the city of Omaha for taxicab transportation and to divide the needed taxicabs among the different operators. See also <u>Publix Cars v. Yellow Cab and Taxicab Co</u>. (Neb.) 265 N. W. 240.

The West Virginia Supreme Court, in <u>Ex Parte Dickey</u>, 76 W. Va. 576, 85 S. E. 781, L. R. A. 1915-F 840, P. U. R. 1915-E, 93, held that a city, under its power to regulate and control public service motor vehicles, might prescribe the number of vehicles to be used in that service.

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The Utah Supreme Court, in <u>Gilmer v. P. U. C.</u>, 67 Utah 222, 247 Pac. 284, promulgated the doctrine that the State has authority to impose such conditions as it deems fair and just on those using the streets or highways for transporting freight or passengers as common carriers. In that case, the Utah Commission originally granted a certificate which was limited to one round trip per week. Application was filed to permit daily trips which of necessity meant an increase in the number of vehicles to be used. The Commission denied this increased service, and the Supreme Court upheld its action.

In Pennsylvania, the Commission limits not only the number of vehicles which may be used in a passenger service, but also the number of vehicles that may be used in freight service. See <u>Hostetter v. P. U. C.</u>, 110 Pa. Super. Ct. 212, 168 A 492.

The Massachusetts Supreme Court, in <u>Roberto v. Commissioners</u>, 262 Mass. 583, 160 N. E. 321, holds that the Public Utilities Commission may attach such terms and conditions for operating metor vehicles as public convenience and necessity require. In that case the Utilities Commission had prohibited the picking up or discharging of passengers at specified points, and the Supreme Court held that it was within its power to place such a condition in the certificate.

The Florida Supreme Court has held that the Commission of that state, in determining rights of auto transportation companies to certificates of public convenience and necessity may consider the effect of granting a certificate on other transportation facilities within the designated territory, and also upon transportation as a whole. See <u>Florida Motor Lines v. R. R</u>. <u>Commission</u>, 101 Fla. 1018, 132 So. 851.

From the foregoing authorities, it would appear that this Commission owes a duty, not only to the persons desiring to make sightseeing trips, but also to the general public, to see that the highways are not burdened by an unreasonable number of sightseeing vehicles, and also owes a duty to other carriers to see that competition does not become destructive.

Respondent accepted the authority granted to him under Decision

-8-

No. 1123, dated March 7, 1927, which limited his equipment to four cars, and operated under the same for many years without questioning said limitation. The doctrine of estoppel might properly be invoked as a reply to his present contention that the number of vehicles he may now use cannot be limited.

In examining the instant record to determine whether or not there has been a partial abandonment by respondent of any part of his operating rights, we are confronted with the fact that abandonment is made up of two elements, act and intention. The burden of proof was upon complainant in the instant case to prove abandonment. Monuser alone (at least short of the period of the statute of limitations) is not sufficient to prove an abandonment. See <u>Alamosa C. Co. v. Nelson</u>, 42 Colo. 143; <u>Parsons v. Ft. Morgan Co.</u>, 56 Colo. 150.

Nonuse of part of the authorized equipment of respondent was the only fact established by the evidence, and we believe the record discloses that this nonuse was due entirely to lack of business and that no intention existed in the mind of respondent to abandon any of his rights. He was in business at all times and apparently willing and able to accommodate those who requested his service, and the mere fact that a sufficient number of customers did not call upon him for service, is not sufficient, in our opinion, to justify the finding of abandonment of any portion of his authority.

Should we determine in the instant case whether the public convenience and necessity now require all of the operating rights of respondent? It is possible that upon a general investigation by the Commission as to what the present public convenience and necessity might require in the way of service for sightseeing operations out of Denver, we could find that all presently authorized carriers should have the amount of equipment that may be used reduced beyond the number originally granted them. If the record made in the instant case that such business has decreased over fifty per cent from what it was when these certificates were originally granted, should be substantiated in such a proceeding, such action might properly be taken. However, we are of the opinion that it would be inequitable and unjust, even if we have the power at this time to re-examine the question of

-9-

public convenience and necessity, to reduce the amount of equipment that respondent may use, without considering the question as a whole and as it applies to all sightseeing operators. Undoubtedly, within the past few years, respondent has been able to meet the requirements of the public convenience and necessity with at least one less car, and possibly two, than he now has the right to use. The record fully substantiates this position. But, as heretofore stated, we are of the opinion that this question should not be re-examined except at a general hearing where the rights of all concerned in the sightseeing business out of Denver are considered and construed.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that the instant case should be dismissed.

<u>ORDER</u>

IT IS ORDERED:

That the instant case be, and the same is hereby, dismissed. This order shall become effective twenty days from date.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado, this 30th day of March, 1942.

4

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

XXXXX

IN THE MATTER OF THE APPLICATION OF C. W. DAVIS, DOING BUSINESS AS DAVIS SIGHTSEEING SERVICE, FOR AUTHORITY TO TRANSFER HIS CERTIFICATE NO. 85 TO PIKES PEAK AUTO LIVERY.

APPLICATIONS NOS. 577-BA 1634-BA

March 30, 1942.

Appearances: John Nolon, Jr., Esq., Manitou Springs, Colorado, for C. W. Davis; Conour and Conour, Esqs., Del Norte, Colorado, for Pikes Peak Anto Livery; Hodges, Vidal and Goree, Esqs., Denver, Colorado, for Rocky Mountain Motor Company.

STATEMENT

By the Commission:

On August 16, 1941, Decision No. 17479, the Commission entered its order granting C. W. Davis authority to transfer certificate of public convenience and necessity No. 85 to Pikes Peak Auto Eivery, subject to certain restrictions therein contained. Thereafter, on September 8, 1941, Decision No. 17604, a further hearing was granted in said matter, which hearing was held in Denver, Colorado, on September 30, 1941.

At the rehearing, the only new evidence introduced was that of the equipment inspector of the Commission, who testified that in 1938 and 1939, he inspected and approved three cars belonging to transferor, and that in 1940, he inspected two cars, and was asked by transferor to examine another one which transferor contemplated purchasing; that in 1941, he inspected two cars belonging to transferor, but refused to pass either one of them, although he did offer to pass one provided certain repairs were made thereon.

The annual reports of transferor for the years 1938, 1939 and 1940, were also made a part of the record.

-1-

Transferor, testifying in his awn behalf, stated that in 1938 he

owned three cars and had a fair business; that he operated two of these cars and held one in reserve. His road reports for June, July, and August, 1941, were made a part of the record. In our fermer decision, we restricted the number of cars that might be operated under certificate of public convenience and necessity No. 85 to one car. We also cancelled the authority heretofore granted transferor in Decisions Nos. 10487 and 4520 upon the theory that those rights provided that the owner thereof should not be permitted, without further authority from the Commission, to establish a branch office or to have an agent employed in any other town or city than Denver for the purpose of developing business. This decision was based upon the statement in the record that transferees maintained an office in Maniton Springs and therefore could not properly operate under said authorities. However, our attention has been called to the fact that this decision, in effect, presumed that transferees would not give up their office in Manitou Springs or would solicit any business there for the operations out of Denver. We consider that this point is well taken. We have heretofore in Decision No. 18577, Case No. 4867, disposed of the question of the restriction of the number of cars to be operated under this certificate. This leaves the only question to be determined in the instant case one of the fitness of the transferees. As pointed out in our former decision, the Commission will not attempt to analyze the question of the fitness of transferees to operate as a common carrier in Colorado. We have gone into this matter in a number of other cases and feel that no good purpose would be served by again considering same. However, we will again reiterate that we believe transferees must be careful in their advertising not to mislead the public as to their actual operating rights granted to them by this Commission. Having the needs of the tourists within our State in mind, we can find no fault with the practice of turning overflow passengers to other authorized carriers. However, such practice does not mean that we approve of advertising that does not state all the facts.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that our former decision No. 17479, dated August 16,

-2-

1941, should be withdrawn and in lieu thereof, we are of the opinion, and so find, that in the instant case the authority sought should be granted.

<u>O</u><u>R</u><u>D</u><u>E</u><u>R</u>

IT IS ORDERED:

That our former decision No. 17479, dated August 16, 1941, be withdrawn.

That Charles W. Davis be, and he is hereby, authorized to transfer all his right, title and interest in and to certificate of public convenience and necessity, heretofore granted in Applications Nos. 577 and 1654, to Frank S. Snell, Jr., and Joseph G. Shabouh, doing business as Pikes Peak Auto Livery, subject to all the restrictions contained in the decisions granting said authorities.

The tariff of rates, rules and regulations of the transferor shall become and remain those of the transferees until changed according to law and the rules and regulations of this Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado, this 30th day of March, 1942.

BH

XXX

IN THE MATTER OF THE APPLICATION OF FIELDS BROTHERS HARDWARE, INC.,) RIDGWAY, COLORADO, FOR A CLASS "A") PERMIT TO OPERATE AS A PRIVATE CAR-RIER BY MOTOR VEHICLE FOR HIRE FOR) THE TRANSPORTATION OF LIVESTOCK FROM) POINTS WITHIN A FIFTY-MILE RADIUS OF) RIDGWAY TO DENVER AND PUEBLO, COLORADO.)

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APPLICATION NO. 5802-PP

March 30, 1942.

Appearances: Forrest Binder, Ridgway, Colorado, for applicant; T. A. White, Esq., Denver, Colorado, for The Denver and Rio Grande Western Railroad Company; Oliver Fellin, Ouray, Colorado, for Fellin Brothers; Orville Dunlop, Montrose, Colorado, <u>pro Se;</u> Delbert Farra, Montrose, Colorado, <u>pro Se;</u> L. A. Theobold, Norwood, Colorado, <u>pro Se</u>.

STATEMENT

By the Commission:

On January 5, 1942, Decision No. 18091, the Commission entered its order granting Field Brothers Hardware, Inc., a Class "A" permit authorizing the transportation of livestock from points within a 50-mile radius of Ridgway to Denver and Pueblo. Thereafter, on January 15, 1942, Rio Grande Motor Way, Inc., filed an application for rehearing, in which it is contended that the decision of the Commission is unjust, unreasonable and unlawful because it permits applicant to operate as a private carrier by motor vehicle for hire at the same time and with the same equipment that he is also using as a commercial carrier.

As we pointed out in our original order, it is possible that the Commission may adopt some rule preventing operation of equipment as both commercial and for-hire carrier at the same time. In fact, the Commission

-1-

now has under consideration such a rule.

The operating rights granted applicants are, of course, dependent upon their compliance with all present and future laws and rules and regulations of the Commission, and if the Commission determines to adopt the rule in question, it would apply from its effective date to the operations of applicants as well as all other private carriers.

In view of this condition, and after a careful consideration of the record, the Commission is of the opinion, and so finds, that the application for rehearing should be denied.

<u>ORDER</u>

IT IS ORDERED:

That the application for rehearing filed herein on January 13, 1942, by Rio Grande Motor Way, Inc., be, and the same is hereby, denied.

BĦ

Dated at Denver, Colorado, this 30th day of March, 1942. THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

(Decision No. 18580

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

)

RE MOTOR VEHICLE OPERATIONS OF)

FLOYD M. NICHOLS 2824 W. 1st Ave., Denver, Colorado

PERMIT NO. C-5928

March 30, 1942

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TATEMENT

By the Commission:

The Commission is	in receipt of a	communication from	
1999년 전 1999년 1월 1999년 1999년 1999년 1998년 전 1999년 1997년 1월 1999년 1월 1997년 1월 1997년 1월 1997년 1998년 1998년 1998년 1월 1999년 1월 1997년 1월 19			
Floyd M. Nichols		of 2824 W. 1st Ave., Deny	ver, Colorado
equesting that his Per		-5928 he ca	ncelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-5928 , heretofore issued to Floyd M. Nichols, 2824 W. 1st Ave., Denver, Colorado be, and the same is hereby, declared cancelled effective April 1, 1942

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLOBADO a seren

Commissioners.

Dated at Denver, Colorado, this 50th day of March 19.42

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) ...)

RE MOTOR VEHICLE OPERATIONS OF)

RAY RISENHOOVER 3321 W. Exposition Ave., Denver, Colorado

PERMIT NO. C-12795

March 30, 1942

STATEMENT

By the Commission:

The	Commission i	s in receipt of a	communication	from	
		아님이 모양을 많이 가지?			
Bay R	aenhoover		of 3321 W. Ext	osition Ave	Denver, Colorado
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requesting	g that his Pe	rmit NoC-127	95	be cance	elled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-12795, heretofore issued to Ray Risenhoover, 3321 W. Exposition Ave., Denver, Colorado be, and the same is hereby, declared cancelled effective March 26, 1942.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado, this 50th day of March , 19 42

#### XXXX

IN THE MATTER OF THE APPLICATION OF SOUTHWESTERN GREYHOUND LINES, INC., FOR AUTHORITY TO TEMPORARILY SUSPEND CIVILIAN CHARTER COACH MOVEMENTS.

APPLICATION NO. 1717

March 30, 1942.

Appearances: A. F. Baldus, General Traffic Manager, 905 Commerce Street, Fort Worth, Texas, for the applicant.

<u>STATEMENT</u>

By the Commission:

By Decision No. 4320, as amended, Pickwick-Greyhound Lines, Inc., predecessor of applicant, was granted a certificate of public convenience and necessity for charter coach transportation.

The Commission is in receipt of the following letter from

applicant, dated March 23, 1942:

"In order to cooperate in the Victory Effort to the fullest extent, we propose to suspend for the duration all non-essential civilian charter coach movements for the following reasons:

*1. A substantial volume of our spare equipment is now being operated for the Selective Service System and War Department.

"2. The Government's tire rationing regulations.

***3.** Increased civilian traffic on regular scheduled service account tire rationing program.

¹⁴. Inability of our company to purchase additional equipment due to shortage of vital materials used in the manufacture of busses.

"In view of present day conditions we are hopeful that our proposed action will be sanctioned by your Honorable Commission. Should the rules of your Commission require the filing of an application to permit the suspension of service now proposed, please inform us of the requirement and such application will be filed immediately."

In view of this request and the reasons set forth therein, the Commission finds that applicant should be allowed to suspend all

-1-

non-essential civilian charter coach movements for the duration of the war, and for six (6) months thereafter.

<u>O R D E R</u>

#### IT IS ORDERED:

**3**60

That Southwestern Greyhound Lines, Inc., is hereby authorized to suspend all non-essential civilian charter coach transportation under its certificate of public convenience and necessity for the duration of the war, and for six (6) months thereafter.

Jurisdiction is retained by the Commission to make such further orders as the public interest may require.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLOBADO

Commissioners.

Dated at Denver, Colorado, this 30th day of March, 1942.

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

PERMIT NO. C-9723

March 30, 1942

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STATEMENT

By the Commission:

The Com	nission is in	n receipt of a	communication 1	from Bert N. Preyer
Great Western	Trailer Con	pa <b>ny</b>	.of 5504 M. Col	fax, Denver, Colorado
requesting that	at his Permi	t No.	723	be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

# ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-9723</u>, heretofore issued to <u>Great Western Trailer Company, 5504 W. Colfax Ave., Denver, ^Colorado be,</u> and the same is hereby, declared cancelled effective <u>March 22</u>, 1942

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

FILLAN Bomissioners.

Dated at Denver, Colorado, this _______ Both______ day of ______ March_____, 19.42

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* * * *

RE MOTOR VEHICLE OPERATIONS OF

P.U.C. No. A-161

FRANK L. WILLIAMS Collbran, Colorado

March 31, 1942

# STATEMENT

By the Commission:

On March 17, 1941, by order of the Commission, Decision No. 16790, Frank L. Williams of Collbran, Colerade was given authority to suspend operations under PUC No. A-161 for a period of one year from April 1, 1941 with the privilege of reinstatement.

The Commission is now in receipt of a communication from permittee requesting that said permit be restored to its active status.

After careful consideration, permittee having on file the necessary certificate of insurance, cash deposit, and otherwise having complied with the rules and regulations of the Commission governing private carriers, the Commission is of the opinion and finds that said order of suspension should be set aside and said permit be restored to its active status.

# ORDER

IT IS THEREFORE ORDERED, That said order of suspension be, and hereby is, set aside and that PUC No. A-161 be, and the same hereby is, restored to its active status as of the date of this order.

THE PUBLIC UTILITIES COMMISSION F. THE STATE OF COLORADO un issioners.

Dated at Denver, Colorado this 31st-day of March, 1942.

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RE MOTOR VEHICLE OPERATIONS OF ) W. M. Gaylord ) 4429 West 35th Ave., ) Denver, Colorado )

PRIVATE PERMIT NO. B-2448

March 51, 1942 <u>S T A T E M E N T</u>

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2448 be suspended for a period of six months from March 30, 1942.

The Commission finds that said request should be granted.

QRDER

### IT IS ORDERED:

That W. M. Gaylord, of Denver, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-2448 for a period of not to exceed six months from March 50, 1942.

That unless said W. M. Gaylord shall, prior to the expiration of said suppension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado, this 31st day of March, 1942.

*****

IN THE MATTER OF THE APPLICATION OF JOE BOUCHARD, WESTCLIFFE, COLORADO, FOR AUTHORITY TO TRANSFER CERTIFI-CATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 1191 TO JOHN HANSSEN, WESTCLIFFE, COLORADO.

APPLICATION NO. 4359-A

# April 6, 1942.

Appearances: Joe Bouchard, Westcliffe, Colorado,

<u>pro Se;</u>
John Hanssen, Westcliffe, Colorado, <u>pro se;</u>
A. J. Fregeau, Denver, Colorado, for Weicker Transfer & Storage Company;
Truman A. Stockton, Jr., Esq., Denver, Colorado, for the Colorado Transfer and Warehousemen's Association;
Stanley Blunt, Canon City, Colorado, for Southwestern Transportation Company;
T. A. White, Esq., Denver, Colorado,

for The Denver and Rio Grande Western Railroad Company.

STATEMENT

By the Commission:

By Decisions Nos. 11448 and 12151, Joe Bouchard, of Westcliffe, Colorado, was authorized to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of:

> "general commodities between points within the area extending from Westcliffe north to the north Custer County Line, south twenty miles, and wast and west the width of the valley lying between the Wet Mountains on the east and the Sangre de Cristo Range on the west, and the transportation of: (a) farm products from points in said area to points in the State of Colorado except fruits and vegetables to Colorado Springs, Denver, Florence and Canon City; (b) livestock from and to points in said area, to and from points in the State of Colorado; (c) farm supplies, including used household goods and furniture, supplies, farm machinery and equipment from and to farms in said area, to and from points in the State of Colorado, except to and from Denver, Colorado Springs, Canon City, and Florence; (d) ore from mines in said area to Texas Creek.*

He now seeks authority to transfer said operating right (PUC No. 1191) to John Hanssen, of Westcliffe, Colorado, who operates under certificate of public convenience and necessity No. 791 as a common carrier by motor vehicle for hire, on call and demand. His authority was granted in Decision No. 11147, and extended by Decision No. 12145 as follows:

> "To and from Westcliffe, from and to Pueblo, via No. 96, including intermediate points, with right to operate from Pueblo via No. 50 to Florence and Canon City, returning to Florence; thence via No. 61 back to Wetmore, and via No. 96 to Silver Cliff and Westcliffe; provided operation from Pueblo to Florence and Canon City is limited to the right to transport freight to said points which originates in Westcliffe, Silver Cliff and Wetmore only; including right to transport freight which originates in Florence and Canon City back to Wetmore, Westcliffe and Silver Cliff, only.

"Eivestock, farm produce, cement, lumber, furniture and ore between points in Custer County, except that part of Custer County which lies east of State Highway No. 165, and from and to points in said area, to and from points in the State of Colorado, except the transportation of farm produce under the extension, from points in said area to Colorado Springs and Denver, and excepting transportation of all commodities, except livestock, from Denver and Colorado Springs and points on U. S. 85 intermediate thereto, and furniture from points outside of Custer County, to points in said area."

At the hearing in Pueblo, Colorado, on March 31, 1942, it developed that the consideration for the transfer of said certificate and one truck is the sum of sixteen hundred dollars (\$1,600.00); that deposit of said Joe Bouchard is to be transferred to the account of said Hanssen; that Hanssen's present authority, as heretofore set out, is substantially the same as that of Joe Bouchard, and that Hanssen is merely "buying out competition" in order to reduce operating costs and increase revenue. It also developed that there are no outstanding unpaid operating accounts against said Bouchard's operation, and that Hanssen wants to consolidate his operations under said certificates, the consolidated operation to bear number P.U.C. 791.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said transfer and consolidation should be authorized.

## <u>ORDER</u>

IT IS ORDERED:

That Joe Bouchard, Westcliffe, Colorado, should be, and he hereby is, authorized to transfer all of his right, title and interest in and to certificate of public convenience and necessity No. 1191 to John Hanssen, Westcliffe, Colorado, operations authorized under said certificate to be consolidated and merged with transferee's operations under P.U.C. 791, the consolidated operation to bear number P.U.C. 791.

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

This order shall become effective twenty days from date.

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THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado, this 6th day of April, 1942.

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IN THE MATTER OF THE APPLICATION OF WILLARD F. BRITT, 1037 WALNUT STREET, BOULDER, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE PASSENGER AND EXPRESS SERVICE BETWEEN CERTAIN POINTS IN BOULDER COUNTY, COLORADO.

APPLICATION NO. 5659

# April 7, 1942.

Appearances: Marion F. Jones, Esq., Denver, Colorado, for applicant; Mrs. Lillie E. Hennig, Boulder, Colorado, pro se; A. J. Walter, Gold Hill, Colorado, <u>pro se;</u> Paul Bennett, B.ulder, Colorado, <u>pro se</u>.

STATEMENT

By the Commission:

As filed, the instant application seeks authority to perform a common carrier service by motor vehicle between points in the metal mining area of Boulder County and that part of Gilpin County north of South Boulder Creek on the one hand, and Boulder and Longmont on the other hand, for the transportation of passengers, their baggage and express, provided that no service is sought between Boulder and Longmont, or between any towns not located in said metal mining district.

At the hearing, applicant stated that he desired to limit his application to passengers destined to the mines, only, and that he was not interested in any pleasure or sightseeing trips and did not propose to compete with Boulder sightseeing operators in this particular. He further stated that a number of miners who work at mines located within this mining area, resided at Boulder and Longmont and no present service exists that will permit them to go to and return from their work; that at the present time said miners are riding with each other upon a share-expense plan, but due to the shortage

-1-

and the

of tires, such method of transportation cannot continue. He has purchased a new 28-passenger International bus and expects to so arrange his schedules that he would take care of the various shifts at the mines. He told of numerous requests that have been made upon him to render such service, and several of the mine operators in that district testified as to the need for his service.

Mr. Joseph Little, atterney and director for the Slide Mine and Boalder Tungsten property, testified that approximately one hundred men are employed at the Slide Mine and that fully fifty per cent of these men reside in Boulder and also some in Longmont; that no living accommodations exist at the mine for all the men; that at the present time the men are paying each other approximately one cent a mile on a share-expense arrangement; that applicant has been hauling their concentrates in a very satisfactory manner and they know of no one else in Boulder County who could haul these men at a price they would be willing and able to pay; that they work two shifts in the mine and three in the mill, and they expect to guarantee applicant a minimum price of \$10.00 per trip. Mr. Little also brought out the fact that at Jamestown there is a fluorspar mill which would also have these same transportation problems.

Mr. Vane Golden, a common carrier operator located at Longmont, stated that he had no objection to the proposed service as long as it was confined to service to the metal mines in said district, only.

Mr. Bennett, one of the owners of common carrier certificate No. 66, stated that he had no objection to the operation as proposed; that he did not feel it would conflict with their own authority, and also that he felt there was a distinct need for the service.

Raymond Sullivan, who operates a tungsten mill situated about 24 miles northwest of Boulder, testified that most of his employes live in Boulder and the men were finding it quite difficult to travel back and forth as tires commenced to wear out; that three men had quit already on account of transportation difficulties, and he felt the service of applicant was needed.

-2-

Mrs. Hennig, a common carrier operator at Boulder, testified that is her opinion her own certificate, as well as P.U.C. No. 68, were authorized to render the proposed service. She also stated that she had no desire to in any way interfere with the development of the metal mines in Boulder County that were producing strategic metals needed in our war production campaign; that her rates, which are based on a call and demand sightseeing service, were 27 cents per mile for five passengers and a driver, and that she could not transport these men to the mines for anything like the fare proposed by applicant. Her chief concern appeared to be as to what might develop after the war emergency was over. The evidence indicates that some 250,000 pounds of lead and copper per year are now produced in this mining district.

We appreciate the position of Mrs. Hennig, but from the record it is undoubtedly true that a present emergency exists which neither Mrs. Hennig, nor any other sightseeing operator in the Boulder district, is prepared to adequately handle. It has been suggested that it would be difficult to police the operations of applicant and that he might unwittingly haul passengers whose only purpose was to take a sightseeing ride or go on a picnic somewhere. This may be true, but in our opinion it is not a sufficient ground to deny the authority sought in view of the public convenience and necessity existing for the transportation of miners to and from work in said district.

Applicant's financial statement, as of December 31, 1941, shows a net worth of approximately \$13,000.00, and with the equipment which he owns, we believe he is in a good position to render the required and necessary service, and we doubt if this service will ever be used to any extent by those who otherwise would employ a common carrier sightseeing operator in the Boulder district.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that, as limited by the testimony, the authority sought should be granted.

-3-

# <u>O R D E R</u>

#### IT IS ORDERED:

That the present and future public convenience and necessity require the proposed operations of Willard F. Britt for the transportation by motor vehicle of passengers and their baggage, as well as express packages that can be handled in a passenger bus, between mines in the metal mining area of Boulder County and that part of Gilpin County north of South Boulder Creek, on the one hand, and Boulder and Longmont on the other hand; provided, however, that ne service shall be rendered between towns, but only from towns to mines or mines to towns, and this order shall be taken, deemed and held to be a certificate of public cenvenience and necessity therefor.

The applicant shall file tariffs of rates, rules and regulations and distance schedules as required by the rules and regulations of this Commission, within twenty days from date.

The applicant shall operate his carrier system in accordance with the order of the Commission except when prevented by Act of God, the public enemy or extreme weather conditions.

This order is subject to compliance by applicant with all present and future laws and rules and regulations of the Commission. This order shall become effective twenty days from date.



THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado, this 7th day of April, 1942.

2

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

* * *

IN THE MATTER OF THE APPLICATION OF HARRY N. WHITE, ROUTE 1, BOX 84. BOONE, COLORADÓ, TO TRANSFER PERMIT NO. B-2247 FROM JOHN WHITE, NOW DECEASED, TO HARRY N. WHITE, DOING BUSINESS AS "WHITE TRUCKING SER-VICE," BOONE, COLORADO.

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APPLICATION NO. 4759-PP-A

April 9, 1942 -----

Appearances: Harry N. White, Boone, Colorado, pro se; A. J. Fregeau, Denver, Colorado, for Weicker Transfer

> and Storage Company; T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers! Association.

## STATEMENT

By the Commission:

On October 1, 1938, John White, Boone, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

> hay, baled and loose, from farms within a radius of ten miles of Avondale to Pueblo and to dairies in Pueblo and points within a radius of five miles of Pueblo, and to feed lots within said ten-mile radius; grain from threshers and combines operating within said ten-mile radius of Avondale to elevators and markets in said area; beets, melons, tomatoes, onions and like farm products from fields within said ten-mile radius to dumps, loading sheds and storage points in said area.

Said John White recently died. His father, Harry N. White, desires to continue the operation, and to that end, filed application with the Commission to have said permit transferred to him. The matter was heard in Pueblo, Colorado, on March 31, 1942.

There was no objection to the granting of the authority sought. The operating experience and pecuniary responsibility of transferee were established to the satisfaction of the Commission.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said permit should be transferred on our records to said Harry N. White, doing business as "White Trucking Service," Boone, Colorado.

# ORDER

IT IS ORDERED:

That Permit No. B-2247 should be, and the same hereby is, transferred to Harry N. White, doing business as "White Trucking Service," it being further ordered that our records be changed and amended to show said transfer.

The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of this Commission.

This order is made a part of the permit authorized to be transferred, and shall become effective twenty (20) days from date.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 9th day of April, 1942.

2 - 3

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

* * *

IN THE MATTER OF THE APPLICATION OF ) HERBERT REFFEL, 4045 CLAYTON STREET, ) DENVER, COLORADO, FOR A CLASS "B" ) PERMIT TO OPERATE AS A PRIVATE ) CARRIER BY MOTOR VEHICLE FOR HIRE, )

APPLICATION NO. 5873-PP

April 9, 1942

#### STATEMENT

#### By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to points within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

ORDER

#### IT IS ORDERED:

That Herbert Reffel, Denver, Celorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to points within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This onder shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 9th day of April, 1942.

* * *

IN THE MATTER OF THE APPLICATION OF GLENN CUNNINGHAM, DOWNS, KANSAS, FOR AUTHORITY TO TRANSFER INTER-STATE CERTIFICATE TO FRED SELLERS, BELOIT, KANSAS.

INTERSTATE CERTIFICATE NO. 1163-1

April 9, 1942 -----SIATEMENT

### By the Commission:

Heretofore, Glenn Cunningham, Downs, Kansas, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle in interstate commerce, and Interstate Certificate No. 1163-I issued to him.

Said certificate-holder now seeks authority to transfer said certificate to Fred Sellers, Beloit, Kansas.

The records and files of the Commission fail to disclose any reason why said request should not be granted.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said transfer should be authorized.

#### QRDER

IT IS ORDERED:

That Glenn Cunningham, Downs, Kansas, should be, and he hereby is, authorized to transfer all of his right, title and interest in and to Interstate Certificate No. 1163-I to Fred Sellers, Beboit, Kansas, subject to the provisions of the Federal Motor Carrier Act of 1935.

This ordef shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 9th day of April, 1942.

* * *

IN THE MATTER OF THE APPLICATION OF R. J. PHILLIPS, CANON CITY, COLO-RADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5872-PP

April 9, 1942

# STATEMENT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in the Florence-Canon City coal fields to Leadville, via U. S. Highways Nos. 50, 285 and 24.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

QRDER

IT IS ORDERED:

That R. J. Phillips, Canon City, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in the Florence-Canon City coal fields to Leadville, via U. S. Highways Nos. 50, 285 and 24.

All operations hereunder shall be strictly contract operations,

the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 9th day of April, 1942.

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

* * *

IN THE MATTER OF THE APPLICATION OF F. R. AND W. E. CONARD, DOING BUSI-NESS AS "CONARD BROTHERS," 4988 STUART STREET, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS PRIVATE CARRIERS BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5878-PP

April 9, 1942

## STATEMENT

By the Commission:

Applicants herein seek authority to operate as Class "B" private carriers by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to points within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicants, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

# QRDER

IT IS ORDERED:

That applicants herein should be, and they hereby are, authorised to operate as Class "B" private carriers by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the reads, from pits and supply points in the State of Colorado to points within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver.

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

This order is the permit herein provided for, but it shall not become effective until applicants have filed a statement of their custemers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and have secured identification cards.

The right of applicants to operate hereunder shall depend upon their compliance with all present and future laws and rules and regulations of this Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 9th day of April, 1942.

* * *

IN THE MATTER OF THE APPLICATION OF LLOYD T. EGAN, 4030 MADISON STREET, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5879-PP

April 9, 1942

## STATEMENT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the reads, from pits and supply points in the State of Colorado to points within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

ORDER

IT IS ORDERED:

That applicant herein should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to points within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Commissioners

Dated at Denver, Colorado, this 9th day of April, 1942.

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IN THE MATTER OF THE APPLICATION OF INTERMOUNTAIN FREIGHT LINES, INC., COLORADO SPRINGS, COLORADO, FOR AUTHORITY TO TRANSFER INTERSTATE CERTIFICATE TO RINGSBY TRUCK LINES, INC., 3262 BLAKE STREET, DENVER, COLORADO.

#### INTERSTATE CERTIFICATE NO. 1414-I

April 9, 1942.

### STATEMENT

By the Commission:

Heretofore, the Intermountain Freight Lines, Inc., Colorado Springs, Colorado, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle in interstate commerce, and Interstate Certificate No. 1414-I issued to it.

Said certificate-holder now seeks authority to transfer said certificate to Ringsby Truck Lines, Inc., Denver, Colorado.

The records and files of the Commission fail to disclose any reason why said request should not be granted.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said request should be granted.

# <u>O R D E R</u>

#### IT IS ORDERED:

That Intermountain Freight Lines, Inc., a Colorado corporation, Colorado Springs, Colorado, should be, and it hereby is, authorized to transfer Interstate Certificate No. 1414-I to Ringsby Truck Lines, Inc., a Colorado corporation, Denver, Colorado, subject to the provisions of the Federal Motor Carrier Act of 1935.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION COLORADO

Dated it Derver, Colorado, this 9th day of April, 1942. Commissioners.

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IN THE MATTER OF THE APPLICATION OF MILFORD J. KEEFER, 57 MONROE STREET, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HTRE.

APPLICATION NO. 5874-PP

April 9, 1942.

STATEMENT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to points within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin counties.

Inasmuch as the motor carrier associations heretofore have indicated they have no objection to the granting of permits limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter forthwith without formal notice upon the records and files herein.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

<u>O R D E R</u>

#### IT IS ORDERED:

That Milford J. Keefer, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor wehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to points within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and

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Gilpin Counties.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORSDO

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Dated at Denver, Colorado, this 9th day of April, 1942.

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

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IN THE MATTER OF THE APPLICATION OF J. P. MARTINEZ, 2915 WEST 14th AVENUE, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5871-PP

April 9, 1942.

<u>STATEMENT</u>

By the Commission:

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Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to points within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin counties; coal from mines in the northern Colorado coal fields to ^Denver.

Inasmuch as the motor carrier associations heretofore have indicated they have no objection to the granting of permits limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

ORDER

#### IT IS ORDERED:

That J. P. Martinez, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials

used in making up the surface of the roads, from pits and supply points in the State of Colorado to points within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORDO

Commissioner

Dated at Denver, Colorado, this 9th day of April, 1942.

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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 NORMAN RHYNO, 3079 10th STREET, BOULDER, COLORADO, FOR AUTHORITY TO TRANSFER CERTIFICATE OF PUBLIC CON-VENIENCE AND NECESSITY NO. 949 TO WILLARD F. BRITT, DOING BUSINESS AS BRITT TRUCK SERVICE, 1037 WALNUT STREET, BOULDER, COLORADO.

APPLICATION NO. 3229-A

#### April 9, 1942. _ _ _ _

Appearances: Marion F. Jones, Esq., Denver, Colorado, for applicants; T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colerado Motor Carriers' Association.

STATEMENT

By the Commission:

On June 1, 1936, Decision No. 7671, Norman Rhyno was granted a certificate of public convenience and necessity authorizing the transportation

of:

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"Farm products (including livestock), farm supplies and farm equipment (including furniture only in connection with the movement of farmers' or miners' equipment), and coal between points in the south half of Boulder County, Colorado, and from and to points in said area to and from points outside thereof; and for the transportation of ere and concentrates, mining equipment supplies and machinery between points within the following described territory, to-wit: Commencing at Boulder, Colorado, thence up Boulder Ganon to Four Mile Canon to Sunset; thence due west to the west Boulder County Line; thence north along the West Boulder County Line to a point west of Raymonds; thence south along the St. Vrain Canon road to Lyons; thence along the foothill road (being Colo. Highway No. 7) to Boulder and points cutside thereof; provided that the applicant shall not engage in any transportation service between points along the line of scheduled common carriers and particularly shall not transport any freight between Denver and Boulder, except mining machinery from Denver destined to mines in said area."

Thereafter, on July 28, 1936, Decision No. 8121, said authority was amended by the elimination of any authority to hand livestock, and by

including in the area in which applicant was authorized to transport ore and concentrates the following townships: One North, One South and Two South in Ranges 71, 72 and 73 West.

The instant application seeks authority to transfer said certificate to Willard F. Britt, doing business as Britt Truck Service.

The evidence disclosed that the consideration for said transfer, which includes one Studebaker one-ton truck, is the sum of \$1,200.00. Transferor agreed to pay any outstanding obligations against his operations, and in particular the account of the Colorado Motor Carriers' Association amounting to the sum of \$31.00, and it was stipulated that said transfer should be made contingent upon the payment of said account.

The financial standing and operating reliability of transferee were established to the satisfaction of the Commission.

Transferee is also the owner of two private permits, A -722 and B-862, and at the hearing requested that said permits be suspended for a period of six months. Permit No. B-862 authorizes the transportation of freight, including milk, in an unrestricted territory. Permit No. A-722 authorizes the transportation of ore and concentrates, and mining machinery and supplies between Boulder and Ward, Magnolia, Caribou, Sugar Loaf, Jimtown, Gold Hill mining districts, and intermediate points, and between mines in Boulder County and Leadville and Colorado Springs, Colorado.

It will be noted that both of said permits authorize service that is also authorized by Certificate No. 949. We believe that transferee should be required to cancel said permits if the transfer herein sought is permitted, at least so far as any operations would duplicate operations under said certificate.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that the authority sought should be granted, subject to the conditions hereinafter imposed.

### QRDER

#### IT IS ORDERED:

That Norman Rhyno be, and he is hereby, authorized to transfer

to Willard F. Britt, doing business as Britt Truck Service, all his right, title and interest in and to Certificate No. 949; provided, however, that said transfer is subject to the condition that transferor pay the account of the Colorado Motor Carriers' Association in the sum of \$31.00, and provided also that Permits Nos. A-722 and B-862 be, and the same are hereby, declared cancelled and revoked.

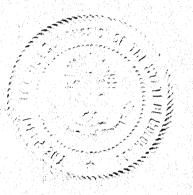
The tariff of rates, rules and regulations of the transferor shall become and remain those of the transferee until changed according to law and the rules and regulations of this Commission.

This order shall become effective twenty days from date.

OF

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLORADO

Commissioners.



Dated at Denver, Colorado, this 9th day of April, 1942.

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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 ) GEORGE HEINRICH, 3720 DOWNING STREET, ) DENVER, COLORADO, FOR A CLASS "B" PERMIT) TO OPERATE AS A PRIVATE CARRIER BY MOTOR) VEHICLE FOR HIRE. )

APPLICATION NO. 5880-PP

April 9, 1942.

<u>STATEMENT</u>

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to points within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver.

Inasmuch as the motor carrier associations heretofore have indicated they have no objection to the granting of permits limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter forthwith without formal notice, upon the records and files herein.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

ORDER

#### IT IS ORDERED:

That applicant herein should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to points within a radius of fifty miles of said pits and

supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective twenty days from date.

OF THE STATE

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Commissioner

THE PUBLIC UTILITIES COMMISSION

Dated at Denver, Colorado, this 9th day of April, 1942.

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BEFORE THE FUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF HARRY C. HENDRICKSON, 2445 CALIFOR-NIA STREET, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE GERRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5882-PP

April 9, 1942

#### STATEMENT

By the Commission:

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Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to points within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

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IT IS ORDERED:

That Harry C. Hendrickson, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to points within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 9th day of April, 1942.

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

* * *

IN THE MATTER OF THE APPLICATION OF A. J. BAXTER, 601 WEST OAK STREET, LAMAR, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5842-PP

April 9, 1942

Appearances: T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association;

A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company.

STATEMENT

#### By the Commission:

The above-styled matter was set for hearing at La Junta, Colorado, on March 17, 1942, upon applicant's application for a Class "B" private carrier permit to operate as a private carrier by motor vehicle for hire for the transportation of buildings between points within a radius of one-hundred miles of Lamar.

Notwithstanding applicant was duly notified of the time and place of hearing, he failed to appear.

However, protestants agreed that said matter might be heard upon the records and files, and stated that they had no objection to the granting of the authority sought.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said applicant is pecuniarily, and otherwise, able and qualified to carry on the proposed operation; that the granting of the permit sought will not impair the efficiency of any common carrier service in said territory; that said application should be granted.

ORDER

IT IS ORDERED:

That A. J. Baxter, Lamar, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of houses, and other buildings, between points within a radius of one hundred miles of Lamar, Colorado.

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such emendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective twenty (20) days from date.

Dated at Denver, Colorado, this 9th day of April, 1942. THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

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

* * *

IN THE MATTER OF THE APPLICATION OF S. N. DRUM AND ED HAINES, DOING BUSINESS AS "HAINES MOTOR FREIGHT," 158 EAST SIXTH STREET, DURANGO, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT NO. A-1268 TO ED HAINES, DOING BUSINESS AS "HAINES MOTOR FREIGHT," 158 EAST SIXTH STREET, DURANGO, COLORADO.

APPLICATION NO. 2859-PP-AAA-AA

April 9, 1942 . . . . . . .

- Appearances: Harold Newrock, Esq., Denver, Colorado, for the applicants; T. A. White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.;
  - A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company.

STATEMENT

By the Commission:

The above-styled matter was heard at Denver, Colorado, on March 25, 1942.

S. N. Drum and Ed Haines, co-partners, doing business as "Haines Motor Freight," herein seek authority to transfer their private carrier permit, No. A-1268, to Ed Haines, doing business as "Haines Motor Freight."

It developed that said partners, who have been associated in business since June 1, 1938, have agreed to dissolve their partnership, the terms of said dissolution being set forth in detail in contract which was admitted as evidence as Erhibit No. 1. Statement, showing financial condition of Haines Motor Freight, is attached to the application as an exhibit. It showsmet worth of Ed Haines to be twenty-two thousand, five hundred fifty-four dollars and twenty-three cents (\$22,554.23). The operating experience of transferee was established to the satisfaction of the Commission.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

## QRDER

IT IS ORDERED:

That S. N. Drum and Ed Haines, co-partners, doing business as "Haines Motor Freight," Durango, Colorado, should be, and they hereby are, authorized to transfer Permit No. A-1268 to Ed Haines, doing business as "Haines Motor Freight," Durango, Colorado.

The right to operate of transferee under this order shall depend upon his compliance with all present and future laws and rules and regulations of this Commission.

This order is made a part of the permit authorized to be transferred, and shall become effective twenty days from date.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 9th day of April, 1942.

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

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IN THE MATTER OF THE APPLICATION OF EVERETT MALONE, 476 SOUTH LINCOLN STREET, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5881-PP

April 9, 1942.

# STATEMENT

#### By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to points within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the morthern Colorado coal fields to Denver.

Inasmuch as the motor carrier associations heretofore have indicated they have no objection to the granting of permits limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

ORDER

#### IT IS ORDERED:

That applicant herein should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to points within a radius of fifty miles of said pits and supply

points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, and has secured identification cards.

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

This order shall become effective twenty days from date.

Dated at Denver, Colorado, this 9th day of April, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Commissioners

### BEFORE THE PUBLIC UTILITIES COMMISSION . OF THE STATE OF COLORADO

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IN THE MATTER OF THE MOTOR VEHICLE ) OPERATIONS OF DEAN RESLER, DOING ) BUSINESS AS MERCHANTS TRANSFER ) COMPANY, STERLING, COLORADO, PRIVATE ) PERMIT NO. A-505. )

CASE NO. 4895 ORDER TO SHOW CAUSE AND NOTICE OF HEARING

April 10, 1942.

### STATEMENT

By the Commission:

It appears from the records of the Commission that theRespondent, Dean Resler, doing business as Merchants Transfer Company, heretofore became the holder of Private Carrier Permit No. A-505, pursuant to Chapter 120, Session Laws of 1931, as amended, (Sections 348-370, Chapter 16, 1935 C.S.A.); that the authority granted to Respondent under said Permit A-505 is set forth in Paragraph 1 of Exhibit A hereto attached.

The Commission is informed and believes, and upon such information and belief alleges, that Respondent has violated the provisions of the statutes of the State of Colorado and the Rules and Regulations of this Commission Governing Private Carrièrs for Hire by Motor Vehicle, in the following particulars:

1. That during the month of January, 1942, the Respondent caused to be inserted in the Sterling Advocate, a newspaper published in the city of Sterling, under date of January 1, 1942, a certain advertisement to the effect that the Respondent was holding himself out as indiscriminately serving the public and ready and willing to accept, discharge, or transport freight indiscriminately for the public, as shown by Paragraphs 3, 4 and 5 of said Exhibit A, and that Respondent has otherwise held himself out indiscriminately to serve the public and to accept, discharge, and transport freight indiscriminately for the public, all contrary to Rule 19 of said Rules and Regulations and the provisions of law.

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2. That during the period July 1, 1941, to and including November 30, 1941, Respondent issued bills of lading and freight bills which were incorrectly made out, as shown by Paragraph 6 of said Exhibit A; contrary to Rule 21 of said Rules and Regulations and the provisions of law.

3. That Respondent failed to issue, at the time of accepting each shipment, a bill of lading covering each shipment, but, on the contrary, combined several shipments in one bill of lading, as shown by Paragraph 6 of said Exhibit A; contrary to Rule 21 of said Rules and Regulations and the provisions of law.

4. That said Respondent, during said period July 1, 1941, to and including November 30, 1941, has accepted and received shipments which were billed to the Respondent as consignee; that said Respondent was not the consignee of said shipment but other persons or firms were the consignees thereof, as shown by Paragraph 6 of Exhibit A; all contrary to the said Rules and Regulations and the provisions of law.

5. That on September 7, 1941, the Respondent transported a certain shipment of freight from E. Martinson, Sterling, Colorado, to Floyd Igon, Denver, Colorado, and that, for the transportation thereof, the said Respondent charged the sum of \$29.79; that the correct charge which should have been assessed for the transportation of said shipment was the sum of \$57.15; contrary to Rule 20 of said Rules and Regulations and the provisions of said statute, as set forth in Exhibit B, and the report of the Rate Department hereto attached.

6. That during the period July 1, 1941, to and including November 30, 1941, said Respondent has charged and collected incorrect compensation for services rendered by him, as shown by Exhibit C hereto attached.

7. That during the period July 1, 1941, to and including November 30, 1941, the Respondent extended, changed, altered, and varied the authority granted to him by his said permit, in that, on September 7, 1941, the Respondent transported a certain shipment of freight from

Sterling, Colorado, to Englewood, Colorado, as set forth in Paragraph 8 of said Exhibit A; contrary to Rule 6 of said Rules and Regulations and the provisions of law.

8. That Respondent is now, and has been, since July 1, 1941, operating as a common carrier by motor vehicle over the highways of this State without having first obtained from this Commission a certificate declaring that the present and future public convenience and necessity require, or will require, such operation, in that the Respondent carries on, and for a long period of time has carried on, his operations under contracts with more than one person or corporation; contrary to the provisions of Chapter 134, Session Laws of 1927, as amended, Chapter 120 of the Session Laws of 1951, as amended, and said Rules and Regulations.

9. That the Respondent has listed with this Commission the names and addresses of approximately 350 customers

The Commission therefore finds that an investigation should be made and a hearing held relative to said violations.

## <u>ORDER</u>

#### IT IS ORDERED:

By the Commission, on its own motion, that an investigation and hearing be had to determine if said Respondent has failed or refused to comply with any or all of the provisions of the aforesaid statutes, and the Rules and Regulations of this Commission Governing Private Carriers by Motor Vehicle, and the Rules and Regulations of this Commission Governing Motor Vehicle Carriers, or the provisions of Respondent's said permit, and, if so, whether said permit should therefore be suspended, cancelled, or revoked, or whether any other order or orders should be entered by the Commission in the premises.

That said Respondent show cause, if any he have, by written verified answer filed with the Commission within ten (10) days from this date, why it should not enter an order, because of the aforesaid alleged

violations, suspending, cancelling, or revoking the permit heretofore issued to said Respondent, or why it should not enter such other order or orders as may be proper in the premises.

That said matter be, and it hereby is, set down for hearing before the Commission in its Hearing Room, 330 State Office Building, Denver, Colorado, on the 30th day of April, 1942, at ten o'clock A. M., at which time and place such evidence as is proper may be introduced.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado, this 10th day of April, 1942.

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

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IN THE MATTER OF THE APPLICATION OF PERRY TRUCK LINES, INC., 3200 WAL-NUT STREET, DENVER, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT NO. A-779 TO HALL MOTOR FREIGHT COMPANY. 3200 WALNUT STREET, DENVER, COLORADO.) - and the second second second second 

IN THE MATTER OF THE APPLICATION OF PERRY TRUCK LINES, INC., 3200 WAL-NUT STREET, DENVER, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT NO. A-693 TO HALL MOTOR FREIGHT COMPANY, 3200 WALNUT STREET, DENVER, COLORADO.) 

IN THE MATTER OF THE APPLICATION OF PERRY TRUCK LINES, INC., 3200 WAL-NUT STREET, DENVER, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT NO. A-1 ) TO J. D. PERRY, 3200 WALNUT STREET, DENVER, COLORADO.

APPLICATION NO. 3350-PP-AA-BA-BB-AA

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APPLICATION NO. 3774-PP-AA-A

APPLICATION NO. 5052-PP-AA

_____ April 9, 1942

Appearances: Marion F. Jones, Esq., Denver, Colorado, for the applicant; T. A. White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.; A. J. Fregeau, Denver, Colorado,

for Weicker Transfer and Storage Company.

STATEMENT

#### By the Commission:

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Perry Truck Lines, Inc., a Colorado corporation, heretofore, by authority of the Commission, has acquired Permits No. A-1, A-693 and A-779, operations thereunder, by said Perry Truck Lines, Inc., having been separately conducted.

Said Perry Truck Lines, Inc. now seeks authority to transfer Permit No. A-1 to J. D. Perry, and Permits Nos. A-693 and A-779 to Hall Motor Freight Company, a corporation.

The matter was heard in Denver, Colorado, on April 1, 1942. At the hearing, it appeared that the consideration for transfer of said Permits Nos. A-693 and A-779, and some equipment, to Hall Motor Freight, is the sum of eighteen thousand dollars (\$18,000.00); that for Permit No. A-1, Perry Truck Lines, Inc., is to receive the sum of one thousand dollars (\$1,000.00) from J. D. Perry. It also appeared that Perry Truck Lines, Inc., hereafter is to confine its trucking operations to interstate commerce; that some new interests, representing additional capital, are to become connected with the operation; that they do not care to engage in intrastate trucking service, and for that reason, Jack Perry and J. D. Perry, in effect, are taking over said intrastate services, Hall Motor Freight being owned by Jack Perry and J. D. Perry.

Balance sheet of Hall Motor Freight shows total assets of transferees in excess of seventy thousand dollars (\$70,000.00).

The operating experience and pecuniary responsibility of transferees were established to the satisfaction of the Commission.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said transfers should be authorized.

#### ORDER

IT IS ORDERED:

That Perry Truck Lines, Inc., a Colorado corporation, Denver, Colorado, should be, and it hereby is, authorized to transfer Permit No. A-1 to J. D. Perry, Denver, Colorado.

The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of this Commission.

This order is made a part of the permit authorized to be trans-

That Perry Truck Lines, Inc., a Colorado corporation, Denver, Colorado, should be, and it hereby is, authorized to transfer Permits Nos. A-693 and A-779 to Hall Motor Freight, a Colorado corporation, Denver, Colorado.

The right of transferee to operate under this order shall depend upon its compliance with all present and future laws and rules and regulations of this Commission.

This order is made a part of the permits authorized to be transferred.

That operations of said Hall Motor Freight Company under Private Permits Nos. A-693 and A-779 shall not be consolidated, but shall be conducted in accordance with requirements of this Commission contained in orders authorizing transfer of said permits to Perry Truck Lines, Inc.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissio

Dated at Denver, Colorado, this 9th day of April, 1942.

(Decision No. 18605)

BEFORE THE PUBLIC UTILITIES COMMISSION OP THE STATE OF COLORADO

RE REDUCTIONS IN RATES ON SIGHTSEEING TRIPS OUT OF DENVER, COLORADO.

INVESTIGATION_AND SUSPENSION DOCKET NO. 242

## April 9, 1942.

Appearances: Worth Allen, Esq., Denver, Colorado, for Arthur Taxi & Sightseeing Service, Brown & White Cab Company, Colorado Cab Company, Masterson Auto Service, and Premier Sightseeing Company;

E. B. Evans, Esq., Denver, Colorado, for the Commission; Hodges, Vidal and Geree, Esqs., Denver, Colorado, for Rocky Mountain Parks Transportation Company and Denver Cab Company;

Conour and Conour, Esqs., Del Norte, Colorado, for Pikes Peak Auto Livery.

<u>STATEMENT</u>

By the Commission:

On January 18, 1941, certain of the sightseeing operators in Denver filed a passenger tariff, Colo. P.U.C. No. 6, providing for certain reductions in sightseeing fares for various sightseeing trips originating in Denver, said tariff to become effective June 1, 1941. Thereafter, on March 4, 1941, the Commission suspended said tariff for a period of one hundred twenty days, or until the 28th day of September, 1941.

Hearing was held upon said suspension order on March 31, 1941. No decision has heretofore been made as a result of said hearing. However, it should be pointed out that the tariff so filed expired by its own terms on September 30, 1941.

The evidence disclosed that certain of the members of the Colorado Sightseeing Operators Association were in favor of the proposed reduced tariffs, while other members thereof epposed the same. Mr. Dunden, president of the Colorado Cab Company, testified that the rates now in effect and which it was sought to reduce, were first established by the Commission in the year 1927; that cests of operation then were

considerably higher than at the time of the hearing; that cars that then cost from \$1500 to \$2000 could now be purchased for from \$300 to \$500; that tires that formerly cost from \$30 to \$40 per tire could now be purchased for from \$15 to \$18; that gasoline is cheaper now, and that improvements in road conditions permitted considerable saving in operating cost. It was also the contention of this witness that in order to meet the competition of Driv-Ur-Self rental cars, a reduction in rates was necessary. Exhibit No. 1, showing a comparison of costs under present rates for five passengers with a five-passenger rental car, discloses that the mountain parks trip under the present rate costs \$20.00, while a five-passenger rental car can be obtained for \$4.80. Grand Lake via Estes Park under the present rate costs \$80.00, while the five-passenger rental car costs \$14.46. In addition to the above charge for the rental car, a driver would have to be employed at the rate of fifty cents an hour. It was also the position of this witness that the present commission of twenty per cent paid by the sightseeing companies to hotels in Denver should be eliminated and this saving passed on to the public in reduced rates. He further stated that tourists complain that the rates are too high in comparison with other parts of the country. Mr. Dundon operates fourteen taxicabs in the city of Denver and stated that if it were not for his taxi business, he could not continue in the sightseeing business. He felt that with the reduced rates they could perhaps increase their sightseeing operations at least one passenger per trip. In 1927, this witness was doing three or four times as much sightseeing business as at present. The ordinary sightseeing operations out of Denver usually start in June and end about September 15th. The testimony of Mr. Arthur Bawden corroborated that of Mr. Dundon, and he pointed out that in the winter time the Denver Cab Company transports passengers to Evergreen for 75 cents, permitting them to remain four hours for the purpose of skating, but in the summer time he is compelled to charge \$4.00 apiece for this same trip. In his opinion, his costs of operation run

### from ten to twelve cents per mile.

It was stipulated that the testimony of Mr. Masterson, of the Masterson Auto Service, would be substantially the same as that of Mr. Dundon and Mr. Bawden. It was also pointed out that the railroads by reducing their rates, had materially increased their business, and that this was also true of the airplane companies.

On behalf of protestants, Mr. Beard, who is president of the Colorado Sightseers Association, testified that he and other members opposed any reductions and gave as reasons therefor that, in his opinion, the increased business that might be obtained would not offset the loss in revenue resulting from reducing rates; that he had not experienced much loss in business on account of the rates; that the general trend of operating costs was upward. To the same effect was the testimony of three other sightseeing operators in Denver. Pikes Peak Auto Livery also opposed any reduction and stated that in their opinion the decrease in tourist travel handled by sightseeing operators was due to the fact that people were not driving their own cars rather than to rates.

Exhibit No. 3 was introduced by this witness showing the cost of doing business per passenger over a period of five years. This exhibit indicates that such cost in 1935 was \$4.02 per passenger, as compared with \$4.74 in 1940.

On behalf of protestants, Rocky Mountain Parks ^Transportation Company and Denver Cab Company, exhibits were introduced showing the conditions that would have prevailed if the proposed rates had been in effect during the years 1937, 1938, 1939 and 1940. Said exhibits indicate that the operations of Rocky Mountain Motor Company for the year 1940 were conducted at a loss of \$1,948.81, and if the proposed rates had been in effect, this loss would have amounted to the sum of \$26,190.15. The other years mentioned are comparable. An exhibit was also introduced showing cost per passenger mile of sightseeing trips in other cities of the United States, as well as in Canada. This Exhibit shows wide divergence in rates between the points mentioned which on seasonal operations vary from 4.1 cents per mile to 12 cents per mile, and the 4.1 cents per mile cost is the Estes Park trip out of Denver. Rocky Mountain Motor Company estimates that their cost of operation runs approximately 20 cents per car mile. It was their opinion that sufficient increase in travel would not be obtained to offset the loss in revenue, and they were further of the opinion that reduction in sightseeing rates would not stop the Drive-Ur-Self car competition. They werealso of the opinion that it is absolutely necessary to pay commissions to the hotels to secure business.

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It was further developed that fifty per cent of the business of Rocky Mountain Motor Company depends upon trips sold in the East by agents. No members of the Colorado Sightseeing Association send any representatives to the East to develop business.

Since the close of the hearing in the instant case, our country has become involved in war and many changes have, and in the immediate future, will undoubtedly occur in the sightseeing business, particularly in reference to the cost of operations and ability to obtain necessary tires and equipment. The tariff which was filed and the rates under which were suspended, as heretofore pointed out, was only effective for the 1941 season, and so far as this decision is concerned, that question has now become moot. We do not have in the record, at least on the part of those who were in favor of the reduced rates, such operating cost statistics that would permit the Commission to determine whether the reduced rates would be just and reasonable, or even whether they would produce sufficient revenue to pay operating costs and other expenses.

Due to the fact that the proposed schedules and rates which we suspended in this proceeding expired two days after our own suspension order, the Commission felt that no harm would be done by delaying decision in the instant case, particularly in view of the fact that we

were unable to determine from the record that the proposed rate reductions were justified.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that the proposed reduced tariffs were not justified by the evidence submitted at the instant hearing, and we are further of the opinion, and so find, that no further order is required in the instant case other than one vacating our investigation and suspension order and discontinuing the proceeding.

# <u>ORDER</u>

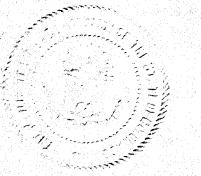
### IT IS ORDERED:

That our order of March 4, 1941, Decision No. 16764, be, and the same is hereby, vacated, and the instant proceeding be, and the same is hereby, discontinued.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

ommissioner



Dated at Denver, Colorado, this 9th day of April, 1942.

JH

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

****

IN THE MATTER OF THE APPLICATION OF JOHN H. SIMPSON, CRAIG, COLORADO, TO TRANSFER PRIVATE PERMIT NO. 2383 TO ARVILLA J. WATSON, OF CRAIG, COLORADO.

APPLICATION NO. 4941-PP-A

April 10, 1942.

Appearances: Sid Pleasant, Esq.,, Craig, Colorado, attorney for applicants.

#### <u>STATEMENT</u>

#### By the Commission:

On March 25, 1939, John H. Simpson, of Craig, Colorado, was granted a Class "B" permit which authorized:

> "Transportation of sand, gavel and dirt, only, for road contractors from pits and other supply points within a radius of fifty miles of any road construction job in the State, save and except that no service shall be rendered within the County of Boulder."

The instant application seeks authority to transfer said permit, which has been designated as "B-2383", to Arvilla J. Watson, of Craig, Colorado.

The evidence disclosed that the consideration for said transfer, which also includes two Ford dump trucks, was the sum of \$2,200.00, which amount had been paid in full at the time of the hearing.

The evidence further discloses that transferee has a net worth of approximately \$7,000.00, and while she herself has had no trucking experience, it is contemplated that her husband will conduct the operation and his experience has extended over a period of from four to five years.

Transferor was unable to be present at the hearing, but competent evidence was submitted to the effect that he had no outstanding obligations against his operations under said permit.

No objections were interposed to the granting of the authority sought.

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After a careful consideration of the record, the Commission is of the opinion, and so finds, that authority to transfer said permit should be granted.

ORDER

### IT IS ORDERED:

That John H. Simpson be, and he is hereby, authorized to transfer all of his right, title and interest in and to Permit No. B-2383, to Arvilla J. Watson, of Craig, Colorado.

The right of transferee to operate under this order shall depend upon her compliance with all present and future laws and rules and regulations of the Commission.

This order is made a part of the permit authorized to be transferred, and shall become effective twenty days from date.

Dated at Denver, Colorado, this 10th day of April, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COTORADO

Commissioners.

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF) H. C. CROSE dba GOLDEN CREAM DO_NUT COMPANY 2414 E. Colfax Denver, Colorado

PERMIT NO. C-13494

April 10, 1942

STATEMENT

By the Commission:

	The (	Commi	ssion	is in	receipt	of	a communicat	ion from.		
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H.C	Cro	8a					of 2414 F	C. Colfax	Denver.	Colorado
	•				*****************	*******	***-**	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	,	· · · · · · · · · · · · · · · · · · ·
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After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

## ORDER

IT IS THEREFORE ORDERED, That Permit No. C-13494 , heretofore issued to H. C. Crose, 2414 E. Colfax, Denver, Colorado be,

and the same is hereby, declared cancelled effective March 20, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO Marias Commissioners.

Dated at Denver, Colorado, this 10th day of April

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Service - - -

(Decision No. 18609

· ) ***

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-13456

HERB MILLER 2807 West California Oklahoma City, Oklahoma

April 10, 1942

<u>S T A T E M E N T</u>

By the Commission:

_____

The	Commission	is in	receipt of a	communicat	tion from	****************	
Her	b Miller			of 2807 W.	. California	Oklahoma	ity, Ohlahoma

requesting that his Permit No. C-13456 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

## ORDER

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO Bart tander -----Commissioners.

(Decision No. 18610

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

**RE MOTOR VEHICLE OPERATIONS OF)** 

W. F. FOSTER 601 West Acheson St., Denison, Texas PERMIT NO. C-13430

April 10, 1942

STATEMENT

By the Commission:

	1	he	Commi	ssion	is in	receipt	of a	communicati	on from	**********		
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	n san San S							이 아파 등 영화 가지 않는다. 이 것이 아파 등 가지 않는다.				
eq	uest	in	that	his	Permit	No	C_1	L3430	1	e cance	elled.	

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

# ORDER

IT IS THEREFORE ORDERED, That Permit No. C-13430, heretofore issued

to W. F. Foster, 601 West Acheson St., Dension, Texas be,

and the same is hereby, declared cancelled effective February 25, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO N. Bellow

Commissioners.

Dated at Denver, Colorado, this_____day of_____April_____, 19.42.

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

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-15371 يواد ب

J. C. MULLINS 351 Madison Monte Vista, Colorado

April 10, 1942

TATEMENT

By the Commission:

The	Commissio	n is in	receipt of	a	communication	from.			*******
J(					of 351 Madiso	m	Monte	Vista,	Colorad
equestin	g that his	Permit	No. C-]	133	<b>57</b> 1		be cance	lled.	

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

## ORDER

IT IS THEREFORE ORDERED, That Permit No. C-13371 , heretofore issued to J. C. Mullins, 351 Madison, Monte Vista, Colorado be, and the same is hereby, declared cancelled effective February 1, 1942

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLORAL alcon Commissioners.

Dated at Denver, Colorado, this 10th day of April 19.42

(Decision No. 18612

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* *

RE	MOTOR VEHICLE	OPERATIONS OF
G1	eve Menan	
	Garfield St.,	
De	nver, Colorado	

PERMIT NO. C-13288

April 10, 1942

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<u>S T A T E M E N T</u>

By the Commission:

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The	Commission	is in rec	eipt of a	communication	from		
	7e Menan			of 75 Garfiel		Denver,	Goromaa
				.of of fo.		Denvers	
requestin	g that his	Permit No.	<b>C-</b>	13288	Ъе	cancelled	

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

# ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-15288</u>, heretofore issued to <u>Cleve Menan</u> 75 Garfield St., Denver, Colorado be,

and the same is hereby, declared cancelled effective March 10, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLOBADO 1.Call rellon alcom-Commissioners.

Dated at Denver, Colorado, this, 10th day of April 19.42

(Decision No. 18613 )

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

NATIONAL CANDY COMPANY INC 408 Pine St., St. Louis, Missouri PERMIT NO. C-15229

April 10, 1942

<u>S T A T E M E N T</u>

By the Commission:

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The Commi	ssion is in	receipt of a	communicatio	n from		*****
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National	Candy Compa	iny Inc	of 408 Pine	s St., St	. Louis,	Missouri
requesting that	hig Permit	No. C-132	29	Ъ	a cancel	1ed.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

## ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-15229</u>, heretofore issued to <u>National Candy Company Inc. 408 Pine St., St. Louis, Missouri</u> be, and the same is hereby, declared cancelled effective <u>March 23</u>, 1942

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLORADO OF Bealand mere Richard - Caller Caller Commence 6 min Commissioners.

....., 19...42

Dated at Denver, Colorado, this <u>10th</u> day of <u>April</u>

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF) FRED L. WATERMAN & ) HARVEY E. MOORE dba ) WATERMAN & MOORE PRODUCE COMPANY Palisade, Nebraska )

PERMIT NO. C-13161

April 10, 1942

.)

STATEMENT

By the Commission:

The	Commissio	n is in r	eceipt of a	communication	n from	********	****
Waterman	& Moore P	roduce Co	MDADY	of Palis	ade, Neb	raska	
requesting	g that his	Permit N	To. C-1316	31	be	cancell	ed.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

## ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-13161</u>, heretofore issued to <u>Waterman & Moore Produce Company, Palisade, Nebraska</u> be,

and the same is hereby, declared cancelled effective March 20, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Dated at Denver, Colorado, this_____loth____day of_____April_

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....., 19.42 .

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

RE	MOT	OR	VEH	ICI	E (	OPI	ERA	TI	ONS	s of
W.	N.	ERV	IN							
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	7 K:					1944	¹ *	gi e		3
Gr	and	Jur	ict:	ion	, (	lol	or	ad	5	

PERMIT NO. C-13203

### April 10, 1942

#### STATEMENT

By the Commission:

The	Commission is in	receipt of a	communication fr	om	
					-
	N. Erwin		of 817 Kimball	Grand	Junction, Colo
			1 7 5007		
requestin	g that his Permit	No	-13203	be cance	elled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

# ORDER

IT IS THEREFORE ORDERED, That Permit No. C-13203 , heretofore issued to_____ W. N. Erwin, 817 Kimball, Grand Junction, Colorado be,

and the same is hereby, declared cancelled effective February 15, 1942

THE PUBLIC UTILITIES COMMISSION THE STATE OF DODOBADO nullan

Commissioners.

Dated at Denver, Colorado, 

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

***

IN THE MATTER OF THE APPLICATION OF FRED WEISS, DOING BUSINESS AS BOZE TRUCK SERVICE, LONGMONT, COLORADO, TO TRANSFER CERTIFICATE NO. 509 TO BLUE EAGLE TRUCK LINES, INC. ------

IN THE MATTER OF THE APPLICATION OF SOLOMON DEINES, FORT COLLINS, COLO-BADO, FOR AUTHORITY TO TRANSFER CERTIFICATE NO. 910 TO BLUE EAGLE TRUCK LINES, INC.

IN THE MATTER OF THE APPLICATION OF FRANK KRONKOW, FORT MORGAN, COLORADO,) FOR AUTHORITY TO TRANSFER CERTIFI-CATE NO. 1141 TO BIJE EAGLE TRUCK LINES, INC.

IN THE MATTER OF THE APPLICATION OF LEE IUNGERICH, FORT MORGAN, COLORADO,) FOR AUTHORITY TO TRANSFER CERTIFICATE) NO. 965 TO BLUE RAGLE TRUCK LINES, INC.

APPLICATION NO. 1600-AA

APPLICATION NO. 3210-A

APPLICATION NO. 3844-AA

APPLICATION NO. 3024-A

April 10, 1942. -----

Appearances: Marion F. Jenes, Esq., Denver, Colorado, for the applicants; Raymond B. Danks, Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association;

- 1. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company;
- J. J. Patterson, Esq., Denver, Celerado, for the Commission.

STATEMENT

-1-

By the Commission:

On November 4, 1940, Decision No. 16116, authority was granted by the Commission to transfer to Blue Ragle Truck Lines, Inc., Certificate No. 509 from Fred Weiss, Certificate No. 1181 from Frank Kronkow, and

Certificate No. 962 from Lee Jungerich. Said transfers have been completed upon our records and said certificates now stand in the name of Blue Eagle Track Lines, Inc.

Thereafter, in Applications Nos. 5245-A and 4654-A, authority was denied to G. E. Cowan, L. M. Anderson and Son, and Richard Postel, to transfer their certificates to Blue Eagle Truck Lines, Inc., upon the ground that the operations of Blue Eagle Truck Lines, Inc., would be contrary to the motor carrier laws of the State of Colorado and the rules and regulations of this Commission.

We are now in receipt of a written request, signed by Blue Eagle Truck Lines, Inc., by Fred Weiss, its president, Frank Kronkow, and L. C. Iungerich, requesting that our said Decision No. 16116 be set aside and rescinded, so that the certificates heretofore authorized to be transferred to Blue Eagle Truck Lines, Inc., would again become the property of their original owners.

The usual and proper procedure, of course, would be to file applications seeking authority in the Blue Eagle Truck Lines, Inc., to reconvey said certificates to said eriginal owners. However, under the circumstances, the Commission has decided to accept said written request to revoke our Decision No. 16116 as authority, not only to set aside said decision, but to require said Blue Eagle Truck Lines to reconvey said certificates to the original owners. It is quite obvious that the Commission, in view of its later decisions, would not look with favor upon the operations of Blue Eagle Truck Lines, Inc., under the three certificates which we did authorise to be transferred to said corporation, and for that reason we believe said original decision granting said transfer should be set aside and said Blue Eagle Truck Lines, Inc., be authorised to reconvey said certificates.

## QRDER

#### IT IS ORDERED:

That our Decision No. 16116, dated November 4, 1940, in Applications Nos. 1600-14, 5844-44 and 5024-4, be, and the same is hereby, set aside and

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rescinded, and Blue Eagle Truck Lines, Inc., is hereby ordered and directed to reconvey to Fred Weiss, Frank Kronkow and Lee Jungerich, Certificates Nos. 509, 1161 and 965, respectively.

That the records and files of the Commission be corrected to conform to the provisions of this order.

That this order shall become effective twenty days from date.

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1111111 CHARMAN STATE

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado, this 10th day of April, 1942.



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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

)

)

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-12933

C. J. SANDELL and E. C. SANDELL 98 Clark St., Littleton, Colorado

April 10, 1942

<u>S T A T E M B N T</u>

By the Commission:

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The	Commission	is in re	ceipt of a	communication	from	*************	
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an	d.E.C. San	dell	**********	.of	Stea.,	Little	ton. Colo,
requesting	g that his	Permit No		C_12995		be cance	lled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

### ORDER

IT IS THEREFORE ORDERED, That Permit No. C-12933, heretofore issued to <u>C. J. Sandell and E. C. Sandell, 97 Clark St., Littleton, ^Colo be</u>, and the same is hereby, declared cancelled effective March 31, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLOBADO VELLCOM Commissioners.

(Decision No, 18618 )

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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	्य विद्युप्त समित	20177	COOD					)	PER	MIT	NO.	C]	L2598	5
	ack	, 00	lor	ado				) }						
					********			)						

^April 10, 1942

STATEMENT

By the Commission:

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reau	lesti	ng t	that h	is I	Permit	No	C	-12598	5			be ca	incell	eđ.	

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

## ORDER

IT IS THEREFORE ORDERED, That Permit No. C-12595 ....., heretofore issued

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to Mike Stroud, Mack, Colorado

and the same is hereby, declared cancelled effective March 12, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO CARCOM.

.....be,

Commissioners. 1.1

Dated at Denver, Colorado, this <u>10th</u> day of <u>April</u> 19.42

(Decision No. 18619)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

)

RE MOTOR VEHICLE OPERATIONS OF) JOHN BOUCHARD dba ) BOUCHARD OIL COMPANY ) Box 724, Gunnison, Colorado )

PERMIT NO. C-12310

April 10, 1942

<u>S T A T E M E N T</u>

By the Commission:

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	1 . j	The	Commissi	lon is in	n receipt	of a co	mmunicat:	ion from		
	Jo	hn	Bouchard	*******		of	Box 724		Bunnisor	, Colo
									할 것을 가지 않는	
<b>e</b> a	ues	tin	that h	is Permi	t No.	C-12	2510		be cancel]	ed.

After careful consideration, the Commission is of the opinion,

and so finds, that the request should be granted.

## ORDER

IT IS THEREFORE ORDERED, That Permit No. C-12310 , heretofore issued

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in the set of the set

to John Bouchard dba Bouchard Oil Company, Box 724, be, Gunnison, Colo

and the same is hereby, declared cancelled effective March 23, 1942

THE PUBLIC UTILITIES COMMISSION HE STATE ÓF 200 calcon (? Commissioners.

Dated at Denver, Colorado, ., 19.42 . April this 10th day of

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF) FRANCISCO MUNOZ ) 1219 Box Elder ) Pueblo, Colorado

PERMIT NO. C-12101

April 10, 1942

STATEMENT

By the Commission:

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The Commi	ssion is in rece	oipt of a comm	unication from	
Fron of soo			1219 Box Elder	Pueblo, Colo
Francisco	.#U#92	or	TYTA GOY ETGEL	,
requesting that	his Permit No	C-1210	L	be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

### ORDER

IT IS THEREFORE ORDERED, That Permit No. C-12101 , heretofore issued

to Francisco Munoz 1219 Box Elder, Pueblo, Colo be,

and the same is hereby, declared cancelled effective March 8, 1942

THE PUBLIC UTILITIES COMMISSION THE STATE COLORADO orece and drain. alcom

Commissioners.

Dated at Denver, Colorado, this 10th day of April 19.42

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-12024

ROY MECUNE 814 West View Ave., Cole Springs, Colorado

April 10, 1942

*********

STATEMENT

By the Commission:

T	he Comm	ission	is in	receipt of	a commun	ication	from			***
					같은 이 같은 것			21 Self and		
	Roy Mc	Cune			of 81	4 West V	iew	Colo Spi	rings, C	olorado
request	ing tha	t his H	Permit	No	C-12024	************	Ъ	e cancel	led.	an An Starten an

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

1997

### ORDER

IT IS THEREFORE ORDERED, That Permit No. C-12024 , heretofore issued Roy McCune 814 West View Aye., Colorado Springs, Colorado .....be, to. and the same is hereby, declared cancelled effective March 10, 1942

THE PUBLIC UTILITIES COMMISSION HE STATE RAT nullan

Commissioners.

...., 19.42.

Dated at Denver, Colorado, day of April this 10th

(Decision No. 18622 )

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-11871

A. R. McKINNEY Delta, Colorado

April 10, 1942

<u>S T A T E M E N T</u>

By the Commission:

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The Commi	ssion is in	receipt of a	communication from	
	그는 사람은 관람을 물	영화 그 옷을 걸었다.	· 가지 않는 것이 가지 말씀하는 것이 가지 않았다. 	
<b>,</b> P	McKinney	김 씨는 아파를 가지		Colorado
<b>Ate</b>			.of Delta	,
			한 것 같은 것 같아요. 정말 것	
requesting that	his Permit	No. C-	11871	.be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

### ORDER

IT IS THEREFORE ORDERED, That Permit No. C-11871 , heretofore issued

to A. R. McKinney of Delta, Colorado be,

and the same is hereby, declared cancelled effective June 2, 1941

THE PUBLIC UTILITIES COMMISSION THE STAT icon

Commissioners.

Dated at Denver, Colorado, this 10th day of April 19.42

)

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

)

)

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-11577

R. H. MONKS 135 W. Mill St., Colorado Springs, Colorado

April 10, 1942

STATEMENT

By the Commission:

The Commission is in receipt of a communication from <u>R. H. Monks</u> of 133 W. Mill St, Colo Springs, Colorado requesting that his Permit No. Coll 577 be cancelled.

After careful consideration, the Commission is of the opinion,

411

and so finds, that the request should be granted.

## ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-11577</u>, heretofore issued to <u>R. H. Monks, 133 W. Mill St., Colo Springs, Colorado</u> be, and the same is hereby, declared cancelled effective January 1, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this <u>10th</u> day of <u>April</u>, 19.42.

> 1. 1.

(Decision No. 18624 )

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

*

RE MOTOR VEHICLE OPERATIONS OF) ) JOHN D. HOLLISTER ) 445 Poncha Ave., ) Alamosa, Colorado )

PERMIT NO. C-10333

April 10, 1942 STATEMENT

)

By the Commission:

	The Commi	ission i	s in re	ceipt of a	a communi	cation f	rom		
	John D.	Hollist	ør		of 445	Poncha A	ve, Ala	mosa, C	olorado
reques	sting that	t his Pe	rmit No	• • • • • • • • • • • • • • • • • • • •	2-10335		be ca	ancelled	ι.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

# $O \mathbf{R} \mathbf{D} \mathbf{E} \mathbf{R}$ .

IT IS THEREFORE ORDERED, That Permit No. ... C-10333 ....., heretofore issued to John D. Hollister, 445 Pencha Ave., Alamosa, Colorado be, and the same is hereby, declared cancelled effective April 1, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners. to nimens

Dated at Denver, Colorado,

M

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-9824

N. R. WYBLE 825 E. Cimarron Colorado Springs, Colorado

April 10, 1942

STATEMENT

By the Commission:

The Commission is in receipt of a communication from	*********	•
가지 않는 것 것 같아요. 그는 아이에서, 정말, 영화, 일을 가 가 많아요. 한 것 같아요. 그는 것 같아요. 나는 것 같아요. 가 같아?		
- 2011년 1월 17일 - 2011년 4월 2월 2012년 2012년 2012년 2012년 1월 11일 - 2012년 2012년 2012년 2012년 2012년 2012년 2012년 2012년 2		
N. R. Wyble of 825 E. Cimarron Col	a Saminge Cal	lorado

requesting that his Permit No. C-9824 be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

## ORDER

IT IS THEREFORE ORDERED, That Permit No. C-9824 ......, heretofore issued to N. R. Wyble, 825 E. Cimarron, Colo Springs, Colorado be, and the same is hereby, declared cancelled effective April 2, 1942

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLOBADO lan · · · · · · · alama Casea 11. am

Commissioners.

Dated at Denver, Colorado,

M

this 10th day of April 19 42

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

* * *

RE MOTOR VEHICLE OPERATIONS OF) R. R. WONDER, JR dba ) WONDER MAYTAG COMPANY ) Durango, Colorado )

PERMIT NO. C-9809

April 15, 1942

<u>S T A T E M E N T</u>

By the Commission:

The	Commission is in	receipt of a	communication	from	
	영상 이 같은 이 없었다.			그는 영양을 한 것이 같다.	
Wond	ier Maytag Compan	<b>y</b>	of Durango	Colorado	
noningtin	g that his Permit	C.	-9809		
reduescrub	s that his permit	• NO • · · · · · · · · · · · · · · · · · ·		be cancelled.	r.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

## ORDER

IT IS THEREFORE ORDERED, That Permit No. C-2809 , heretofore issued to <u>Wonder Maytag Company, Durange, Colorado</u> be,

and the same is hereby, declared cancelled effective March 24, 1942

THE PUBLIC UTILITIES COMMISSION , OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this_____l5th____day of _____April

¥

, 19.42

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF) O. E. HELTON ) 1709 E. Main ) Enid, Oklahoma )

PERMIT NO. C-9648

April 15, 1942... 8 <u>T A T E M E N T</u>

By the Commission:

Tł	e Commissio	on is in	receipt of	a commun:	ication from		
				성 그는 것은 것을 했다.	1993년 2011년 - 1912년 1917년 - 1912년 - 1912년 1912년 - 1912년 -		
0	. E. Helton			of 170	9 E. Main	Edid,	Oklahoma
	******		*****	· · · · · · · · · · · · · · · · · · ·			***************************************
request	ng that his	Permit	No	C9648		be canc	elled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

### ORDER

IT IS THEREFORE ORDERED, That Permit No. C-9648 heretofore issued to <u>O. E. Helton 1709 E. Main, Enid Oklahoma</u>be, and the same is hereby, declared cancelled effective March 21, 1942

THE PUBLIC UTILITIES COMMISSION OF COLORADO OF THE STATE 22

Commissioners.

Dated at Denver, Colorado,

M

PERMIT NO. C-13738

P-Appl

)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

2**8** 29/2

RE MOTOR VEHICLE OPERATIONS OF)

LEONARD CROWLEY 544 S. 8th St., Montrose, Colorado

April 15, 1942

)

<u>S T A T E M E N T</u>

By the Commission:

The	Com	nissi	on	is in	red	eipt	of	a	com	mun	icat	ion	from	Q	 *****					
Leon	ard	Crowl	ey	127 20					AP.	344	S.	8th	St.		M	ontr	.08e,	Co	lor	ado
 	*****	*****			******			******		******	******	*******	• • • • •	-, -				*** }		

requesting that his Permit No. C-13738 & Private Applicationse cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

### ORDER

IT IS THEREFORE ORDERED, That Permit No.C-13738 & _____, heretofore issued Private Application to _______Leonard Crowley of 344 S. 8th St, Montrose, Colorado _______be,

and the same is hereby, declared cancelled effective April 2, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

000. Colomies inters the the

Dated at Denver, Colorado,

11

And the second

this 15th day of April 19.42

2

BEFORE	THE PUBLIC UTILITIES COMMIS OF THE STATE OF COLORADO	SSION
승규는 것이 가지 않는 것이 같아. 같은 것이 같아 같아? 같은 것이 같아? 같은 것이 같아?		
RE MOTOR VEHICLE OPERATION	NS OF)	
JOHN L. CRAIG	i de la constante de la constant	
hurango, Colorado	) PERMIT NO.	<b>C-9639</b>
	<b></b>	
- 그는 것은 것은 것은 가장에 가장 것이다. - 이 가장 가장 가장 것은 것은 것이 같은 것이다. - 이 가장 가장 가장 것은 것은 것이 가장 것을 것이다.		
	April 15, 1942	
	<u>STATEMENT</u>	
By the Commission:	는 가장은 것 같은 것 않는 것에서 관계 전쟁 한 것 같은 것 같	
The Commission is in	n receipt of a communication	from
John L. Craig	of Durango	Colorado,
	t No. <u>C-9639</u>	
After careful consid	deration the Commission is (	of the opinion
	deration, the Commission is o quest should be granted.	of the opinion,
		of the opinion,
and so finds, that the rec	quest should be granted.	
and so finds, that the rec IT IS THEREFORE ORDE	quest should be granted. <u>ORDER</u> ERED, That Permit NoC-9639	
and so finds, that the rec IT IS THEREFORE ORDE to John L. Craig	quest should be granted. <u>ORDER</u> ERED, That Permit NoC-9639	2, heretofore issued be,
and so finds, that the rec IT IS THEREFORE ORDE to John L. Craig	quest should be granted. <u>ORDER</u> ERED, That Permit No <u>C-9635</u> of Durango, <u>Colorado</u> eclared cancelled effective	2, heretofore issued
and so finds, that the rec IT IS THEREFORE ORDE to John L. Craig	quest should be granted. <u>ORDER</u> ERED, That Permit No <u>C-9635</u> of Durango, Colorado eclared cancelled effective THE PUBLIC 1	9, heretofore issued be, March 25, 1942
and so finds, that the rec IT IS THEREFORE ORDE to John L. Craig	quest should be granted. <u>ORDER</u> ERED, That Permit No <u>C-9635</u> of Durango, Colorado eclared cancelled effective THE PUBLIC 1	2, heretofore issued be, March 25, 1942 UTILITIES COMMISSION
and so finds, that the rec IT IS THEREFORE ORDE to John L. Craig	quest should be granted. <u>ORDER</u> ERED, That Permit No <u>C-9635</u> of Durango, Colorado eclared cancelled effective THE PUBLIC 1	2, heretofore issued be, March 25, 1942 JTILITIES COMMISSION
and so finds, that the rec IT IS THEREFORE ORDE to John L. Craig	quest should be granted. <u>ORDER</u> ERED, That Permit No <u>C-9635</u> of Durango, Colorado eclared cancelled effective THE PUBLIC 1	2, heretofore issued be, March 25, 1942 JTILITIES COMMISSION
and so finds, that the rec IT IS THEREFORE ORDE to John L. Craig	quest should be granted. <u>O R D E R</u> ERED, That Permit No. <u>C-9635</u> of Durango, Colorado eclared cancelled effective THE PUBLIC I OF THE S'	A, heretofore issued be, March 25, 1942 UTILITIES COMMISSION TATE OF COLORADO
and so finds, that the rec IT IS THEREFORE ORDE to John L. Craig	quest should be granted. <u>O R D E R</u> ERED, That Permit No. <u>C-9635</u> of Durango, Colorado eclared cancelled effective THE PUBLIC I OF THE S'	2, heretofore issued be, March 25, 1942 UTILITIES COMMISSION
and so finds, that the rec IT IS THEREFORE ORDE to John L. Craig	quest should be granted. <u>ORDER</u> ERED, That Permit No <u>C-9638</u> of Durango, Colorado eclared cancelled effective THE PUBLIC T OF THE S'	A, heretofore issued be, March 25, 1942 UTILITIES COMMISSION TATE OF COLORADO
and so finds, that the red IT IS THEREFORE ORDE to John L. Craig and the same is hereby, de Dated at Denver, Colorado,	quest should be granted. <u>Q R D E R</u> ERED, That Permit No <u>C-9638</u> of Durango, Colorado eclared cancelled effective THE PUBLIC N OF THE S' Mana Commi	A, heretofore issued be, March 25, 1942 UTILITIES COMMISSION TATE OF COLORADO

)

BEFORE	THE PUBLIC	UTILITIES	COMMISSIO
			그는 아이들과 가슴을 걸려 가지요.
	OF THE STA	TE OF COLOI	2400
	AT T1199 AT1	THE ARE CARACT	JUDA CONTRACT
			영상 김 교육 가장 집에 다

RE MOTOR	VEHICLE OPERATIONS OF)	가슴 방법에 있는 것을 물러 있는 것 같은 것을 것 같아. 같이 많은 것은 것은 것은 것은 것을 것 같아. 것은 것은 것은 것을 것 같아.
Denargo	Colorado )	PERMIT NO. C-9525
		······
		April 15, 1942 TATEMENT

By the Commission:

The C	ommissio	n is in	receipt	ofac	ommunicat	ion from		
Federa	1 Fruit	Company		0	P Denargo	Market,	Denver,	Colorado
				••••••••••••••••	•	*****	•	***************************************
requesting	that his	Permit.	No	C-952	5		.be canc	ollođ
	*****	* * * *	414		**********	******	-Do Cano	orrod.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

## ORDER

and the same is hereby, declared cancelled effective March 21, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

1800

Commissioners. 2000

Dated at Denver, Colorado,

this_

15th day of April

19.42

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO RE MOTOR VEHICLE OPERATIONS OF) A. W. BRANTNER Westminster, Colorado PERMIT NO. C-9324 ) April 15, 1942 <u>STATEMENT</u> By the Commission: The Commission is in receipt of a communication from..... requesting that his Permit No. C-9524 be cancelled. After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted. ORDER IT IS THEREFORE ORDERED, That Permit No. C-9324 , heretofore issued to. A. W. Brantner of Westminster, Colorado be,

and the same is hereby, declared cancelled effective March 31, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE BLILLINS Commissioners.

Dated at Denver, Colorado,

'n

this 15th day of April , 19 52

)

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

* * *

)

)

)

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-8594

BETTIE M. CARTER and ELIZABETH NOLAN Larkspur, Colorado

April 15, 1942

<u>S T A T E M E N T</u>

By the Commission:

The	Commission	is in receip	ot of a	communication	fromBe	ttie M.	Carter
				of Larkspur	C	olorado	
	******	*****	****	······································			***************************************
roomostin	a that hig	Downit Mo	e e	-8594			
requestin	g that his	Permit No	Ç	-8594	be	cancelle	ed.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

# ORDER

IT IS THEREFORE ORDERED, That Permit No. C-8594 , heretofore issued to <u>Bettie M. Carter and Elizabeth Nolan of Larkspur, Colorado</u> be, and the same is hereby, declared cancelled effective March 24, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO All Brook as BULLIN 102 Commissioners.

., 19.42.....

Dated at Denver, Colorado,

m

this____l5th ____day of ____April

)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-8075

)

April 15, 1942

<u>S T A T E M E N T</u>

By the Commission:

C. W. MACK

325 East Beaver St.,

Ft Morgan, Colorado

The Commission	n is in receipt of	a communication	from	
· · · · · · · · · · · · · · · · · · ·		혼이 왜 이렇게 말했다. 그 같아요.		한 경험에 앉아 다 같은 것이다.
C. W. Mack		of 325 E. Bea	ver St . Ft	Morgan, Colorado
equesting that his		C-8075	be can	

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

# ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-8075</u>, heretofore issued to <u>C. W. Mack of 325 E. Beaver St., Ft Morgan, Colorado</u> be, and the same is hereby, declared cancelled effective **December 3**, 1941

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.com

Dated at Denver, Colorado,

 $\mathcal{T}$ 

this 15th day of April , 19.42

÷,

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-7832

W. A. JOHNSON Lamar, Colorado

April 15, 1942

<u>S T A T E M E N T</u>

By the Commission:

The Commission is in receipt of a communication from	
이는 것은 것은 것은 것은 것은 것은 것은 것을 하는 것은 것을 하는 것을 수 있는 것을 하는 것을 수 있는 것을 수 있는 것을 가지 않는 것을 하는 것을 하는 것을 하는 것을 하는 것을 하는 것을 수 있는 것을 하는 것을 하는 것을 수 있는 것을 하는 것을 하는 것을 수 있는 것을 하는 것을 수 있는 것을 수 있다. 것을 것 같이 것 같이 같이 같이 같이 것을 수 있는 것을 수 있는 것 같이 않는 것 같이 같이 같이 같이 같이 같이 같이 않는 것 같이 않다. 않은 것 같이 같이 않는 것 같이 않는 것 같이 않는 것 같이 않는 것 같이 않다. 않은 것 같이 같이 않는 것 않는 것 않는 것 같이 않는 것 않는 것 같이 않는 것 같이 않는 것 같이 않는 것 않는	
W. A. Johnson Colorad	3
	*******
requesting that his Permit No. C-7832 be cancel	108

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

## ORDER

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO 5 ell Commissioners. - Antonia Province

Dated at Denver, Colorado,

**n** 

this__15th____day of ____April_____, 19.42____

}

.......

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Louis Mendosa	of LaVeta	Colorad
The Commission is in r	eceipt of a communication f	맞추는 영국을 가지 않는 것이다.
By the Commission:		
	<u>S T A T E M E N T</u>	
	Apr11 15, 1942	
LOUIS MENDOSA LaVeta, Colorado	) PERMIT NO. C	-7667
		이 <u>지, 그</u> 아이, 것, 그 같은 이 이

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

## ORDER

IT IS THEREFORE ORDERED, That Permit No. C-7667 ....., heretofore issued to Louis Mendosa of LaVeta, Colorado be,

and the same is hereby, declared cancelled effective February 23, 1942

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLOBADO OF. Sec. Sec. audam Commissioners.

19 42

Dated at Denver, Colorado, 15th day of April

this.

	BE	FORE	THE	PUBL	IC L	ITILI	TIES	COMM	ISSIO	N
				THE S				- 10 - 10 - 10 - 10 - 10 - 10 - 10 - 10		
	с. м. ^н		<b>V</b> 1			3 VI	CODOI	LADO		

) }

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-7592

CARL E. KAISER Breckenridge, Colorado

April 15, 1942

STATEMENT

By the Commission:

1

Т	he C	ommissi	on is in	receipt	of a co	mmunicatio	n from		
<u> </u>	arl	E. Kais	er		of	Breckenri	dge	Colorado	
equest	ing	that hi	s Permit	No	C-7592		Ъе	cancelle	đ.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

# ORDER

IT IS THEREFORE ORDERED, That Permit No. _______, heretofore issued to Carl E. Kaiser of Breckenridge, Colorado be, and the same is hereby, declared cancelled effective January 1, 1942

THE PUBLIC UTILITIES COMMISSION OF, THE STATE OF COLORADO وأخدامهم Sellen e.e.g.

Commissioners.

Dated at Denver, Colorado, this 15th day of April , 19.42

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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)

)

RE MOTOR VEHICLE OPERATIONS OF)

ALBERT S. KLINE 129 N. Bryant Ft Collins, Colorado PERMIT NO. C-7147

April 15, 1942 STATEMENT

By the Commission:

The Commi	ission is in	receipt of a	communication from	<b>0</b>
Albert S.	Kline		of 129 N. Bryant	Ft Collins, Colorado
requesting that	t his Permit	NoC.	-71.47	be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

## ORDER

IT IS THEREFORE ORDERED, That Permit No. C-7147 ....., heretofore issued to Albert S. Kline of 129 N. Bryant Ft Collins, Colorado be, and the same is hereby, declared cancelled effective March 23, 1942

THE PUBLIC UTILITIES COMMISSION OF, THE STATE OF COLORADO 800

Commissioners.

Dated at Denver, Colorado,

-

this 15th day of April , 19.42

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

## ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-6670</u>, heretofore issued to <u>E. F. Jameson of ^Route 2, Durango, Colorado</u> be,

and the same is hereby, declared cancelled effective April 3, 1942

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLOBADO OF Stutter. alcon 1chm

Commissioners.

Dated at Denver, Colorado,

1

this_____, 15th_____day of _____, 19...42....

)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

)

)

)

RE MOTOR VEHICLE OPERATIONS OF)

ISADORE STEIN 1426 Wolff ^St., Denver, Colorado

PERMIT NO. C-5970

April 15, 1942

STATEMENT

By the Commission:

The Co	ommission i	s in receip	t of a com	munication f	rom	
					날 옷이 많은 것을 가 것 이 가 있는 것을 것 같이 것	
Isado	re ^S tein		of]	426 Wolff St	t., Denve	r. Colorado
				말 같은 말 같은 것		
requesting 1	that his Pe	rmit No	C-5970		be canc	elled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

## ORDER

and the same is hereby, declared cancelled effective March 24, 1942

this____15th_____day of ______ April ______ 1942_____

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO al lon

Commissioners.

Dated at Denver, Colorado,

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-5698

ART HOLLENBECK Route 4, 2450 W. Amherst Denver, Colorado

April 15, 1942

)

STATEMENT

By the Commission:

	The	Commi	agion	ia in .	roopint	08 0	communic	ation	from			
	1110	COUNT		T9 TU 1	ecerbe	OI a,	COMMUNIC	acton	1100		******	•-
						이 소송 같아.						
	Art	Hollen	beck				A Route	4 24	450 W.	Amherst,	Denver.	Cold
	• • • • <b>235</b> • • ¥ • •	********	TRR 811		***********	********	01					1
										비 옷질 것 같아?		
rea	uestin	g that	his P	ermit 1	No.	G	5698		ľ	e cancel	leđ.	
4		0		· · · · · · · ·	•••••••			*********	*************			

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

## ORDER

IT IS THEREFORE ORDERED, That Permit No.....C-5698 ....., heretofore issued to. Art Hollenbeck of Route 4, 2450 W. Amherst, Denver, Colorado be, and the same is hereby, declared cancelled effective March 12, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO wing Ran me Cortes

Commissioners.

Dated at Denver, Colorado,

10

(Decision No. 18641 )

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

)

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-5526

JOHN EDWARD GOFF 2129 ^Spruce St., Pueblo, Colorado

April 15, 1942

TATEMENT

By the Commission:

The	Commission	is in rece	ipt of a c	communication	from		
					이 것은 동안 같은		
John Ed	lward Goff			e 2129 Spruc	e ⁵ t B	nablo, Col	orado
영상 사람이 안							
requesting	g that his	Permit No	C55	26	be (	cancelled.	

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

### • ORDER

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

Ē

this 15th day of April , 19 42

)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

) )

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-5178

P. B. SAWYER Fountain, Colorado

April 15, 1942

STATEMENT

By the Commission:

	The	Commissio	n is in	receipt o	of a co	mmunicati	on from.			
					1997 - B	· · · · · · · · · · · · · · · · · · ·				
1	P. R.	Sawyer				Fountai	n	Co	lorado	
			****		0I					- 7
					di da an					
reques	sting	that his	Permit	No	<b>d-5</b> 178			be canc	elled.	

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

## ORDER

IT IS THEREFORE ORDERED, That Permit No. C-5178 , heretofore issued to......P. B. Sawyer of Fountain, Colorado .....be,

and the same is hereby, declared cancelled effective March 31, 1942

this 15th day of April , 19 42

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLOBADO

Commissioners.

Dated at Denver, Colorado,

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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)

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-5117

RICHARD JOHNSTON St. Francis, Kansas

April 15, 1942

STATEMENT

By the Commission:

	The Commi	ission is in	receipt of a	communication	from.			
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<u>n (</u>	Richard	Johnston		of St. Francis	3		Kansas	
			***************************************	•• <b>**</b> #*********************************	*********			
reall	ecting the	t his Permit	C.	-5117		.be canc	61160	ż

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

### ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-5117</u>, heretofore issued to <u>Richard Johnston of St. Francis, Kansas</u> be, and the same is hereby, declared cancelled effective ^April 9, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO A State State - corner

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Commissioners.

Dated at Denver, Colorado,

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(Decision No. 18644 )

C-3473

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

- 46

PERMIT NO.

RE MOTOR VEHICLE OPERATIONS OF)

J. R. BAILEY 4218 S. Acoma St., Englewood, Colorado

# April 15, 1942

## STATEMENT

By the Commission:

The Commission is in	receipt of a	communication f	rom	*****
J. R. Bailey		of 4218 S. Acom	a Engl	ewood, Colorado
requesting that his Permit	No.	C3473	be car	ncelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this 15th day of April 19 42

## ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-3473</u>, heretofore issued to <u>J. R. Bailey of 4218 S. Acoma St., Englewood, Colorado</u> be, and the same is hereby, declared cancelled effective March 23, 1942

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Ma	la international de la companya de l	teles and the	

Commissioners.

Dated at Denver, Colorado,

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

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RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-3380

ROSCOE SEILING Box 814 Lamar, Colorado

April 15, 1942

## STATEMENT

By the Commission:

The Commission is in	receipt of a	communication from	*******
Roscoe Seiling		of Box 814	Lamar, ^C olorado
requesting that his Permit	No. C-	- <b>53</b> 80be	cancelled.

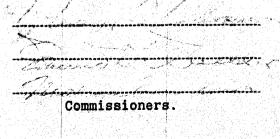
After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

April

## ORDER

IT IS THEREFORE ORDERED, That Permit No.....C-3380...., heretofore issued to Roscoe Seiling of Box 814, Lamar, Colorado be, and the same is hereby, declared cancelled effective March 28, 1942

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO



19.42

Dated at Denver, Colorado,

.....day of .....

this_

(Decision No. 18646 )

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

JAMES F. FLORA 600 South 11th Rocky Ford, Colorado PERMIT NO. C-2795

April 15, 1942

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<u>S T A T E M E N T</u>

By the Commission:

	The Comm:	ission is in	receipt of a	communication	from		
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	James F.	Flora		of 600 South	11th	Rocky Ford, Color	ade
		*****					
2001	ecting the	t his Permit	No. C-279	95	ho	cancelled.	

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

## ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-2795</u>, heretofore issued to <u>James F. Flora of 600 South 11th, Rocky Ford, Colorado</u> be, and the same is hereby, declared cancelled effective April 4, 1942

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

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Dated at Denver, Colorado,

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this 15th day of April , 19 42

and the second second

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

W. A. HOPKINS Route 1 Grand Junction, Colorado PERMIT NO. C-2206

April 15, 1942 STATEMENT

By the Commission:

The Commission is in receipt of a communication from......

W.	A. 1	lopkins			of Route	1	Gre	and Junctio	n, ^C olorado
					0.0000				
requesting	that	his Permit	No	*******	C-2206	***	b	e cancelle	<b>d.</b>

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this 15th day of April , 19 42

## ORDER

IT IS THEREFORE ORDERED, That Permit No......C-2206..., heretofore issued to <u>W. A. Hopkins of Route 1, Grand Junction, Colorado</u> be, and the same is hereby, declared cancelled effective March 16, 1942

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Dated at Denver, Colorado,

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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 ) JOSEPH SIMPSON, ALBERT SIMPSON, AND C. A. MAGNUSON, DOING BUSINESS AS *STANDARD TRANSPORTATION COMPANY*, DENVER, COLORADO, TO TRANSFER CER-TIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 537 TO L. E. REIN-HARDT, A. K. REINHARDT, AND RALPH BOCKHAUS, MONTE VISTA, COLORADO.

#### APPLICATION NO. 1295-AA-AA

April 9, 1942. ----

Appearances: Hellerstein and Gerts, Esqs., and George F. Harsh, Esq., Denver, Colorado, for the applicants; Concur and Concur, Esqs., Bel Norte, Colorado, for Ted Walker, Faus Transportation Company, James Ashton, Curtis Truck Line, and Richard Postel;

- T. A. Stockton, Jr., Esq., Denver, Gelorado, for the Common Carrier Division of The Colorado Motor Carriers' Association;
- A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company;
- E. B. Evans, Esq., Denver, Colorado, for The Public Utilities Commission of the State of Colorado.

STATEMENT

By the Commission:

The above-styled matter was set for hearing, and heard, at Denver, Colorado, on the 10th day of March, 1942, and taken under advisement.

Applicants have filed petition to withdraw and dismiss their application for transfer, without prejudice.

After a careful consideration of the record, the Coumission is of the opinion, and finds, that said request should be granted.

ORDER

#### IT IS ORDERED:

That said application to transfer be, and the same hereby is,

dismissed. This order shall become effective twenty days from date. THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO N one Senoro D.Cl Jeal. ma 1111111111 Commissioners. Ξ Dated at Denver, Colorado, this 9th day of April, 1942. al.

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IN THE MATTER OF THE APPLICATION OF WILLIAM J. GOODENBERGER, ELIZABETH, COLORADO, FOR AUTHORITY TO TRANSFER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 521 TO RALPH LITHERLAND, ELIZABETH, COLORADO.

APPLICATION NO. 1559-BA

April 14, 1942.

Appearances: William J. Goodenberger, Elizabeth, Colorado, pro se; Ralph Litherman, Elizabeth, Colorade, pro se;

- T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Coloredo Meter Carriers' Association;
- A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company,

STATBRENT

By the Commission:

By Decision No. 3155, as amended by Decision No. 8007, William J. Goodenberger was authorized to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of:

> freight into, out of and between points within the area described as: Commencing at a point one-half mile west of the Town of Elisabeth, Colorado, on State Highway No. 86 where a north and south county road crosses the same, thence north seven miles, thence east one mile, thence north seven miles to Arapahoe Sounty Line, thence east three miles, thence south ten miles, thence west two miles, thence south four miles, thence west two miles to the point of beginning on State Highway No. 86; and into, cut of and between points within the area described as: Beginning at the point on State Highway No. 86 approximately one-half mile west of the Town of Elisabeth, in Elbert County, thence west three miles to the county line dividing Douglas and Elbert counties, thence south along said county line six miles, thence east five miles to the north and south main traveled county highway between Elbert and Elizabeth, Colorado, thence north along said highway to the Town of Elizabeth, thence west approximately one-half mile to the place of beginning, without the right to engage in any transportation service of a competitive character between points on the routes of common carriers operating on schedule.

Said Goodenberger now seeks authority to transfer said certificate to Ralph Litherland, of Elizabeth, Celerado.

Said matter, pursuant to prior setting, was heard and taken under advisement in Denver, Colorado, on April 9, 1942.

At the hearing, it developed that the consideration for the transfer of said certificate and one track is the sum of seven hundred dollars (\$700.00); that there are no outstanding unpaid operating obligations ewing by Goodenberger; that transferee, pecuniarily and otherwise, is able, ready and willing to conduct the operation authorized under said certificate of public convenience and necessity No. 521.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said transfer should be authorized.

QRDER

IT IS ORDERED:

That William J. Goodenberger, Elizabeth, Colorado, should be, and he hereby is, authorized to transfer PUC No. 521 to Ralph Litherland, Elizabeth, Colorado.

That tariff of rates, rules and regulations of the transferor shall become and remain those of the transferee until changed according to law and the rules and regulations of this Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Comissioners.

Dated at Denver, Colorado, this 14th day of April, 1942.

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IN THE MATTER OF THE APPLICATION OF C. DALE WOOLERY, ECKLEY, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT. NO. B-1503 TO W. F. CAIN, ECKLEY, COLORADO. -

APPLICATION NO. 2699-PP-BA-A

IN THE MATTER OF THE APPLICATION OF C. DALE WOOLERY, ECKLEY, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT NO. A-647 TO W. F. CAIN, ECKLEY, COLORADO.

APPLICATION NO. 4530-PP-AA-A

April 15, 1942 ------

Appearances: C. Dale Woolery, Eckley, Colorado, pro se; W. F. Cain, Eckley, Colorado, Dro se; Truman A. Stockton, Jr., Esq.,

Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association:

A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company.

SIATEMENT

#### By the Commission:

The above-numbered applications were consolidated for purpose of hearing, and heard, in Denver, Colorado, on April 9, 1942, the matters thereupon being taken under advisement.

By Application No. 2699-PP-BA-A, authority is sought to transfer Permit No. B-1503, and by Application No. 4530-PP-AA-A, authority is sought to transfer Permit No. A-647.

The authority of said transferor under Decisin No. 6996, as amended by Decision No. 9848 (Permit No. B-1503) is limited to the transportation of:

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livestock, grain, feed, farm supplies, including household furniture, farm machinery, and coal, from point to point within the area described as 20 miles south 25 miles north, 8 miles east, and 7 miles west of Eckley, Colorado; livestock from and to points in said area, to and from sales yards in Yuma and Wray; grain between points in said area around Eckley and the Towns of Yuma, Wray and Paoli.

Under Permit No. A-647, issued April 9, 1934, transferor is authorized to operate as a private carrier by motor vehicle for hire

for the transportation of:

freight between Denver and Holyoke and intermediate points via U. S. 38 - 6 to Greeley and U. S. 85 to Denver, or via short cut Colo. 81, and between Holyoke and Idalia and intermediate points via Colo. 51, and between Colorado-Kansas Line and Denver via Colo. 54 and U. S. 85, or short cut via Colo. 81 and between Idalia and Denver and intermediate points via U. S. 36 and U. S. 40.

The consideration for the transfer of said permits and one truck is the sum of seventeen hundred dollars (\$1700.00). There are no unpaid obligations outstanding against said operation. The financial standing, reliability and operating experience of transferee were established to the satisfaction of the Commission.

Upon consideration, the Commission is of the opinion, and finds, that authority should be granted to the transferor in each of the abovenumbered applications to transfer said permits to W. F. Cain.

#### ORDER

IT IS ORDERED:

That C. Dale Woolery, Eckley, Colorado, should be, and he hereby is, authorized to transfer all his right, title and interest in and to Permits Nos. B-1503 and A-647 to W. F. Cain, Eckley, Colorado.

The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of this Commission.

2.

This order is made a part of the permits authorized to be

transferred, and shall become effective twenty (20) days from date.

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THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Commissioners

Dated at Denver, Colorado, this 15th day of April, 1942.

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IN THE METTER OF THE APPLICATION OF ) RALPH MILLER, 244 SOUTH QUITMAN ) STREET, DENVER, COLORADO, FOR A ) CLASS "B" PERMIT TO OPERATE AS A ) PRIVATE CARRIER BY MOTOR VEHICLE ) FOR HIRE.

APPLICATION NO. 5891-PP

April 15, 1942

### STATEMENT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to points within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

# ORDER

IT IS ORDERED:

That Ralph Miller, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to points within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 17th day of April, 1942.

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF BETTIE M. CARTER AND ELIZABETH NOLAN, LARKSPUR, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT NO. A-1924 TO J. L. HAMMOND, LARKSPUR, COLORADO, AND CON-SOLIDATION WITH PERMIT NO. A-1366.

APPLICATION NO. 3909-PP-AA-A

April 15, 1942

Appearances: Bettie M. Carter and

Elizabeth Nolan, Larkspur, Colorado, pro se; T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association;

A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company.

STATEMENT

### By the Commission:

On June 25, 1937, Decision No. 10223, the Commission authorized F. Adair and Harold Adair, doing business as "Adair and Son," to operate as Class "A" private carriers by motor vehicle for hire for the transportation of:

> milk and cream, only, to Larkspur from farms in the area described as: from Larkspur east to a point about five miles north of Elbert, on Colorado State Highway 157, thence south along said highway to Elbert; thence in a southeasterly direction over country roads through Bijeu Basin to Peyton; thence westerly along Colorado State Highway No. 50 to Monument; thence north along U. S. 65 from Monument, Colorado, to Larkspur, without the right to combine their operations under Permit No. A-529 with the operations authorized by said order,

#### and Permit No. A-1924 issued to them.

Subsequently, by authority of the Commission, Bettie M. Carter and Elizabeth Nolan, Larkspur, Colorado, acquired said operating right.

They now seek authority to transfer said permit to J. L. Hammond, Larkspur, Colorado, who, by transfer from Earl B. Engle, acquired the authority granted in Decision No. 7159 (Permit No. A-1366), which authorizes the transportation of:

> milk and dairy products over a route within the following-described area; beginning at a point on U. S. Highway No. 85 one mile north of Larkspur, Colorado, thence east seven miles to the southeast corner of Section 21, Township 9 South, Range 66 West, thence north nine miles to the southeast corner of Section 4, Township 8 South, Range 66 West, thence west to Castle Rock, thence south along U. S. Highway 85 to the place of beginning, to Larkspur, Colorado, with a back-haul of small lots of feed and grain only to milk customers,

said J. L. Hammond also seeking authority to combine operations under Permits Nos. A-1366 and A-1924.

Said matter was heard at Denver, Colorado, on April 9, 1942, pursuant to prior setting, and taken under advisement.

At the hearing, it appeared that the consideration for said transfer of said certificate and a Chevrolet truck is the sum of one thousand dollars (\$1,000.00); that said parties desire to transfer said permit, and to consolidate said operations in order to effect certain economies and more efficiently handle milk from the areas involved.

There are no unpaid operating obligations. The pecuniary responsibility and operating experience of transferee were established to the satisfaction of the Commission.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said transfer and consolidation of operations should be authorized.

#### ORDER

IT IS ORDERED:

That Bettie M. Carter and Elizabeth Nolan, Larkspur, Colorado, should be, and they hereby are, authorized to transfer all their right, title and interest in and to Permit No. A-1924 to J. L. Hammond, Larkspur, Colerade

2.

The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of this Commission.

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

That said J. L. Hammond should be, and he hereby is, authorized to consolidate said transferred authority with, and operate the same under, Permit No. A-1366, heretofore issued to him.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 15th day of April, 1942.

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### BEFORE THE FUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

***

E. B. FAUS, DOING BUSINESS AS "FAUS TRANSPORTATION COMPANY," JAMES E. ASHTON, E. T. WALKER, OLIVER E. CURTIS, AND RICHARD POSTEL,

Complainants,

VB.

CASE NO. 4894

JOSEPH SIMPSON, ALBERT SIMPSON, AND G. A. MAGNUSON, DOING BUSI-MESS AS "STANDARD TRANSPORTATION COMPANY", DENVER, COLORADO,

Defendants.

# AApril 9, 1942.

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Appearances: Concur and Geneur, Esgs., Del Norte, Colorado, for Complainants; Hellerstein and Gerts, Esgs., and George F. Harsh, Esg., Denver, Colorado, for Defendants.

STATEMENT

By the Commission:

Motion for Dismissal in the above-styled matter has been filed hereim by Conour and Conour, as attorneys for complainants.

Upon consideration, defendants, by their attorneys, Hellerstein and Gerts and George Harsh, consenting thereto, the Commission is of the opinion, and finds, that said case should be dismissed.

QRDER

IT IS ORDERED:

That said Gase No. 4894 be, and the same hereby is, dismissed. This order shall become effective twenty days from date.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Dated at Denver; Colorado, this 9th day of April, 1942.

(Dedision No. 18655)

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

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IN THE MATTER OF THE APPLICATION OF ) CHARLES CAMPBELL, WIGGINS, COLORADO, ) FOR AUTHORITY TO TRANSFER PERMIT NO. ) B-1575 TO MANUEL ARAUJO, ORCHARD, ) COLORADO. )

APPLICATION NO. 2850-AAA

April 15, 1942.

Appearances: Manuel Araujo, Orchard, Colorado,

for the applicants; T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado ^Motor Carriers' Association; A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company.

STATEMENT

By the Commission:

Applicant herein seeks anthority to transfer the authority granted in Decision No. 7342, which he acquired by transfer (Permit No. B-1375) to Manuel Araujo, Orchard, Colorado.

The matter was heard in Denver, Colorado, on April 9, 1942, pursuant to prior setting, and taken under advisement.

Transferor, under his permit, is authorized to operate as a

Class "B" private carrier by motor vehicle for hire for the transportation

of:

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wheat, grain, barley and beans from point to point within an area described as 25 miles north and south, 5 miles east and 12 miles west of Wiggins, Colorado, and from points in said area to Fort Morgan, Greeley and Denver; livestock from points in that part of said area which lies south of a line drawn east and west through a point one mile north of Wiggins to Fort Morgan, Greeley and Denver, with back-haul of coal from mines in the morthern Colorado coal fields, cement from Boettcher, and well equipment from Denver to points in said firstdescribed area.

It developed that the consideration for said transfer is the

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sum of two handred dollars (\$200.00), and that there are no unpaid operating obligations against said operation.

The operating experience and pecuniary responsibility of transforce were established to the satisfaction of the Commission.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said transfer should be authorized.

### QRDER

#### IT IS ORDERED:

That Charles Campbell, Wiggins, Colorado, should be, and he hereby is, authorized to transfer all his right, title and interest in and to Permit No. B-1375 to Manuel Arauje, Orchard, Colorado.

The right of transferee to operate under this permit shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order is made a part of the permit authorized to be transferred and shall become effective twenty days from date.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado, this 15th day of April, 1942.

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* * *

IN THE MATTER OF THE APPLICATION OF THE PUBLIC SERVICE COMPANY OF COLORADO FOR A CERTIFICATE OF PUB-LIC CONVENIENCE AND NECESSITY TO EXEBCISE ELECTRIC FRANCHISE RIGHTS IN THE TOWN OF ILIFF, LOGAN COUNTY, COLORADO.

APPLICATION NO. 5851

April 17, 1942

Appearances: Lee, Shaw and McCreery, Esqs., Denver, Colorado, for the applicant.

<u>STATEMENT</u>

By the Commission:

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This is an application for a certificate of public convenience and necessity, authorizing the exercise by applicant of certain franchise rights granted by the Board of Trustees of the Town of Iliff, Colorado, in and by Ordinance No. 113.

On the 8th day of July, A.D., 1941, Ordinance No. 113 was passed by the Board of Trustees, and approved by the Mayor efisaid Town of Iliff, Colorado, granting to the applicant, its successors, and assigns, a franchise:

> ***BY THE TOWN OF ILIFF TO PUBLIC SERVICE COMPANY** OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, ACQUIRE, MAINTAIN AND OPERATE A PLANT OR PLANTS, AND WORKS, FOR THE GENERA-TION, TRANSMISSION AND DISTRIBUTION OF ELEC-TRICITY, AND TO FURNISH, SELL AND DISTRIBUTE SAID PRODUCT TO THE SAID TOWN OF ILIFF AND THE INHABITANTS THEREOF FOR LIGHT, HEAT AND POWER, OR OTHER PURPOSES, BY MEANS OF CONDUITS, CABLES, POLES AND WIRES STRUNG THEREON, OR OTHERWISE, OVER, UNDER, ALONG, SCROSS AND THROUGH ALL STREETS, ALLEYS AND PUBLIC WAYS AND PLACES IN THE TOWN OF ILIFF, AND FIXING THE TERMS AND CONDITIONS THEREOF.*

for a term of twenty (20) years from and after its passage and approval.

At the hearing, in Denver, Colorado, on March 10, 1942, it developed that applicant is a corporation, duly organized and existing under the laws of the State of Colorado, and doing business as a public utility; that the principal office and postoffice address of applicant is in the City and County of Denver, Colorado; that, generally, it is authorized and empowered by the State of Colorado to engage in the business of generating, transmitting, and distributing electric energy to various cities, towns and communities in divers counties of the State of Colorado for heat, light, power and other purposes; that there is no utility other than applicant engaged in the business of generating, transmitting, or distributing electricity within said Town of Iliff, Colorado, or its vicinity; that said company is presently serving sixty-seven customers in said town; that its distribution lines for Iliff are connected with a transmission line from Sterling, where the generating plant of applicant is located; that company, heretofore, has been supplying the inhabitants thereof with electricity for illuminating, heating, power and other purposes, and does not contemplate any additional or new construction.

No objection to the granting of the application has been filed or made, and the Town of Iliff, by its City Clerk, has asked the Commission to grant the application.

After a careful consideration of the record, the Commission is of the opinion, and finds, that public convenience and necessity require the exercise by applicant of the franchise rights granted to it by the Town of Iliff, Colorado.

### ORDER

#### IT IS ORDERED:

That public convenience and necessity require the exercise by applicant of the franchise rights granted to it by the Board of Trustees of the Town of Iliff, Colorado, in Ordinance No. 113, and this order shall be taken, deemed and held to be a certificate of public convenience

and necessity therefor.

2.

Applicant shall file its rate schedules, rules and regulations, set up its books and accounts in agreement with the Uniform Classification of Accounts, and bring all its practices as to testing, consumers' deposits and operations, records of meters, transformers and complaints into compliance with the Commission's requirements, within twenty (20) days from date.

Failure of applicant to comply as above ordered shall nullify and automatically revoke at the end of said period the authorization herein granted, but subject to any further action or modification the Commission may order.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO Commissioners

Dated at Denver, Colorado, this 17th day of April, 1942.

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

* * *

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR A CERTIFICATE OF PUBLIC CONVEN-IENCE AND NECESSITY TO EXERCISE ELECTRIC FRANCHISE RIGHTS IN THE CITY OF LEADVILLE, LAKE COUNTY, COLORADO.

APPLICATION NO. 5852

April 17, 1942

Appearances: Lee, Shaw and McCreery, Esqs., Denver, Colorado, for the applicant.

<u>STATEMENT</u>

By the Commission:

This is an application for a certificate of public convenience and necessity, authorizing the exercise by applicant of certain franchise rights granted by the City Council of the City of Leadville, Colorado, in and by Ordinance No. 488.

On the 6th day of November, A.D., 1941, Ordinance No. 488 was passed by the City Council of the City of Leadville, Colorado, and approved by its Mayor, granting to the applicant, its successors and assigns, a franchise:

> "BY THE CITY OF LEADVILLE TO PUBLIC SERVICE COM-PANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, ACQUIRE, MAINTAIN AND OPERATE A PLANT OR PLANTS AND WORKS, FOR THE GENERATION, TRANS-MISSION AND DISTRIBUTION OF ELECTRICITY, AND TO FURNISH, SELL, AND DISTRIBUTE SAID PRODUCT TO THE SAID CITY OF LEADVILLE AND THE INHABITANTS THERE-OF FOR LIGHT, HEAT AND POWER, OR OTHER PURPOSES, BY MEANS OF CONDUITS, CABLES, POLES AND WIRES STRUNG THEREON, OR OTHERWISE, OVER, UNDER, ALONG, ACROSS AND THROUGH ALL STREETS, ALLEYS, AND PUBLIC WAYS AND PLACES IN THE CITY OF LEADVILLE, AND FIXING THE TERMS AND CONDITIONS THEREOF,"

for a term of twenty (20) years from and after its passage and approval.

At the hearing, in Denver, Colorado, on March 10, 1942, it developed that applicant is a corporation, duly organized and existing under the laws of the State of Colorado, and doing business as a public utility; that the principal office and postoffice address of applicant is in the City and County of Denver, Colorado; that, generally, it is authorized and empowered by the State of Colorado to engage in the business of generating, transmitting, and distributing electric energy to various cities, towns and communities in divers counties of the State of Colorado for heat, light, power and other purposes; that there is no utility other than applicant engaged in the business of generating, transmitting, or distributing electricity within said City of Leadville, Colorado, or its vicinity; that said company is presently serving fifteen hundred customers; that company, heretofore, has been supplying the inhabitants of the City of Leadville with electricity for illuminating, heating, power and other purposes, and does not contemplate any additional or new construction.

No objection to the granting of the application has been filed or made, and the City of Leadville, by its Mayor, has asked the Commission to grant the application.

After a careful consideration of the record, the Commission is of the opinion, and finds, that public convenience and necessity require the exercise by applicant of the franchise rights granted to it by the City of Leadville, Colorado.

### ORDER

#### IT IS ORDERED:

That public convenience and necessity require the exercise by applicant of the franchise rights granted to it by the City Council of the City of Leadville, Colorado, in Ordinance No. 488, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

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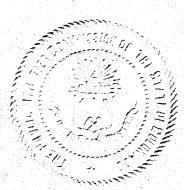
Applicant shall file its rate schedules, rules and regulations, set up its books and accounts in agreement with the Uniform Classification of Accounts, and bring all its practices as to testing, consumers' deposits and operations, records of meters, transformers and complaints into compliance with the Commission's requirements, within twenty (20) days from date.

Failure of applicant to comply as above ordered shall nullify and automatically revoke at the end of said period the authorization herein granted, but subject to any further action or modification the Commission may order.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners



Dated at Denver, Colorado, this 17th day of April, 1942.

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

* * *

IN THE MATTER OF THE APPLICATION OF ) PUBLIC SERVICE COMPANY OF COLORADO FOR A CERTIFICATE OF PUBLIC CONVEN- ) IENCE AND NECESSITY TO EXERCISE ELECTRIC FRANCHISE RIGHTS IN THE TOWN OF MANASSA, CONEJOS COUNTY, COLORADO.

#### APPLICATION NO. 5853

April 17, 1942

Appearances: Lee, Shaw and McCreery, Esqs., First Nat'l Bank Building, Denver, Colorado, for the applicant.

STATEMENT

#### By the Commission:

This is an application for a certificate of public convenience and necessity, authorizing the exercise by applicant of certain franchise rights granted by the Board of Trustees of the Town of Manassa, Colorado, in and by Ordinance No. 38.

On the 18th day of June, 1941, Ordinance No. 38 was passed by the Board of Trustees, and approved by the Mayor of said town of Manassa, Colorado, granting to the applicant, its successors and assigns, a franchise:

> "HY THE TOWN OF MANASSA TO PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO CON-STRUCT, ACQUIRE, MAINTAIN AND OPERATE A PLANT OR PLANTS, AND WORKS, FOR THE GENERATION, TRANSMIS-SION AND DISTRIBUTION OF ELECTRICITY, AND TO FUR-NISH, SELL AND DISTRIBUTE SAID PRODUCT TO THE SAID TOWN OF MANASSA AND THE INHABITANTS THEREOF FOR LIGHT, HEAT AND POWER, OR OTHER PURPOSES, BY MEANS OF CONDUITS, CABLES, POLES, AND WIRES STRUNG THEREON, OR OTHERWISE, OVER, UNDER, ALONG, ACROSS AND THROUGH ALL STREETS, ALLEYS, AND FUB-LIC WAYS AND PLACES IN THE TOWN OF MANASSA, AND FIXING THE TERMS AND CONDITIONS THEREOF."

for a term of twenty (20) years from and after its passage and approval.

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At the hearing, in Denver, Colorado, on March 10, 1942, it developed that applicant is a corporation, duly organized and existing under the laws of the State of Colorado, and doing business as a public utility; that the principal office and postoffice address of applicant is in the City and County of Denver, Colorador that, generally, it is authorized and empowered by the State of Colorado to engage in the business of generating, transmitting, and distributing electric energy to verious cities, towns and communities in divers counties of the State of Colorado for heat, light, power and other purposes; that there is no utility other than applicant engaged in the business of generating, transmitting, or distributing electricity within said Town of Manassa, Colorado, or its vicinity; that said company is presently serving two hundred customers in said town; that company, heretofore, has been supplying inhabitants of said town with electricity for illuminating, heating, power and other purposes, and does not contemplate any additional or new construction.

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No objection to the granting of the application has been filed or made.

After a careful consideration of the record, the Commission is of the opinion, and finds, that public convenience and necessity require the exercise by applicant of the franchise rights granted to it by the Town of Manassa, Colorado.

### ORDER

IT IS ORDERED:

That public convenience and necessity require the exercise by applicant of the franchise rights granted to it by the Board of Trustees of the Town of Manassa, Colorado, in Ordinance No. 38, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

Applicant shall file its rate schedules, rules and regulations, set up its books and accounts in agreement with the Uniform Classification

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of Accounts, and bring all its practices as to testing, consumers' deposits and operations, records of meters, transformers and complaints into compliance with the Commission's requirements, within twenty (20) days from date.

Failure of applicant to comply as above ordered shall nullify and automatically revoke at the end of said period the authorization herein granted, but subject to any further action or modification the Commission may order.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Commissioners

Dated at Denver, Colorado, this 17th day of April, 1942.

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* * *

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO FOR A CERTIFICATE OF PUBLIC CONVEN-IENCE AND NECESSITY TO EXERCISE ELECTRIC FRANCHISE RIGHTS IN THE TOWN OF MERINO, LOGAN COUNTY. COLORADO.

APPLICATION NO. 5854

April 17, 1942 - ----

Appearances: Lee, Shaw and McGreery, Esqs., Denver, Colorado, for the applicant.

#### <u>STATEMENT</u>

By the Commission:

This is an application for a certificate of public convenience and necessity, authorizing the exercise by applicant of certain franchise rights granted by the Board of Trustees of the Town of Merino, Colorado, in and by Ordinance No. 36.

On the 15th day of December, 1941, Ordinance No. 36 was passed by the Board of Trustees, and approved by the Mayor of said Town of Merine, Colorado, granting to the applicant, its successors and assigns, a franchise:

> "BY THE TOWN OF MERINO TO PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO CON-STRUCT, ACQUIRE, MAINTAIN AND OPERATE A PLANT OR PLANTS, AND WORKS, FOR THE GENERATION, TRANSMIS-STION AND DISTRIBUTION OF ELECTRICITY, AND TO FURNISH, SELL AND DISTRIBUTE SAID PRODUCT TO THE SAID TOWN OF MERINO AND THE INHABITANTS THEREOF FOR LIGHT, HEAT AND POWER, OR OTHER PURPOSES, BY MEANS OF CONDUITS, CABLES, POLES AND WIRES STRUNG THEREON, OR OTHERWISE, OVER, UNDER, ALONG, ACROSS AND THROUGH ALL STREETS, ALLEYS AND PUBLIC WAYS AND PLACES IN THE TOWN OF MERINO, AND FIXING THE TERMS AND CONDITIONS THEREOF,"

for a term of twenty-five (25) years from and after its passage and approval.

At the hearing, in Denver, Colorado, on March 10, 1942, it developed that applicant is a corporation, duly organized and existing under the laws of the State of Colorado, and doing business as a public utility; that the principal office and postoffice address of applicant is in the City and County of Denver, Colorado; that, generally, it is authorized and empowered by the State of Colorado to engage in the business of generating, transmitting, and distributing electric energy to various cities, towns and communities in divers coupties of the State of Colorado for heat, light, power and other purposes; that there is no utility other than applicant engaged in the business of generating, transmitting, or distributing electricity within said Town of Merino, Colorado, or its vicinity; that said company is presently serving customers in said town; that its distribution lines for Merino are connected with a transmission line from Sterling, where the generating plant of applicant is located; that company, heretofore, has been supplying the inhabitants thereof with electricity for illuminating, heating, power and other purposes, and does not contemplate any additional or new construction.

No objection to the granting of the application has been filed or made.

After a careful consideration of the record, the Commission is of the opinion, and finds, that public convenience and necessity require the exercise by applicant of the franchise rights granted to it by the Town of Merino, Colorado.

### ORDER

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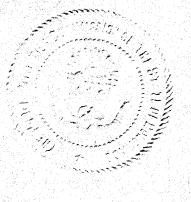
#### IT IS ORDERED:

That public convenience and necessity require the exercise by applicant of the franchise rights granted to it by the Board of Trustees of the Town of Merino, Colorado, in Ordinance No. 36, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor. Applicant shall file its rate schedules, rules and regulations, set up its books and accounts in agreement with the Uniform Classification of Accounts, and bring all its practices as to testing, consumers' deposits and operations, records of meters, transformers and complaints into compliance with the Commission's requirements, within twenty (20) days from date.

Failure of applicant to comply as above ordered shall nullify and automatically revoke at the end of said period the authorization herein granted, but subject to any further action or modification the Commission may order. This order shall become effective twenty (20) days from date.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Dated at Denver, Colorado, this 17th day of April, 1942.

Sec. C. Marine

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

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IN THE MATTER OF THE APPLICATION OF F. C. AND C. E. WILLIAMS, DOING BUSINESS AS "WILLIAMS TRUCK", RAGO, ) <u>APPLICATION NO. 5616-A</u> COLORADO, TO TRANSFER P.U.C. NO. 1422) TO JIM MCMILLION, RAGO, COLORADO.

April 17, 1942. 

Appearances: Marion F. Jones, Esq., Denver,

- Colorado, for the applicants; A. J. Fragean, Denver, Colorado, for Weicker Transfer and Storage Company; T. A. Stockton, Jr., Esq., Denver,
  - Colorado, for the Common Carrier Division of The Colorado Meter Carriers' Association.

STATEMENT

By the Commission:

By Decision No. 17406, dated September 4, 1941, F. C. and C. E. Williams, doing business as "Williams Truck," were authorized to operate as common carriers by motor vehicle for hire, on call and demand, for the transportation of:

> farm products, including livestock, and farm supplies and equipment, including used household furniture when all the effects of a farmer are moved, between points within an area of Rago as follows: 8 miles north, 10 miles south, 15 miles west and east to Colorado Highway No. 63, and between points in said area and points in the State of Colorado, save and except that no farm machinery shall be transported from points on U. S. Highway No. 85 to or from paints in said area.

Said certificate-holder new seeks authority to transfer said certificate to Jim McMillion, Rage, Celorado.

The matter was heard at Denver, Coloredo, pursuant to prior setting, on March 10, 1942, and taken under advisement.

At the hearing, it appeared that the consideration for the transfer of said certificate and a 1959 two-ton Dodge truck is the sum

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of nine hundred and fifty dollars (\$950.00) in cash; that there are no unpaid obligations against said operation; that said transferse, pecuniarily and otherwise, is able, ready and willing to conduct the operation; that he now has a private permit, No. B-2356, issued by this Commission which he stated could be cancelled, or preferably suspended for a period of six months.

It would appear that it is not desirable to allow suspension of said permit No. B-2336. It merely would afford applicant an opportunity to speculate and possibly to place another carrier in the field more or less in competition with his operation.

After a careful consideration of the record, the Commission is of the opinion, and finds, that the transfer sought should be authorized, and that Permit No. B-2536 should be cancelled and revoked.

### QRDER

#### IT IS ORDERED:

That F. C. and C. E. Williams, doing business as "Williams Truck", Rago, Colorado, should be, and they hereby are, authorized to transfer all their right, title and interest in and to P.U.C. No. 1422 to Jim McWillion, Rago, Colorado.

The tariff of rates, rules and regulations of the transferors shall become and remain these of the transferse until changed according to law and the rules and regulations of this Commission.

That Permit No. B-2556 should be, and the same hereby is, cancelled and revoked.

Phis order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION STATE CORORADO

Commissioners

Dated at Denver, Colorado, this 17th day of April, 1942.

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		STATE OF COL	JORADO
E MOTOR VEHICLE L. V. SHUTT Northdale, Colo	;	PERI	/IT NO. C-7448
	) )		

By the Commission:

The (	Commission	is in rece	oipt of a d	communication	n from	
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La Va	Shutt			of Northdale		Colorado
			실패로 관감			
requesting	that his l	Permit No.	C-744	8	be c	ancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

### ORDER

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO ommissioners.

., 19.42

Dated at Denver, Colorado,

this day of April

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RE	MOTOR	VEHI	CLE O	PERA'	<b>FIONS</b>	OF)
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H	ENRY F	ORD				j
5	Ll Eas	t 4th	St.			1
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57b.b		~, ~0.				50. C.I.

PERMIT NO. C-13489

April 20, 1942

### STATEMENT

By the Commission:

The Commission is	in receipt of	a communica	tion from	
		같은 동일 한 일정 AC		
Henry Ford		of 511 Eas	st 4th St	Amarillo, Texas
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requesting that his Perm	C	-13489		e cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

### ORDER

IT IS THEREFORE ORDERED, That Permit No. C-13489 , heretofore issued to <u>Henry Ford of 511 East 4th St., Amarillo, Texas</u> be, and the same is hereby, declared cancelled effective <u>March 14, 1942</u>

THE PUBLIC UTILITIES COMMISSION THE STATE RMO COLC ß orwar In 2l

Commissioners.

Dated at Denver, Colorado,

this _____ day of _____ April _____, 19.42

(Decision No. 18663

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF) E. C. CONWAY & M. E. PERKINS ) LaPorte, Colorado )

PERMIT NO. C-13630

April 20, 1942

## STATEMENT

By the Commission:

The	Commis	sion is	in rece	ipt of a	communicatio	n from E. C	. Conway and
							불고가 그 것은 것같은
	anking				of LaPorte	사람들이 가지?	Colorado
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requestin	g that .	nis Peri	nit No	Ç=	19090		ancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

### ORDER

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO Commissioners.

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Dated at Denver, Colorado,

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this 20th day of April

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(Decision No. 18664 )

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-13535

MRS. MARGARET THIEDE 617 S. Burlington Hastings, Nebraska

April 20, 1942

<u>S T A T E M E N T</u>

By the Commission:

The Commission is in	26년 전문 문화 문화		
Mrs. Margaret Thiede		of 617 S. Burlingto,	n Hastings, Nebrasks
requesting that his Permit	No. Cəi	.8535	be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

### ORDER

IT IS THEREFORE ORDERED, That Permit No.....C-13535..., heretofore issued to Mrs. Margaret Thiede of 617 S. Burlington, Hastings, Nebraska be, and the same is hereby, declared cancelled effective, March 23, 1942

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLOBADO OF la 1CAI

Commissioners.

Dated at Denver, Colorado,

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(Decision No. 18665 )

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RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-15525

MRS. OLENDA PURDY Ovid, Colorado

> <u>April 20, 1942</u> STATEMENT

By the Commission:

The Commission is in re	eceipt of a communi	cation from	
Mrs. Olenda Purdy	of Ovi	d	Colorado
requesting that his Permit No	<b>C-13525</b>	br	e cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this 20th day of April ...., 19 42

# ORDER

S. Park

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO oruan mariellon pale

Commissioners.

Dated_at Denver, Colorado,

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-13220

PETER HANSEN 359 Broadway Monte Vista, Colorado

April 20, 1942

<u>S T A T E M E N T</u>

By the Commission:

The	Commission	is in reco	eipt of a	communicati	ion from		
		의 중 관계 중요가 2017년 - 2017년 - 2017년 - 2017년 - 2017년 - 2017년	가지 특징을 가지 않는다. 지수 가지 않는 것이 있는 것이 없다. 것이 있는				
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noounati-	g that his l	Bormit No	C	13220	1	e cancelle	

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

### ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-13220</u>, heretofore issued to <u>Peter Hansen of 359 Broadway, Monte Vista, Colorado</u> be, and the same is hereby, declared cancelled effective April 11, **D42** 

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLORADO OF muan Concertan ale Commissioners.

Dated_at Denver, Colorado,

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this 20th day of April 19.42

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RE MOTOR VEHI	CLE OPERATIONS OF)
	성의 공격적 영수, 전통 등
JOHN CANADAY	
3400 Wadswor	rth
Wheatridge.	Colorada

PERMIT NO. C-13217

### Apr11 20, 1942

STATEMENT

By the Commission:

T	he Commiss	ion is ir	receipt	ofac	communic	ation f	rom			
	한 경험 사람이 가지?									
	John Can	adav			AP 3400	Wadswor	th	"heatri	ige. Col	orad
		****	****	••••••	J	. (T <b>TTYLY</b> , I) <b>F.T</b> .	×,	<b></b>	ng	
	ing that h			0.1	3217			cancell		

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this______ 20th _____ day of ______ April _____, 19.42 _____

### ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-13217</u>, heretofore issued to <u>John Canaday of 3400 Wadsworth Wheatridge, Colorado</u> be, and the same is hereby, declared cancelled effective March 20, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO rouan Jalcom Gri

Commissioners.

Dated at Denver, Colorado,

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-13149

J. E. DARBY DeLeon, Texas

April 20, 1942

S T A T E M E N T

By the Commission:

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	<b>.</b> .								<b>m</b>	
	لو و مو دا <b>و</b> .	C. Darl	y	*****	*****		ofDeLeon		Texas	
eaues	sting	that	his I	Permit	No.	C-1	3149	he	cancelle	ъđ

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

# ORDER

IT IS THEREFORE ORDERED, That Permit No. C-13149 ....., heretofore issued to J. E. Darby of DeLeon, Texas be,

and the same is hereby, declared cancelled effective March 14, 1942

this 20th day of April 19.42

THE PUBLIC UTILITIES COMMISSION THE STATE O COLOR 00 Con 1cho

Commissioners.

Dated at Denver, Colorado,

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RE MOTOR VEHICLE OPERATIONS OF) CHARLES WILSON ) Box 636 ) Idaho Springs, Colorado )

PERMIT NO. C-13051

April 20, 1942

# <u>S T A T E M E N T</u>

By the Commission:

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 								*****					0	f.,						- <b>,</b> .								

requesting that his Permit No._____C-13051______be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

# ORDER

IT IS THEREFORE ORDERED, That Permit No. C-13051 , heretofore issued to <u>Charles Wilson of Box 636, Ideho Springs, Colorado</u> be, and the same is hereby, declared cancelled effective April 1, 1942

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLOBADO Leury

Commissioners.

Dated at Denver, Colorado,

this _____ 20th _____ day of ______ April _____, 19.42

(Decision No. 18670

)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-12942

CHARLES L. DUPPS Victor, Colorado

April 20, 1942

STATEMENT

By the Commission:

Th	ne Commissi	on is in	receipt of	a commun:	ication f	rom		
	Charles I	. Dapos		of Vic	tor		Cold	orado
~~~~~~********	***************************************	<b>T</b> = [, , , , , , , , , , , ], ], <b>(</b> , , , , , , , , , , , , , , , , , , ,	****	*****	*****		***	***************************************
ronnarti	ing that hi	a Darmit	No	C-12942		ha	cancelle	a 1997 - 1997

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

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IT IS THEREFORE ORDERED, That Permit No. C-12942, heretofore issued to Charles L. Dupps of Victor, Colorado be, and the same is hereby, declared cancelled effective February 22, 1942.

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLO arickson

Commissioners.

Dated at Denver, Colorado,

11

this 20th day of April , 19.42

(Decision No. 18671)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-12911

April 20, 1942

STATEMENT

By the Commission:

PAUL HAWORTH

219 North 11th Ave., Greeley, Colorado

The	Commission	is in	receipt	of a	commun	ication	from	******	******	
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Paul	Haworth		28년 오르고		of 219	North	llth re	Ga	reeley,	Colorado
		******	*****							
	g that his			C	12911			e canc		

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO ax lanna. an

Commissioners.

Dated at Denver, Colorado,

this, 20th day of April , 19.42

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-12475

CHARLES CAMPBELL Wiggins, Colorado

April 20, 1942

STATEMENT

By the Commission:

The Commission	is in receipt of a	communication from.	
· 또 한 1 년 4 월 1 일 - 11일 1일 1일 11일 11일 11일 11일 11일 11일			
Charles Campbe	11	of Wiggins	Colorado
requesting that his l	Permit No. C-1	2475	be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-12475 , heretofore issued to <u>Charles Campbell of Wiggins, Colorado</u> be,

and the same is hereby, declared cancelled effective March 26, 1942.

THE PUBLIC UTILITIES COMMISSION THE STATE OF COL alcom (or

Commissioners.

Dated at Denver, Colorado,

this ______ day of ______ April _____, 19...42...

(Decision No. 18675

)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-12216

P. A. HOLMES Rifle, Colorado

April 20, 1942

<u>S T A T E M E N T</u>

By the Commission:

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	The	Commission i	s in recei	ipt of a	a communication :	from
		P. A. Holm			of ^R ifle	Colorado
eques	ting	g that his Pe	ermit No		12216	be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No....C-12216...., heretofore issued to P. A. Holmes of Rifle, Colorado be, and the same is hereby, declared cancelled effective April 7, 1942

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THE PUBLIC UTILITIES COMMISSION OF, THE STATE OF DO ORADO alcom Grickson

Commissioners.

Dated at Denver, Colorado, this______ 20th _____ day of ______ April _____, 19.42.

(Decision No. 18674)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-12213

O. M. BROWN Scott City, Kansas

April 20, 1942

STATEMENT

By the Commission:

The Commissio	n is in receipt	of a communication	ation from	
0. N. Brown		of Scott		Kansas
requesting that his	Permit No.	C-12213		ancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-12213</u>, heretofore issued to <u>O. M. Brown of Scott City, Kansas</u> be,

and the same is hereby, declared cancelled effective January 1, 1942

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLOR ØL. 1C

Commissioners.

19.42

Dated at Denver, Colorado,

this_

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Sec. 5

20th - day of April

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RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-11876

April 20, 1942

STATEMENT

By the Commission:

QUALITY AUTO, INC.

333-335 South Third East Salt Lake City, Utah

The Commission	is in receipt of	of a communication from	1	
Quality Auto,]	Inc.	of 333-335 S. This	d East Salt Lake	City, Utah
	***************************************		• • • • • • • • • • • • • • • • • • • •	
requesting that his H	Permit No	C-11876	be cancelled.	

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-11876, heretofore issued to <u>Quality Auto, Inc. of 533-335 South Third East, Salt Lake City</u> be, Utah and the same is hereby, declared cancelled effective <u>March 31, 1942</u>

THE PUBLIC UTILITIES COMMISSION THE STATE OF wax Pus alcon 1/1n

Commissioners.

Dated at Denver, Colorado,

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this 20th day of April , 19 42

* * *

RE MOTOR VEHICLE OPERATIONS OF)

MIKE SIMON 541 - 5th St., Durango, Colorado PERMIT NO. C-11790

<u>April 20, 1942</u> 8 T A T E M E N T

By the Commission:

The	Commissi	on is in	receipt of	'a comm	unication	from		
Mik	e Simon			of 5	41 - 5th	St .	Durango,	Colorado
requesti	ng that hi	s Permit	No	C-11	.790	bə	cancelled	

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-11790 , heretofore issued to <u>Mike Simon of 541 - 5th St., Durango, Colorado</u> be,

and the same is hereby, declared cancelled effective April 3, 1942

20th day of April 19.42

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THE PUBLIC UTILITIES COMMISSION THE STATE OF COLORA OF lan alcom Core

Commissioners.

Dated at Denver, Colorado,

this.

B

(Decision No. 18677)

C-11614

PERMIT NO.

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

J. H. and L. H. GRUVER dbs J. H. GRUVER & SON Gruver, Texas

April 20, 1942

)

STATEMENT

By the Commission:

	The Comm:	ission i	s in red	ceipt of	ac	ommunicat	ion	from			
J.	H. GRUVER	AND SOL	1			e Gruver				Texas	8
	****	*********	******	********	••••••••••••••••••••••••••••••••••••••	/1	*******		********		
						74					
reque	sting that	t his Pe	ermit No		-116	T6		******	be ca	ncelled	1.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-11614 , heretofore issued to J. H. Gruver and Son of Gruver, Texas ______be,

and the same is hereby, declared cancelled effective April 1, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO 1as

Am Commissioners.

..., 19..42.....

Dated at Denver, Colorado,

this_____ day of _____ April

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(Decision No. 18678)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE FREE OF CHARGE TRANSPORTATION BY THE DENVER AND SALT LAKE RAILWAY COM-

April 14, 1942

STATEMENT

By the Commission:

This matter is before the Commission upon a letter from The Denver and Salt Lake Railway Company, by F. J. Toner, its Traffic Manager, dated April 11, 1942, requesting authority to transport one carload of coal free of charge from Mt. Harris, Colorado, on account of charity.

The shipment in question has been denated by a shipper on the line of The Denver and Salt Lake Railway Company, for use of the People's Tabernacle, a charitable institution, and is to be used for charity.

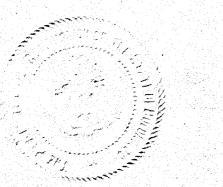
Section 17, paragraph (c) of The Public Utilities Act provides that the Commission may, by rule or order, authorize carriers to depart from their published tariff rates.

After full consideration of the facts as set forth, the Commission finds that the request should be authorized.

ORDER

IT IS THEREFORE ORDERED, That The Denver and Salt Lake Railway Company be, and it is hereby, authorized to protect a free rate on one carload of coal from Mt. Harris, Colorado, to Denver, Colorado, consigned to the People's Tabernacle, in care of the Colorado and Utah Coal Company, Denver, Colorado.

IT IS FURTHER ORDERED, That this order shall not be used as a precedent for other cases of a similar nature.



THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 14th day of April, 1942

JH

THE DENVER AND SALT LAKE RAILWAY CO.

OFFICE OF TRAFFIC MANAGER

DENVER, COLORADO

F. J. TONER TRAFFIC MANAGER

April 11, 1942.

m 1017 3 (1 Jea, 18678)



The Public Utilities Commission, State of Colorado, State Office Building, Denver, Colorado.

Gentlemen:

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A carload of coal has been donated by one of the operators on our line to the People's Tabernacle, 1120 Twentieth Street, Denver, a charitable institution. This car will be consigned to the People's Tabernacle in care of the Colorado & Utah Coal Company.

In view of the above we shall be pleased to haul this car of coal free of charge from the mine at Mt. Harris, Colorado to Denver, and we request your authority in line with Section 17-C of the Public Utilities Act to grant this free billing.

If consistent, we shall appreciate receiving this authority in duplicate.

Yours truly,

oner B.

IN THE MATTER OF THE APPLICATION OF S. A. MARKLEY, DOING BUSINESS AS M & M TRUCK COMPANY, DENVER, COLORADO, FOR A CERTIFICATE OF PUBLIC CON-VENIENCE AND NECESSITY TO TRANSPORT PETROLEUM PRODUCTS ONLY EETWEEN POINTS IN THE STATE OF COLORADO.

APPLICATION NO. 5785

April 17, 1942. -----

Appearances: Marion F. Jones, Esq., Denver, Colorado, for applicant; T. A. White, Esq., Denver, Colorado, for The Atchison, Topeka and Senta Fe Railway Company, The Chicago Rock Island and Pacific Railway Company, (Frank O. Lowden, James E. Gorman, Joseph B. Fleming, Trustees), The Colorado and Southern Reilroad Company, The Denver and Rio Grande Western Railroad Company, Wilson McCarthy and Henry Swan, Trustees, The Derver and Salt Lake Railway Company, Miasonri Pacific Railroad Company, Guy A. Thompson, Trustee, and Union Pacific Railroad Company; J. W. Preston, Esq., Pueble, Colorado, for Missouri Pacific Railroad Company, Guy A. Thompson, Trustee.

STATEMENT

By the Commission:

Applicant, S. A. Markley, is now the owner of Permit B-1970 which authorizes the transportation of bulk petroleum products in tank trucks between all points in the State of Calorado. Said Markley is also authorized by the Interstate Commerce Commission to transport petroleum is bulk in tank trucks as a common carrier by motor vehicle from various named origin points to numerous points in Colorado in interstate commerce.

In the instant application, he is sucking authority to transport petroleum products in bulk, only, in tank trucks between points in the State of Colorado in both intrastate and interstate commerce. He proposes to cancel his "B" permit provided the authority herein sought is granted.

Testifying in his own behalf, applicant stated that he now exams twenty-eight (28) complete units of equipment, as well as four extra tractors; that said equipment consists of tank trucks with a capacity of from 4,000 to 5,000 gallons, some of which have compartments that will vary from 490 gallons capacity upward; that he has emergency calls for shipments which he is not able to handle, due to the fact that he does not have said parties listed as customers with the Commission, (and that the movements will not permit of the delay necessary to properly qualify himself as a private carrier to serve the same. In his opinion, at least thirty per cent of such calls would be for delivery of petroleum or its products from points not located upon the railreads, and all of such shipments would be less than the 8,000 galless minimum for railroad tank shipment.

Applicant further stated that one of his objects in applying for this certificate would be to enable him to file tariffs so there would be some stability of rates for the movement of petroleum and its products in Colorado by motor vehicle. It was his contention that jobbers of petroleum and its products throughout the State are all very anxious to see such a rate stabilisation. Applicant mentioned three or four emergency calls which he was not able to handle - one between Denver and Idaho Springs, another between Denver and Colorado Springs, one between Grand Junction and Fort Collins, between Wray, Kit Carson and Wages; Denver and Evans, Sterling and Fort Morgan to Alma, Colorado. He further stated that in the last several years, he had had calls from almost all points in the State, including Divide and points between Colorado Springs and Canon City, as well as Holly, Lamar and Rocky Ford. Formerly, approximately sixty interstate operators were transporting petroleum and its products in interstate commerce in Celorado, but this number had now been reduced to appreximately fourteen. The rates he proposed to establish, if granted a common carrier authority, would be on a mileage basis per gallon per mile, but he would expect to adopt higher rates in mountain territory than in the plains area,

Applicant's financial statement shows total assets of approximately

\$108,000.00, and liabilities of approximately \$52,000.00.

A witness representing the Oriental Refining Company, which is located seven miles west of Fort Morgan, and who also conducts a refinery at Alamosa, testified that they used their own equipment, but at times had need of outside help, due to breakdowns and lack of sufficient equipment; that they sever knew when emergency movements might arise; that 55 to 40 per cent of their shipments were on railroad facilities - balance were net; that they served approximately 80 per cent of the state and that it is impossible to wait when transportation service is necessary; that they preferred to have a motor vehicle common carrier service available.

The Assistant Traffic Manager of the Red Det Gil Company, which has a plant in Denver and sells to various road contractors, stated that 75 per cent of its business was off of rail points, and there was a distinct need for motor vehicle common carrier service; that they had used contract motor vehicle carriers but there was quite a deviation in rates; that they would like to have the rate structure stabilized and that their sales were f.o.b. "the job". This company uses its own equipment in its Denver business, but needs eutside transportation service for out-of-state points.

The chief clerk of the Bay Refining Company, whose plant is located just outside the city limits of Benver, testified that they made deliveries throughout the entire state; that 40 per cent of their customers were located on railroads and 60 per cent were not. It was the opinion of this witness that many of their customers could not handle full carloads. He further stated that there was a need for common carrier notor vehicle service; that they desired to see rates stabilized and that they would not be in any position to make a contract with any private service for any specified amount of tennage. He further stated that at the present time a railroad tank car shortage existed and, in his opinion, this condition would become more soute. He mentioned one instance where a shipment had been delayed on account of a car shortage. It was brought out that jobbers

usually handle at least five kinds of different petroleum products.

felt there was a distinct need for motor vehicle compon carrier service. Greeley, but this service was not always entirely satisfactory, and they other two plants; that they had been using a private carrier who lived in occasions arose when movements were required from the Wray plant to the stated that they had storage plants at Wray, Kit Carson and Wages; that Mr. W. J. Stedwall, who is in the eil business at Wray, Colorado,

the public convenience and necessity require the granting of the authority sought in the instant application. is seven miles west of Fert Mergan and not upon the railroad. A brother of applicant, who is is the oil business at Fort Morgan, Colorade, Independent Oil Company at Evans, and Mr. Glas Gately, of Alma, Colorado. carrier service. To the same effect was the testimony of Mr. Harris of the similar to that of preceding witness as to the need of motor vehicle common plant at gave somewhat similar testimony to that of preceding witnesses. said point. Edward F. Schubert, of Keenesburg, Celorado, conducts a bulk oil His plant is off the railread, and his testimony was In his opinion His plant

doubtful if he could continue the service he had been rendering Mr. Gately. portation of petroleum products and who has been serving the needs of Mr. Gately of Alma, testified that his equipment is now all busy and it was Mr. R. B. Wilson, who is a private carrier engaged in the trans-

that the evidence had whelly failed to establish public convenience and motion to dismiss was filed on behalf of the railroad companies on the ground necessity for the proposed transportation service in behalf of the general transportation of emergency shipments between the cities and towns specifically public at any city or town in the State of Colorado, except the occasional mentioned in the testimony. No evidence was introduced on behalf of protestants. However,

order was issued by Harold L. Ickas, Defeuse Petroleum Ceordinator, to stop short-hanling of oil by rail tank car over distances of less than one hundred About the time the hearing in the instant matter was held, an

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Topics, page 1 of the issue of March 25, 1942. destined to points more than 200 miles from point of origin, over to the Commission, in times like the present at least, has the right to take notice this order was not mentioned at the instant hearing, we believe that the rails for transpertation, although it is claimed that this plan would not a possibility exists that for movement over one bundred miles, the time that of private carriers or their own equipment. It would also appear that be served by applicant's operation - at least for distances up to one appear that this fact alone, in connection with the testimony of record of same. vehicle operators. rails, having in view the possible shortage of tires and equipment for notor herein, would be sufficient to establish the convenience and necessity to bundred miles is to be handled by motor vehicle equipment, only, it would miles. meet with the approval of the Office of Defense Transportation. mundred wiles, as otherwise the only available service to shippers would be my come when orders will be issued that same shall only be handled by the missioners of South Dakata preposed that trustmen turn all freight, See "Transport Topics" under date of March 50, 1942, Page 1. If the transportation of eil for distances of less than one In this competiion, we note that the Board of Railroad See Transport While

the granting of a cordificate to serve all points. that the showing of a few instances of emergency need for shipments by tions of a similar nature to the instant case upon the ground largely and, to some extent, established rights must give may to the present needs problems in the most reasonable and efficacious meaner possible. Precedent regulatory bodies should do all within their pewer and within the law to of abrupt changes in its transportation problems, and it is our belief that of our mar efforts. bring about results that will tend to meet the present-day transportation noter vehicle between a certain dem points within the state, did not justify Due to war conditions, the country is now passing through a stage The Commission heretofore has denied certain applica-However, the instant

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the position of the Commission will be to cooperate as far as possible transportation services of our State to meet the meeds of the hour. with all authorized governmental efficials is trying to adjust established service than in any of these applications heretofore denied. record is much stronger, in our opinion, as to the need of the proposed Ne believe

order or orders may be made as the exigencies of the situation may render of the instant application should be retained to the end that such further just what points he might be called upon to serve. We believe jurisdiction It also seems quite obvious that no applicant could testify in advance as to to take care of minimum tank car railroad shipments, must not be everlooked. in petroleum and petroleum products do not have sufficient storage capacity to the industry, as well as the public of Colerado. The fact that many dealers rates for the transportation of petroleum and its products would be beneficial be available for shippers' use. We also believe that the stabilization of and certainly to those peists, common carrier motor vehicle service should necessary that would be performed by applicant would be to points not served by rail, Apparently, from the record, the larger parties of the service

matter of course, the additional antherity will be granted by this Countssion. conformity with that granted by the Interstate Commerce Commission, and this in conformity with that granted by the Interstate Counserce Commission. However, applicant now has interstate authority from this Commission in authority from the Interstate Commerce Commission, in which event, as a will not be extended or enlarged until such time as he obtains additional comerce. It is the policy of the Commission to grant interstate authority Applicant seeks authority in both intrastate and interstate

of the opinion, and so finds, that the public convenience and necessity herein granted becomes effective, find that Permit No. B-1970 should be cancelled, if and when certificate require theproposed motor vehicle operations of applicant. We further After a careful consideration of the record, the Commission is

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QRDER

IT IS ORDERED:

That the public convenience and necessity require the proposed motor vehicle operations of S. A. Markley, doing business as "N & N Truck Company", for the transportation of bulk petroleum products between points in Celorado, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That jurisdiction of the instant application should be, and is hereby, retained to the end that such further order or orders may be made as are deemed necessary by the Commission.

The applicant shall file tariff of rates, rules and regulations and distance schedules as required by the rules and regulations of this Commission, within twenty days from date.

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

This order is subject to compliance by applicant with all present and future laws and rules and regulations of the Commission.

That if and when the certificate herein granted shall become effective, Private Permit Bo. B-1970 shall stand cancelled and revoked as of that date without further order by the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Dated at Denver, Colorado, this 17th day of April, 1942.

* * *

IN THE MATTER OF THE APPLICATION OF RAY GRILL, FOR AUTHORITY TO SERVE YAMPA, COLORADO, AND TO USE STATE HIGHWAY NO. 84.

APPLICATION NO. 5782-PP-AB

-----April 17, 1942 - -----

Appearances: John P. Beck, Esq., Denver, Colorado, for Ray Grill; T. A.Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association, Larson Transportation Company, R. E. Farrington, Frank B. Leslie.

STATEMENT

By the Commission:

On April 21, 1934, David J. Holden was authorized to operate as a private carrier by motor vehicle for hire for the transportation of:

> freight, Denver to Oak Creek, McCoy, Grand Junction, Steamboat Springs, Toponas, via Highways Nos. 40 and 131.

Subsequently, pursuant to authority from the Commission contained in Decision No. 18061, said permit was transferred to Ray Grill, of Yampa, Colorado.

On February 16, 1942, said Grill filed his petition herein, reciting that he and his predecessor in interest, under claim of right ever since the issuance of said permit, had served the Town of Yampa, Colorado, said service immediately prior to the filing of said petition having been discontinued by said Grill under direction of the Enforcement Division of The Public Utilities Commission; that also, until required to desist from so doing, petitioner and his predecessor in interest

had used highway, Colo. State 84, from junction of said highway with U.S. 40 to Toponas (instead of the more circuitous route from said junction point to Steamboat Springs, via U.S. 40), thence south over highway, No. Colo. 131. He asked that his right to so serve be confirmed by the Commission.

The Commission elected to treat said application as a petition for extension, the matter being heard in Denver, Colorado, on April 9, 1942, pursuant to prior setting, and taken under advisement.

At the hearing, protestants, by their counsel, stated that they had no objection to the granting of authority to applicant to use highway, Colo. State 84, from the junction of said highway with U. S. 40, to Toponas as an alternate route. Protestants, however, objected to the extension of service of applicant to Yampa, Colorado.

In support of his application, applicant stated that he had assumed, when he acquired the permit, that he had the right to serve Yampa, and had served a number of customers in said town until he was required to desist by the Commission; that he has been operating once-a-week service, Denver to Yampa, and expects to operate twice weekly soon; that Louis Phillips, Charles E. Marjoran, David J. Holden, and Louis Rossi, of Yampa, Colorado, who are some of the customers he expects to serve in Yampa if authority is granted, were present as witnesses to testify in his behalf; that most of the commodities said customers handled are shipped by rail, The Denver and Salt Lake Railway furnishing three times a week l.c.l. service between Denver and Yampa; that said customers have been unable to get satisfactory service from common carrier Frank B. Leslie and common carrier Larson Transportation Company.

Louis Rossi testified that he is a potato grower; that all carload lots of potatoes moved by rail out of Yampa to Greeley, Grand Junction, Montrose, Denver, and other points to which he shipped; that, occasionally, he needs for-hire truck service; that he has been unable to get service at times, satisfactory or otherwise, from Leslie, Larson or

Farrington, a private carrier; that Leslie, on occasions, has refused to haul potatoes because the handling thereof is too arduous work for him; that Larson's service, when he last patronized it a number of years ago, was very unsatisfactory; that potatoes were not moved on time, and were damaged in transit; that Larson does not operate via Gore Canyon route -- State Highways 84 and 131, through Toponas, Yampa, Oak Creek to Steamboat, but leaves Yampa freight at Steamboat, and then hauls via an occasional service to Yampa, and other points on State Highway No. 131.

David J. Holden stated that he operates vegetable sheds in Yampa; that he chiefly ships commodities handled, such as lettuce, spinach and carrots, by rail, but desires to forward truck shipments to Denver occasionally; that shuck and paper sometimes in emergencies is moved in by truck; that Leslie is not authorized to serve, except for movement of livestock, between Yampa and Denver; that, although witness maintains sufficient trucks to handle his vegetables, they are in use between the fields and his sheds; that Larson's service is very slow; that shuck out of Denver via Larson line does not reach Yampa before ll:00 o'clock, which means that his crate makers must remain idle in the morning until that time, packing operations sometimes being suspended on account of lack of crates; that Grill, if authorized, would be prepared to move at any time with a load of vegetables to Denver, and shuck out.

Louis Phillips stated that he is engaged in general merchandise business in Yampa (Yampa Mercantile Company); that although most of his merchandise is received by rail, occasionally he has shipments by truck; that Grill's service has been very good; that Larson service has been very unsatisfactory; that freight moves out of Denver to Steamboat Springs, and thence via a coal truck, which has handled oiled slack, to Yampe; that cartons, when received, are in bad condition, and in very unsatisfactory shape to handle; that it is impossible to ship food products by Larson's line; that Farrington, a private carrier, does not have a van type truck; that freight moving in Grill's truck is never dirty, and arrives in good

order. He desires Mr. Grill's service.

Charles E. Marjoran, agent for Continental Oil Company, stated that he uses rail service principally; that the rail service is satisfactory; that, occasionally, he needs adequate truck service, Denver to Yampa, and would patronize Grill's private carrier service, if authorized; that he never has used Leslie's or Farrington's service, although, on one occasion, he asked Farrington to haul some sand, which Farrington was unable to haul.

In opposition, Frank B. Leslie stated that authority under his certificate is limited to service from point to point within a radius of twenty-five miles of Yampa, and livestock from and to points in said area, to and from points in the State; that he was unable to handle Rossi's potatoes because he could not get help to move them; that under his permit he can serve locally between Toponas, McCoy, Steamboat and Yampa, said points being within a twenty-five-mile radius of Yampa; that his business principally is the movement of livestock which, for the most part, is seasonal in character; that while he cannot handle all the livestock in season, other carriers have authority to operate, and if Grill were granted authority to obtain a number of trucks, it would be "too bad" for him — that is, the efficiency of his operation would be seriously impaired.

Mr. Farrington, over objection of applicant's counsel, was permitted to testify, and stated that he now is operating twice-weekly service between Denver and Yampa, and since Grill has discontinued operating, is handling Phillips' groceries; that, in his opinion, the business available at Yampa is not sufficient to "keep authorized carriers going."

William C. Sloan, of Larson Transportation Company, stated that Larson operates seven-days-a-week-service by truck, Denver to Craig and intermediate points, via U.S. 40; that a very small volume of freight has moved to Yampa and other points out of Steamboat on State Highway No. 131, freight, for the most part, being very adequately handled by The Denver and

Salt Lake Railway Company out of Denver; that when freight was available for said points, a truck was sent from Steamboat south to Yampa and said points; that the operation was unprofitable; that, in order to break even when a truck was sent south, a coal truck was used, in order that coal may be back-hauled. He admitted that there are no points to serve intermediate from the junction of State Highway No. 84 and U. S. 40 to Steamboat; that a number of towns are located along State Highways Nos. 84 and 151 on the Gore Canyon route, but said route, notwithstanding service to said towns is authorized under its certificate, is not used by Larson Transportation Company, because its equipment can be much better handled over U. S. 40, and he also conceded that Larson Transportation Company might be better off if it did not serve said points, at all.

Upon the record here made, it appears that Yampa, and other points south of Steamboat on State Highway No. 131, are not adequately served by Larson Transportation Company under its certificate. Apparently said company prefers to operate its line haul service via U. S. Highway No. 40, and to furnish a stub service, which admittedly is not satisfactory, south from Steamboat when it has freight to move to said points. Obviously, it cannot hope to develop business in said towns with the type of service furnished, and people residing in said towns who desire motor vehicle service should not be required to accept the type of service furnished by Larson when adequate service will be furnished by others. Apparently, Mr. Farrington's service is satisfactory, but he is not a common carrier, and the Commission is not justified in denying the application on that ground. An application for a private carrier permit may be denied only when the efficiency of an adequate service provided by a common carrier will be impaired by the granting of the authority sought.

There was no showing of inadequacy of Frank B. Leslie's livestock service, or his service between points within a radius of twenty-five miles of Yampa, except for the movement of patatoes. However, applicant

does not ask for service from or to fields in the vicinity of Yampa, to and from sheds in said town. It did appear that the efficiency of his operation will be impaired by the granting of authority which would be competitive with his operation. While applicant stated that he construed his permit to authorize service locally between the towns he is authorized to serve, the Commission does not so construe it. Said permit authorizes service between Denver on the one hand, and Oak Creek, McCoy, Grand Junction, Stempboat Springs and Toponas, on the other.

After a careful consideration of the record, the Commission is of the opinion, and finds, that motor whicle common carrier service between Denver and Yampa, except for the movement of livestock, is not adequate, and that authority sought, except for the movement of livestock, should be granted.

ORDER

IT IS ORDERED:

That authority of Ray Grill, under his Private Carrier Permit No. A-660, should be, and the same hereby is, extended to include the right to transport freight, except livestock, between Denver and Yampa, Colorado, without the right to serve intermediate points.

This order is made a part of the permit granted to applicant, and shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 17th day of April, 1942.

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF INTERMOUNTAIN FREIGHT LINES, INC., DENVER, COLORADO, PUC CERTIFICATE NO. 805, AND PRIVATE CARRIER PER-MITS NOS. A-12, A-347, and A-329, AND FRANK, JESSE, AND CLARENCE ESTES, DOING BUSINESS AS FRANK ESTES AND SONS, RIFLE, COLORADO, PRIVATE PERMIT NO. A-529.

CASE NO. 4897 ORDER TO SHOW CAUSE AND NOTICE OF HEARING

April 18, 1942.

STATEMENT

By the Commission:

It appears from the recerds of the Commission that the Respondent, Intermountain Freight Lines, Inc., heretofore became the holder of certificate of public convenience and necessity Ne. 805, pursuant to Chapter 154, Session Laws of 1927, as amended, Sections 500-527, Chapter 16, C. S. 1., and of Private Carrier Permits Nos. A-12 and A -547, pursuant to Chapter 120, Session Laws of 1951, as amended, Sections 548-570, Chapter 16, 1955 C. S. 1., and heretofore became the lesses and operator of Private Carrier Permit No. A-529; and that the Respondents, Frank, Jesse, and Clarence Estes, doing business as Frank Estes and Sens, heretofore became the owners of Private Carrier Permit No. A-529, and on or about March 5, 1941, leased said Private Carrier Permit No. A-529 to the Intermountain Freight Lines, Inc., pursuant to Chapter 120, Session Laws of 1951, as amended, Sections 548-570, Chapter 16, C. S. 1.; that the authorities granted to Respondents under said certificate and permits above mentioned are set forth in Exhibit "N" hereto attached.

The Commission is informed and believes, and upon such information and belief alleges, that the Respondents, during the period February 1, 1941, to and including December 51, 1941, have violated the provisions of the statutes of the State of Colorado and the Rules and Regulations of this

Commission governing private carriers for hire by motor vehicle, and the Rules and Regulations Governing Motor Vehicle Carriers, in the following particulars:

1. That during said period Respondents, in the operations of said permits, transported shipments for various customers without having first filed with this Commission a written statement, under oath, of the names and addresses of such customers, and without first having entered into contracts with said customers covering the transportation of freight for said customers, centrary to law and to Rule 10 of said Rules and Regulations; as shown by Paragraph 3 of Exhibit "B" hereto attached.

2. That Respondents, during said period, in the operation of said permits, transported freight for hire for various persons without first having entered into a special contract for transportation service, as shown by Paragraph 5 of said Exhibit *B*, and that, because thereof, Respondents are common carriers; that Respondents, in the operation of said permits, are operating as common carriers by motor vehicle without first having obtained from this Commission a certificate declaring that the present or future public convenience and second require or will require such operation.

5. That during said period, Respondents extended, changed, altered, and varied the territory, route, and routes established in their said permits, and served points not included therein, by transporting, accepting for transportation, and contracting to transport, freight and shipments of freight which originated at points off the line, territory, or area authorized by said permits to be served by Respondents, and which were destined to points served by Respondents under the authority of said permits, and freight and shipments of freight which eriginated at points on the line and in the territory or area authorized to be served by Respondents under the authority of said permits; as shown by Paragraphs 4 and 7 of said Exhibit "B"; centrary to law and Rule 6 of the Rules and Regulations of this Commission.

4. That the Respondents, in the operations of said Permits, during said period, have interlined freight and shipments of freight with other private carriers and with common carriers, contrary to law and the Rules and Regulations of this Commission, as shown by Paragraph 4 of said Exhibit "F".

5. That during said period, the Respondents, in the operations under said Permits, operated as a common carrier in interstate commerce and as a private carrier in intrastate commerce, over the same route, at the same time, and with the same equipment, contrary to law; as shown by Paragraph 4 of said Exhibit "B".

6. That during said period, the Respondents, in the operations of said Permits and said Certificate, have combined the operations thereunder, contrary to the provisions of said Certificate and said Permits, and the provisions of Decision No. 15208 of this Commission, decided April 9, 1941, and contrary to law and the Rules and Regulations of this Commission; as shown by Paragraph 5 of said Exhibit #B*.

7: That on March 24, 1942, the Respondents transported shipments of freight by motor vehicle without having complied with Rule 22 of the Rules and Regulations of this Commission Governing Private Carriers for Hire by Motor Vehicle, in that said Respondents did not have, on the truck transporting said shipments, a load sheet or manifest showing all of said shipments, and otherwise complying with said Rule 22.

8. That during said period, the Respondents so intermingled the operations and the records of operation under said Certificate and said Permits that it is impossible for the inspectors of this Commission accurately to determine the extent of said operations under each of said Permits and said Certificate.

9. That the owners and stockholders of the Intermountain Freight Lines, Inc., are the same as the owners and stockholders of the Ringsby Truck Lines, Inc.; that the Ringsby Truck Lines, Inc., is the owner and holder of a certain certificate of public convenience and necessity

5,

issued by the Interstate Commerce Commission, and of a certificate of public convenience and necessity numbered 1348-I issued by this Commission, authorizing the transportation by said Ringsby Truck Lines, Inc., of freight in interstate commerce in the territory as shown on said Exhibit "A"; that during said period said Respondents have intermingled and combined the operations of said Certificate and Permits, contrary to law and the Rules and Regulations of this Commission.

10. That during said period the Respondents, in the operations of said Permits, filed with this Commission monthly reports which were inaccurately made out, contrary to law and to Rule 28 of the Rules and Regulations of this Commission; as shown by Paragraphs6 of said Exhibit *B*.

11. That the Respondent, Intermountain Freight Lines, Inc., applied to and received from the Interstate Commerce Commission authority to operate as a common carrier by motor vehicle in interstate commerce for the transportation of certain commodities between Denver, Colorado, and Grand Junction, Colorado; that in the operation of said Private Carrier Permits it has been and is now the custom of the Respondent to receive shipments of freight moving in interstate commerce from the Ringsby Truck Lines, Inc., at Denver, Colorado, and transport said interstate freight, together with and in the same truck with intrastate freight, from Denver, Colorado, to Grand Junction, Colorade; that in said operation the said Respondent leases trucks from said Ringsby Truck Lines, Inc.; that in the movement from Denver, Colorado, to Grand Junction, Colorade, said operation is conducted under the permits of Respondents, and the equipment is leased to the Respondent, Intermountain Freight Lines, Inc., from said Ringsby Truck Lines, Inc.; that at Grand Junction, Celorado, upon the completion of the trip from Denver, Celorado, to Grand Junction, Colorado, the Respondent, Intermountain Freight Lines, Inc., then delivers said truck, together with the interstate freight therein contained, to the Ringsby Truck Lines, Inc., for the continuation in interstate commerce from said Grand Junction, Celorade, to Los Angeles or other West Coast points; and that, during the same period, it has been the custom

4

of the Intermountain Freight Lines, Inc., to operate in a similar manner in handling eastbound traffic; that said operation is contrary to law and the Rules and Regulations of this Commission.

The Commission therefore finds that an investigation should be made and a hearing held relative to said violations.

<u>O</u><u>R</u>**D**<u>E</u><u>R</u>

IT IS ORDERED:

By the Commission, on its emm motion, that an investigation and hearing be had to determine if said Respondents have failed or refused to comply with any or all of the provisions of the asforesaid statutes, and the Rules and Regulations of this Commission Governing Private Carriers by Motor Vehicle, and the Rules and Regulations of this Commission Governing Motor Vehicle Carriers, or the provisions of Respondents' said certificate and permits, and, if so, whether said certificate and permits should therefore be suspended, cancelled, or revoked, or whether any other order or orders should be entered by the Commission in the premises, or as to whether said list of customers heretofore tendered by Respondents should be approved or disapproved by this Commission.

That said Respondents show cause, if any they have, by written verified answer filed with the Commission within ten (10) days from this date, why it should not enter an order, because of the aforesaid alleged violations, suspending, cancelling, or reveking the certificate and permits heretofore issued to said Respondents, or why it should not enter such other order or orders as may be proper in the premises.

That said matter be, and it hereby is, set down for hearing before the Commission in its Hearing Room, 350 State Office Building, Denver, Colorado, on the 50th day of April, 1942, at ten e'clock A. M., at which time and place such evidence as is proper may be introduced.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF OCLOSADO unua Touch.

Dated at Denver, Colorado, this 18th day of April, 1942. BH

Commissioners.

IN RE MOTOR VEHICLE OPERATIONS OF RINGSBY TRUCK LINES, INC., DENVER, COLORADO, PUC CERTIFICATE 1548-I

CASE NO. 4896 ORDER TO SHOW CAUSE AND NOTICE OF HEARING

April 18, 1942.

STATEMENT

By the Commission:

It appears from the records of the Commission that the Respondent, Ringsby Truck Lines, Inc., berstofore became the holder of certificate of public convenience and necessity issued to it by the Interstate Commerce Commission, authorizing it to operate as a common carrier by motor vehicle in interstate commerce, for the transportation of freight in interstate commerce between Chicago, Illinois, and Denver, Colorado, and from Grand Junction, Colorado, to Los Angeles, California, and that said Respondent applied to this Commission for the issuance of and became the holder of a certain certificate of public convenience and necessity No. 1548-I, authorizing it to engage in the transportation of freight in interstate commerce, only, between Denver, Colorado, and the Colorado-Nebraska State boundary line via U. S. Highway No. 85 Denver to Greeley, 34 to Sterling, and 158 to State Line, or via U. S. No. 6 Denver to Sterling and 138 to the State Line, pursuant to Chapter 154, Session Laws of 1927, as amended, Sections 300-327, Chapter 16, 1935 C. S. A., and the Rules and Regulations of this Commission Governing Motor Vehicles Carriers for Hire.

The Commission is informed and believes, and upon such information and belief alleges, that the Respondent, during the period February 1, 1941, to an including the date of this order, has violated the provisions of the statute of the State of Celorade and the Rules and Regulations of this Commission Governing Meter Vehicle Carriers for Hire, in the following particulars:

1. That during said period, said Respondent has operated as a motor vehicle carrier for hire in interstate commerce between Grand Junction, Colorado, and the Colorado-Stah State Line, without having first applied for and received from this Commission a certificate authorizing such operations.

2. That the Respondent, during said period, has failed to file with the Commission, within ten days after the first day of each month, a sworn statement showing the number of revenue ton miles traveled by Respondent during the preceding month, covering the freight transported by it in interstate commerce between Grand Junction, Colorado, and the Colorado-Utah State Line; contrary to law and Rule 27 of the Rules and Regulations of this Commission Governing Motor Vehicle Carriers.

3. That during said period, the Respondent has failed to pay to this Commission the compensation tax due to the State of Colorado for the use of the public highways of the State between said Grand Junction, Colorado, and the Colorado-Utah State Line; centrary to law and Rule 26 of the Rules and Regulations of this Commission Governing Motor Vehicle Carriers.

The Commission therefore finds that an investigation should be made and a hearing held relative to said violations.

<u>O R D E R</u>

IT IS ORDERED:

By the Commission, on its own motion, that an investigation and hearing be had, to determine if said Respondent has failed or refused to comply with any or all of the provisions of the aforesaid statutes, and the Rules and Regulations of this Commission Governing Motor Vehicle Carriers, and, if so, whether any order or orders should be entered by the Commission in the premises, or as to whether any penalty or penalties should be assessed against the Respondent.

That said Respondent show cause, if any it have, by written verified answer filed with the Commission within ten (10) days from this date, why it should not enter such order or orders as may be proper in the premises.

That said matter be, and it hereby is, set down for hearing before the Commission in its Hearing Hoom, 350 State Office Building, Denver, Colorado, on the 50th day of April, 1942, at ten o'elock, A. M., at which time and place such evidence as is proper may be introduced.

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THE PUBLIC UTILITIES COMMISSION OF THE STATE OF -COLORADO he

Commissioners.

Dated at Denver, Colorado, this 18th day of April, 1942.

BH

* * *

RE MOTOR VEHICLE OPERATIONS OF)

WALTER CHATTERBOCK 634 West 5th Street Walsenburg, Colorado

PERMIT NO. C-12837

April 20, 1942

STATEMENT

By the Commission:

The Commission is in receipt of a communication from.....

Walter Cha	tterbock	0	e 634 W. 5th	^S t.,	Walsenburg, Colorado
requesting that	his Permit No.	C-12	6 37	bə (cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

THE PUBLIC UTILITIES COMMISSION THE STATE OE. COLORADO OF ruan

le transformer de la companya de la

Commissioners.

Dated at Denver, Colorado,

13

this 20th day of April , 19 42

* * *

RE MOTOR VEHICLE OPERATIONS OF)

E. E. CALDWELL 2015 S. Glenn Ave., Wichita, Kan**s**as PERMIT NO. C-12745

April 20, 1942

<u>S T A T E M E N T</u>

By the Commission:

The	Commission	is in rece	oipt of a	communication	n from	*****
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E. E	. Caldwell			of 2015 8. G	lenn Ave.	Wichita, Kansas
roquestiv	ng that his	Dormit No	C-12	743		ancelled.
redrearti	is mar ura	Leture No"	*************	~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~	CS 60 CS	incerted.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-12743</u>, heretofore issued to <u>E. E. Caldwell of 2015 S. Glenn Ave., Wichita, Kansas</u> be,

and the same is hereby, declared cancelled effective March 10, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

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this 20th day of April 19.42

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF) J. G. STUCKY, MYRON G, WINTON H. AND DWIGHT D dba J. G. STUCKY & SONS MOUNDRIDGE, KANSAS

PERMIT NO. C-9878

April 20, 1942

<u>S T A T E M E N T</u>

By the Commission:

The	Commission	n is in re	ceipt of a	communication	from	
						한 동안에 이 것을 것 같아요.
T G	Stucky			- A Manuadad daa		V
			***********	of Moundridge	····· • • • • •	Kansaa ,
	이 이 가격가 한 것같다. 같은 이 이 이 이 이 가격이 있다.	영영 문제 관계 관계	김 강성은 지구			
requesting	that his	Permit No	C-9878	3	be	cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. **C-9878**, heretofore issued to J. G. Stucky and Sons of Moundridge, Kansas be,

and the same is hereby, declared cancelled effective April 7, 1942

THE PUBLIC UTILITIES COMMISSION STATE OF CODORADO OF AR Grickson

Commissioners.

Dated at Denver, Colorado,

18

this_____ 20th _____ day of ______ April _____, 19.42

(Decision No. 18686

)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF) BURNIE MINCKS dba) HOOPER CONSUMERS GAS AND ONL) COMPANY) Hooper, Colorado)

PERMIT NO. C-8088

April 20, 1942

STATEMENT

By the Commission:

The Commission i	is in receipt of a c	ommunication from	
Bornie Mincks	a de la companya de l	f Hooper	Colorado
requesting that his Pe	ermit No. C-808	8	be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-8088</u>, heretofore issued to <u>Burnie Mincks dba Hooper Consumers Cas & Oil Company of Hooper, Colo</u> be, and the same is hereby, declared cancelled effective April 6, 1942

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THE PUBLIC UTILITIES COMMISSION THE STATE OF COLOR and

Commissioners.

Dated at Denver, Colorado,

m

this 20th day of April , 19 42

* * *

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-7140

R. H. BALDWIN Limon, Colorado

April 20, 1942

<u>S T A T E M E N T</u>

By the Commission:

The	Commission	n is in rec	eipt of a	communication	from	
	H. Baldwi		[영문] 18월 18일 - 18일 [영문] 18일 - 18일 [영문] 18일 - 18g - 18	of Limon		Colorado
requestin	g that his	Permit No.	C-71	40	be (ancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-7140 , heretofore issued to R. H. Baldwin of Limon, Colerado be,

and the same is hereby, declared cancelled effective April 20, 1942

THE PUBLIC UTILITIES COMMISSION THE STATE F CODDRADO OF - Grickson

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Commissioners.

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Dated at Denver, Colorado,

this 20th day of April 19.42

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF) SARAH A. DEASON) Route 3, Box 110) Greeley, Colorado)

PERMIT NO. C-2139

April 20, 1942

)

STATEMENT

By the Commission:

	The	Commi	ssion	is in	receipt	of a	commun	icatio	n from)		
		Sar	ah A.	Deason			ofRt 3	, Box	110	G	reeley,	Colorado
	*******		******	• • • • • • • • • • • • • • • • • • •	*********	**********	·VI	- Tu yu, An sa yu u		-)		*******
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eque	sting	s that	his P	ermit :	No		****	********	**********	be c	ancelled	1.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-2139</u>, heretofore issued to <u>Sarah A. Deason of Route 3, Box 110, Greeley, Colorado</u> be, and the same is hereby, declared cancelled effective <u>March 31, 1942</u>

THE PUBLIC UTILITIES COMMISSION THE STATE OR COL ORAL Ör ruan alcom

Commissioners.

....., 19....42....

Dated at Denver, Colorado,

10

this 20th day of April

)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF) LEE AND WARREN WEST dba HI_WAY SERVICE Fleming, Colorado

PERMIT NO. C-13033

April 20, 1942

STATEMENT

By the Commission:

The	Commis	ssion i	s in re	ceipt of a	a communication	from	
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Warren	West				of Fleming		Colorado
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				•	12022		승규는 방향을 만들었다.
requesting	g that	nis Pe	rmit No	•	-13033	be	cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-13053 , heretofore issued Lee and Warren West dba Hi-Way Service of Fleming, Colorado be, to. and the same is hereby, declared cancelled effective April 9, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO ozuran Come Corto

Commissioners.

Dated at Denver, Colorado,

m

(Decision No. 18690

)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

PERMIT NO. C-11397

RE MOTOR VEHICLE OPERATIONS OF)

MOUNTAIN STATES CREAMERY COMPANY OF COLORADO 1138 - 11th St., Denver, Colorado

April 20, 1942

STATEMENT

By the Commission:

The	Commission	is in rec	eipt of a	communication	from M	ountain ^o ta	tes
Creamery	Company of	Colorado		of1338 - 11th	Pf	Denver, Co	Lorado
requesting	; that his l	Permit No.		C-11597	be	cancelled.	

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-11397</u>, heretofore issued to Mountain States Creamery Company of Colorado be,

and the same is hereby, declared cancelled effective April 14, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO TURAN eur Carrow Gricklan

Commissioners.

Dated at Denver, Colorado,

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this 20th day of April , 19.42.

RE MOTOR VEHICLE OPERATIONS OF) CAPITOL STEEL AND IRON COMPANY

Oklahoma City, Oklahoma

PERMIT NO.

C-10376

By the Commission:

The	Commission	is in recei	ipt of a co	mmunication	from Capitol	Steel
	Iron Company			. Oklahoma Cit		klahoma
requestin	g that his	Permit No.	C-1037	6	be cance	lled.

April 20, 1942

STATEMENT

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-10376</u>, heretofore issued to <u>Capitol Steel and Iron Company of Oklahoma City, Oklahoma</u>be, and the same is hereby, declared cancelled effective April 19, 1942

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLORADO ozulan - Grickson

Commissioners.

....., 19___42___

19

Dated at Denver, Colorado,

this 20th day of April

)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
H. E. SPERRY

Grand Valley, Colorado

PERMIT NO. C-8213

April 20, 1942 <u>S T A T E M E N T</u>

By the Commission:

The Commission	is in receipt of a	communication f	rom
H. E. Sperry		of Grand Valley	Colorado

requesting that his		C-8213	be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-8215</u>, heretofore issued to <u>H. E. Sperry of Grand Valley, Colorado</u> be, and the same is hereby, declared cancelled effective January 21, 1942

THE PUBLIC UTILITIES COMMISSION CODORADO THE STATE **OF** OF ric 1chon lcom

Commissioners.

Dated at Denver, Colorado, this 20th day of 4pril , 19_42

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-11257

CLINTON L. IRWIN Canon City, Colorado

April 20, 1942

STATEMENT

By the Commission:

T	ne Commi	ssion i	s in re	ceipt of	a communi	cation f	'rom		****
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C	linton I	Irwii	1		of Cano	n City		Ço	lorado,
request	ing that	his Pe	ermit No	•	C-11257	*********	be	cancell	ed.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-11257, heretofore issued to Clinton L. Irwin of Canon City, Colorado be,

and the same is hereby, declared cancelled effective April 3, 1942

THE PUBLIC UTILITIES COMMISSION E STATE OF

Commissioners.

Dated at Denver, Colorado,

12

this 20th day of April 19.42

* * *

RE MOTOR VEHICLE OPERATIONS OF)

)) PERMIT NO. C-10214

April 20, 1942

STATEMENT

By the Commission:

J. B. BROWN

Syracuse, Kansas

	l'he	Commi	ssior	is is	in re	ceipt (of a	commun	icatio	n from		**********		
		B. Br							yracus			nsas		
			******	******	********		********	01		*****				•
reques	ting	that	his	Perm	it No	•	Ç.	-10214	****	*****	be ca	ancelle	eđ.	

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

and the same is hereby, declared cancelled effective March 18, 1942

THE PUBLIC UTILITIES COMMISSION THE STATE lan

Commissioners.

Dated at Denver, Colorado,

this 20th

_____day of ______April _____, 19.42

and for

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}

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-9674

J. M. BAKER 1904 Washington St., Basement Apartment ...Denver, Colorado

April 20, 1942

STATEMENT

By the Commission:

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

April

IT IS THEREFORE ORDERED, That Permit No. <u>C-9674</u>, heretofore issued to <u>J. M. Baker of 1904 Washington St., Denver, Colorado</u> be, and the same is hereby, declared cancelled effective April 9, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

12m a. -6A

Commissioners.

19.42

Dated at Denver, Colorado, this 20th day of

(Decision No.18696

)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

)

RE MOTOR VEHICLE OPERATIONS OF) 1 M. F. WOOD 1 Silt, Colorado

PERMIT NO. C-8556

April 20, 1942

STATEMENT

By the Commission:

	The	Commi	ssio	n is i	n rece	ipt of	a con	municat	ion fr	°0m		
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		M T	. Woo	A				Silt			Colorad	10
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reque	sting	that	his	Permi	t No	C{	3356			he	cancell	led

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-8356 , heretofore issued

to M. F. Wood of Silt, Coloradobe,

and the same is hereby, declared cancelled effective April 7, 1942

THE PUBLIC UTILITIES COMMISSION THE STATE COLORA Halcon incom Commissioners.

Dated at Denver, Colorado, April , 19.42. this 20th day of.

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR	VEHIGLE	OPERATIONS	OF)	사망가 있다. 1998년 - 1999년 - 1999년 1999년 - 1999년 -			
TOM SHEP	HARD)		PE	RMIT N	0. C -7 945
423 Boyd)				
Golden,	COLOFAGE)			¥ æ	

STATEMENT

By the Commission:

	The Co	mmission	n is in	receipt of	`a	commun	icatio	on f	rom		
				•							
	Tom	Shephar	d			of 423	Boyd S	t.,		Golden	, Colorado
*****			************	****	******			****			
		hat his	Downsta			C-7945				h	
reque	Bring r	nat mis	Permit	NO	*****				*******	be cancel	.tea.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this 20th day of April , 19.42

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-7945, heretofore issued to <u>Tom Shephard of 425 Boyd St., Golden, Colorade</u> be, and the same is hereby, declared cancelled effective <u>December 19, 1941</u>

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLORADO OF Jan D Commissioners.

Dated at Denver, Colorado,

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PERMIT NO. C-6367

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C,	M.	POR	TER)	
72	23 U1	te A	ve.,)	
Gı	and	Jun	ctic	m,	Col	ora	do		Ĵ	
		-							5	

April 20, 1942

STATEMENT

By the Commission:

	The	Commi	ssion	is	in r	eceipt	of a	commu	nicati	ion fr	om			
						•								
	C. N	I. Por	ter					of 72	3 Ute	Ave.,		Grand	Junction	, ^C olorado
						******	440 A 84 7 bo y.					*****	****	
POULO	tinc	that	hia	Dorm	i + 17	~		C-636	7		ha	cance	1108	
i edner	201115	s una u	1170	tetm	10 14	V		***********				cance	rren.	

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-6367</u>, heretofore issued to <u>C. M. Porter of 723 Ute Ave.</u>, <u>Grand Junction, Colorado</u> be, and the same is hereby, declared cancelled effective April 4, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF GOLORADO 1-22 Ar max Cart Commissioners.

Dated at Denver, Colorado,

n 1 11

this 20th day of April , 19 42

)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

)

)

RE MOTOR VEHIGLE OPERATIONS OF)

FROST'S GROCERY Henderson, Colorado PERMIT NO. C-6345

April 20, 1942

<u>S T A T E M E N T</u>

By the Commission:

The Commission is	in receipt of a	communication from	
		에는 이상 가격에 있는 것이라. 전체가 가려지 않는 것이다. 이 이상 전체가 가려지 않는 것이라. 전체가 있는 것이 있는	
Frost's Grocer	X	of Henderson	Colorado
		* • • • • • • • • • • • • • • • • • • •	
requesting that his Per	mit No. C-62	그는 집안에 가져서 제가 많이?	be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

$\underline{O} \ \underline{R} \ \underline{D} \ \underline{E} \ \underline{R}$

IT IS THEREFORE ORDERED, That Permit No.....C-6345 , heretofore issued to Frost's Grocery of Henderson, Colorado be,

and the same is hereby, declared cancelled effective January 1, 1942

THE PUBLIC UTILITIES COMMISSION THE STATE OF Man on aric

Commissioners.

Dated at Denver, Colorado,

this 20th day of April, 19 42

(Decision No. 18700)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* *

IN THE MATTER OF THE APPLICATION OF LEWIS KLAMM, AVONDALE, COLORADO, FOR AUTHORITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5861

April 18, 1942

Appearances:

George E. Baker, Esq., Thatcher Building, Pueblo, Colorado, for the applicant;
A. J. Fregeau, Denver, Celorado, for Weicker Transfer and Storage Company;
Truman A. Stockton, Jr., Esq., Denver, Colorado, for Colerado Transfer and Warehousemen's Association, Gottula Truck Line, Allumbaugh and Williams Truck Line;
Stanley Blunt, Canon City, Colorado, for Southwestern Transportation Company;

Wes V. McKaughan, Rye, Colorado, pro se.

STATEMENT

By the Commission:

The above-styled matter was heard at Pueblø, Colorado, on March 31,

1942.

On August 22, 1941, Decision No. 17511, Lewis Klamm, of Avondale, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

> farm products, including livestock, and weel in grease, between points within the area extending from Paeble 20 miles east, 20 miles west, 35 miles south, and 10 miles north, and from and to points in said area, to and from points in the State of Colorado, without the right to serve between points served by motor vehicle line haul common carriers,

he being required to confine his operations to strictly contract service, and to file a statement of oustomers, copies of special contracts or memoranda, etc. Herein, he seeks authority to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of farm products, including livestock, and weel in grease between points within the same area, except he wants the area extended north from Pueblo thirty miles, instead of ten miles, and from and to points in said extended area, to and from points in the State of Colorado, and in addition to the extension of territory, he desires authority to transport emigrant moveables between points in said extended area, (except the transportation of emigrant moveables from points within the area south of the St. Charles River and west of U. S. Highway No. 85 to points in the State of Colorado) and farm machinery and equipment, generally, from and to farms in said area, to and from sales yard at Elende, Colorado.

He and two witnesses, who reside in the Fountain Valley north of Pueblo, stated that the proposed common carrier service in the extended area north of Pueblo is needed by some ten or twelve farmers who operate in the Fountain Valley; that some of said farmers operate in a large way, producing hay, cattle, sheep and weel; that they are without local common carrier or private carrier service; that applicant is experienced and well qualified to furnish the service required. The farmer witnesses admitted that they had not attempted to contact Cressey, Wright, Southwestern Transportation, Gibbens, or other carriers in Pueblo and Celorado Springs who are authorized to serve.

For himself, applicant stated that, while he has been able to furnish satisfactory service for his customers in his private carrier territory, it has been somewhat difficult to serve those meeding service, who, prior to the demand for said service, have failed to enter into contracts with him therefor; that it is difficult for farmers to anticipate their requirements, and sometimes they are unable to procure other service immediately; that if applicant had a common carrier certificate, he would be able to, and would, adequately serve the needs of farmers in said area.

2.

On cross-examination, he admitted that, except for service to one or two ranchers near Good Pasture or Beulah, he had not been asked to serve anyone in the area extending twenty miles west of Pueblo.

Wes V. McKaughan, of Rye, Colorade, a common carrier, with ample equipment, is authorized to, and does, serve the Beulah area. Southwestern Transportation Company, also adequately equipped, with headquarters in the Canon City-Florence district, operates a line haul service between Pueblo and Canon City and intermediate points, and also serves the territory, generally, between Pueblo and Canon City, on call and demand. H. S. Wright, who now resides at Vineland, ten miles east of Pueblo, who did not appear at the hearing preceding the granting of Klamm's private carrier permit, generally speaking, is authorized to operate as a common carrier by meter vehicle for hire, on call and demand, for the transportation of:

> farm products, including livestock, between points in that part of Pueblo County lying east of a line extending north and south through Pueblo, without the right to compete with W. G. Cressey, a common carrier, except in the area within a radius of three miles of his then residence, which was located three and onehalf miles east of Pueblo, it being contemplated that he should be permitted to furnish a local neighborhood service in the territory near his home.

W. G. Cressey is authorized to operate, on call and demand, for the transportation of:

> farm products, livestock, farm equipment, farm supplies and used household furniture into, out of, and between paints within a radius of fifteen miles of Avondale.

In opposition, Mr. Wright stated that applicant's private carrier permit largely covers his territory, and the extension sought, except for the area west of Pueblo, along the Fountain River, definitely covers an area he serves; that he resided at Blende when his certificate was granted, but recently has moved to Vineland, from which point his operation is now conducted; that the service in Pueble County east of Pueblo is adequate, and business is not in sufficient volume to justify the granting of additional authority; that when his certificate was granted, he was not permitted to compete with Creasey, with whom applicant now seeks to compete — that is, to obtain a certificate in his territory; that he

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maintains two trucks, which he also uses in a Commercial Carrier operation; that he has a telephone and an "ad" in the classified section; that he has never refused any business.

On cross-examination, he admitted that Cressey chiefly confines his hauling service to the transportation of coal and water, and that in conducting operations under his private carrier permit said Klamm has not materially interfered with, or impaired the efficiency of, this common carrier operation.

Mr. Blunt, for Southwestern Transportation Company, stated that he objected to the granting of the authority to serve the area around Siloam, which is located south of U. S. Highway No. 96, about twenty miles west of Pueble, and the area along Turkey Creek, especially near Stone City, which is morth of U. S. Highway No. 96 and about twenty miles from Pueble. He stated that his company was prepared to, and had been adequately serving the said areas. He also directed attention to the fact that said applicant failed to make any showing of past, present or future demand for his common carrier service in the territory west of Pueble.

Upon the showing here made, we are unable to say that the common carrier service in the area which applicant seeks to serve is inadequate. No testimony was offered to indicate that applicant's service was necessary in the territory west of Puebla. It is true that he hauled for a customer near Good Pasture, but that customer could have been adequately served by a number of carriers, including Wes V. McKaughan, who resides in the territory, had he sought such service. The area east of Paeblo extending north thirty miles, can be served by Mr. Wright. Apparently Wright has been aggressive, and has furnished good service where he is authorized to serve - at least no complaints were registered at the hearing. When his certificate was granted, he sought to serve in Cressey's territory. Anthority was denied to there serve, because Cressey then was, and so far as record discloses, now is, adequately caring for the transportation needs of that community. If he is not now serving adequately, manifestly Wright should be given an opportunity to reopen his application. Applicant's primary reason for seeking a certificate is to make it more convenient for himself by avoiding the necessity of filing contracts and customer lists.

While applicant's private carrier permit to serve substantially the same territory was only recently granted, there was no opposition from common carriers affected by the application. Moreover, the showing required to procure a private carrier permit is not as strong as the showing required to entitle applicant to a common carrier certificate. A certificate of public convenience and necessity, authorizing the duplication of common carrier service already authorized should not issue where the service of said common carriers is adequate, or if inadequate, common carriers are willing to make it adequate.

In Decision No. 6118, in re application No. 2761 of H. P. Lahs, the Commission said:

> "The Commission on a number of occasions, has held that an applicant, in order to secure a certificate of public conventence and necessity, must affirmatively show that, the public convenience and necessity, as distinguished from his personal desires, requires his proposed operation, and that before a certificate of public convenience and necessity will issue for an operation which will virtually parallel existing common carrier service, a clear and affirmative showing must be made that the existing transportation facilities are inadequate or unsatisfactory, and that there is no prospect of such service being made better under the orders of the Commission. Re Roy A. Newton, 9 Colo. PUC 170; S.W. Tr. Co. vs. Weicker Tr. Go. et al, 9 Colo. 447; Re ^Calvin L. Holcomb, Colo. PUC Decision No. 6118."

Where common carrier service is inadequate, or when adequate it does not appear that the granting of authority sought by applicant will impair the efficiency of said adequate common carrier service, a private carrier permit should issue.

> "Measured by the foregoing views, we believe that applicant probably made a prima facie showing that existing common carrier service is inadequate. At least he stated that, to the best of his knowledge, authorized common carriers by motor vehicle serving the territory did not have equipment to and did not handle brick. If this be true, question of impairment does not arise and permit should issue. Hewever, conceding that inadequacy of service was not established by applicant, protestants failed to show (applicant having gone as far as he could) that the efficiency of their service to public will be impaired if proposed service is authorized. Knowledge of the existence and degree of such impairment being within exclusive possession of protestants, and permit should issue." (Decision 13149, Harold Boller). See Also, Private Carrier Appl's, In Re Leist, Decision No. 13442, 13152; In Re Jenkins, Decision No. 15186; In Re D. E. Walters, Decision No. 13859.

> > 5.

Therefore, after a careful consideration of the record, the Commission is of the opinion, and finds, that said application should be denied.

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IT IS ORDERED:

That the above-styled matter should be, and the same hereby is,

denied.

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This order shall become effective twenty days from date.

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THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners



Dated at Denver, Colorado, this 18th day of April, 1942.

(Decision No. 18701)

1. A. A. A.

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-1013

LEWIS C. HATFIELD Kremmling, Colorado

April 20, 1942

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<u>STATEMENT</u>

By the Commission:

The Co	ommission is	in receipt of	a communica	tion from	*****
Levi	s ^C . Hatfield	1	of Krea	mling	Colorado
			[일종이 18 - 2 - 2 - 2 - 2 - 2 - 2 - 2 - 2 - 2 -		
requesting 1	that his Perr	nit No.	C-10115	be	cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-10113 , heretofore issued to Lewis C. Hatfield of Kremmling, Colorado be,

and the same is hereby, declared cancelled effective April 10, 1942

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THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLOBADO orwar eury abcom Couldan

Commissioners.

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Dated at Denver, Colorado,

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this 20th day of April

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF BUEL LOWDER, 614 EAST 10TH AVENUE, PUEBLO, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5845-PP

April 18, 1942 -----

Appearances: Warren Lattimer, Jr., Esq., Thatcher Building, Pueblo, Colorade, for the applicant;

- A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company;
- T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers! Association, Ted Gibbons, Southwestern Transportation Company; Ernest J. Gottula, Allumbaugh and Williams Truck Line;
- Stanley Blunt, Canon City, Colo-rade, for Southwestern Transportation Company;

T. A. White, Esq., Denver, Colorado, for The Denver and Rio Grande Western Railroad Company; Wes V. McKaughan, Rye, Colorado, pro se.

STATEMENT

By the Commission:

Buel Lowder's application for a private carrier permit to operate as a private carrier by motor vehicle for hire for the transportation of brick, tile, sewer pipe, and lumber from supply points and railroad sidings between, and including, Pueblo and Colorado Springs and intermediate points to construction jobs within a radius of fifty miles of said points was heard in Pueblo, Colorado, on March 31, 1942.

, Applicant stated that he has three straight trucks and one semitrailer, which he has used in his operations as a Commercial Carrier by

motor vehicle; that he has specialized in the handling of paper, junk, junk tires, brick, tile, sewer pipe and other commodities; that he seeks authority to operate as a private carrier by motor vehicle for hire because he needs the business and, in his opinion, authorized truckers mot only lack experience to adequately furnish the service which he proposes to furnish, but have not engaged in said type of for-hire service; that "if they have handled particular class of merchandise, I never have heard of it." He stated that he had never seen Weicker or any other trucking concern hauling brick; that brick moves to Camp Carson by rail; that sawmills deliver the lumber which they have milled in their own trucks. Apparently, he has handled some brick from Standard and Smith companies in Pueblo, and lumber from Pueblo Builders' and Supply at Pueblo, to a number of points under his Commercial Permit. He chiefly desires to haul to Rocky Ford, Canon City, the sites of proposed Army developments east of Pueblo, and Camp Carson, near Colorado Springs.

Mr. Welty, of Smith Pressed Brick and Tile Company, appearing in behalf of applicant, stated that Lowder's men know how to handle brick and tile; that he probably would have some business for Lowder, if he is authorized to serve; that, at times, he has had some difficulty getting service for movement of brick, although he has never sought the service of any carrier other than Weicker; that, except that wheelbarrows must be used in loading Weicker trucks, Weicker service has been prompt, efficient, and entirely adequate. He added that brick now is moving to Camp Carson by rail, which is cheaper than truck service, and very satisfactory; that brick is unloaded by the contractor at the camp; that brick shipped to National Company in Colorado Springs is moved by its trucks from plant at Colorado Springs to customers; that Sutherland and Gibson, dealers at Canon City, and the Double Dick Mine, for the most part, hauled brick in their trucks, although Gibson, occasionally, patronized Keith Truck Line, which service had been satisfactory; that he had never heard of Gottula, Southwestern, Allumbaugh and Williams, and McKaughan truck lines, and did not know that they were prepared to furnish service.

2.

Lawrence R. Cooper, of Pueblo Builders' and Supply Company, stated that his concern maintained four trucks to handle its commodities; that they would use Lowder at times, if he were authorized to serve — at least for distances in excess of thirty-five or forty miles from Pueblo; that about four months ago his concern had some difficulty getting service, although he had not contacted Gibbons, Gottula, or Southwestern Transportation Company; that his company had shipped via Weicker trucks, and service was satisfactory; that present service to Canon City is satisfactory.

Lou Rhodes, for twelve years Manager of Weicker at Pueblo, stated that Weicker had handled brick for Smith Pressed Brick and Tile Company from time to time, and over a considerable period of time had hauled eighty thousand brick daily for Standard Pressed Brick Company from Pueblo to Colorado Springs; that service also had been furnished Bernstein daily, and Weicker had been, and then was, handling from one hundred twenty to one hundred seventy thousand pounds of freight daily for Sterling Lumber Company; that Pueblo Builders' daily use Weicker's line haul service, and frequently had availed itself of his company's call and demand service; that on Monday, Weicker moved two hundred seventy-five thousand pounds of freight to Colorado Springs from Pueblo; that contractors at said camp have one hundred seventy-five trucks which they use to distribute freight to six hundred buildings in the camp; that, although Weicker has handled much brick, it is more conveniently and cheaply handled by rail, because brick is unloaded at central station and distributed by contractors' trucks to various buildings; that proposed "Avondale set up" is the same; that Weicker has seventeen trucks in Pueblo, twenty more being made immediately available; that Gottula, Gibbons, Allumbaugh and Williams, and Wes V. McKaughan, are prepared to furnish service; that Gottula handles anything from a small package to a ten-ton load.

Messrs. Gottula, Gibbons, Stevens, Allumbaugh, Williams, and McKaughan also testified as to the adequacy of their service, and that

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additional service was not required. They, as did Rhodes, stated that only complaint voiced by any proposed customers of applicant about their service, was "price."

Upon consideration of the testimony, it would seem that Mr. Lowder is not familiar with the for-hire transportation service furnished by carriers in his community. Apparently, carriers have been handling large quantities of the commodities applicant proposes to haul for the customers named by him - at least the carrier representatives and the customers so stated at the hearing. Apparently, (granting of the authority here sought, upon the record made, is not justified, and the Commission so finds.

ORDER

IT IS ORDERED:

That said application be, and the same hereby is, denied. This order shall become effective twenty (20) days from date.

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THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 18th day of April, 1942.

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IN THE MATTER OF THE APPLICATION OF) ROCKY MOUNTAIN MOTOR COMPANY, A) CORPORATION, AND PACKAGE DELIVERY) SERVICE COMPANY, A CORPORATION, FOR) AUTHORITY FOR PACKAGE DELIVERY SER-) VICE COMPANY TO OPERATE BETWEEN DEN-) VER AND GOLDEN, COLORADO, AND DENVER) AND THE DENVER MOUNTAIN PARKS UNDER) A CERTIFICATE OF PUBLIC CONVENTENCE) AND NECESSITY HELD BY ROCKY MOUNTAIN) MOTOR COMPANY.

APPLICATION NO. 1813-AA-A

April 20, 1942

- Appearances: Hodges, Vidal and Goree, Esqs., Equitable Building, Denver, Colorado, for Package Delivery Service Company and Rocky Mountain Motor Company;
 - T. A. Stockton, Jr., Esq., Denver, Colorado, for Curnow Livery and Transfer, Harold Swena, Bear Creek Transfer;
 - T. A. White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.;
 - J. J. Patterson, Esq., Golden, Colorado, for Harold Swena; Dickerson, Morriseey and Bromley, Esqs., Symes Building, Denver, Colorado, for Denver Dry Goods Company, Neustater's, Joslin Dry Goods Company, May Company, Gano-Downs.

STATEMENT

By the Commission:

On June 18, 1926, Decision No. 1002 (PUC No. 56) applicant, Rocky Mountain Motor Company and its subsidiaries, were authorized, among other things, to operate a transportation service by motor vehicle for hire for the transportation of:

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express and parcels, as well as passengers, between Denver and Silver Plume, by way of either Mount Vernon Canyon or Lookout Mountain, through Idaho Springs and Georgetown. Applicant also was authorized to operate a package delivery service under Decisions Nos. 3472 and 14471, PUC No. 572.

Heretofore, applicant, by authority of the Commission, transferred said package delivery certificate, PUC No. 572, to Package Delivery Service Co., a corporation.

While conducting said package delivery service, said Rocky Mountain Motor Company, and its subsidiaries, conducted a package delivery service to Golden, and the foothill territory west of Denver, under its certificate of public convenience and necessity, PUC No. 56.

Said Package Delivery Service Co. desires to continue said package delivery service, and Rocky Mountain Motor Company, and its subsidiaries, is willing to permit said Package Delivery Service Co. to operate a package delivery service in conjunction with its certificate of public convenience and necessity, PUC No. 572, to the points which Rocky Mountain had operated a package delivery service under FUC No. $\frac{55}{50}$, with the understanding that Rocky Mountain Motor Company and its subsidiaries' rights to operate service other than package delivery service under said PUC No. $\frac{55}{50}$ should not, on account thereof, be impaired or extinguished.

To that end, an application was filed by Rocky Mountain Motor Company and Package Delivery Service Co., to permit Package Delivery Service Co. to operate under PUC No. 50 for the transportation of small packages with a maximum weight of fifty (50) pounds (except that that maximum should not apply to furniture and house furnishings sold by retail stores in Denver) between Denver and Golden, and to the top of Lookout Mountain, and up Mount Vernon Canyon as far as the top of Mount Vernon Canyon where the Mount Vernon Country Club is situated, and also as far as, and to, Morrison, and any points within a triangle formed by Denver, Morrison and Golden, where said points are not already covered in Package Delivery's certificate transferred to Package Delivery Service Co., said service to be a door-to-door service, and to be performed only for retail stores located in the City and County of Denver, no service to be performed up Bear Creek Canyon to points beyond Morrison, and minimum rate to Morrison to be not less than twenty-five cents (25¢) per package.

The matter was heard in Denver, Colorado, on April 1, 1942, pursuant to prior setting, and taken under advisement.

The application was supported by Denver Dry Goods Company, Neusteter's, The May Company, Joslin Dry Goods Company, and Gano-Downs.

As limited, there was no objection on the part of protestants to the granting of the authority sought, which amounts to a leasing by Rocky Mountain Motor Company of its authority to conduct a package delivery service under its PUC No. 50 between the points mentioned, its operating rights and the operating rights of its subsidiaries under said PUC No. 56, in all other respects, being retained.

After a careful consideration of the record, the Commission is of the opinion, and finds, that the agreement between Rocky Mountain Motor Company and Package Delivery Service Co., whereby the latter acquires from the former a right to conduct a package delivery service, as heretofore set forth, under PUC No. 55, should be approved.

QRDER

IT IS ORDERED:

That the agreement between Rocky Mountain Motor Company and Package Delivery Service Co., whereby the latter acquires from the former & right to conduct a package delivery service, as set forth in the Statement preceeding, under PUC No. 56, should be, and the same hereby is, approved, subject to the terms and conditions mentioned.

This order shall become effective twenty (20) days from date.

Dated at Denver, Colorado, this 20th day of April, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

RE MOTOR VEHICLE OPERATIONS OF)

THEODORE F. HERMAN Lyons, Colorado PERMIT NO. C-5368

April 20, 1942

<u>S T A T E M E N T</u>

By the Commission:

The C	ommission	is in rece	ipt of a c	communication	from		
	778						
The	odore ^r .	Herman		Lyons		Colorado	
							,
requesting	that his	Permit No		0-5368	bə (cancelled.	

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

OBDER

IT IS THEREFORE ORDERED, That Permit No...C. 5568....., heretofore issued to <u>Theodore F. Herman of Lyons, Colorado</u> be, and the same is hereby, declared cancelled effective March 30, 1942

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLOHADE 3 Bel ry

Commissioners.

Dated at Denver, Colorado,

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this_20th day of April , 19.42

RE MOTOR VEHIGLE OPERATIONS OF) ADOLPH ARGUELLO San Luis, Colorado

PERMIT NO. C-5143

April 20, 1942

STATEMENT

By the Commission:

	The	Commi	ssion	is in	receipt	of a	communicati	on fro	m		
			rguell				of San Luis			Colorado	•
eou	estin	g that	t his l	Permit	No.		<u>C-5148</u>		be c	ancelled	

After careful consideration, the Commission is of the opinion,

and so finds, that the request should be granted.

.....day of April

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-5143 , heretofore issued to Adolph Arguello of San Luis, Colorado _____be,

and the same is hereby, declared cancelled effective March 23, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO LCRA. contractions Commissioners.

..., 19_42

Dated at Denver, Colorado,

20th

this

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RE MOTOR VEHIGLE OPERATIONS OF) DAN BENSON

Imperial, Nebraska

PERMIT NO. C-TAR

April 20, 1942

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STATEMENT

By the Commission:

	The	Commission	is in r	eceipt of a	a communication	from	
	Dar	Benson		영화 영상 관계 관계	of Imperial		Nebraska
					01		
rec	uesting	g that his	Permit N	0. U.	-768	be	cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

to Dan Benson of Imperial, Nebraska be,

March 26, 1942 and the same is hereby, declared cancelled effective

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO Fruch ner Corb aham 11A

Commissioners.

Dated at Denver, Colorado,

this.

(Decision No. 18707

)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

. A. Y.

J. MALLES TRANSFER COMPANY Durango, Colorado

PERMIT NO. C-432

April 20, 1942

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STATEMENT

By the Commission:

	The C	lommis	sion	is in	receip	t of a	commur	nicatio	n from	0		******
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						C-4	80					
reques	ting	that	his F	Permit	No		UG.	******	********	be c	ancelle	d.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

and the same is hereby, declared cancelled effective April 2, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO 100 ur Commissioners.

Dated at Denver, Colorado,

this 20th day of April , 19.42

)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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1

RE MOTOR VEHIGLE OPERATIONS OF)

ARTHUR GREEN 3277 Dale Court Englewood, Colorado

PERMIT NO. B-2668

April 20, 1942

STATEMENT

By the Commission:

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	Th	e Comm	issio	n is i	n rec	eint (າໂຂ	commi	micat	ion f	rom				
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n selan (sela	Arth	r Gree	70					of 51	277 Da	le Co	urt	Engle	wood.	Colc	rado
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req	neart	ng una	6 1118	rerm.	LC NO.				?\$\$\$		Qt	cance	errea.	고문화	

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. B-2668, heretofore issued to_____Arthur Green of 5277 Dale Court, Englewood, Colorado._____be, and the same is hereby, declared cancelled effective April 1, 1942

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLORADO OF FRILLAN calcon and

Commissioners.

Dated at Denver, Colorado, this 20th day of April , 19.42

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RE MOTOR VEHIGLE OPERATIONS OF)

THE TRIANGLE MOTOR COMPANY Brighton, Colorado

PERMIT NO. B-1464-I

April 20, 1942

STATEMENT

By the Commission:

The	Commission	is in receipt	t of a co	mmunicatio	n from	
		이 문화로 전신다.				
The Tri	angle Motor	· Company		Brighton		Colorado
	***************	••••••••••••••••••••••••••••••••••••••				
		잘 통령이 있는 것이 같아?	n an	1464-I		
requestin	g that his	Permit No.		T#04-T	Ъе	cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No.....B-1464-I ..., heretofore issued and the same is hereby, declared cancelled effective March 15, 1942

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLORADO OF

Commissioners.

Dated at Denver, Colorado, this 20th day of April , 19.42

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]

RE MOTOR VEHICLE OPERATIONS OF)

L. F. ASHBURN Torrington, Wyoming PERMIT NO. B-1774-I

April 20, 1942

STATEMENT

By the Commission:

The	Commissio	n is in re	eceipt of a	communication	from	
7 70	Ashburn			of Torrington		Wyoming
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						김 전 그는 것 같은 것 같은 것
requestin	g that his	B Permit No	, 5 -	1774-I	ре	cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>B-1774-I</u>, heretofore issued to <u>L. F. Ashburn of Torrington, Wyoming</u> be,

and the same is hereby, declared cancelled effective April 4, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

orwan 2 elir Concerto calcon Commissioners.

Dated at Denver, Colorado,

(Decision No. 18711)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. B-2126

B. E. COOPER Dyke, Colorado

April 20, 1942

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STATEMENT

By the Commission:

The	Commission	is in recei	ipt of a	communication	from	
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B	. E. Cooper			of Dyke		Colorado
	A	*****		UI		• • • • • • • • • • • • • • • • • • •
	이 같은 것을 알았는			01.02		
requestin	g that his	Permit No	B -	2126	be	cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>B-2126</u>, heretofore issued to <u>B. E. Cooper of Dyke, Colorado</u> be, and the same is hereby, declared cancelled effective March 11, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STAPE OF COLORADO allak. 20. uson alcom and Commissioners.

Dated at Denver, Colorado,

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this 20th day of April , 19.42

RE MOTOR VEHIGLE OPERATIONS OF)

HARRY DEBELLA 922 Arizona Ave., Trinidad, Colorado

PERMIT NO. B-2161

April 20, 1942

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)

)

STATEMENT

By the Commission:

The Commission is in receipt of a communication from		
Harry DeBella of 922 Arizona Ave. T	rinidad, Colorado	C
requesting that his Permit No. B-2161 be ca	ncelled.	

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. B-2161 , heretofore issued to Harry DeBella of 922 Arizona Ave., Trinidad, Colorado be, and the same is hereby, declared cancelled effective March 7, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CODOR anis 1 1 de

Commissioners.

Dated at Denver, Colorado, this 20th day of April , 19.42

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(Decision No. 18713)

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF VANADIUM CORPORATION OF AMERICA, A CORPORATION, BOULDER, COLORADO, FOR PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5876-PP

April 20, 1942

Appearances: Dudley I. Hutchinson, Esq., Boulder, Colorado, for the applicant.

STATEMENT

By the Commission:

9. 2

Applicant is a corporation organized under the laws of the State of Delaware, and duly authorized to do business within this state. It is presently engaged in the mining and milling of vanadium ores in the western portion of Montrose County, Colorado, and in the instant application is seeking authority to transport its own employees, only, over various routes hereinafter specifically described.

The evidence disclosed that applicant is now operating a reduction mill for the treatment of vanadium ores, located on the San Miguel River, approximately four miles below Naturita. In addition to its operation of said mill, it operates a mine, known as the "Bitter Greek Mine," located approximately eighteen miles from Nucla. In addition, it also owns and operates a coal mine, located approximately six miles from Nucla. At the present time, some thirteen men are employed at the coal mine, all except one of which live at Nucla. Thirty-five men are employed at the Bitter Creek Mine , and ninety-four men are employed in and around the mill of applicant. A large number of such employees reside in either Naturita or Nucla, and at the present time have

been furnishing their own transportation to and from their respective homes, from and to the mines and mill where employed. However, due to the shortage of rubber, some other means of transportation for said employees must be provided in the near future. Vanadium is a so-called "strategic" metal, and applicant enjoys one of the highest priority ratings issued by the production management of the Federal Government.

Applicant proposes to charge a rate of 15 cents a round trip of 12 miles for its operations over Route No. 1; twenty cents for round trip of 18 miles for its operations over Route No. 2, and 30 cents for a round trip of 36 miles for its operations over Route No. 3.

It is not expected that any profit will be derived from said operations, and, as stated by one of applicant's witnesses, the company would be "lucky to break even upon the operation."

Applicant is now negotiating for the purchase of three busses to be used in the proposed operation. Two of these will be thirty-fivepassenger, three-ton Whites, equipped with air brakes and emergency rear doors, and the other will be a sixteen-passenger bus with the same specifications, except that it will be a smaller horsepower unit.

Due to the importance of the product of this company to the defense effort, applicant expects to be able to obtain said equipment in the near future.

No objections were interposed to the granting of the authority sought, and the only other carrier of passengers in said territory who might possibly be affected by the granting of this authority, advised the Commission that, in his opinion, the permit should issue.

Applicant is fully advised as to the nature of its operations under a private permit, and proposes to limit its operations to those of a private carrier and file with the Commission the names of those employees with whom it makes contracts for transportation service.

Due to the uncertainty of the exact nature of the equipment that will be obtained for said operation, applicant will be permitted to file its equipment list after it has definite information in regard thereto. The Articles of Incorporation of applicant, a certified copy of which is on file in the instant case, discloses that it is duly authorized to conduct the proposed operation.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that the authority sought should be granted.

ORDER

IT IS ORDERED:

That Vanadium Corporation of America be, and it is hereby, authorized to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of passengers consisting of its own employees, only, over the following described routes, to-wit:

Route No. 1 - Bux No. 1

Beginning at Nucla, Montrose County, Colorado, thence south on State Highway No. 97 for approximately 1 mile; thence westerly approximately 5 miles on a private road maintained by applicant to a coal mine owned and operated by applicant; thence return over said private road to State Highway No. 97; thence back north to Nucla, Colorado.

Route No. 2 - Bus No. 2

Beginning at Nucla, Montrose County, Colorado, thence south on State Highway No. 97 5 miles to Naturita, Montrose County, Colorado (where additional employees and passengers will be picked up); thence west on State Highway No. 90 for a distance of 3 miles to the junction of State Highway No. 90 with State Highway No. 141; thence northwesterly on State Highway No. 141 for a distance of 1 mile to the reduction mill owned and operated by applicant; thence return from said reduction mill southeasterly on State Highway No. 141 a distance of 1 mile to the junction of State Highway No. 141 with State Highway No. 90; thence easterly on State Highway No. 90 to Naturita, Colorado (where passengers and employees residing in Naturita will be discharged); thence northerly on State Highway No. 97 to Nucla, Colorado.

Route No. 3 - Bus No. 3

Beginning at Nucla, Montrose, County, Colorado; thence south on State Highway No. 97 5 miles to Naturita, Colorado, thence northwesterly on State Highway No. 90 a distance of approximately 6 miles to the junction of State Highway No. 90 with a private road known as the "South Road to Long Park;" thence northerly along said South

3.

Road a distance of approximately 5 miles to the mine of applicant known as "Bitter Creek Mine;" thence return from said mine southerly along said private road a distance of approximately 5 miles to its junction with State Highway No. 90; thence southeasterly on State Highway No. 90 a distance of approximately 6 miles to Naturita, Colorado (where employees and passengers residing in Naturita will be discharged); thence northerly along State Highway No. 97 a distance of 5 miles to Nucla, Colorado.

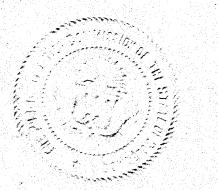
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall become effective on the day and date hereof; provided, however, that applicant need not commence operations thereunder until such time as it has been able to secure the necessary equipment to conduct the same, and the filing of statement of customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and the securing of identification cards, may likewise be deferred, pending the acquiring of proper equipment.

The right of applicant to operate hereunder shall depend upon its compliance with all present and future laws and rules and regulations of this Commission.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners



Dated at Denver, Colorado, this 20th day of April, 1942.

(Decision No. 18714)

* * *

IN THE MATTER OF THE APPLICATION OF F. M. LISCHKE AND G. W. HEFLIN, DE BEQUE, COLORADO, TO TRANSFER CERTI-FICATE NO. 1211 TO HOWARD O. GIL-BERT, DE BEQUE, COLORADO.

APPLICATION NO. 4073-A

April 20, 1942 -

Appearances: Cecil Haynie, Esq., Grand Junction, Colorado, for Transferee; George W. Heflin, DeBeque, Colorado, for Transferors.

STATEMENT

By the Commission:

On October 19, 1937, Decision No. 10742, F. M. Lischke and George W. Heflin were granted a certificate of public convenience and necessity, authorizing the transportation of:

> farm products, livestock and farm supplies from and to farms within a twenty-mile radius of DeBeque, and farms on Roan Creek within a thirty-mile radius of DeBeque, to and from the Town of DeBeque and other towns within said area, and to and from points in the abovedescribed area, from and to points outside thereof, all for customers residing within said area; provided, however, that no authority is granted authorizing the transportation of freight from town to town along U. S. Highway No. 24.

The instant application seeks to transfer said certificate, which has been designated "No. 1211," to Howard O. Gilbert, of DeBeque, Colorado.

The above certificate was suspended for a period of six months on September 8, 1941. However, the instant application to transfer was filed with the Commission on the date of the expiration of said suspension.

The evidence disclosed that transferee is the owner of a 1939

Dodge one and one-half ton truck, and the consideration for the transfer of said certificate is the sum of twenty-five dollars (\$25.00).

Transferors testified that there were no outstanding obligations against said operation.

The financial standing and operating reliability of transferee were established to the satisfaction of the Commission.

No protests were interposed to the granting of the authority sought.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that said transfer should be authorized.

ORDER

IT IS ORDERED:

That F. M. Lischke and George W. Heflin, of DeBeque, Colorado, be, and they are hereby, authorized to transfer all of their right, title and interest in and to certificate of public convenience and necessity No. 1211 to Howard O. Gilbert, DeBeque, Colorado.

That the said certificate be, and the same is hereby, reinstated, effective on the day and date hereof.

The tariff of rates, rules and regulations of the transferors shall become and remain those of the transferee until changed, according to law and the rules and regulations of this Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 20th day of April, 1942.

RE MOTOR VEHIGLE OPERATIONS OF)

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PERMIT NO. B-2297

April 20, 1942

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<u>S T A T E M E N T</u>

By the Commission:

The (Commission	is in real	ceipt of a	communication	from		
Jess	Covan			of 935 Fenton	St. Ed.	gemater, ^C olors	ado
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2 중 사람이 다 집 것이다.			김 승규는 물질을 가지 않는 것이다.	는 이 같은 것, 사람은 회가 너 같은	한 걸 아파는 것 못한	정말도 전한 것이라는 것이라.	2.1
26년 1982년				B-2297	양 김 아파 김 씨를	양소 가슴 가 같아. 말	19 13

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this 20th day of April , 19 42

ORDER

IT IS THEREFORE ORDERED, That Permit No. B-2297 , heretofore issued to Jess Cowan of 935 Fenton St., Edgewater, Colorado be, and the same is hereby, declared cancelled effective March 14, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

55

J. A. WESSELMAN Mt. Morrison, Colorado

Sec. 1

PERMIT NO. B-2469

April 20, 1942

STATEMENT

By the Commission:

- 11 (1	The Comm	ission	is in	receipt of	a com	municati	on from		
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7.	A. Wess	elman				Mt. Morr:	ison		Colorado
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request	ting tha	t his I	?ermit	No	B-2469			be cand	elled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. B-2469 , heretofore issued to J. A. Wesselman of Mt. Morrison, Colorado be,

and the same is hereby, declared cancelled effective March 12, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

P.A. Commissioners.

Dated at Denver, Colorado,

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF) GEORGE W. PAYTON) 2234 W. 35th Ave.,) Denver, Colorado)

PERMIT NO. B-2569

Apr11 20, 1942

STATEMENT

By the Commission:

	The	Comm:	issio	n is	in re	ceipt of	? a c	communi	cati	on fr	om		
	Georg	e W.	Payt	30				of 2234	W. 3	35th	Ave.	Denver,	Colorado
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reque	sting	that	t his	Perm	it No	1	3-256	9			be	cancelle	d.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. B-2569 , heretofore issued to George W. Payton of 2234 W. 35th Ave., Denver, Colorado _____be,

and the same is hereby, declared cancelled effective April 14, 1942

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLORADO Commissioners.

...., 19 42

Dated at Denver, Colorado,

day of April

20th

this

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RE MOTOR VEHIGLE OPERATIONS OF)

WACKER AND SCHLAGEL, INC. Culbertson, Nebraska PERMIT NO. B-2623-I

April 20, 1942

STATEMENT

By the Commission:

The Commission	is in recei	ipt of a con	munication fr	°om		
Wacker and Schlagel	. Inc	66	Culbertson	Ne	braska	
						7
requesting that his	Parmit No	B-2623-	1	he asn	celled.	
educeering and are	TAIMTO 140				Certer.	

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. **B-2623-I**, heretofore issued to <u>Wacker and Schlagel, Inc of Culbertson, Nebraska</u> be,

and the same is hereby, declared cancelled effective March 14, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF

HARRY A LORD. 115 North Grand Ave., Los Angeles, California PUC 1354-I

April 20, 1942

STATEMENT

By the Commission:

The Commission is in receipt of a communication from the above certificate holder, requesting that P U C 1354-I be suspended from April 10, 1942 for the duration and six months thereafter.

ORDER

IT IS ORDERED:

That Harry A. Lord of Los Angeles, California, be, and he is hereby authorized to suspend his operations under P U C 1354-I from April 10, 1942 for the duration and six months thereafter.

That unless said Harry A. Lord, shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said certificate, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to interstate certificates, said certificate without further action by the Commission, shall be revoked without right to reinstate.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO Commissioners

Dated at Denver, Colorado, this 20th day of April, 1942

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* * *

RE MOTOR VEHICLE OPERATIONS OF WALTER PARKER, DOING BUSINESS AS "PARKER TRANSFER AND STOR-AGE," 211 SOUTH FIRST AVENUE, SIOUX FALLS, SOUTH DAKOTA.

CASE NO. 1881-INS. PUC 1428-I

April 20, 1942

STATEMENT

By the Commission:

On April 8, 1942, the Commission entered its order cancelling PUC No. 1428-I for failure to have on file the necessary insurance required by law.

We are now advised by our Insurance Department that proper insurance has been filed, showing that no lapse occurred, so far as respondent was concerned, and the delay in filing with this Commission was due to change in names of the owners of the certificate. We have been requested to reinstate said certificate.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that said request should be granted.

QRDER

IT IS ORDERED:

That our decision of April 8, 1942, revoking PUC No. 1428-I, be, and the same is hereby set aside, and said certificate is reinstated, effective April 8, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

halcom Commissioners

Dated at Denver, Colorado, this 20th day of April, 1942.

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHIGLE OPERATIONS OF)

PERMIT NO. C-7868

A. E. WOODWORTH 606 - 6th St., Bremerton, Washington

April 21, 1948

STATEMENT

By the Commission:

The	Commission	is in re	ceipt of a	communica	tion from.		
		전 관계 이 문화	a an	말 가슴 가 가?	상품은 이 가지가 가지 않는 것가. 같은 것은 것은 것이 있는 것이 있는 것이 있는 것이 있는 것이 있는 것이 있는 것이 없다.		
A. E.	Woodworth			of 606 -	6th St	Bremerton,	Washington
	*******	*******	***************				*********
	g that his			C-7868		be cancelled	

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

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this_____2lst_____day of _____April_____, 19.42____

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-7868 , heretofore issued to <u>A. E. Woodworth of 606 - 6th St., Bremerton, Washington</u> be, and the same is hereby, declared cancelled effective March 30, 1942

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners. 120 n. Constates

Dated at Denver, Colorado,

(Decision No. 18722)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

A. E. WOODWORTH 606 - 6th St., Bremerton, Washington PERMIT NO. B-2215

April 21, 1942

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<u>S T A T E M E N T</u>

By the Commission:

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The Commission	n is in	receipt of a	a communication	from		*****
A. E. Woodwort	<u>h</u>		of606 - 6th S	t.	Bremerton,	Washington
		가에는 가려가 물건물건이다. 같은 것같은 것도 가지 않는 것			같은 방법을 즐기는 것이 없다.	
requesting that his	나는 문제가 물건물건		B-2215		be cancelle	

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. B-2215 , heretofore issued to <u>A. E. Woodworth of 606 - 6th St., Bremerton, Washington</u> be, and the same is hereby, declared cancelled effective March 30, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO A. ... Commissioners.

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHIGLE OPERATIONS OF)

PERMIT NO. C-10105

W. E. BURNS Box 215 Ordway, Colorado

April 21, 1942

STATEMENT

By the Commission:

The	Commission	n is in recei	pt of a	communication	from	
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W E	Burns			orBox 215	· • • • •	rdway, Colorado
		*********		V#		***************************************
				-10105		
requesting	g that his	Permit No	************		be	cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No.C-10105,, heretofore issued to W.E. Burns of Box 215, Ordway, Colorado be,

and the same is hereby, declared cancelled effective April 4, 1942

this 21st day of April , 19.42

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO e.

Commissioners.

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Dated at Denver, Colorado,

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RE MOTOR VEHIGLE OPERATIONS OF)

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De	nve	r,	Co	101	ad	9			15
		Q. 2 -							

PERMIT NO. B-2380 B-2380-1

April 21, 1942

STATEMENT

By the Commission:

The Commissio	on is in receipt of	a communication	from
, 2011년 - 1912년 1월 18일 - 1912년 1월 18일 - 1912년 1917년 - 1912년 - 1913년 - 1912년 -			한 사람 관계에 잘 받는 것을 가지 않는 것을 했다.
C. F. Gillett		of 5200 Colo H	lvd Denver, Colorado
requesting that him	s Permit No. B-2	380 & B-2380-I	be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this 21st day of April , 19 42

ORDER

THE PUBLIC UTILITIES COMMISSION OF THE STAPE) OF COLORADO Commissioners.

Dated at Denver, Colorado,

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1.

RE MOTOR VEHIGLE OPERATIONS OF)

PERMIT NO. C-1530

MAUDE A. HERLACHER 423 E. Cucharras St., Colorado Springs, Colorado

April 21, 1942

STATEMENT

By the Commission:

	The	Comm	issio	n is	in re	sceipt	of a	comm	unica	tion from				
											C ¹		<u>.</u>	
	Maude	A.	Herla	cher	The second			of 4	23 E.	Cucharra	s ^o t.	Colo	Springs,	Colorado
					*****	***********	****		*******	******	3	****		
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After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-1550, heretofore issued to Maude A. Herlacher of 423 E. Cucharras St., Colo Springs, Colorado be, and the same is hereby, declared cancelled effective April 1, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO Receiver Cal 1 Long Commissioners.

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..., 19.42

Dated at Denver, Colorado, this 21st day of April

(Decision No. 18726)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

MAUDE L. HERLACHER 423 E. Cucharras St., Colorado Springs, Colorado PERMIT NO. 8-2176 8-2176-1

April 21, 942

STATEMENT

By the Commission:

The	Commission	n is in re	ceipt of a	communica	tion from.			
Mande L.	Herlacher		아이는 것을 가지 않는	-423 E.	Cucharras	St Colo	Springs, Col	orado
		••••••••••••••••••••••••••••••••••••••		01	******	,		
			D 0176 0	D 9176 T			방금 영상 전 것이다.	
requesting	g that his	Permit No	B-2176 &	D-CT(0-T		be cancel	.ed.	

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

day of April

<u>ORDER</u>

IT IS THEREFORE ORDERED, That Permit No. B-2176 & , heretofore issued B-2176-I to Maude L. Herlacher of 423 E. Cucharras St., Colo Springs, Colorado be, and the same is hereby, declared cancelled effective April 1, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO Ener Commissioners.

, 19.42

Dated at Denver, Colorado,

21st

this.

IN THE MATTER OF THE APPLICATION OF) RAY BRITTON, DELTA, COLORADO, FOR A) CLASS "B" PERMIT TO OPERATE AS A) PRIVATE CARRIER BY MOTOR VEHICLE FOR) HIRE.)

APPLICATION NO. 5865-PP

April 22, 1942.

Appearances: Ray Britton, Delta, Colerado, pro se.

STATEMENT

By the Commission:

The instant application as filed seeks authority to transport milk within a 25-mile radius of Delta, Colorado. However, at the hearing, applicant testified that he desired to amend his application to show a route in the Grawford area covering Fruitland Mesa, Glear Fork and Missouri Fkat, and from this area to Hotchkiss. The route which would be covered by the proposed operation is approximately thirty miles from Hotchkiss.

The evidence disclosed that applicant owns a 1952 Dodge 12-ton truck. Evidence by the operator of a cheese factory at Hotchkiss disclosed a need for the proposed service. The Highway Courtesy Patrol also indicated that in their opinion, the permit should be granted.

The operating reliability and financial standing of applicant were established to the satisfaction of the Commission.

No opposition was interposed to the granting of the authority sought.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that the application should be amended to conform to the territory desired by applicant, and that the authority sought should be granted.

1.

<u>ORDER</u>

IT IS ORDERED:

That Ray Britton, of Delta, Colorado, be, and he is hereby, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of milk from the Crawford area, including Fruitland Mesa, Clear Fork, and Misseuri Flat, to Hotchkiss, said areatto be limited to points not exceeding thirty miles south and east of Hotchkiss, Colorado.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Dated at Denver, Colorado, this 22nd day of April, 1942.

IN THE MATTER OF THE APPLICATION OF CLYDE PETERSON, 1105 PAIMER STREET, DELTA, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CAR-RIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5864-PP

April 22,1942.

Appearances: Clyde Peterson, 1105 Palmer St., Delta, Colorado, pro se.

STATEMENT

By the Commission:

a - A

The application as filed seeks a Class "B" permit authorizing the transportation of farm products within a radius of fifteen (15) miles of Delta, Colorado, ever Highways 50 and 92. However, at the hearing, applicant stated that he would desire to serve any points within said 15-mile radius and would not want to be confined to operations on Highways 50 and 92.

The evidence further disclosed that in the seasonal movement of farm produce, some shortage existed within this area in motor vehicle transportation service. The Highway Courtesy Patrol indicated that there was a distinct need for this service.

Applicant owns a 1937 Biamond T three-quarter-ton truck, which is free and clear of all incumbances.

No protests were interposed against the granting of the authority sought.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that said permit should issue.

QRDER

IT IS ORDERED:

That Clyde Peterson, of Delta, Colorado, should be, and he

is hereby, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of farm produce between points within a radius of 15 miles of Delta, Colorado.

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permited deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Dated at Denver, Colorado, this 22nd day of April, 1942.

H

(Decision No. 18729)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF M. F. WAITE, ROUTE NO. 1, DELTA, COLORADO, FOR A CLASS "A" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5866-PP

April 22, 1942.

STATEMENT

By the Commission:

The instant matter was set for hearing at Grand Junction, Colorado, on April 10, 1942, at ten e'clock A. M. However, when said case was called, no appearance was entered on behalf of applicant. The Commission was advised by the Courtesy Patrol that applicant no longer desired to prosecute the application.

In view of this information, the Commission is of the opinion, and so finds, that the instant application should be dismissed for failure to prosecute.

ORDER

IT IS ORDERED:

BH

That the instant application be, and the same is hereby, dismissed for failure to prosecute.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION , THE STATE OF COLORADO OF Carlsan . Rund arienam n. Commissioners.

Dated at Denver, Colorado, this 22nd day of April, 1942.

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(Decision No. 18730)
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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF WILLARD F. BRITT, 1037 WALNUT STREET, BOULDER, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE PASSENGER AND EXPRESS SERVICE BETWEEN CERTAIN POINTS IN BOULDER COUNTY, COLORADO.

APPLICATION NO. 5859

April 22, 1942

Appearances: Marion F. Jones, Esq., Denver, Colorado, for the applicant; Mrs. Lillie E. Hennig, Boulder, Colorado, <u>pro se;</u> A. J. Walter, Gold Hill, Colorado, <u>pro se;</u> Paul Bennett, Boulder, Colorado, <u>pro se</u>.

STATEMENT

By the Commission:

On April 7, 1942, Decision No. 18587, the Commission entered an order granting Willard F. Britt a certificate of public convenience and necessity for the transportation, by motor vehicle, of:

> "passengers and their baggage, as well as express packages that can be handled in a passenger bus, between mines in the metal mining area of Boulder County and that part of Gilpin County north of South Boulder Creek, on the one hand, and Boulder and Longmont on the other hand; provided, however, that no service shall be rendered between towns, but only from towns to mines or mines to towns."

Our attention has been called to the fact that order, as drawn, does not authorize movements between points in said metal mining area, although the application filed and our statement in our findings indicate that such authority was sought, and the record substantiates same.

After a careful consideration of the record, the Commission is of

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the opinion, and so finds, that the order should be amended, <u>nunc</u>, <u>pro</u> <u>tunc</u>, to conform to the facts.

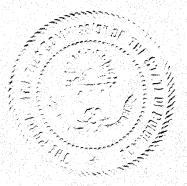
ORDER

IT IS ORDERED:

That the first paragraph of our order dated April 7, 1942, Decision No. 18587, be, and the same is hereby, amended to read as follows, to-wit:

That the present and future public convenience and necessity require the proposed operations of Willard F. Britt, Boulder, Colorado, for the transportation by motor vehicle of passengers and their baggage, as well as express packages that can be handled in a passenger bus, between points in the metal mining area of Boulder County and that part of Gilpin County north of South Boulder Creek, and between those points on the one hand, and Boulder and Longmont on the other hand; provided, however, that no service shall be rendered between towns, but only from towns to mines and mines to towns, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That except as herein amended, said original decision, No. 18587, shall remain in full force and effect.



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THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 22nd day of April, 1942.

IN THE MATTER OF THE APPLICATION OF WILLIAM M. MOORE, 436 SOUTH SEVENTH STREET, GRAND JUNCTION, COLORADO, FOR AN EXTENSION OF AUTHORITY TO INCLUDE THE TRANSPORTATION OF JUNK AND WRECKED AUTOMOBILES, SCRAP AND JUNK HUBBER, METALS AND OTHER SALVAGE MATERIAL FROM GRAND JUNCTION TO ANY FOINT IN THE STATE OF COLORADO, AND FROM ANY POINTS IN THE STATE OF COLORADO TO GRAND JUNCTION: AND TO REMOVE THE TRADE NAME "COLORADO-NEBRASKA TRANS-PORT" FROM PERMITS B-2385 and B-2385-I.

APPLICATION NO. 5128-PP-BBB-BB

April 22, 1942.

Appearances: G. W. Hawthorne, Grand Junction, Gelorade, pro se.

STATEMENT

By the Commission:

The instant matter was set for hearing at Grand Junction, Celerado, on April 10, 1942, at ten o'clock A. M. However, when said case was called, no appearance was entered for applicant.

As the Commission is without any word from applicant as to why he was not present, we are of the opinion, and so find, that said application should be dismissed for failure to presecute.

ORDER

IT IS ORDERED:

BH

That the instant application be, and the same is hereby, dismissed for failure to prosecute.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION F THE STATE COLORADO. Beilan Commissioners.

Dated at Denver, Colorade, this 22nd day of April, 1942.

* * *

RE MOTOR VEHICLE OPERATIONS OF L. W. PARCELL, SILVERTON, COLO-RADO, PUC NO. 12.

APPLICATION NO. 286-A

April 22, 1942

Appearances: L. W. Parcell, Silverton, Colorado, pro se.

STATEMENT

By the Commission:

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On January 17, 1924, in Application No. 286, a certificate of public convenience and necessity was issued to James Pearson, authorizing the transportation of passengers, freight and express, between Silverton and Eureka and the intermediate points of Howardsville, Green Mountain, Iowa Mill, etc.

Thereafter, on July 25, 1928, said certificate, by Decision No. 1851, was transferred to L. W. Parcell, of Silverton, Colorado.

The Commission is now in receipt of a letter from the said L. W. Parcell, requesting that that part of his authority authorizing the transportation of freight and express be cancelled.

It does not appear that the public convenience and necessity require the transportation of freight and express under said certificate.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that said request should be granted.

ORDER

IT IS ORDERED:

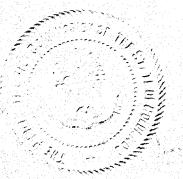
That the authority to transport freight and express under certificate of public convenience and necessity No. 12 be, and the same hereby is, cancelled.

That this order shall become effective five (5) days from

the date hereof.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners



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Dated at Denver, Colorado, this 22nd day of April, 1942.



RE MOTOR VEHICLE OPERATIONS OF) DEAN RESLER, STERLING, COLORADO.) PERMIT NO. A-505 APPROVAL OF MORTGAGE

April 22, 1942.

STATEMENT_

By the Commission:

Copy of chattel mertgage in the principal sum of twenty-five hundred dollars (\$2,500.00) given by Dean Resler to The Sterling Mutual Savings and Loan Association, bearing date of April 15, 1942, has this day been submitted to the Commission for approval.

Said mortgage covers Permit No. 1-505, now owned by the said Dean Resler. In addition to said permit, the said Dean Resler has also given a deed of trust covering certain real property as additional security to secure said loan.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that said chattel mortgage should be approved.

ORDER

IT IS ORDERED:

That that certain mortgage, dated April 15, 1942, executed by Dean Resler in favor of The Sterling Mutual Savings and Loan Association, for the principal sum of twenty-five hundred dollars (\$2,500.00), due two years after the date thereof, be, and the same is hereby, approved.

This order shall take effect on the day and date hereof.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO ULCAN . issioners

Dated at Denver, Colorado, this 22nd day of April, 1942.

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-13457

J. L. RODROCK % Mr. Ellis Smith Georgetown, ^Colorado

April 22, 1942

STATEMENT

By the Commission:

The Commission	n is in receipt of	a communication fro	m
			- 1997년 - 1997년 - 1997년 19 1997년 - 1997년 - 1997년 1997년 1997년 - 1997년 - 1997년
J. L. Rodz	rock	of Georgetown	Colorado
requesting that his	Darmit No	C-13457	be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-13457, heretofore issued to J. L. Rodrock of Georgetown, Colorado be,

A Sec.

and the same is hereby, declared cancelled effective April 16, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

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Dated at Denver, Colorado,

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22nd day of April

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

ROBERT TRUJILLO 1194 ^Robinson Trinidad, Colorado

PERMIT NO. C-12873

April 22, 1942

STATEMENT

By the Commission:

The Commission	is in receipt of	a communication fro) m
	김 영화 물건 영화 문제를		
Robert Truiillo		of1194 Robinson	Trinidad, Colorado
requesting that his P)	C-12873	be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

and the same is hereby, declared cancelled effective April 15, 1942

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THE PUBLIC UTILITIES COMMISSION THE STAPE OF COLORADO - arickson ale

Commissioners.

Dated at Denver, Colorado,

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this 22nd day of April , 19.42

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO.C-12676

FRANK BENDETTI R. R. #1 Helper, Utah

April 22, 1942

STATEMENT

By the Commission:

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	The	Commi	ssion	is in	n recei	pt of	a co	ommun:	icati	on f	rom			*******	****	•
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*****	70 . T . I	******		*******				b	********		9		¢€hiya a si * *		******	Red (alter) State
				_			C	12676								
eque	sting	s that	his	Permit	t No	********		7.0.010		*******		be ca	ncel	led.		

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

to Frank Bendetti of R. R. #1, Belper, Utah be, and the same is hereby, declared cancelled effective March 16, 1942

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLORADO OF Tuescan clon (al

Commissioners.

....., 19.42.....

Dated at Denver, Colorado,

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this 22nd day of April

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHIGLE OPERATIONS OF)

PERMIT NO. C-11475

WILLIE WEIS Chapman, Kansas

April 22, 1942

STATEMENT

By the Commission:

The Commission is in receipt of a communication from	
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requesting that his Permit No. C-11475	be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

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IT IS THEREFORE ORDERED, That Permit No. C-11475, heretofore issuedbe,

and the same is hereby, declared cancelled effective May 1, 1942

this_22nd_____day of ______ April _____, 19_42____

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLORADO OF eus Bulan ree: at dags to the same

Commissioners.

Dated at Denver, Colorado,

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

RE MOTOR VEHIGLE OPERATIONS OF)

PERMIT NO. C-8561

NORRIS ERICKSON 532 Platte St., Sterling, Colorado

April 22, 1942

STATEMENT

By the Commission:

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this___22nd ____ day of _____, 19_42____

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-8561</u>, heretofore issued to <u>Norris Erickson of 522 Platte St., Sterling, Colorado</u> be, and the same is hereby, declared cancelled effective <u>April 16, 1942</u>

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO Commissioners.

Dated at Denver, Colorado,

RE MOTOR VEHICLE OPERATIONS OF)

WILLIAM HAAS, JR Glenwood Springs, Colorado PERMIT NO. C-8347

April 22, 1942

STATEMENT

By the Commission:

The Commissi	on is in r	eceipt of a	communication :	from	******
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William Hea	a Tm		ofGlenwood Spr:	ings	Colorado
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equesting that hi			C8347	be canc	5 4 4 2 5 5 5 5 5 5 5

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLORADO Ken

Commissioners.

Dated at Denver, Colorado, this 220d day of <u>April</u>, 19.42

C-6188

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

A. E. AMELANG 1960 Fenton St., Denver, Colorado

PERMIT NO.

April 22, 1942

<u>S T A T E M E N T</u>

By the Commission:

The	Commission	n is in recei	lot of a com	munication fr	om	
전 영상 아이지 않는						
일을 가 있는 것이 없다.				1960 Fenton S	+ Depwer	Colorado
A	E. Amela	<u>ak</u>	of	TADO - EILPOIL -	L. DELIVEL	
	사람 성격을 받는					
			0 610	o		
requesting	tnat his	Permit No	C-618	Q	be cancel	rea.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

April

IT IS THEREFORE ORDERED, That Permit No. C-6188 , heretofore issued to A. E. Amelang of 1960 Fenton St., Denver, Coloradobe, and the same is hereby, declared cancelled effective April 16, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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es Corrent Commissioners.

Dated at Denver, Colorado, 22nd day of

this

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RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. B-1030-I

W. DAYLE GONDER Dedge City, Kansas

S 26 4 18

April 22, 1942

STATEMENT

By the Commission:

The Commission	is in receipt of a	communication from
	에는 가슴을 가지 않는 것이 있는 것을 가지 않는 것을 해야 한다. 같은 것은 것은 것을 통해 있는 것은 것은 것은 것을 하는 것을 하는 것을 수 있다.	요즘 가지 않는 것 같은 것 같은 것은 것을 가지 않는 것을 하는 것을 수가 있다. 이렇는 것을 하는 것을 하는 것을 하는 것을 수가 있는 것을 하는 것을 수가 있는 것을 수가 있는 것을 수가 있다. 이렇는 것을 하는 것을 수가 있는 것을 수가 있다. 이렇는 것을 수가 있는 것을 수가 있다. 이렇는 것을 수가 있는 것을 수가 않았다. 것을 것 같이 같이 않는 것을 수가 있는 것을 수가 않았다. 이 같이 않았다. 아니 것을 것 같이 않았다. 아니 아니 것을 것 같이 않았다. 아니 것 같이 같이 않았다. 아니 것 것 같이 같이 않았다. 아니 것 같이 같이 않았다. 아니 것 같이 것 같이 않았다. 아니 것 같이 것 같이 않았다. 아니 것 않았다. 아니 것 것 같이 않았다. 아니 아니 것 것 같이 않았다. 아니 아니 것 않았다. 아니 것 않았다. 아니 것 않았다. 아니 것 같이 않았다. 아니 아니 않았다. 아니 것 않았다. 아니 아니 아니 아니 않았다. 아니 것 않았다. 아니 아니 아니 않았다. 아니 아니 않았다. 아니 아니 아니 아니 않았다. 아니 아니 아니 아니 않았다. 아니 아니 아니 아니 아니 않았다. 아니 아니 아니 아니 아니 아니 아니 않았다. 아니
W. Davle Gonder	승규가 잘 잘 만들었다. 것 같아요.	of Dodge City Kansas
경제 공격을 다 못 썼다. 여러 문제 [
maguagting that his	Danmit Ma	030-Ibe cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. B-1030-I , heretofore issued to W. Dayle Gender of Dodge City, Kansas be,

and the same is hereby, declared cancelled effective April 14, 1942

this _____ day of _____ April _____, 19 42

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO Sulan

Commissioners.

Dated at Denver, Colorado,

RE MOTOR VEHICLE OPERATIONS OF

E. J. FORD Boulder, Colorado

REIVATE PERMIT NO. B-1007

April 22, 1942

STATEMBNT

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-1007 be suspended for a period of six months from April 13, 1942.

ORDER

IT IS ORDERED:

That E. J. Ford, of Boulder, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-1007 for a period of not to exceed six months from April 13, 1942.

Th at unless said E. J. Ford shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

126 Commissioners

Dated at Denver, Colorado, this 22nd day of April, 1942.

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RE MOTOR VEHICLE OPERATIONS OF)

PRIVATE PERMIT NO. B-2285

MIKE DITERRO 6400 North Broadway Denver, Colorado

April 22, 1942

STATEMENT

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2285 be suspended for a period of six months from April 20, 1942.

ORDER

IT IS ORDERED:

That Mike DiTerro of 6400 North Broadway, Denver, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-2285 for a period of not to exceed six months from April 20, 1942.

That unless said Mike DiTerro shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 22nd day of April, 1942.

* * *

IN THE MATTER OF THE APPLICATION OF NORMAN RHYNO, 3079 10th STREET, BOULDER, COLORADO, FOR AUTHORITY TO TRANSFER CERTIFICATE OF PUBLIC CON-VENIENCE AND NECESSITY NO. 949 TO WILLARD F. BRITT, DOING BUSINESS AS BRITT TRUCK SERVICE, 1037 WALNUT STREET, BOULDER, COLORADO.

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RE MOTOR VEHICLE OPERATIONS OF WILLARD F. BRITT, BOULDER, COLORADO.) APPLICATION NO. 5229-A

PERMIT NO. B-862

April 24, 1942.

Appearances: Marion F. Jones, Esq., Denver, Colorado, for applicants; T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association.

STATEMENT

By the Commission:

On April 9, 1942, Decision No. 18597, the Commission entered an order authorizing the transfer of Certificate No. 949 from Norman Rhyne to Willard F. Britt. In said order, we also provided that Permits Nos. A-722 and B-862 should be cancelled and reveked.

Since the entry of said order, the attorney for applicants has called our attention to the fact that in our findings we alleged that only such portions of said permits should be cancelled as would duplicate operations under the certificate.

We are further advised that said Britt has filed an application for extension of authority under his certificate, and that if said authority is granted, he would have no objection to the cancellation of both permits, and, in any event, would have no objection to the cancellation of those portions of said permits which duplicate operations under the certificate. We also under-

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stand that the objection of attorney for applicant to the cancellation of said permits applies to the "B" permit, and not to the "A" permit.

We have been requested to suspend said permits for a period of ninety (90) days, or until such time as it may be determined what authority applicant will receive under his application for extension of his certificate.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that this request should be granted so far as Permit B-862 is concerned.

ORDER

IT IS ORDERED:

That our order of April 9, 1942, Decision No. 18597, insofar as the same cancels Fermit B-862, be, and the same is hereby, set aside, and operations under said Permit No. B-862 are hereby suspended for a period of ninety 490) days from the date hereof; provided, however, that the same may be reinstated upon the filing of proper insurance and otherwise complying with the Bules and Regulations of the Commission, and provided also, that any reinstatement of said permit shall be subject to the right of the Commission, upon its own motion or upon complaint, to determine the present actual operating rights under said permit.

That except as herein modified and amended, said Decision No. 18597 shall remain in full force and effect.

> THE FUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Golorado, this 24th day of April, 1942.

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF RAY C. KLINE, DOING BUSINESS AS INDEPENDENT TRUCKERS, 2615 "N" STREET, OMAHA, NEBRASKA.

CASE NO. 17244-Ins.

April 22, 1942.

STATEMENT

By the Commission:

On October 51, 1941, Decision No. 17244-Ins., Certificate No. 1330-I was cancelled for failure to keep on file the necessary insurance required by law. It now appears from the files and records of the Commission that respondent at all times had the necessary insurance, but through neglect of his insurance company, the same was not filed with the Commission. At the present time, said insurance is on file and no lapse has occurred so far as respondent is concerned.

We have been requested to reinstate said certificate.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that said request should be granted.

ORDER

IT IS ORDERED:

That our order of October 31, 1941, be, and the same is hereby, set aside, and Certificate No. 1330-I be, and the same is hereby, reinstated, as of October 31, 1941.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Dated at Denver, Colorado, this 22nd day of April, 1942. Commissioners.

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(Decision No. 18746)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF THE CENTRAL GAS UTILITIES COMPANY, A COMPORATION, ABILENE, KANSAS, HAVING A CERTIFICATE OF PUBLIC CON-VENIENCE AND NECESSITY TO SERVE ALL OF PROWERS COUNTY AND ALL OF BACA COUNTY EAST OF RANGE 48-WEST.

APPLICATION NO. 5886

April 22, 1942

Appearances: Harold Bolton, Abilene, Kansas, for the applicant.

STATEMENT

By the Commission:

This is an application by The Central Gas Utilities Company, a Kansas Corporation, for a certificate of public convenience and necessity to serve, as a natural gas public utility, all of Prowers County, and all of Baca County lying cast of Range 48-West in the State of Celorado.

The matter was heard in Denver, Colorado, on April 21, 1942, pursuant to prior setting, and after due notice to all parties in interest.

At the hearing, it developed that applicant, by authority of the Commission, granted in Decision No. 9456, acquired from Colorado Gas and Utilities Company certain certificates of public convenience and necessity issued by the Commission in Applications Nos. 1647, 1648, 1726, 1727, 1728, and 1729. Under said authority, The Central Gas Utilities Company has been furnishing natural gas to the incorporated towns and cities of Granada, Holly, Lamar, Springfield, Walsh and Wiley, under franchiwes granted by said towns and cities, and the unincorporated towns of Bristol, Hartman, Kornman and Vilas, it also being contemplated that communities and individuals desiring service along the transmission lines of said utility would be served.

For the purpose of serving said towns and communities and territory adjacent to its pipe lines, applicant has constructed an extensive system of transmission and distribution lines in the territory in question which connect with its transmission lines from natural gas wells located in the vicinity of Hugoton, Kansas, its investment in Colorado amounting to approximately five hundred thousand dollars (\$500,000.00), although the Commission will not be bound by this figure in any subsequent rate investigation, should such occur. No new construction is contemplated.

The instant application was filed for the purpose of consolidating the operating rights granted in the aforementioned applications, and to definitely determine that said applicant is authorized to serve all the territory traversed by its transmission and distribution lines which, generally speaking, is **Prowers** County and all of Baca County lying east of Range 48-West.

It did not appear that any adverse interests would be affected by granting the authority sought.

After a careful consideration of the record and the testimony given at the hearing, the Commission is of the opinion, and finds, that public convenience and necessity require the continued exercise by the applicant of the privileges and rights contained in the franchises heretofore mentioned, and that it should be authorized to serve all of Prowers County, and all of Baca County lying east of Range 48-West, as a natural gas public utility.

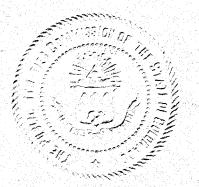
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ORDER

IT IS ORDERED:

That public convenience and necessity require the continued exercise by the applicant herein of the franchise rights and privileges granted in said towns and cities of Granada, Holly, Lamar, Springfield, Walsh, and Wiley, and that the public convenience and necessity require the distribution of natural gas by the applicant herein in the territory aforedescribed to the public residing therein, from its transmission and distribution pipe lines and such extensions thereof in said Prowers County, and that part of Baca County lying east of Range 48-West as may be necessary and practicable for the purpose of serving the inhabitants thereof, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

This order shall become effective forthwith.



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Dated at Denver, Colorado, this 22nd day of April, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

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IN THE MATTER OF THE APPLICATION OF) LEWIS FRANK WELLS, 1401 15th STREET,) DENVER, COLORADO, FOR AUTHORITY TO) TRANSFER PERMIT NO. A-35 TO FRED W.) REYNOLDS, DOING BUSINESS AS GRAND) COUNTY TRANSPORTATION, KREMMLING,) COLORADO.)

APPLICATION NO. 5228-PP-A-BA

April 24, 1942.

Appearances: Truman A. Stockton, Jr., Esq., Denver, Colorado, for applicants.

STATEMENT

By the Commission:

On July 1, 1951, Lewis Frank Wells was authorized to operate as

a Class "A" private carrier by motor vehicle for hire for the transportation of:

freight, Denver to Granby.

On March 10, 1939, by Decision No. 13189, he was authorized to

extend said operations to include the transportation of:

freight between Benver and Gramby and the intermediate points of West Portal, Tabernash, Fraser, Lewson and Empire, and the transportation of freight from Gramby to Parshall for J. B. Mitchell, only, without the right to add to the number of his customers in Parshall.

Said transferor now seeks authority to transfer said operating right, Permit No. A-55, to Fred W. Reynelds, doing business as "Grand County Transportation Company," said Reynolds being now engaged in conducting a common carrier operation (PUC No. 832).

The matter was heard in Denver, Colorado, on April 21, 1942.

At the hearing, it developed that the consideration for the transfer of said permit and one truck is the sum of twelve hundred dollars (\$1200.00); that to the best of the knowledge and belief of transferor, there are not outstanding operating obligations against said operation; that transferoe

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is able, ready and willing to carry on said operation; that he proposes to separately conduct his private carrier and common carrier operations, and, barring some unforseen contingency, contemplates asking for cancellation of said permit in about six months.

After a careful consideration of the record, the Commission is of the opinion, and finds, that the authority sought should be granted.

QRDER

IT IS ORDERED:

That Lewis Frank Wells, Denver, Colorado, should be, and he is hereby, authorized to transfer all of his right, title and interest in and to private carrier permit No. A-55 to Fred W. Reynolds, doing business as Grand County Transportation Gempany*, Kremmling, Celorado.

The right of transferce to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order is made a part of the permit authorized to be transferred, and shall become effective twenty days from date.

That said transferse, directly or indirectly, shall not combine his operations under said PUC No. 852 and said Permit No. A-55.

Dated at Denver, Colorado, this 24th day of April, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

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IN THE MATTER OF THE APPLICATION OF W. A. WOODS AND L. C. LAIR, DOING BUSINESS AS "FORT COLLINS-LARAMIE-WALDEN STAGE LINE," FORT COLLINS, COLORADO, FOR AUTHORITY TO TRANSFER PART OF CERTIFICATE OF PUBLIC CON-VENIENCE AND NECESSITY NO. 398 TO JACK MC CROHAN, DOING BUSINESS AS *FORT COLLINS-LARAMIE-WALDEN STAGE LINE," TO GIVE CERTIFICATE TRANS-FERABLE TO JACK MC CROHAN A NEW NUMBER, AND TO CHANGE THE NAME OF THE REMAINING OPERATION OF W. A. WOODS AND L. C. LAIR TO "FORT COLLINS-LARAMIE-WALDEN TRUCK LINE.")

IN THE MATTER OF THE APPLICATION OF JACK MC CROHAN, DOING BUSINESS AS "FORT COLLINS-LARAMIE-WALDEN STAGE LINE," LARAMIE, WYOMING, FOR AUTH-ORITY TO TRANSFER PART OF CERTIFI-CATE NO. 398 TO THETUS GRANDEE, WALDEN, COLORADO.

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APPLICATION NO. 1364-AAA

APPLICATION NO. 1364-AAAA

April 24, 1942

Appearances: Zene D. Bohrer, Esq., Denver, Colorado, for The Motor Truck Common Carriers' Association; Marion F. Jones, Esq., Denver, Colorado, for The Colorado Trucking Association; Jack McCrohan, Laramie, Wyoming, pro se; Thetus Grandee, Walden, Colorado, pro se.

STATEMENT

By the Commission:

On January 22, 1937, by Decision No. 9338, the Commission, in a clarification proceedings, determined that W. A. Woods and L. C. Lair, co-partners, doing business as "Fort Collins-Laramie-Walden Stage Line," were authorized to operate as common carriers by motor vehicle for hire for the transportation of:

> passengers and light freight between Fort Collins and Walden, Colorado, and all Colorado intermediate points on U. S. Highway No. 287 and State Highways Nos. 127 and 125, and for the transportation of passengers and light freight between Fort Collins and Walden and intermediate points, via Highway No. 14 (in intrastate and interstate commerce.)

Said certificate-holders conducted their operations under certificates Nos. 398-I and 398.

On November 14, 1938, Woods and Lair filed their application with the Commission for leave to transfer to Jack McCrohan, doing business as "Fort Collins-Laramie-Walden Stage Line," their authority under said certificates to transport passengers, baggage and express, only, they to retain the right to operate a freight service by motor vehicle under the trade name of "Fort Collins-Laramie-Walden Truck Line." Copy of contract to sell and purchase between said parties was attached to the application. Sale of interstate rights wan to be made subject to the provisions of the Federal Motor Carrier Act of 1935.

On January 4, 1939, after hearing had, the Commission found that authority should be granted to said transferors to transfer all that part of Certificate No. 398-<u>I</u> covering the right to transport passengers and express between Fort Collins, Colorado and Walden, Colorado, and all intermediate points as a common carrier by motor vehicle to Jack McCrohan, doing business as "Fort Collins-Laramie-Walden Stage Lines," over U. S. Highway No. 287 and State Highways Nos. 127 and 125, said transferors to continue their freight operations under certificate No. 398-<u>I</u>, it being further provided:

> "said McCrohan operation to be designated by a new certificate number, followed by the letter '<u>1</u>'."

On April 23, 1940, said parties filed formal notice of completion of transfer, but for some reason, which the records and files fail to disclose, a number or numbers did not issue to McCrohan covering his operations. He, however, operated regularly in intrastate, as well as interstate, commerce continuously thereafter. It will be observed that the language of the transfer order did not specifically authorize a transfer of intrastate rights, and implied a transfer of interstate rights, only, although service between Colorado points, in interstate and intrastate service, was contemplated. Woods and Lair have never claimed any right to operate, and since transfer have not furnished, passenger service in intrastate commerce.

Subsequently, McCrohan filed his application with the Commission to transfer his passenger-express-baggage operation to Thetus Grandee, Walden, Colorado, and after hearing had, on August 15, 1940, by Decision No. 15798, the Commission anthorized said McCrohan to transfer:

> *all of that part of certificate No. 398-I, as acquired from Wood and Laird by Decision No. 12814, dated January 4, 1939, covering the right to transport passengers and express between Fort Collins and Walden, Colorado, and all Colorado intermediate points on U. S. Highway No. 287 and State Highways Nos. 127 and 125, to Thetus Grandee, of Walden, Colorado, doing business as Fort Collins-Laramie-Walden Stage Line,"

said operation to be:

*designated by a new certificate number followed
by the letter 'I'."

In due course, the transfer was completed, and number #1375" (not followed by the letter #I#) issued to Grandee for said operation.

Said Grandee operated regularly, on schedule, thereafter, between Fort Collins and Walden, via Laramie, over U. S. Highway No. 287 and State Highways Nos. 127 and 125, serving to and from all intermediate points in Colorado, in interstate and intrastate commerce. His right to so do has never been disputed.

The Commission, upon its own motion, is of the opinion, and finds, that said Decisions Nos. 12814 and 15798 should be amended,

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nunc pro tunc, so as to state definitely the action contemplated by the parties and intended to be authorized by the Commission, and that said orders should be amended and modified as hereinafter set forth.

ORDER

IT IS ORDERED:

That the first paragraph of the Order contained in Decision No. 12814, of date January 4, 1939, entered in Application No. 1364-AAA, be, and the same hereby is, amended, <u>munc pro tunc</u>, as of said 4th day of January, 1939, to read:

> IT IS THEREFORE ORDERED, That W. A. Woods and L. C. Lair, co-partners, doing business as "Fort Collins-Laramie-Walden Stage Line," be, and they hereby are, authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to transfer to Jack McCrohan, doing business as "Fort Collins-Laramie, Malden Stage Line," all that part of their certificate of public convenience and necessity No. 398-I and No. 398, which authorizes the transportation of passengers and their baggage, and of express and newspapers, in the same vehicle with passengers, between Fort Collins, Colorado, and Walden, Colorado, over U. S. Highway No. 287 and Colorado Highways Nos. 127 and 125, with the right to serve to and from intermediate points on said routes,

said amended paragraph to be in lieu of said first paragraph, as written.

That the first paragraph of the Order contained in Decision No. 15798, of date August 15, 1940, entered in Application No. 1364-AAAA, be, and the same hereby is, amended, <u>nunc pro tunc</u>, as of said 15th day

of August, 1940, to read:

IT IS THEREFORE ORDERED, That Jack McCrohan be, and he hereby is, authorized to transfer, subject to the provisions of the Federal Motor Carrier Act of 1935, to Thetus Grandee, all that part of his certificate of public convenience and necessity Nos. 398-I and 398, which authorizes the transportation of passengers and their baggage, and of express and newspapers, in the same vehicle with passengers, between Fort Collins, Colorado, and Walden, Colorado, over U. S. Highway No. 287 and Colorado High-Wayand From 21 and 125 with the right to serve,

said amended paragraph to be in lieu of said first paragraph, as written.

4.

That the records and files of the Commission be corrected and amended, <u>munc pro tunc</u>, as of the respective dates when entries were made relative to said transfers to show the transfer by said transferors to the respective transferees hereinbefore named to the operating right hereinbefore described.

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THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 24th day of April, 1942.

(Defision No. 18749)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF THETUS GRANDEE, DOING BUSINESS AS "FORT COLLINS-LARAMIE-WALDEN STAGE LINE," WALDEN, COLORADO, FOR AUTH-ORITY TO TRANSFER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY NO. 1375 TO BURLINGTON TRANSPORTA-TION COMPANY, 547 WEST JACKSON BOULEVARD, CHICAGO, ILLINOIS.

APPLICATION NO. 1364-AAA-AA

April 24, 1942

Appearances: J. L. Rice, Esq., Denver, Colorado, for the applicants.

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STATEMENT

By the Commission:

Thetus Grandee, who is authorized to operate as a common carrier by motor vehicle for the transportation of:

> passengers and their baggage, and of express and newspapers in the same vehicle with passengers, between Fort Collins, Colorado, and Walden, Colorado, over U. S. Highway No. 287 and Colorado State Highways Nos. 127 and 125, with the right to serve to and from intermediate points on said routes.

seeks authority to transfer said operating right to Burlington Transportation Company.

The matter was set for hearing, and heard, in Denver, Colorado, on April 21, 1942.

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

At the hearing, it developed that consideration for the transfer of said certificate and two pieces of equipment is the sum of twenty-seven hundred dollars (\$2700.00); that said equipment is in very poor condition; that transferor is indebted to the Albany National Bank

at Laramie, Wyoming, in the sum of two thousand dollars (\$2,000.00), and owes garage bills amounting to one hundred fifty dollars (\$150.00), and is unable to finance the purchase of any new equipment which is badly needed, even though he could procure authority to so do; that said indöbtedness will be paid out of the purchase money, if the authority sought is granted; that Burlington Transportation Company is now operating under temporary authority from the Interstate Commerce Commission and this Commission; that said transferor is now employed by transferee as a bus driver.

The operating experience and pecuniary responsibility of transferee were established to the satisfaction of the Commission.

After a careful consideration of the record, the Commission is of the opinion, and finds, that the authority sought is in the public interest, and should be granted.

ORDER

IT IS ORDERED:

That Thetus Grandee, doing business as "Fort Collins-Laramie-Walden Stage Line," Walden, Colorado, be, and he hereby is, authorized to transfer his right to operate as a common carrier by motor vehicle for hire for the transportation of:

> passengers and their baggage, and of express and newspapers in the same vehicle with passengers, between Fort Collins, Colorado, and Walden, Colorado, over U. S. Highway No. 287 and Colorado State Highways Nos. 127 and 125, with the right to serve to and from intermediate points on said routes,

to Burlington Transportation Company, a corporation, said transfer of interstate operating rights to be subject to the provisions of the Federal Motor Carrier Act of 1935 and the approval of the Interstate Commerce Commission, said transferee to have right to consolidate said operations with other authorized operations conducted by them, and to furnish through service upon through rates, singly or in combination with other carriers.

2.

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

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Dated at Denver, Colorado, this 24th day of April, 1942.

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(Decision No. 18750)

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF EFFIE DIEHL, DOING BUSINESS AS "DIEHL TRUCK SERVICE," 511 WEST 2ND STREET, FLORENCE, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 248 TO THE SOUTHWESTERN TRANSPORTATION COMPANY, CANON CITY, COLORADO.

APPLICATION NO. 2172-A. 605-A

April 24, 1942

Appearances: J. D. Blunt, Esq., Canon City, Colorado, for The Southwestern Transportation Company; A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company;

T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers! Association.

STATEMENT

By the Commission:

Oscar E. Diehl, in Application No. 2172, was authorized to operate as a common carrier by motor vehicle for hire for the transportation of:

> freight and express between Pueblo and Florence, and from Florence to Chandler and to Kenwood.

By Decision No. 17778 of the Commission, of date October 20, 1941, the operating rights granted in said application in Decisions Nos. 1569 and 2172 were transferred to Effie Diehl, widow of said Oscar E. Diehl, decedent.

In the instant application, said Effie Dichl, doing business as "Diehl Truck Line," seeks authority to transfer said certificate of public convenience and necessity, PUC No. 248, to The Southwestern

Transportation Company, a corporation, and The Southwestern Transportation Company asked that it be permitted to consolidate said operation with the operations authorized under its certificate of public convenience and necessity, PUC No. 268, and to furnish under said consolidated certificate through service on through rates to all points authorized to be served under said Certificates Nos. 248 and 268, under the certififate number #268.*

At the hearing, it developed that Oscar E. Diehl left him surviving his sole heirs at law Effie A. Diehl, his widow, and Marion Diehl and Eileen Watkins, his children, they being of legal age and not under disability. Although said certificate, without objection, had been transferred by the Commission to their mother, Effie Diehl, said children joined in the application to transfer, and asked that the authority sought be granted.

It appeared that the consideration for the transfer of said certificate and one truck is the sum of one thousand dollars (\$1,000.); that transferee seeks to acquire said certificate, and to consolidate the operations thereunder with the operations under its PUC No. 268 in order to effect economies, it being possible to handle the freight heretofore handled by the Diehl line without additional equipment, expense, or schedules.

There was no objection to the granting of the authority sought.

After a careful consideration of the record, the Commission is of the opinion, and finds, that the authority sought should be granted.

QRDER

IT IS ORDERED:

That Effie Diehl, doing business as "Diehl Truck Service," Florence, Colorado, should be, and she hereby is, authorized to transfer all her right, title and interest in and to PUC No. 248 to The Southwestern Transportation Company, Canon City, Colorado.

2.

That the tariff of rates, rules and regulations of the transferor shall become and remain those of the transferee until changed according to law and the rules and regulations of this Commission.

That The Southwestern Transportation Company should be, and it hereby is, authorized and directed to consolidate its operations under certificates of public convenience and necessity Nos. 248 and 268, and to conduct such consolidated operations under one certificate number, No. 268, with the right to furnish through service at through rates.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Dated at Denver, Colorado, this 24th day of April, 1942.

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IN THE MATTER OF THE APPLICATION OF J. R. MARKS, RALPH T. STEVENSON, AND TUDOR J. MARKS, DOING BUSINESS AS "J. R. MARKS TRUCK LINE," COLO-RADO SPRINGS, COLORADO, FOR AUTHOR-ITY TO TRANSFER PUC NO. 1337-I TO W. C. HOUGH AND MAY T. HESSELL, DOING BUSINESS AS "DENVER-PUEHLO TRUCK LINES," 2300 STOUT STREET, DENVER, COLORADO.

INTERSTATE CERTIFICATE NO. 1357-1

April 24, 1942

STATEMENT

By the Commission:

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Heretofore, J. R. Marks, Ralph T. Stevenson, and Tudor J. Marks, doing business as "J. R. Marks Truck Line," were authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as common carriers by motor vehicle in interstate commerce, and Interstate Certificate No. 1337-I issued to **them**.

Said certificate-helders now seek authority to transfer said interstate certificate to W. C. Hough and May T. Hessell, doing business as "Denver-Pueblo Truck Lines," Denver, Colorado.

The records and files of the Commission fail to disclose any reason why said request should not be granted.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said transfer should be authorized.

ORDER

IT IS ORDERED:

That J. R. Marks, Ralph T. Stevenson, and Tudor J. Marks, doing business as "J. R. Marks Truck Line," Colorado Springs, Colorado, should be, and they hereby are, authorized to transfer all their right, title and interest in and to Interstate Certificate No. 1337-I to W. C. Hough and May T. Hessell, doing business as "Denver-Pueble Truck Lines," Denver, Colorado, subject to the provisions of the Federal Motor Carrier Act of 1935.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Comissioners

Dated at Denver, Colorado, this 24th day of April, 1942.

(Decision No. 18752)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF LAINA S. MORTON, ADMINISTRATRIX OF THE ESTATE OF ROE MORTON, DECEASED, COZAD, NEBRASKA, TO TRANSFER PERMIT NO. A-892-I TO MORTON TRANSPORTA-TION CO., INC., COZAD, NEBRASKA.

PERMIT NO. A-892-I

* * * * * * * * * * * April 24, 1942 * * * * * * * *

STATEMENT

By the Commission:

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Laina S. Morton, of Cozad, Nebraska, as Administratrix of the Estate of Roe Morton, deceased, seeks authority to transfer Permit No. A-892-I to Morton Transportation Co., Inc., a Nebraska corporation.

In support of her application, said Laina S. Morton has filed a certified copy of the order of the Probate Court in and for the County of Logan, State of Colorado, authorizing said transfer, purchase price being fifteen thousand dollars (\$15,000.00).

Said application recites that there are "no creditors."

The record does not disclose any reason why the authority sought should not be granted,

After a careful consideration of the record, the Commission is of the opinion, and finds, that the authority sought should be granted, subject to the provisions of the Federal Motor Carrier Act of 1935.

ORDER

IT IS ORDERED:

That Laina S. Morton, of Cozad, Nebraska, as Administratrix of the Estate of Roe Morton, deceased, should be, and she hereby is, authorized to transfer all her right, title and interest in and to Permit No. A-892-I to Morton Transportation Co., Inc., a Nebraska corporation, subject to the provisions of the Federal Motor Carrier Act of 1935.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 24th day of April, 1942.

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF F. M. HATTENDORF, ROUTE 2, DERBY, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5884-PP

- - -April 24, 1942

Appearances: A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company; T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers! Association;

Harold Swena, Golden, Colorado, pro se.

STATEMENT

By the Commission:

The above-styled matter was regularly set for hearing at Denver, Colorado, on April 21, 1942, at 10200 o'clock A.M., due notice of the time and place of hearing being forwarded to parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing.

Thereupon, protestants moved that said application be dismissed for lack of prosecution.

The matter was taken under advisement.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said application should be dismissed for lack of prosecution.

IT IS ORDERED:

That the above-styled matter should be, and the same hereby is, dismissed for lack of prosecution.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Commissioners

Dated at Denver, Colorado, this 24th day of April, 1942.

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IN THE MATTER OF THE APPLICATION OF PASCAL V. VENDEGNA, DOING BUSINESS AS "PAT'S PRODUCE," DENARGO MARKET, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

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APPLICATION NO. 5885-PP

April 24, 1942 ----

Appearances: A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company; T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association.

STATEMENT

By the Commission:

The above-styled matter was regularly set for hearing at Denver, Colorado, on April 21, 1942, at 10:00 o'clock A.M., due notice of the time and place of hearing being forwarded to parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing.

Thereupon, protestants moved that said application be dismissed for lack of prosecution.

The matter was taken under advisement.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said application should be dismissed for lack of prosecution.

IT IS ORDERED:

That the above-styled application should be, and the same hereby is, dismissed for lack of prosecution.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 24th day of April, 1942.

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IN THE MATTER OF THE APPLICATION OF CLIFFORD CHAVEZ, 2601 WEST 13TH AVENUE, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5894-PP

April 24, 1942

STATEMENT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

ORDER

IT IS ORDERED:

That Clifford Chavez, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts, or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 24th day of April, 1942.

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* * *

IN THE MATTER OF THE APPLICATION OF BEN ROMERO, ROUTE 1, BRIGHTON, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5895-PP

April 24, 1942

STATEMENT

By the Commission:

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Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to points within a radius of ten miles of Brighton, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

QRDER

IT IS ORDERED:

That Ben Romero, Brighton, Colorado, should be, and he hereby

is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to points within a radius of ten miles of Brighton, Colorado.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Diim

Commissioners

Dated at Denver, Colorado, this 24th day of April, 1942.

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* * *

IN THE MATTER OF THE APPLICATION OF T. G. HOLCOMB, 2009 NORTH CORONA STREET, COLORADO SPRINGS, COLORADO, FOR REINSTATEMENT AND EXTENSION OF PERMIT NO. B-2366.

APPLICATION NO. 4919-PP-B

April 24, 1942

STATEMENT

By the Commission:

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Applicant herein seeks to have Permit No. B02366, now under suspension, reinstated, and to have said permit extended to include the right to transport sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of authority, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said reinstatement and extension should be granted.

ORDER

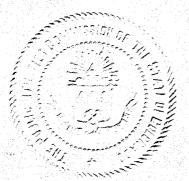
IT IS ORDERED:

That Permit No. B-2366 be, and the same hereby is, reinstated. That T. G. Holcomb, Colorado Springs, Colorado, should be, and The hereby is, authorized to extend his operations under said Permit No.

B-2366 to include the right to transport sand, gravel, and other materials used in making up the surface of the reads, fom pits and supply points in the State of Colorado to construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties.

This order is made a part of the permit granted to applicant, and shall become effective twenty (20) days from date.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO



14

Commissioners

Dated at Denver, Colorado, this 24th day of April, 1942.



* * *

IN THE MATTER OF THE APPLICATION OF S. J. CLEVELAND, 7300¹/₂ WEST COLFAX AVENUE, LAKEWOOD, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5897-PP

April 24, 1942

STATEMENT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

ORDER

IT IS ORDERED:

That S. J. Cleveland, Lakewood, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to construction jqbs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties.

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

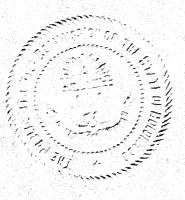
This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners



Dated at Denver, Colorado, this 24th day of April, 1942.

IN THE MATTER OF THE APPLICATION OF H. W. KILE, 352 EAST BENNETT, CRIPPLE CREEK, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5896-PP

April 25, 1942

STATEMENT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to points within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

ORDER

IT IS ORDERED:

That H. W. Kile, Cripple Creek, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to points within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Dated at Denver, Colorado, this 25th day of April, 1942.

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IN THE MATTER OF THE APPLICATION OF) DAN BENSON, IMPERIAL, NEBRASKA, FOR) A CLASS "B" PERMIT TO OPERATE AS A) PRIVATE CARRIER BY MOTOR VEHICLE FOR) HIRE FOR THE TRANSPORTATION OF BUILD-) INGS BETWEEN POINTS IN YUMA, PHILLIPS,) SEDGWICK AND LOGAN COUNTIES AND BETWEEN) POINTS IN SAID COUNTIES AND THE COLORADOW NEBRASKA STATE BOUNDARY LINE, IN BOTH) INTRASTATE AND INTERSTATE COMMERCE.)

APPLICATION NO. 5888-PP

April 28, 1942.

Appearances: Dan Benson, Imperial, Nebraska,

pro se; Marion F. Jones, Esq., Denver, Colorado, for V. H. Fette, protestant.

STATEMENT

By the Commission:

Testifying in his own behalf, applicant stated that he had been engaged in moving houses in Nebraska, and that a number of people had requested him to move houses between points in Colorade, as well as from points in Colorade to points in Nebraska, and vice versa. He owns suitable equipment to carry on this business, and stated that his calls in Colorado had probably amounted to about twelve in the last year. He further stated that he was acquainted with V. H. Fette, of Wray, Colorado, and presumed that he was capable of taking care of the Colorade business, but did not know that his proposed service would interfere with him in any way. The authority of the said Fette was made a part of the record and discloses that he is authorised, as a common carrier. to transport,-

> "Houses and buildings over irregular routes from points on and east of a line drawn north and south through Brush, Colorado, with the right to move said houses and buildings between points in said area on the one hand, and to and from points in said area from and to points on and east of U. S. 87 on the other hand."

It was further disclosed that applicant has never obtained any authority from the Interstate Commerce Commission to conduct an interstate operation.

Applicant further stated that he would be unable to list any customers in advance and would not know whom he might serve until he was called upon to do some particular job, but that he would want to be authorized to serve anyone who might call upon him. His operations would clearly be those of a common and not a private carrier.

It will be noted that the instant application covers part of the same territory now authorized to be served by protestant Fetti. Said Fetti was not able to be present at the hearing, due to illness, and his counsel requested a further hearing in the matter in order that his testimony might be taken if the Commission deemed it necessary.

While it is true that there is no direct evidence that the granting of the instant permit would impair the services of protestant, yet we believe that such condition may be inferred from the fact that protestant did employ counsel to represent him and protest the application. In any event, it is clear that the operation proposed by applicant would be that of a common carrier and he would have a right to file a new application for a common carrier certificate, if he is of the opinion that he could establish that the public convenience and necessity requires the same.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that the instant application should be denied.

ORDER

IT IS ORDERED:

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That the instant application be, and the same is hereby, denied. This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION COLORADO THE STATE OF

Commissioners

Dated at Denver, Colorado, this 28th day of April, 1942.

IN THE MATTER OF THE APPLICATION OF JOHN W. LEONARD, 3144 GAYLORD STREET, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE FOR THE TRANSPORTATION OF SAND AND GRAVEL AND CONSTRUCTION EQUIPMENT FROM SAND AND GRAVEL PITS WITHIN A 100-MILE RADIUS OF ANY CONSTRUCTION JOB IN THE STATE OF COLORADO, EXCEPT SERVICE IN BOULDER, CLEAR CREEK AND GILPIN COUNTIES.

APPLICATION NO. 5890-PP

-----April 28, 1942. المتحققة بمساريهم المساريك

- Appearances: George A. Crowder, Esq., Denver, Colorado, for applicant; A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company;
 - T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Meter Carriers' Association.

STATEMENT

By the Commission:

At the opening of the hearing herein, counsel for applicant stated that the construction material and equipment which applicant seeks to transport would consist of cement, dry or mixed, structural forms, small pieces of structural steel, and machinery, all of which would be transported in dump trucks, only, said movements to be more or less in the nature of emergency shipments to contractors.

As so limited, all objections to the granting of the authority sought were withdrawn.

The record discloses that applicant owns two Ford dump trucks and proposes to limit his operations to the service of J. B. Bertrand, Inc., and Peter Kiewit Sons Company.

Applicant's financial standing and operating reliability were established to the satisfaction of the Commission.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that the authority sought should be granted.

<u>ORDER</u>

IT IS ORDERED:

That John W. Leonard, of 5144 Gaylord Street, Denver, Celorado, be, and he is hereby, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand and gravel and construction equipment used by contractors, consisting of cement, dry or mixed, structural steel, structural forms and machinery, all of which may only be transported in dump trucks, said movements outside of the sand and gravel to be in the nature of emergency shipments, all within a radius of one hundred miles of any construction job in the State of Celorado, except that no service shall be performed in Boulder, Clear Creek or Gilpin Counties; provided, however, that all service under this permit shall be limited to J. B. Bertrand, Inc., and Peter Kiewit Sons Company, and no customers may be added to said list without the consent of the Coumission after due notice and hearing thereon.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, and has secured identification cards.

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

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado, this 28th day of April, 1942.

BH

IN THE MATTER OF THE APPLICATION OF PAUL J. MOYNIHAN, 1623 GRAPE STREET, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CAR-RIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5889-PP

April 28, 1942. -----

Appearances: George A. Crowder, Esq., Denver, Colorado, for applicant; A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company; Truman A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association.

STATENENT

By the Commission:

At the opening of the hearing herein, counsel for applicant stated that the nature of the construction material which applicant seeks to transport would consist of cement, dry or mixed, structural forms, small pieces of structural steel, and machinery, all of which would be transported in dump trucks, only, said movements to be more or less in the nature of emergency shipments to contractors.

As so limited, all objections to the granting of the authority sought were withdrawn.

The record discloses that applicant owns a number of dump trucks and for a number of years has been working for J. B. Bertrand, Inc., and Peter Kiewit Sons Company, who are general contractors in Colorado, and he proposes to serve no other customers.

Applicant's financial standing and operating reliability were established to the satisfaction of the Commission.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that the authority sought should be granted.

<u>ORDER</u>

IT IS ORDERED:

That Paul Meynihan, of Denver, Celorado, be, and he is hereby, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and construction materials used by contractors, consisting of cement, mixed or dry, structural steel, structural forms and machinery, all of which may only be transported in dump trucks, said movements outside of the sand and gravel, to be in the nature of emergency shipments, all within a 100-mile radius of any construction job in the State of Colorado; provided, however, that all service under this permit shall be limited to J. B. Bertrand, Inc., and Peter Kiewit Sons Company, and ne customers may be added to said list without the consent of the Commission after due notice and hearing thereon.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO Commissioners.

Dated at Denver, Colorado, this 28th day of April, 1942.

IN THE MATTER OF THE APPLICATION OF JOHN KUEHN, SR., JOHN KUEHN, JR., AND LARRY KUEHN, DOING BUSINESS AS KUEHN & SONS, 4544 LINCOLN STREET, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CAR-RIER BY MOTOR VEHICLE FOR HIRE FOR THE TRANSPORTATION OF SAND AND GRAVEL AND CLAY WITHIN A 50-MILE RADIUS OF ANY SAND AND GRAVEL OR CLAY PIT IN THE STATE OF COLORADO, TO ANY CONSTRUCTION JOB IN THE STATE, EXCEPT SERVICE IN BOULDER, CLEAR CREEK AND GILPIN COUNTIES.

APPLICATION NO. 5887-PP

April 28, 1942.

Appearances: A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company; Truman A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association.

STATEMENT

By the Commission:

The instant application was set for hearing in Denver, Celorado, on April 22, 1942, at ten o'clock A. M. However, no appearances were entered on behalf of applicants. Ordinarily, authority is granted without the formality of a hearing for the transportation of sand and gravel, and Mr. Stockton and Mr. Fregeau indicated that they had no objection to including clay in the authority sought herein.

The record indicates that applicants own two 1940 Ford dump trucks, and the Commission has determined to issue the authority sought based upon the files and records herein.

ORDER

IT IS ORDERED:

That John Kuehn, Sr., John Kuehn, Jr., and Larry Kuehn, doing business as Kuehn & Sons, Denver, Colorado, be, and they are hereby, authorized to operate as private carriers by motor vehicle for hire for the transportation of sand and gravel and clay within a fifty-mile radius of any sand and gravel or clay pit within the State of Colorado, to any construction job in the State, except that no service shall be rendered in the counties of Boulder, Clear Creek or Gilpin.

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

This order is the permit herein provided for, but it shall not become effective until applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Dated at Denver, Colorado, this 28th day of April, 1942.

BH

(Decision No. 18764)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF) STEVE KANCHACK, CRAIG, COLORADO, TO) TRANSFER PERMIT NO. A-761 TO OSCAR) M. LYMAN, VERNAL, UTAH.

APPLICATION NO. 5098-PP-A

April 28, 1942.

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Appearances: Steve Kawchack, Craig, Colorado,

- <u>pro</u> se; Oscar M. Lyman, Vernal, Utah, <u>pro</u> se;
 - T. A. Stockton, Jr., Esq., Denver, Colorado, for Comet Motor Express Company, Leonard Gray, and Walter Utzinger;
 - A. J. Fregeau, Denver, Colorade, for Weicker Transfer and Storage Company.

STATEMENT

By the Commission:

On July 5, 1934, Permit No. A-761 was issued to Steve Kawchack, and on November 2, 1939, Decision No. 14260, the authority under said permit was found to authorize "the transportation of freight between Denver and Craig, Colorado, via U. S. Highway No. 40; and from and to points in Moffat County to and from Craig, Colorado, and Denver, Colorado."

The instant application seeks authority to transfer said permit to Oscar M. Lyman, of Vernal, Utah.

The evidence disclosed that the consideration to be paid for said permit, including one 2-ton International truck, was the sum of \$1,000.00. Transferor testified that no debts existed against his own operations under said permit.

The financial standing of transferee was established to the satisfaction of the Commission. The swidence disclosed that he owns four other trucks, all unencumbered, besides other property. On behalf of protestants, evidence was introduced by Comet Motor Express Company to the effect that transferee, who has been operating Permit A-761 under a letter of authority from the Commission pending hearing upon the application to transfer, had transported wool for a shipper named Livingston from what is known as the Keystone Ranch, to Craig for a rate less than the prescribed rate of the Commission. It appears that the prescribed rate of the Commission, including the recent three per cent increase, is 22 cents per hundred peumds for distances between 50 and 55 miles. According to the witness for Comet Motor Express, the distance between the Keystone Ranch and Craig, is between 51 and 52 miles. This witness further testified that Livingston said he was getting the wool hauled for 60 cents a bag. It was further disclosed that bags ef wool would weigh from 275 to 475 peunds, with an average weight of about 550 pounds.

Leonard Gray, one of the protestants, stated that the distance between Craig and the Keystone Ranch, where the wool was hauled from, according to the speedometer upon his own equipment, was $5l\frac{1}{4}$ miles; that he had been advised by Livingston that he was getting the wool hauled for twenty cents a hundred pounds, and that Livingston has asked him, if others could haul it for twenty cents, why couldn't he?

Some evidence was also given to the effect that transferee had been eperating a truck under the permit for which a Colorado license plate had not been secured, and that the truck had damaged a car of someone in Craig. The transferee, in answer to these charges, testified that no settlement had been made for the wool as the job was not completed; that he himself had had no conversation with the shipper Livingston, but had instructed his driver to advise him that the rate would be the regular tariff rate, whatever that might be for the distance involved; that the only reason he had not secured the Colorado license plates so far was that he had neglected to have his Certificate of Title with him, but the license plates would be secured and the truck was being operated with the knowledge of the Patrolman in that district as to the situation in regard to the license; that he had never heard of any

accident or that his truck had side-swiped anyone's car.

An analysis of this evidence fails to disclose any good reason why the transfer of this permit should not be permitted. From the stories told upon the witness stand, it would appear that the statements of the wool-shipper were not to be relied upon. In one instance, he stated that he was getting the wool transported for 60 cents a bag, while in the other case he stated that he was paying 20 cents a hundred pounds. In any event, it does not appear that transferee has willfully or intentionally violated any rate order, and the matter of the license plate or injury to a car, we do not believe to be of sufficient importance to justify us in denying the transfer.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that the authority sought should be granted.

<u>ORDER</u>

IT IS ORDERED:

That Steve Kawchack, of Craig, Colorado, be, and he is hereby, anthorized to transfer to Oscar M. Lyman, of Vernal, Utah, all of his right, title and interest in and to Permit No. A-761.

The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order is made a part of the permit authorized to be transferred, and shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

lissioners

Dated at Denver, Colorado, this 28th day of April, 1942.

BH

IN THE MATTER OF THE APPLICATION OF) ANTHONY TISONE, WILLIAM T. BULLARD,) AND DON TISONE, DOING BUSINESS AS PIONEER TRUCKING COMPANY, BOULDER, COLORADO, FOR AN EXTENSION OF CERTIFICATE NO. 616.

APPLICATION NO. 1776-AA-BB

April 28, 1942. - - - - - -

Appearances: Marion F. Jones, Esq., Denver, Colorado, for applicants; V. G. Garnett, Denver, Colorado, for Colorado Rapid Transit Company; Stephen H. Hart, Esq ., Denver, Colorado, for Austin Brothers: John Love, Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers! Association.

STATEMENT

By the Commission:

The instant application seeks authority to extend the presently authorized services of applicants in the transportation of milk and cream under certificate of public convenience and necessity No. 616 by permitting the transportation of said milk and cream to the same destination points now authorized under said certificate from the territory embraced within the following described sections, to-wit:

> Sections 28, 29, 52, 55, Township 2 N., Range 68 West; Sections 25, 26, 34, 35 and 36, Township 2 N. Range 69 West; Sections 3, 10, 11, 14 and 25, Township 1 N. Range 69 West; Sections 19, 20, 2 1, 22 and the East Half (E_2) of Section 15, Twp. 1 North, Range 69 West; Sections 24, 35 and the East Half (E2) of Section 34, Twp. 1 North, Range 70 West; Sections 1, 2, 11, 12, 13 and 14, Twp. 1 South, Range 70 West; Sections 5, 6, 7, 8, 17 and 18, Twp. 1 South Range 69 West.

On August 25, 1941, Decision No. 17529, the Commission entered its order clarifying the authority then existing under said Certificate No. 616. The instant application alleges that as restricted by said Decision No. 17529, the authority granted does not cover the operations being conducted by applicants, or which had been conducted in the past by their predecessors.

It is further alleged that the public has for many years relied upon the service of applicants and their predecessors, and that the public convenience and necessity require that they now be authorized to serve the above-described sections.

On behalf of applicants, Zig Urbon, living two miles northwest of Superior, Colorado, testified that he shipped on an average of seven cans which were now going to the Golden Farm Dairy via the Colorado Rapid Transit Company; that he was not satisfied with the service he was receiving because his milk was still hot when picked up; that the truck arrives between 6:50 and 6:45 A. M. in the summer, and he was not always through milking at that time; that although they told him his milk would reach the dairy between 9:00 and 9:30 A. N., it did not get there until 2:00 P. M.; that his cans were returned in a damaged condition; that he had lost between \$30 and \$35 a month because he did not receive any bonuses, which he could receive if permitted to ship by applicants who furnished refrigerated service.

On cross-examination, he admitted that the Colorado Rapid Transit had furnished him a later service in the mornings for about two weeks, but stated he was then advised that they could no longer continue the same.

Another farmer living 5[±]/₂ miles west of Lafayette, testified that he expected to milk thirty cows shortly and would be a heavy shipper; that his milk is now going to the Carlson-Frink Dairy in Denver, via the Colorado Rapid Transit; that in his opinion refrigeration is going to be necessary in the transporting of farmers' milk in the summer time; that he himself had expended about \$1,000 for proper equipment; that in his opinion applicants would be merely continuing to give a service that had always been rendered in that territory under the Schofield certificate; that Schofield started serving him in 1922; that Colorado Rapid Transit Company had served him since 1952, and he had no complaint against their service; that they now get to his place at 7:20 A. M., and he only failed to get his bonus twice in the summer of 1941. However, he did think that from 7:00 A. M. to 2:00 P. M.

was too long for the milk to be on the trucks en route.

William T. Bullard, one of the applicants, testified that they Purchased the certificate from Schofield in 1941 and had installed insulated, dust-proof, refrigerated trucks, which had resulted in their customers receiving 75 per cent more bonuses than formerly; that they are now serving four customers outside of their territory and know of four or five more, although all of these could not be secured, because some of them are shipping to Boulder, and that Colorado Rapid Transit is hauling same.

Another farmer living $4\frac{1}{2}$ miles west of Lafayette, on what is known as the Base Line road, stated that Schofield had hauled for him since 1922; that Colorado Rapid Transit also hauled his milk to Denver for three years, and then Schofield again transported same until 1929; that he did not ship any milk again until 1940, when applicants started hauling to the Berkeley Dairy; that in his opinion the shippers needed the equipment that Pioneer Company was furnishing, and that since same had been installed, he had received his benuses: much more frequently than in former years; that Schofield formerly served all that territory in the early days.

Mr. Ralph Schofield testified that he started hauling in 1922, having purchased the Campbell outfit for \$850.00; that the Campbell line ran to Base Line Lake and as far south as Marshall; that they had always continued to remder service in said territory and never had any intention of abandoning same; that in his opinion there was a distinct need for applicants' proposed service in this territory. He was further of the opinion that the equipment furnished by applicants was much superior to that of Colorado Rapid Transit Company. It was further developed that while Schofield's original authority included the transportation of all commodities, it was now confined to cream and milk, only, and that Colorado Rapid Transit hauled both freight and milk.

On behalf of protestant, Colorado Rapid Transit Company, one of its drivers testified that he was now picking up the Zig Urbon milk at around 7:30 A. M., although it was formerly picked up earlier than that; that last summer he came to Denver first and then went to the Garden Farm Dairy, but

that now he goes to the dairy first; that he usually reaches the dairy around 10:00 A. M. Mr. Garnett gave us his version of the original agreements and stipulations between the various milk haulers in the territory involved. He further stated that he expects to put on refrigerated trucks this coming summer and described the type he proposed to use.

Mr. Fred Austin, of Austin Brothers, whose certificate was made part of the instant record, testified that he was willing to put on dust-proof refrigerated type of equipment if such action became necessary; that he did not object to any of the territory being sought which he had formerly waived under contract or which was more than one mile south of the Base Line road. He introduced an exhibit showing that in July, August, September, and October, 1941, he transported 5561 pounds of milk less a day than he did during the same period in the year 1940.

In order to grant the authority sought in the instant application, we must determine that the present public convenience and necessity requires same. When Decision No. 17529 was made, it definitely fixed the authority under Certificate No. 616, but did not pass upon the question of whether the public convenience and necessity required the service of applicants in the area which they were seeking authority to serve in that proceeding, but stated that in order to obtain such right, applicants should file an application for an extension. We believe it is true that service was rendered in the territory involved by the predecessors of applicants, and that said service extended over a long period of time. However, said service was rendered without any right er authority to conduct the same, as determined by Decision No. 17529.

The evidence in the instant case for applicants apparently is based upon two theories. One to the effect that due to the former service of applicants' predecessors, the certificate should be granted, and the other one the fact that the equipment installed by applicants is superior to and desired by at least some of the shippers in the territory in question. We cannot grant this certificate merely upon the theory that the predecessors of applicants had rendered service in the territory, when there is no showing that any of the

shippers at the present time are not being served by presently established common carriers. Portions of the territory in question are now being served by both the Colorado Rapid Transit Company and Austin Brothers, and both of these operators have indicated their willingness to install refrigerated equipment. We believe they should have an opportunity to do this, although applicants are to be commended for their efforts in this connection. Apparently, the only complaint against the service of Colorade Rapid Transit Company, outside of the question of equipment, is the fact that one farmer's milk was picked up too early in the morning, and apparently this condition has since been remedied, as well as the time of delivery to the dairies. We do believe, however, that jurisdiction of the instant application should be retained to the end that if the common carriers now serving said territory do not provide reasonably adequate equipment to properly handle the needs of the shippers during the coming summer, applicants may again renew this application. We are also of the opinion that applicants should be granted the territory they seek which was waived by Austin Brothers under contract.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that the instant application should be granted in part and denied in part, as hereinafter set forth.

ORDER

IT IS ORDERED:

That the public convenience and necessity require the proposed extended operations of applicants, Anthony Tisone, William T. Bullard, and Don Tisone, doing business as Pioneer Trucking Company, under Certificate No. 616, for the transportation of milk and cream to the same destination points as now authorized, from the additional territory embraced within the following described sections, to-wit:

> Sections 28, 29, 52, 53, Township 2 North, Range 68 West; Sections 25, 26, 34, 35, 36, Township 2 N., Range 69 West; Sections 3, 10, 11, 14, the East Half (E_2) of Section 15, the East Half (E_2) of Section 22, and Section 25, Township 1 North, Range 69 West,

and this order shall be taken, deemed and held to be a certificate of public

convenience and necessity therefor.

That the instant application be denied as to the additional authority sought, save and except that jurisdiction is hereby retained to the end that if the presently authorized common carriers now serving said territory fail to render reasonably adequate and satisfactory service to the shippers residing within the territory involved, with particular reference to refrigerated service during the coming summer, then, in that event, applicants may renew the instant application and secure a further hearing thereon, upon application to the Commission supported by proof that such adequate service is not being performed.

The applicants shall file tariffs of rates, rules and regulations and time and distance schedules as required by the rules and regulations of this Commission within twenty days from date.

The applicants shall operate their motor carrier system according to the schedule filed with the Commission except when prevented by Act of God, the public enemy or extreme weather conditions.

This order is subject to compliance by the applicants with all present and future laws and rules and regulations of the Commission. This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado, this 28th day of April, 1942.

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-9062

Ft Collins, Colorado

E. G. McQUAIN

Route 1, Box 106A

April 28, 1942

STATEMENT

By the Commission:

| The (| Commissio | n is in re | ceipt of a | communication | n from | ***** | 10 (1)
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|------------|-------------|--------------------|---------------------|---------------|-----------|------------|------------|
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| E. G. Mc | main | | | of Route 1, 1 | ROT 106 A | Ft Collins | Colorado |
| | ******** | ****************** | ******************* | 01 | | | -, |
| 전 문화 관련하는 | | | | | | 영상 영상 중 문서 | |
| requesting | that his | Permit No | C-9 | Jez | be ca | ncelled. | |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

S. P. Second

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-9062</u>, heretofore issued to <u>E. G. McQuain of Route 1, Box 106-A, Ft Collins, Colorado</u> be, and the same is hereby, declared cancelled effective April 20, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

12 31 1 to 19 Commissioners.

Dated at Denver, Colorado,

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHIGLE OPERATIONS OF)

PERMIT NO. C-11464

SCHAFER PRODUCE COMPANY 918 Edison St., Brush, Colorado

April 28, 1942

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STATEMENT

By the Commission:

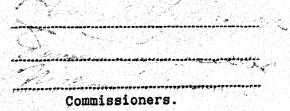
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| Sahafa | r Produce | Company | | of 918 Edis | son St. | Brush, Colorado |
| | A | | | | ••••••••••••••••••••••••••••••••••••••• | •••••••••• |
| requesting | that his | Permit : | No | C-11464 | be | cancelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-11464, heretofore issued to <u>Schafer Produce Company of 918 Edison St., Brush, Colorado</u> be, and the same is hereby, declared cancelled effective ^April 13, 1942.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO



Dated at Denver, Colorado,

this______ 28th______ day of ______ April _____, 19 42

RE MOTOR VEHIGLE OPERATIONS OF)
L, J. WILLIAMS
S459 Lawrence St.,
Denver, Colorado

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-12388, heretofore issued to L. J. Williams of 3459 Lawrence St., Denver, Colorado be, and the same is hereby, declared cancelled effective April 18, 1942.

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THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO . Por al Commissioners.

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RE MOTOR VEHIGLE OPERATIONS OF)

PERMIT NO. C-12890

H. J. JEWETT Box 606 Canon City, Colorado

April 28, 1942

STATEMENT

By the Commission:

| The Commissi | ion is in receipt of a | communication fr | °om | |
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같은 것은 |
| H. J. Jewett | | Box 606 | Canon | City, Colorado |
| | ********** | | * | |
| 영화과 승규는 방법을 다니 집에서? | | 1000 | | |
| requesting that hi | is Permit No. | -12890 | be cancell | ed. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-12890 , heretofore issued to <u>H. J. Jewett of Box 606, Canon City, Colorado</u> be, and the same is hereby, declared cancelled effective April 7, 1942.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

and the second Commissioners.

Dated at Denver, Colorado,

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this_____28th _____day of ______April_____, 19_42___

RE MOTOR VEHICLE OPERATIONS OF)

| | | | | 1.1.1.1.1.1.1.1 |
|---------------------------------------|--------------------------------------|-------------|-------------------------------------|-----------------|
| V. M. BARRAGRE | | Maria Maria | PERMIT NO. C. | -10301 |
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| 134 Grand Ave. | | | | |
| Canon City, Co | lorado | | | |
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April 28, 1942

S TATEMENT

By the Commission:

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| | | V. | M. E | arra | gree | s in en | | | | of | 134 | Grand | Ave. | | Canon | City, | , Coi | lora | 3¢ |
| | ***** | (94) 11 5 84 | uz 7 | ****** | | ****** | **** | | | | **** | | | ; | | | ****** | ·•• ? | |
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| reç | ues | τın | g tr | iat i | 118 1 | Permi | t No. | ***** | | n singer Th | ***** | | ******** | DE | e canc | errea | | | |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this _____ day of _____ April _____, 19.42

ORDER

IT IS THEREFORE ORDERED, That Permit No C-10301, heretofore issued to V. M. Barragree of 134 Grand Ave., Canon City, Colorado be, and the same is hereby, declared cancelled effective December 1, 1941.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO ****** Commissioners.

Dated at Denver, Colorado,

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| | OF THE STATE | | |
|---|-------------------------------------|------------|---------|
| RE MOTOR VEHIGLE | OPERATIONS OF) | | |
| SANFORD COOK
Box 523
Salida, Colorado | | PERMIT NO. | 0-10220 |
| | <u>April 28</u>
<u>5 T A T E</u> | | |

BEFORE THE PUBLIC UTILITIES COMMISSION

By the Commission:

| The | Commission in | s in receipt | of a commu | nication from | 0 | |
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| San | ford Cook | | of Bo | x 523 | Salida, | Colorado |
| | | *********************** | ······································ | ******* | | , |
| requestin | g that his Pe | rmit No | C-10220 | | be cance | 1164 |
| | | | | | | |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this_____28th_____day of ______April _____, 19_42____

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-10220, heretofore issued to <u>Sanford Cook of Box 523, Salida, Colorado</u> be, and the same is hereby, declared cancelled effective March 27, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO Commissioners.

Dated at Denver, Colorado,

1. 1. A. A. A.

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHIGLE OPERATIONS OF)

PERMIT NO. C-958

D. F. **BEL**GER 125 Oregon Bend, Oregon

April 28, 1942

STATEMENT

By the Commission:

| The Commission | n is in receipt of | a communication | from |
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| D. F. Belger | | of 125 Oregon | Bend, Oregon |
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| equesting that his | 이 승규는 이번 것이 같다. 한 것 같아요. | C-958 | 성이 제 것, 2000년 문화, 전문 관계 가격 |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-958</u>, heretofore issued to <u>D. F. Belger of 125 Oregon, Bend, Oregon</u> be, and the same is hereby, declared cancelled effective April 1, 1942

OF THE STATE OF COLORADO in the second Commissioners.

THE PUBLIC UTILITIES COMMISSION

Dated at Denver, Colorado,

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this ______ day of ______, 19.42....

* * *

RE MOTOR VEHIGLE OPERATIONS OF) LOUIE FLINKBERG &) CARL PETERSON dba) FLINKBERG & PETERSON) Dillon, Colorado)

PERMIT NO. C-11519

April 28, 1942

<u>S T A T E M E N T</u>

By the Commission:

| The Commiss | sion is in re | ceipt of a | communication | n from | | |
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| | | | | | 김 홍지 소리 | |
| Flinkberg and | Peterson | | of Dillon | | Colorad | lo |
| | | ***** | ••••••••••••••••••••••••••••• | | | ***-*********************************** |
| | la 3 | n_1 | 1519 | | | |
| requesting that I | nis Permit No |) | L0L0 | De | cancelled | !. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this______28th______day of _______April______, 19___42___

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-11519</u>, heretofore issued to <u>Flinkberg and Peterson of Dillon, Colorado</u> be, and the same is hereby, declared cancelled effective April 16, 1942

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO and Freedoment -----Commissioners.

Dated at Denver, Colorado,

RE MOTOR VEHICLE OPERATIONS OF)

JOE GASNER Sterling, Colorado

PRIVATE PERMIT NO. B-1120

April 28, 1942

<u>STATEMENT</u>

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-1120 be suspended for a period of six months from April 24, 1942.

<u>O R D E R</u>

IT IS ORDERED:

That Joe Gasner of Sterling, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-1120 for a period of not to exceed six months from April 24, 1942.

That unless said Joe Gasner shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO موجها ويتعضوا أبواج المراجع

Dated at Denver, Colorado, this 28th day of April, 1942.

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Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHIGLE OPERATIONS OF)

M & M TRUCK COMPANY Denver, Colorado PERMIT NO. B_1970

April 28, 1942

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STATEMENT

By the Commission:

| The | Commission i | s in receipt of | ` a | communication | from | |
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| N & N | Truck Company | | | of Denver | | Colorado |
| ********************** | | • | ***** | •••• | ······ • •····· | |
| | | | | -1970 | | 요즘 것 같은 것 같은 것 같이 많이 많이 많이 많이 많이 많이 많이 했다. |
| requestin | g that his Pe | rmit No. | | -T910 | be ca | incelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

1.25 Commissioners.

Dated at Denver, Colorado,

and the second

this 28th day of April, 19.42

* * *

IN THE MATTER OF THE APPLICATION OF FREDA COX, KERSEY, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE FOR THE TRANSPORTATION OF PRODUCE (MOSTLY POTATOES) FROM POINT TO POINT WITHIN A RADIUS OF TWENTY-FIVE MILES OF GREELEY, COLO-RADO.

APPLICATION NO. 5812-PP

April 30, 1942 -----

ing a second

Appearances: T. A. Stockton, Jr., Esq., Denver, Colorado, for the Colorado Transfer and Warehousemen's Association, the Common Carrier Division of The Colorado Motor Carriers' Association, and Union Delivery Company of Greeley;

A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company.

STATEMENT

By the Commission:

The instant application was set for hearing in Denver, Colobado, on December 23, 1941, and no appearance having been entered for applicant, the application was dismissed on January 8, 1942, by Decision No. 18106.

The Commission is in receipt of a letter from applicant dated January 25, 1942, in which she states that, due to the condition of the roads between Denver and Kersey on the day of the hearing, she was unable to reach Denver, and did not know what procedure to take in regard to her hearing. She requests that another hearing be held.

After a careful consideration of said request, the Commission is of the opinion, and so finds, that same should be granted.

IT IS ORDERED:

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That the instant application be, and the same is hereby, set down for hearing in the Court House, Fort Collins, Colorado, on the 48th day of May, 1942, at 10:00 o'clock A. M.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Equarott en.

mae Commissioners

Dated at Denver, Colorado, this 30th day of April, 1942.

RE MOTOR VEHICLE OPERATIONS OF

MELVIN DILLARD PADGETT 303 High St., Manitou Springs, Colorado PRIVATE PERMIT NO. B-2610

April 29, 1942 <u>STATEMENT</u>

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2610 be suspended for a period of six months from March 30, 1942.

ORDER

IT IS ORDERED:

That Melvin Dillard Padgett of Manitou Springs, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-2610 for a period of not to exceed six months from March 30, 1942.

That unless said Melvin Dillard Padgett shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Dated at Denver, Colorado, this 29th day, of April, 1942.

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IN THE MATTER OF THE APPLICATION OF S. E. EVANS AND HARRY LOWELL, CO-PARTNERS, DOING BUSINESS AS *DENVER-GRAND JUNCTION TRUCK LINE,* 2210 BLAKE STREET, DENVER, COLÓRADO, FOR AUTHORITY TO TRANSFER PUC NO. 1350-I TO HARRY LOWELL AND JOE A. KING, JR., CO-PARTNERS, DOING BUSINESS AS "DENVER-GRAND JUNCTION TRUCK LINE." GRAND JUNCTION, COLORADO.

APPLICATION NO. 1350-I (A)

April 28, 1942.

Appearances: John L. Moffett, Esq., E & C Bldg., Denver, Colorado, for the applicants; T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association; A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company.

STATEMENT

By the Commission:

e ne se se s

In Docket No. MC-6389-A, Harry Lowell and S. E. Evans, co-partners, doing business as "Denver-Grand Junction Truck Line," were granted authority by the Interstate Commerce Commission to operate as common carriers by motor vehicle in interstate or foreign commerce, as follows:

> "General commodities, except those of unusual value, and except dangerous explosives, household goods as defined in Practices of Motor Common Carriers of Household Goods, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, over regular routes,

*From Denver, Colo., to Grand Junction, Colo., as follows:

*From Denver over U. S. Highway 285 to junction U. S. Highway 24, thence over U. S. Highway 24 to Grand Junction;

*From Denver over U. S. Highway 285 to Salida, Colo., thence over U. S. Highway 50 to Grand Junction;

*From Denver over U. S. Highway 85 to Colorado Springs, Colo., thence over U. S. Highway 24 to Grand Junction;

"From Denver over U. S. Highway 6 to Dowd, Colo., and thence over U. S. Highway 24 to Grand . Junction; and

*Return over these routes to Denver, with no transportation for compensation.

"Service is authorized to the intermediate point of Rifle, Colo., restricted to delivery only."

Subsequently, said authority was extended to allow service to "Wheeler and Dowd and points on U. S. Highway No. 6 intermediate to Wheeler and Dowd."

Said Evans new desires to withdraw from said partnership, and to transfer his interest therein to Joe A. King, Jr., said operation hereafter to be conducted by Harry Lowell and Jee A. King, Jr., co-partners, doing business as "Denver-Grand Junction Truck Line."

The matter was set for hearing, and heard, in Denver, Celorado, on April 28, 1942.

At the hearing, it developed that the consideration for the transfer by Evans of his interest in said partnership to King is the sum of fourteen hundred and fifty dollars (\$1450.00), said Lowell and King assuming all obligations and liabilities of Evans and Lowell, doing business as "Denver-Grand Junction Truck Line," "not exceeding the net sum of twelve hundred dollars (\$1200.00), exclusive of any indebtedness secured by the trucks now (Oct. 29, 1941) operated by said truck line," said Evans "agreeing to pay one-half of any liability exceeding twelve hundred dollars (\$1200.00) net, exclusive of indebtedness secured by trucks."

The operating experience and pecuniary responsibility of transferee Joe A. King, Jr., were established to the satisfaction of the Commission.

It further appeared that Mr. King is the manager of Martin Truck Line, which operates as a private carrier between Grand Junction and Denver and some intermediate points. However, it was made clear that the two operations are to be separately conducted.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said transfer should be authorized.

<u>O R D E R</u>

IT IS ORDERED:

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That S. E. Evans and Harry Lowell, co-partners, doing business as "Denver-Grand Junction Truck Line," Denver, Colorado, should be, and they hereby are, authorized to transfer all their right, title and interest in and to PUC No. 1350-I to Harry Lowell and Joe A. King, Jr., co-partners, doing business as "Denver-Grand Junction Truck Line," Grand Junction, Colorado, subject to the provisions of the Federal Motor Carrier Act of 1955. This order shall become effective as of date April 29, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO Commiss

Dated at Denver, Colorado, this 28th day of April, 1942.

(Decision No. 18779)

æ.,

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

IN RE MOTOR VEHICLE OPERATIONS OF RINGSBY TRUCK LINES, INC., DENVER, COLORADO, PUC CERTIFICATE 1548-I. CASE NO. 4896 AMENDMENT TO ONDER TO SHOW CAUSE

April 50, 1942

STATEMENT

By the Commission:

It appears from the records of the Commission that Becision No. 18682, heretofore made on April 18, 1942, should be amended by the addition of another paragraph thereto, to be numbered "4", and the Commission finds that said decision should be amended as hereinafter set forth.

<u>ORDER</u>

IT IS ORDERED:

By the Commission, on its own motion, that Decision No. 18682, dated April 18, 1942, be, and the same hereby is, amended by incorporating therein paragraph numbered 4, reading as follows:

"4. The Commission is informed and believes, and upon such information and belief alleges, that during the period February 1, 1941, to and including approximately April 24, 1942, the Respondent knowingly made and filed with the Commission false and fraudulent reports of ton miles, covering the transportation of freight by it from Grand Junction, Colorado, to the Utah State Line, and from the Utah State Line to Grand Junction, Colorado, with the intent to evade payment of highway compensation taxes due or to become due the Commission thereon under the provisions of Chapter 120, Session Laws of 1951, as amended."

That the Respondent show cause, if any it have, by written

verified answer filed with the Commission within ten (10) days from this date, why it should not enter an order assessing the compensation due to the Commission upon the freight so transported by Respondent between the points set forth in said paragraph 4, and as to why the Commission should not assess against the Respondent a penalty of fifty (50) per cent of the amount not reported by the Respondent but found to be due and unpaid, and as to why the Commission should not enter such other order or orders as may be proper in the premises.

That this matter be set for hearing at the same time and place as the hearing to be held in connection with Decision No. 18682.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Commissioners

DATED at Denver, Colorado, this 30th day of April, 1942.

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IN THE MATTER OF THE APPLICATION OF CHARLES ARCHER MONTOE, STERLING, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 769 TO LOIS ERVIN, STERLING, COLORADO.

APPLICATION NO. 2461-A

May 1, 1942.

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Appearances: Charles Archer Monroe, Sterling, Colorado, pro se; Charles E Kreager, Jr., Esq., Sterling, Colorado, and R. L. Ellis, Denver, Colorado, for Mrs. Lois Ervin; T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association and North Eastern Motor Freight.

<u>STATEMENT</u>

By the Commission:

On March 9, 1942, by Decision No. 18482, the Commission denied request of Charles Archer Monroe for authority to transfer his certificate of public convenience and necessity, PUC No. 769, to Lois Ervin.

On March 19, 1942, prior to the effective date of said order. said Lois Ervin filed her petition for rehearing, said petition being supported by brief.

After a careful consideration of the record, and of said petition and authorities cited in support thereof, the Commission is of the opinion, and finds, that error may have been committed in denying said application for transfer, and that said decision should be set aside, and rehearing granted herein.

ORDER

IT IS ORDERED:

That said order and decision, No. 18482, be, and the same hereby

is, set aside, vacated, and held for naught.

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That said application for transfer be, and the same hereby is, set for further hearing in the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, on the 12th day of May, A. D. 1942, at 2:00 o'clock P. M.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Commissioners.

Dated at Denver, Colorado, this 1st day of May, 1942.

* * *

IN THE MATTER OF THE APPLICATION OF JOSEPH SIMPSON, ALBERT SIMPSON AND C. A. MAGNUSON, DOING BUSINESS AS *STANDARD TRANSPORTATION COMPANY. * RAILWAY EXCHANGE BUILDING, DENVER, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 337 TO LEAMON RESLER, DOING BUSINESS AS "RESLER TRUCK LINE," 1947 ARAPAHOE STREET, DENVER, COLO-RADO.

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APPLICATION NO. 1293-AAA-AA

May 2, 1942

- Appearances: Hellerstein and Gertz, Esqs., University Building, Denver, Colorado, for Transferors; Marion F. Jones, Esq., Denver,
 - Colorado, for Transferee; A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company;
 - T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association.

STATEMENT

By the Commission:

Pursuant to authority contained in Decision No. 16242, of date December 7, 1940, Joseph Simpson, Albert Simpson and C. A. Magnuson, doing business as "Standard Transportation Company," acquired certificate of public convenience and necessity, PUC No. 337, which authorizes:

> the conduct, on call and demand, by motor vehicle, of a transfer, moving and general cartage business in the City and County of Denver, and in the Counties of Adams, Arapahoe and Jefferson, in the State of Colorado, and occasional for-hire freight service by motor vehicle throughout the

State of Colorado and each of the counties thereof, and the transportation of powder and explosives when not intermingled with any other class of freight in both regular and irregular service from, to, and between various points in the State of Colorado, with the provisos that for the transportation of commodities other than household goods, powder, and explosives, between points served singly or in combination by scheduled carriers, applicant shall charge rates which shall be as much as twenty percent higher in all cases than those charged by scheduled carriers, and shall not establish a branch office or have an agent employed in any other town or city than Denver for the purpose of developing business.

Said certificate-holders now seek authority to transfer said certificate to Leamon Resler, doing business as "Resler Truck Line."

At the hearing, in Denver, Colorado, on May 1, 1942, it developed that the consideration for the transfer of said certificate is the sum of twenty-five hundred dollars (\$2500.00); that the oustanding indebtedness, consisting of road tax and some membership fees due the trucking association, will be paid by transferors; that transferee now operates a line haul and call and demand service under PUC No. 460, he, however, having arranged to transfer said line haul service to Burlington Transportation Company. He does not want to consolidate his operations under PUC No. 460 and PUC No. 337, and asks that said certificate numbers be retained by him, inasmuch as he contemplates setting up a new operation under PUC No. 337.

After careful consideration of the record, the Commission is of the opinion, and finds, that the authority sought should be granted.

ORDER

IT IS ORDERED:

That Joseph Simpson, Albert Simpson and C. A. Magnuson, doing business as "Standard Transportation Company," Denver, Colorado, should be, and they hereby are, authorized to transfer all their right, title and interest in and to PUC No. 337 to Leamon Resler, doing business as "Resler Truck Line," Denver, Colorado.

The tariff of rates, rules and regulations of the transferors shall become and remain those of the transferee until changed according to law and the rules and regulations of this Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners



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Dated at Denver, Colorado, this 2nd day of May, 1942.

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IN THE MATTER OF THE APPLICATION OF THE UNION ICE AND FUEL COMPANY, A CORPORATION, 110 WEST VERMIJO ST ... COLORADO SPRINGS, COLORADO, FOR AN EXTENSION OF PERMIT NO. A-429.

APPLICATION NO. 4801-PP-B

May 5, 1942. _____

- Appearances: G. A. Allebrand, Colorado Springs, Colorado, for the applicant; T. A. Stockton, Jr., Esq., Denver, Celorado, for the Common Carrier Division of The Colorado Motor Carriers' Association; Stanley Blunt, Canon City, Colorado, for Southwestern Transportation
 - Company: A. J. Fregeau, Danver, Colorado, for Weicker Transfer and Storage Company.

STATEMENT

By the Commission:

Applicant, The Union Ice and Fuel Company, a corporation, which heretofore has been authorized to operate as a Class "A" private carrier by motor vehicle for hire, seeks to extend its authority under said permit, No. A-429, to include the right to transport milk to Celorado Springs from points within a radius of fifty miles thereof, with back-haul of empty cans, and milk from points in Colorado Springs, and butter, eggs and cheese from the storage plant and warehouse (only) of said applicant in Colorado Springs to Camp Carson and the Government camp located at the Colorado Springs airport.

The matter was set for hearing, and heard, in Colorado Springs, Colorado, on April 17, 1942.

There was no objection to the granting of the extension sought. The operating experience and pecuniary responsibility of applicant were established to the satisfaction of the Commission.

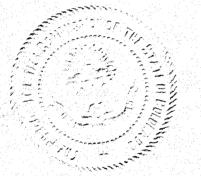
After a careful consideration of the record, the Commission is of the opinion, and finds, that said extension should be granted.

<u>ORDER</u>

IT IS ORDERED:

That The Union Ice and Fuel Company, a corporation, Colorado Springs, Colorado, should be, and it hereby is, authorized to extend its operations under Permit No. A-429 to include the right to transport milk to Colorado Springs from points within a radius of fifty miles thereof, with back-haul of empty cans, and milk from Colorado Springs, and butter, eggs and cheese from the storage plant and warehouse (only) of said applicant in Colorado Springs to Camp Carson and the Government camp located at or near the Colorado Springs airport.

This order is made a part of the permit granted to applicant, and shall become effective twenty days from date.



Dated at Denver, Colorado, this 5th day of May, 1942. THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners



IN THE MATTER OF THE APPLICATION OF THE COLORADO AND SOUTHERN RAILWAY COMPANY FOR APPROVAL OF THE POINT AND MANNER OF CONSTRUCTION AND OFERATING AN INDUSTRIAL SPUR RAILROAD TRACK OF ACROSS A SPUR RAILROAD TRACK OF UNION PACIFIC RAILROAD COMPANY AND THE PUB-LIC HIGHWAY NEAR VALMONT, IN BOULDER COUNTY, COLORADO.

APPLICATION NO. 5877.

May 7, 1942.

STATEMENT

By the Commission:

On March 51, 1942, The Celorado and Southern Railway Company, by its attorneys, filed an application with the Commission seeking authority to construct a railread spur track across the spur track of the Union Pacific Railroad Company leading to the Valmont power plant of the Public Service Company of Colorado in Boulder County, the point of the crossing to be located in the Northeast Quarter of the Southwest Quarter of the Southeast Quarter $(NE_{4}^{2} SN_{4}^{1} SE_{4}^{1})$ of Section 27, Township 1 North, Range 70 West of the Sixth P. M., and approximately 446 fest west and 56 fest south of the Northeast Corner of the Southwest Quarter of the Southeast Quarter $(SW_{4}^{1} SE_{4}^{1})$ of said Section 27, and as further particularly described in the application, said grossing to be constructed at grade.

The application also seeks authority to establish a crossing at grade over and across the public county highway which extends north and south along the boundary line between the West Half (W_2^{I}) of the East Half (E_2^{I}) of the Northeast Quarter (NE4) of aforesaid Section 27 at a point in said boundary line 570 feet south of the Northeast corner of the Southwest Q warter of the Northeast Quarter of said Section 27.

The application alleges that the construction is necessary of a spur railroad track from the main line of the Colorado and Southern

Railway, beginning at a point known as Station 1326 + 95.6 near the Valmont power plant of the Public Service Company in Boulder County, and extending in a general northerly direction for a distance of approximately 5237 feet to serve the fluorspar mill of the General Chemical Company located in the Southwest Quarter of the Southeast Quarter of the Southeast Quarter (SW_2^1 SE $_2^1$ SE $_2^1$) of Section 22, Township 1 North, Range 70 West of the 6th P. M. It is also alleged that the products of said mill are essential materials needed and used in the present emergency for the prosecution of the war, and speedy construction of the spur track is necessary.

It is further alleged that the point and manner of said railroad crossing will be proper, just and reasonably safe, will not interfere with the safe and proper operation of said Union Pacific track, and will not endanger the safety of the public or railroad employes. The safety measures for the protection of the crossing were considered necessary.

The application alleged practically the same physical features for the proposed grade crossing over the public highway.

Copies of the application were duly served on the respondents, the Union Pacific Railroad Company and the Board of County Commissioners of Boulder County.

The Commission is now in receipt of a reply from the atterney for the Union Pacific Railroad Company under date of April 30, 1942, advising the Commission that it appears that there has been an agreement between representatives of the two railroads concerned as to the establishment of the crossing as desired by the applicant herein, with the understanding that the crossing is protected in the train operation of the Colorado and Southern Railway Company by a hand-operated gate swung across the track.

The Commission has received a copy of a resolution of the Board of County Commissioners of Boulder County, adopted on April 5, 1942, approving the request of the applicant for the establishment of the crossing at grade over the aforesaid county highway, as heretofore described, provided that the railway company shall pay all the expenses of installing the crossing,

including the expense of grading the approaches of the highway to the crossing, and that the crossing shall be planked.

Therefore, since it appears that all the parties concerned herein are in agreement, and since it appears that the crossing of the said spur track of the Union Pacific Railroad and the crossing of the County highway of Boulder County by the aforesaid spur track of applicant, will be necessary at the points designated when said spur track is constructed, and since it further appears that necessary safety measures have been agreeed upon at the railroad crossing and that there will be no particular hazard to the public at the crossing of the highway, the Commission is of the opinion, and finds, that the application should be granted, with such provisions as are deemed necessary, and will, without further proceedings, make the order accordingly.

ORDER

1. The Railroad Crossing

IT IS THEREFORE ORDERED, That The Colorado and Southern Railway Company be, and it is hereby, permitted to cross the existing spur railroad track of the Union Pacific Railroad Company to the Valmont power plant of the Public Service Company of Colorado, with its proposed spur track to the fluorspar mill of the General Chemical Company, situated as heretofore described, at a point in the Northeast Q warter of the Southwest Quarter of the Southeast Quarter (NET SW1 SET) of Section 27, Township One (1) North, Range Seventy (70) West of the 6th P. M., and approximately 446 feet west and 36 feet south of the Northeast Corner of the Southwest Q warter of the Southeast Quarter $(SW_{\pm} SE_{\pm})$ of waid Section 27, which point will be 248 feet more or less northwest of the westerly end of the Union Pacific Railroad Company's railroad bridge over the Valmont Feeder Ditch, measured along said spur track of the said last-mentioned company; provided, however, that said crossing shall be constructed and maintained in accordance with all the requirements of Union Pacific Railroad Company, and said crossing shall be protected by a hand-operated gate to be normally locked against the Colorado and Southern Railroad traffic, which gate can be swung across the Union Pacific spur track only when the crossing is to be and is being occupied by a Celerado and Southern Railway train.

IT IS FURTHER ORDERED, That all the expense incidental to the construction and maintenance of the aforesaid crossing, including the said protecting gate, shall be borne by the applicant, The Colorado and Southern Railway Company.

2. County Road Crossing.

IT IS FURTHER ORDERED, That the Colorado and Southern Railway Company be, and it is hereby, permitted to construct its aforesaid spur track, at grade, across the said County highway of Boulder County at a point 570 feet south of the Northeast corner of the Southwest Quarter of the Northeast Quarter $(SW_{\pm}^{\perp} NE_{\pm}^{\perp})$ of Section Twenty-Seven (27), Township One (1) North, Range Seventy (70) West of the 6th P. M., and as more fully described in the application; provided, however, that said crossing shall be constructed in accordance with the plans and specifications of the Commission as provided in Case No. 879.

IT IS FURTHER ORDERED, That all the expense incidental to the construction of said crossing, including the grading of the approaches to the crossing on the highway, and the maintenance of the crossing, shall be borne by the applicant, The Colorado and Southern Railway Company.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Commissioners

Dated at Denver, Colorado, this 7th day of May, 1942.

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IN THE MATTER OF THE APPLICATION OF E. M. STEVENS, ROUTE 3, LA JUNTA, COLORADO, FOR A CLASS "B" BERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5839-PP

May 7, 1942 _ ____

Appearances: Sabin and Sabin, Esqs., La Junta, Colorado, for the applicant;

- A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company;
- T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association, La Junta Transfer Company.

STATEMENT

By the Commission:

On March 27, 1942, the Commission entered its order and decision in the above-entitled matter, Decision No. 18563, granting a private carrier permit to E. M. Stevens, the first paragraph of the Order contained in said decision, in words and figures, being as follows:

> "That E. M. Stevens, La Junta, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of livestock between points within a radius of one hunded and fifty miles of La Junta, Colorado, and the transportation of farm products, except baled hay, between points within the area extending twenty miles north, west and south of La Junta, and fifteen miles east thereof - service in, or from or to points in Bent County to be limited to transportation of livestock."

Subsequent to the entry of said order, said applicant filed his petition herein, asking that it be amended:

"by changing his area for the transportation of livestock from a radius of one hundred and fifty miles of La Junta, Colorado, to a radius of fifty miles of La Junta, Colorado."

After a careful consideration of the record, the Commission is of the opinion, and finds, that said request should be granted.

<u>O</u><u>R</u><u>D</u><u>E</u><u>R</u>

IT IS ORDERED:

That the first paragraph of the Order contained in Decision No. 18563, of date March 27, 1942, be, and it hereby is, amended and changed to read:

> That E. M. Stevens, La Junta, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of livestock between points within a radius of fifty miles of La Junta, Colorado, and the transportation of farm products, except baled hay, between points within the area extending twenty miles north, west and south of La Junta, and fifteen miles east thereof — service in, or from or to points in Bent County to be limited to transportation of livestock.

That said Decision No. 18563, in all other respects, shall

remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 7th day of May, 1942.

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* * *

IN THE MATTER OF THE APPLICATION OF CHARLES H. PIERCE, 2533 WEST SIXTH AVENUE, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE. (EXTENSION OF PERMIT NO. B-2477.)

APPLICATION NO. 5245-PP-B

May 7, 1942

Appearances:

Joseph L. Little, Esq., Denver, Colorado, for the applicant; T. A. Stockton, Jr., Esq., Denver, Colorado, for the Colorado Transfer and Warehousemen's Association, Curnow Livery and Transfer Company, Swena Transfer, Ever-Ready Transfer and Storage Company;

- A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company;
- T. A. White, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.;
- M. F. Jones, Esq., Denver, Colorado, for Glen Gately;
- Joe Hepberger, Blackhawk, Colorado, for Gilpin County Bus and Freight Lines.

STATEMENT

By the Commission:

The above matter was heard in Denver, Colorado, on January 15,

1942.

By Decision No. 14629, applicant was granted a Class "B" per-

mit for the transportation of:

junk and scrap iron between points within a radius of fifty miles of Empire, Colorado; provided, however, that he shall not transport scrap iron from Denver to foundaries or other points outside of Denver except where he himself classifies such scrap iron. Applicant sought in the present application the right to transport freight and mining and milling machinery and equipment and supplies between points within a fifty-mile radius of Empire, Colorado.

Applicant stated that he desired to eliminate "freight" from his application, and during the course of the hearing, stated that he did not propose to serve any territory now served by Rio Grande Motor Way, nor would he transport machinery into towns for repairs. He also stated that supplies which he proposed to transport would be limited to those supplies constituting part of the machinery itself, and would not be expendable materials, and would include only such supplies as are connected with the dismantling or setting up of machinery in a mine. He also stated that he would limit his transportation to mining and milling machinery and equipment upon which a special service of dismantling or re-assembling was to be done by himself, and would eliminate from his territory that territory within a fifteen-mile radius of Estes Park.

Several witnesses, customers of applicant, testified as to the need of the service, and stated that applicant was qualified to classify scrap iron in the dismantling of plants, so as to separate material which could be salvaged and that which could not.

Protestants testified that they were capable of performing the proposed service; that they had adequate equipment, and that there was no need for the proposed service.

The Commission finds that the application, as limited, should be granted, and that the applicant is financially able and capable of carrying on the operations.

<u>O R D E R</u>

IT IS ORDERED:

That Charles R. Pierce, Denver, Colorado, is hereby granted an extension of Permit No. B-2477 to include the right to operate as a private carrier by motor vehicle for hire for the transportation of mining and milling machinery and equipment and supplies, only, upon which a special service of dismantling or re-assembling is to be done by

said Pierce, between points within a fifty-mile radius of Empire, Colorado, with the provisos that applicant: (1) shall not perform service in territory now served by Rio Grande Motor Way, Inc.; (2) shall not transport machinery into towns for repairs; (3) shall not perform service within a radius of fifteen miles of Estes Park, Colorado; (4) shall limit supplies transported to those constituting part of the machinery itself (only supplies connected with dismantling or setting up of machinery at a mine, and not expendable materials.)

This order is made a part of the permit granted to applicant, and shall become effective twenty (20) days from date.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 7th day of May, 1942.

III

IN THE MATTER OF THE APPLICATION OF W. C. HOUGH AND MAY T. HESSELL, DOING BUSINESS AS DENVER-PUEBLO TRUCK LINES, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 5847.

IN THE MATTER OF THE APPLICATION OF W. C. HOUGH AND MAY T. HESSELL, DOING BUSINESS AS DENVER-PUEBLO TRUCK LINES, FOR AN EXTENSION OF PERMIT NO. A-607.

APPLICATION NO. 2221-AAAA-B

May 8, 1942.

Appearances: Robert L. McDougal, Esq., Denver, Colorado, for applicants; A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company;

- T. A. Stockton, Jr., Esq., Denver, Gelorado, for the Common Carrier Division of The Colorade Motor Carriers' Association;
- T. A. White, Esq., Denver, Colorado, for The Denver and Rio Grande Western Railroad Company.

STATEMENT

By the Commission:

As filed herein, the application seeks a certificate of public convenience and necessity authorizing the transportation of property between Denver, Colorado Springs, Paeblo, Walsemburg, Trinidad, and Holly, Colorado, and what is termed the "Cheyenne Valley Ranch", site of the Army Cantonment located southwest of Colorado Springs, or in lieu of said certificate, that applicants' private carrier permit No. A-607 be extended to authorize such operations as a private carrier. However, at the hearing, attorney for applicants withdrew any request for a common carrier certificate.

The evidence disclosed that under Permit A-607, applicants are authorized to transport freight,-

> between Denver, Pueble, Colorado Springs, Fowler, Rocky Ford, Swink, La Junta, Springfield, Walsenburg and Trinidad, and from Pueble to Colorade Springs, Denver, Fowler, Rocky Ford, Swink, La Junta, Las Animas, Lamar, Springfield, Walsenburg, Trinidad, and from Lamar to Holly and intermediate points.

It was further developed that applicants are authorized as common carriers by the Interstate Commerce Commission to operate over said routes.

Testifying in his own behalf, one of the applicants stated that they had been requested by several of their private carrier customers to transport freight from Colorade Springs to the cantonment, particularly by a dealer in plumbers' supplies located in Colorado Springs whe expected to have approximately 100,000 pounds to be shipped to the cantonment, and also had requests to transport fresh fruits and vegetables. In the opinion of this witness, presently established service to the cantonment was not adequate, although he admitted that possibly with the help of the local cartage concerns in Colorado Springs, it would be adequate. Nevertheless, he felt that his company should be extended the same privilege of serving the cantonment for their customers that they had to serve them to other destination points. It was the theory of this witness that their customers would not give their business to other motor vehicle carriers and would arrange to transport their freight themselves unless applicants secured this authority.

The financial standing and operating reliability of applicants were established to the satisfaction of the Commission. No shipper witnesses appeared in their behalf.

On behalf of protestants, the manager of the transportation division of Weicker Transfer and Storage Company, testified that this company had a common carrier certificate authorizing service to said camp; that they had ample equipment and were adequately meeting all demands for transportation service, which would shortly be upon a 24-hour a day basis¢ that since the railroad line was opened to the cantonment, the quantity of freight to be moved by truck had diminished materially, and they now had idle equipment which could be used to transport more traffic if same existed.

It was further developed that local cartage operators living in Colorado Springs were also prepared to render this service. This witness further developed the fact that at the time of the hearing, Weicker was maintaining three services daily, on call and demand, Colorado Springs to the

camp, which handled less than truckload traffic; that none of this equipment was loaded to capacity, and that if any contract or the camp required material, whatever its weight, a special trip was made to get it there promptly.

It was further disclosed that the entire contract was to be completed within 135 days from the start of construction, and that as soon as the construction work was over, the quantity of freight to be transported would be materially less, at least so far as construction material and heavy commodities were concerned.

Upon cross-examination, this witness stated that Weicker was serving the camp under a call and demand certificate and was not charging twenty per cent more than the prescribed rates upon the theory that the operation was for the United States Government and that there was no rate regulation on Government freight.

The manager of the Seuthwestern Transportation Company stated that said company had common carrier authority to serve said cantonment under a call and demand certificate authorizing it to operate within a radius of thirty-five miles of Canon City, and in addition had two other line-haul certificates; that one of these certificates authorized a line-haul operation from Denver through Colorado Springs to Canon City over Highway No. 115, and an entrance to the cantonment is located on said highway. According to this witness, his company was prepared to serve the cantonment and had been hauling some freight. However, he was more interested in the freight that would develop after the cantonment was constructed than he was in the transportation of the present heavy construction commodities.

Outside of the testimony of applicant for himself, no evidence was introduced to show that there was any inadequacy of present established common carrier service, nor was any other evidence introduced to show that the public convenience and necessity required any additional service.

It would appear from the evidence that the only convenience and necessity to be served by the granting of the instant application, would be that of applicants themselves. While we appreciate the position of applicants

and their feeling that they should have the same right to serve the cantonment for their own customers that they have to serve said customers to other destination points, yet the law does not authorize the granting of any additional private carrier rights upon such an assumption. The evidence for protestants further disclosed that the transportation of general freight was falling off in many particulars, due to the limitations imposed upon the manufacture of frigidaires, radios, washing machines, and various iron and steel articles. Another commodity which, it is stated, has materially decreased in tonnage is Coca Cola syrup.

Other evidence on behalf of protestants was to the effect that the granting of any further permits which might divert traffic from the common carriers, would impair the investments as well as the ability of said common carriers to serve the public.

It would certainly be the desire of the Commission to be extremely liberal in granting authority to serve war industry plants to the end that no delays might be incurred by reason of any inadequacy of transportation service, but we are unable to determine from this record that any such situation exists.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that the instant application should be denied.

<u>ORDER</u>

IT IS ORDERED:

That the instant application be, and the same is hereby, denied. This order shall become effective twenty days from date.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado, this 8th day of May, 1942.

IN THE MATTER OF THE APPLICATION OF THE DENVER & INTERURBAN MOTOR COM-PANY FOR CERTIFICATE OF PUBLIC COM-VENIENCE AND NECESSITY.

APPLICATION NO. 790

PETITION OF THE DENVER & INTERURBAN MOTOR COMPANY AND THE COLORADO AND SOUTHERN RAILWAY COMPANY FOR MODIFICATION OF ORDER OF JUNE 24, 1927 May 8, 1942.

Appearances: J. L. Rice, Esq., Denver, Colorado, for petitioners.

STATEMENT

By the Commission:

The Denver & Interurban Motor Company is the owner of a certificate of public convenience and necessity granted August 4, 1925, Decision No. 889, in Application No. 454, which authorizes the transportation of passengers, baggage, express, mail and newspapers by highway between Denver and Boulder, Colorado, and intermediate points, via Lafayette, and of a certificate of public convenience and necessity granted March 7, 1927, in Application No. 790, which authorizes the same operation between Denver and Boulder, via Louisville, Superior, Marshall and Semper.

On June 24, 1927, in Application No. 790, the Commission made an order, Decision No. 1558, imposing a condition in connection with the certificate granted March 7, 1927, that The Colorado and Southern Railway Company pay a sufficient sum of money into the treasury of The Denver & Interurban Meter Company for stock of the latter so that the total amount of the stock sold should equal \$250,000.00; or, in the alternative, should extend credit to the said Interurban Company to an amount equal to the difference between the amount theretofore paid into said treasury by said Railway Company and the sum of \$250,000.00. In conformity with said order, the said Colorado and Southern Railway Company, on July 6, 1927, delivered an instrument in writing to said

"Interurban Company extending credit to the latter in the sum of \$176,000.00.

The instant petition seeks to annul and vacate the requirement and condition in regard to this extension granted.

The evidence disclosed that in March, 1942, the Colorado and Southern Railway Company sold to the Burlington Transportation Company all of the outstanding capital stock of said The Denver & Interurban Motor Company for a consideration of \$118,553.00, which sale has been formally approved by the Interstate Commerce Commission.

It was further disclosed that said Denver and Interurban Motor Company, under the certificates granted by this Commission in December, 1925, and since said date, has operated a financially successful and satisfactory business. They are now operating eight round trips daily between Boulder and Denver, as well as three round trips between Boulder and Remeco.

Exhibit No. 1 was introduced, which is the income account of The Denver & Interurban Motor Company from 1937 to 1941, and for January and February of 1942, and discloses a net operating income ranging from \$8,970.08 in 1937, to \$11,890.94 in 1941, and \$5,812.10 for the first two months of 1942. Said company now owns four busses, one of which is diesel-powered, and has expended over \$150,000.00 for equipment since starting operations. The actual amount advanced by the Colorado and Southern under the condition imposed by the Commission, was \$74,000.00, and this amount was paid in full, the last payment being made in October, 1952. No other advances have ever been made by the Colorado and Southern, nor has the Denver & Interurban made any other loans from any other concerns. At this time, it shows a total corporate surplus of nearly \$50,000.00.

The Colorado and Southern Railway Company is in very goor financial condition. It was unable to pay its bond interest of approximately \$1,000,000 upon its due date in November, 1941. However, during the six months' grace period since November 1, 1941, it has managed to pay said bond interest, but on May 1, 1942, it will again be unable to meet said interest. It has cash on hand of something over \$800,000 at this time, but the testimony indicates

2,

that at least \$500,000 is needed for working capital.

Burlington Transportation Company is apparently in a strong financial condition, having commenced operations in the transportation of passengers in 1929 and of freight in 1935. Its operations have grown substantially, both in volume of business and in territory covered. Its passenger operations now extend from Chicago to Los Angeles and San Francisco, and its freight operations from Chicago west as far as McCook, Nebraska, with applications pending for authority to operate into Colorado. Its gross freight revenue in 1941 was \$1,150,105.94, while its gross passenger revenue was \$2,793,871.11.

From exhibits introduced, it would appear that said company has in previous years operated at a loss, but in 1941 made a net profit of approximately \$175,000.00. It is quite apparent that its financial condition is better than that of The Colorado and Southern Railway Company.

It would appear that no good reason exists why the condition imposed by the Commission in 1927 should not be removed.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that the prayer of the petition should be granted.

QRDER

IT IS ORDERED:

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That the following condition prescribed in the order of the Commission of June 24, 1927, Decision No. 1338, in Application 790, be, and the same is hereby, abrogated and set aside, to-wit:

> "IT IS FURTHER ORDERED, That The Colorado and Southern Railway Company either pay enough more money into the treasury of the applicant for its stock so that the total amount of stock sold shall equal \$250,000, or that the said company shall extend credit to the applicant for an amount equal to the difference between the amount already paid into the treasury and \$250,000, and that the applicant shall make a written report to this Commission within twenty days from this date of this requirement having been complied with."

> > 3.

That except as herein amended and modified, said Decision No. 1338

shall remain in full force and effect.

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THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO car Jeach / Ù

Ulan Niela Commissioners.

Dated at Denver, Colorade, this 8th day of May, 1942.

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHIGLE OPERATIONS OF)

C-11430 PERMIT NO.

The Coalmont Trading Company c/o J. A. Link 608 Remington St., Ft Collins, Colorado

May 8, 1942

STATEMENT

By the Commission:

| The | Commis | ssion is | s in rec | eipt of | ac | communi | cation | from. | Coaln | ont T | rading | Company |
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| c/o J. A. | Link | | | | | of 608 | Reming | gton St | t. Fi | Coll: | ins, Co | lorado |
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| requestin | a that | hig Dos | mit No | | C | -11430 | | | ha aan | 007108 | | |
| requestin | g that | nis Pei | mit No. | | | | | | be can | Cetteo | • • · · · · · · · · · · · · · · · · · · | |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-11430 , heretofore issued to. Coalmont Trading Company of 608 Remington St., Ft Collins, Colorado be, and the same is hereby, declared cancelled effective April 20, 1942.

day of 19.42

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO The A Bally -

Commissioners.

Dated at Denver, Colorado,

this 8th

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(Decision No. 18790

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-11193

JOHN GODFREY 327 West St., Ft. Collins, Colorado

May 8, 1942

STATEMENT

By the Commission:

| | The | Commi | ssion | is ir | receipt | of a | comn | nunica | ation | from | ***** | |
|-------|-------|--------|-------|--------|---------|-----------|--------|---------|---------|--------|---------------|----------|
| John | Godfr | ey | | | | · · · · · | of | 327 | West | St. | Ft. Collins, | Colorado |
| | | | | | | | | | | ······ | | |
| reque | sting | g that | his | Permit | No | 11193 | ****** | *-***** | ******* | ***** | be cancelled. | |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

ex Ra, Commissioners.

Dated at Denver, Colorado,

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this 8th day of May, 1942.....

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RE MOTOR VEHICLE OPERATIONS OF)

MARINO S. DELUCA Route 2, Box 422 Pueblo, Colorado v

PERMIT NO. C-10566

May 8, 1942

STATEMENT

By the Commission:

| T | he Co | mmissi | on is | in rece | ipt of | a communicat | tion from | | |
|---------------------------------------|-------|--------|---------|-----------|--------|---------------|-----------|-------------|----------|
| | | | | | | | | | |
| M | arino | S. De | Luca | | | of R 2. Bo | x 422 | Pueblo, | Colorado |
| • • • • • • • • • • • • • • • • • • • | | | | ********* | ***** | VI -#3#7,8#/H | ##>PC#* | T.NXMAX 3 | |
| | | | | | | 0 10500 | | | |
| request | ing t | hat hi | .s Perm | it No | | C-10566 | | oe cancelle | ed. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-10566</u>, heretofore issued to <u>Marino S. DeLuca of Route 2, Box 422, Pueblo, Colorado</u> be, and the same is hereby, declared cancelled effective January 1, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO owner. -celar

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Commissioners.

Dated at Denver, Colorado,

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RE MOTOR VEHIGLE OPERATIONS OF)
M. ORENSTEIN
)

PERMIT NO. Ç-7988

May 8, 1942

<u>S T A T E M E N T</u>

By the Commission:

1395 Xavier St.,

Denver, Colorado

| The Commiss: | ion is in receip | pt of a con | munication f | rom | |
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| M. Orenstein | | of | 1395 Xavier | St. De | nver, Colorado |
| | ******** | · · · · · · · · · · · · · · · · · · · | ***** | | ······································ |
| equesting that h | | C-798 | 0 | be car | 너 가질한다 한다. 승규가 다 봐. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this__8th day of May 19_42

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-7988 , heretofore issued to M. Orenstein of 1395 Xavier St., Denver, Colorado be, and the same is hereby, declared cancelled effective May 1, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO -----Configuration and and and and Commissioners.

Dated at Denver, Colorado,

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RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-6901

M. J. PATTEE Collbran, Colorado

May 8, 1942

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STATEMENT

By the Commission:

| The | Commissio | n is in r | eceipt of a | communication | from | |
|----------------------|------------|-----------|--------------------|---------------|------------|---|
| | | | 생활 이 동안을 받 | | | |
| M. J.) | Pattee | | - 영상 호텔 등 문 | of Collbran | | Colorado |
| ******************** | ***** | ******* | ****************** | .94 | ********** | |
| | | | | C-6901 | | 4월 28일 <u>전</u> 환 전 전 전 전 전 전 전 전 전 전 전 전 전 전 전 전 전 전 |
| requestin | g that his | Permit N | 0 | 0-000L | be canc | elled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

Sec. 1

ORDER

IT IS THEREFORE ORDERED, That Permit No. _______ heretofore issued to M. J. Pattee of Collbran, Colorado be,

and the same is hereby, declared cancelled effective April 9, 1942.

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLOBADO 1.1. C. 1. 5 . . . Ders and from nD

Commissioners.

Dated at Denver, Colorado,

an interest

this 8th day of May 19 42

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BEFORE THE PUBLIC UTILITIES COMMISSION OF, THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

MRS. MEARL M. POTTER 703 West Kansas Ave., Garden City, Kansas

PERMIT NO. C-5911

May 8, 1942

STATEMENT

By the Commission:

| The Commission | is in receip | ot of a com | munication from | 1 | |
|---------------------|--------------|-------------|-----------------|-------------|--------------|
| | | | | | |
| Mrs. Mearl M. Pot | ter | of 7 | 03 West Kansas | Ave Garden | City, Kansas |
| | | | | | |
| requesting that his | Permit No | C | -5911 | be cancelle | A |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

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ORDER

IT IS THEREFORE ORDERED, That Permit No. C-5911 , heretofore issued to. Mrs. Mearl M. Potter of 703 West Kansas Ave., Garden City, Kansas be, and the same is hereby, declared cancelled effective April 20, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO ears REAM Commissioners.

1942

Dated at Denver, Colorado, 8th ...day of

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RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-5733

May 8, 1942

STATEMENT

By the Commission:

MR. HOMER STOUT

Loveland, Colorado

1105 Garfield

| The | Commissio | n is in rec | eipt of a c | ommunication f | rom | |
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같은 것은 것은 것은 것이다. | |
| | O.L. and | | | e 1105 Garfiel | d T.or | eland, Colorado |
| Homer | Stout | ***** | | L TTAG narres | •••••• | |
| | | | | 동안 김 영혼은 이 강경을 | | |
| magnaatin | a that his | Permit No. | e e e e e e e e e e e e e e e e e e e | -5784 | be cand | 51108 |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-5733</u>, heretofore issued to <u>Homer Stout of 1105 Garfield, Loveland, Colorado</u> be, and the same is hereby, declared cancelled effective March 23, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLOBADOA mulan and a stand of the second of t Commissioners.

Dated at Denver, Colorado, this 5th day of May , 19.42

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RE MOTOR VEHIGLE OPERATIONS OF)

PERMIT NO. C-4237

W. O. DUNCAN Oak Creek, Colorado

May 8, 1942

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STATEMENT

By the Commission:

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1.001 | | | b 7000 | eipt of | ~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~ | i an f | rom | | | |
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승규 學 | o. Du | 가지 않으니
"사이가 | | 11 1 5 6 4 | 51.010 0. | of Oa | tin di si sent
Second | 1 011 | | Color | eado |
| re | ques | | | | Permi | t No | | 3-4237 | | b | e canc | elled. | |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this 8th day of May 1942

ORDER

to W. O. Duncan of Oak Creek, Colorado be, and the same is hereby, declared cancelled effective April 15, 1942.

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLORADO E CARDA on and con

Commissioners.

Dated at Denver, Colorado,

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* * *

IN THE MATTER OF THE APPLICATION OF BILLY J. BANDT, ROUTE 2, CALHAN, COLORADO, FOR A CLASS "A" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 5870-PP

-----May 8, 1942 _ _ _

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Appearances: Billy J. Bandt, Calhan, Colorado, rado, pro se;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company;
T. A. Stockton, Jr., Esq., Denver, Colorado, for the Common Carrier Division of The Colorado Motor Carriers' Association;
Dennis A. Burroughs, Peyton, Colorado, pro se.

STATEMENT

By the Commission:

Applicant herein seeks authority to operate as a Class "A" private cabrier by motor vehicle for hire for the transportation of milk to Colorado Springs from points upon, and within, one-half mile of a route described as follows:

> starting at Calhan, thence ten miles west to Peyton, thence three miles north on county roads, thence one mile west, thence one mile north, thence three miles west, thence south and west one and one-half miles to Eastonville; thence one mile north, thence south ten miles to Falcon, thence seventeen miles on U. S. Highway No. 24 to Colorado Springs,

with back-haul of empty cans.

The matter was set for hearing, and heard, at Colorado Springs, Colorado, on April 17, 1942.

It developed that applicant has a 1936 Chevrolet pick-up; that

on account of location of Army Camp near Colorado Springs, considerable quantities of milk are now moving to said city for processing and Pasteurization, said milk thereafter being sent to said camp. Applicant expects to handle about thirty-five cans daily.

There was no objection to the granting of the authority sought.

Applicant's qualifications were established to the satisfaction of the Commission.

After a careful consideration of the record, the Commission is of the opinion, and finds, that said permit should issue.

ORDER

IT IS ORDERED:

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That Billy J. Bandt, Calhan, Colorado, should be, and he hereby is, authorized to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of milk to Colorado Springs from points upon, and within, one-half mile of a route described as follows:

> starting at Calhan, thence ten miles west to Peyton, thence three miles north on county roads, thence one mile west, thence one mile north, thence three miles west, thence south and west one and one-half miles to Eastonville; thence one mile north, thence south ten miles to Falcon, thence seventeen miles on U. S. Highway No. 24 to Colorado Springs,

with back-haul of empty cans.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Enoro De ler

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Commissioners

Dated at Denver, Colorado, this 8th day of May, 1942.

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RE MOTOR VEHICLE OPERATIONS OF) J. S. SELLERS, ELIZABETH, COLO-) RADO, PUC NO. 530.) CASE NO. 4884

May 8, 1942

Appearances: E. B. Evans, Esq., Denver, Colorado, for the Commission; T. A. Stockton, Jr., Esq., Denver, Colorado, for Respondent.

STATEMENT

By the Commission:

The Commission, heretofore, on its own motion, directed that an investigation and hearing be had to determine if respondent had, in any manner, violated the provisions of law and the rules and regulations of the Commission governing motor vehicle carriers, and the terms and conditions of respondent's certificate, PUC No. 530, it being set forth in said order entered in said matter that respondent had failed to issue bills of lading in due form, properly describing and classifying the shipments; that he had failed to file and keep copies of said bills for a period of two years, and neglected to file complete monthly reports of his operations, as required by our rules and regulations.

At the hearing, at Denver, Colorado, it developed that, on account of lack of facilities to weigh cattle, applicant had been unable to insert the weights at the time of issuance of bills of lading; that monthly reports covering his operations, which were substantially correct, had been filed, and that respondent, in good faith, had attempted to comply with our rules and regulations. After a careful consideration of the record, the Commission is of the opinion, and finds, that said case should be dismissed.

ORDER

IT IS ORDERED:

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That the above-styled case should be, and the same hereby

is, dismissed.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Commissioners

Dated at Denver, Colorado, this 8th day of May, 1942.



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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-4224

GEORGE H. KELLY Byers, Colorado

May 8, 1942

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STATEMENT

By the Commission:

| The Commis | ssion is in | n receipt of a | communication | from |
|--|-------------|---------------------------------|-----------------|---------------|
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| George H. | Kelly | 출행 관련 고망 한 것 | of Byers | Colorado |
| **** **************************** | | ******************************* | | |
| | | | 66 A | |
| requesting that | his Permi | t No | 224 | be cancelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

<u><u>ORDER</u></u>

IT IS THEREFORE ORDERED, That Permit No. C-4224 , heretofore issued to <u>George H. Kelly of Eyers, Colorado</u> be,

and the same is hereby, declared cancelled effective April 21, 1942.

this Sth day of May , 19 42

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLORAD sulan Commissioners.

Dated at Denver, Colorado,

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF) ALEX STOLL) 1104 "A" St.,

PERMIT NO. C-1342

May 8, 1942

STATEMENT

By the Commission:

Greeley, Colorado

The Commission is in receipt of a communication from.....

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| Alex St | oll | | of1104*#A | * <u>St.</u> | Greeley, Colorad | G |
|---------------|---------------|----|-----------|--------------|------------------|---|
| requesting th | at his Permit | No | C-1342 | | cancelled. | |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-1542 , heretofore issued to Alex Stoll of 1104 "A" St., Greeley, Coloredo be,

and the same is hereby, declared cancelled effective April 11, 1942.

THE PUBLIC UTILITIES COMMISSION THE STATE COLORADO 120 alcom True

Commissioners.

Dated at Denver, Colorado,

this______ 8th ______ day of ______ May ______, 19...42....

(Decision No. 18801)

PERMIT NO. C-13308

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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| | | | | | | | | 3. | | | |

STATEMENT

May 8, 1942

By the Commission:

| Tł | ne Commi | ssion is | in recei | pt of a | communicat | ion from. | | |
|----------|----------|----------|----------|-----------|-------------|-----------|---------|-------------------------|
| 물건 성장원 | | | | • | | | | |
| E.F | Adams | | | | of 1605 N | W First S | t Okl | ahoma ^U ity, |
| | | | ****** | ********* | .01 | | | a homa |
| | | 영화 영화 수요 | | | A 3 7 7 A A | 등 집 같은 것 | -AL | |
| request: | ing that | his Per | mit No | | C-13308 | ***** | be canc | elled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this_8th_____day of _____, 19_52

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-13308 , heretofore issued to E. F. Adams of 1605 N W First St., Oklahoma City, Oklahoma be, and the same is hereby, declared cancelled effective April 27, 1942.

THE PUBLIC UTILITIES COMMISSION F THE STATE OF COLORADO,

No. Ser. an format stopping 22 Commissioners.

Dated at Denver, Colorado,

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RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-13271

M. J. WARNER Colby, Kansas

May 8, 1942

STATEMENT

By the Commission:

| The | Commissic | n is in r | eceipt of | a | communication | from | | | |
|-----------|------------|------------|-----------|---|---------------|------|--------|---------|--|
| | Warner | | | | of Colby | | | (ansas | |
| requestin | g that his | B Permit N | lo | C | 13271 | | be can | celled. | |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-13271 , heretofore issued to M. J. Warner of Colby, Kansas _____be,

and the same is hereby, declared cancelled effective April 9, 1942/

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Ettan GAC

Commissioners.

Dated at Denver, Colorado,

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this_____ 8th_____ day of _____ May _____, 19.42

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHIGLE OPERATIONS OF) COLORADO RIVER GAS & OIL COMPANK Glenwood Springs, Colorado)

PERMIT NO. C-12831

May 8, 1942

STATEMENT

By the Commission:

| The | Commissio | n is in rec | ceipt of a | communication fr | om. Colorado River |
|--|---------------------|--------------|------------|------------------|---|
| | | 날 옷 옷 옷 물을 물 | | | |
| Ges and | 011 Compa | Mar. | | of Glenwood Spr | ings Colorado |
| | . Marda V. Villiget | | ******* | .01 | *************************************** |
| 소문가 다음을 가 있어요.
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같은 아무나 아무나 가지만 것을 알았는다. 말했는 것을 가지만 하는다. |
| requestin | g that his | Permit No. | Ç- | 12831 | be cancelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-12951 , heretofore issued to <u>Colorado River Gas and Oil Company of Glenwood Springs, Colorado</u> be, and the same is hereby, declared cancelled effective <u>March 31, 1942</u>.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLUBADO Viceous Lecla com Chiellon Commissioners.

Dated at Denver, Colorado,

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

| RE MOTOR | VEHIG | LE (| OPER/ | TIONS | OF) |
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| Craig, Co. | TOLAU | 994 | | | |

PERMIT NO. C-12034

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<u>S T A T E M E N T</u>

By the Commission:

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| Glenn | Stuker | | of Craig | Colorado |
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| requestin | g that his | Permit No | C-12034 | be cancelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-12034 , heretofore issued to <u>Glenn Stukey of Craig, Colorado</u> be,

and the same is hereby, declared cancelled effective April 22, 1942.

this_8th_____day of ______, 19.42.....

. .

THE PUBLIC UTILITIES COMMISSION OF, THE STATE OF COLORADO and the local states of the Constant The Section Commissioners.

Dated at Denver, Colorado,

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHIGLE OPERATIONS OF)

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PAUL K. COWGILL, JR Box 28 Gunnison, Colorado

May 8, 1942

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STATEMENT

By the Commission:

| | The | Commi | ssion | is in | receir | ot of a | commu | nicati | on from | | **** |
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| | Paul | K. Cow | gill. | Jr | | | of Bo | x 28 | | Gunnison | Colorado |
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After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-11518</u>, heretofore issued to <u>Paul K. Cowgill, Jr of Box 28, Gunnison, Colorado</u> be, and the same is hereby, declared cancelled effective April 30, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF. COLORADO

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Commissioners.

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Dated at Denver, Colorado,

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RE MOTOR VEHIGLE OPERATIONS OF)

A. A. COLVIN Box 549, Orchard Ave., Canon City, Colorado

PERMIT NO. C-8380

May 8, 1942

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STATEMENT

By the Commission:

requesting that his Permit No. <u>C-8380</u> be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

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S. Maria Maria

day of May , 19 42

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-8380</u>, heretofore issued to <u>A. A. Colvin of Box 549 Orchard Ave., Canon City, Colorado</u> be, and the same is hereby, declared cancelled effective <u>May 1, 1942</u>.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OR COLORADO A. S. S. BAR 1. and laccom Concellon Commissioners.

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Dated at Denver, Colorado,

this 8th

| | OF | THE STATE | | | ION |
|--|--------------|------------------|--------|--------|---------------|
| RE MOTOR VEHIGLE O | PERATIONS OF | 2 | | | |
| CARL KELLER
Aguilar, ^C olorado | | ;
; | PERMIT | NO. C- | -621 7 |
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| | | <u>s t a t e</u> | MENT | | |

By the Commission:

| The | Commission | is in receiv | ot of a com | munication f | com | |
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| Ca | rl Keller | | ന് | Aguilar | C | olorado |
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| requesting | that his H | Permit No | C | -6217 | be can | bollod |
| redneserus | fug uts i | .eimtr NO | | *********** | De call | serred. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this______ 8th ______ day of ______ May _____, 19__42____

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-6217</u>, heretofore issued to <u>Carl Keller of Aguilar, Colorado</u> be, and the same is hereby, declared cancelled effective May 1, 1942.

OF THE STATE OF COLORADO Altabada N St. Carton Commissioners.

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THE PUBLIC UTILITIES COMMISSION

Dated at Denver, Colorado,

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RE MOTOR VEHICLE OPERATIONS OF)

CITY HIDE AND METAL COMPANY 135 S. Burlington Ave., Hastings, Nebraska

PERMIT NO. C-2215

May 8, 1942

STATEMENT

By the Commission:

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

May

IT IS THEREFORE ORDERED, That Permit No. <u>C-2215</u>, heretofore issued to <u>City Hide and Metal Company of 135 S. Burlington Ave.</u>, Hastings, be, Nebraska and the same is hereby, declared cancelled effective April 29, 1942.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

- Becker K J. ell. Here and the second second Commissioners.

19.42

Dated at Denver, Colorado,

n ~ ;

PERMIT NO. C-1514

}

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

| HARRY GRO | DVES. | |) |
|-----------|------------|---------|----------------|
| 440 Mani | tou Ave., | | j . 4 |
| Manitou S | Springs, C | olorado | j |
| | | | (j -) |
| | | | ** / |

May 8, 1942

STATEMENT

By the Commission:

The Commission is in receipt of a communication from......

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this_____ day of ______ 19_42____

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-1514 ..., heretofore issued to Harry Groves of 440 Manitou Ave., Manitou Springs, Colorado be, and the same is hereby, declared cancelled effective May 1, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO Stor Part 5 Post Fran

Commissioners.

Dated at Denver, Colorado,

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COMMON CARRIER DIVISION OF THE COLORADO MOTOR CARRIERS' ASSOCIA-TION, A CORPORATION; THE WEICKER TRANSFER AND STORAGE COMPANY, A CORPORATION, AND ARVEL HENRIKSON, DOING BUSINESS AS DENVER-LOVELAND TRANSPORTATION,

VS.

Petitioners,

CASE NO. 4868

CHARLES W. WILSON.

Respondent.

May 9, 1942.

Appearances: T. A. Stockton, Jr., Esq., Denver, Colorado, for Petitioners; A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company; Marion F. Jones, Esq., Denver, Colorado, for Respondent.

<u>STATEMENT</u>,

By the Commission:

Respondent, Charles W. Wilson, is the owner of Permit No. A-626, which was originally issued on March 3, 1934, to E. C. Edwards and authorizes the transportation of freight between the Celorado-Wyoming state line and Denver, and intermediate points, with the restriction that no operation may be conducted over routes covered by Certificate No. 635. Said certificate No. 655 authorizes the transportation of:

> "livestock between points in Laramie County lying north of the south boundary line of Ft. Collins as extended, and all other points within Colorado; transportation to the farms only within said territory of farm machinery and stock feeds and farm supplies from all other points in the state."

On August 29, 1941, Decision No. 17584, the Commission held that said permit A-626 did not authorize transportation service between points

within any minicipal area of a town or city in local service, or the transportation of commodities in any cross-country service between routes existing between Denver and the Celorado-Wyeming state line.

The instant case is based upon a petition filed by the above-named petitioners, wherein they seek to restrict the authority contained in said Permit A-626 to the towns and cities on U. S. Highway No. 87 between Denver and La Porte, Celorado, upon the theory that all other territory in that part of Colorado north of Denver to the Celorado-Wyoming state line, has been abandoned by the respondent.

At the hearing, petitioners offered the road reports under A-626 and requested that they be made part of the instant record. However, by stipulation, it was agreed that the Commission would take judicial notice of said reports, and this was the only evidence introduced on the part of petitioners.

These reports disclosed that a great majority of all transportation service under this permit has been over U. S. Highway No. 87, extending as far north as Wellington and serving most of the points intermediate between Wellington and Denver. However, some service is disclosed to Johnstown, and after respondent commenced to make reports, one or two trips are shown to Walden and to Kelin, which is located between Loveland and Greeley.

Testifying in his own behalf, respondent stated that the original owner of said permit had pretty well covered the northern part of Colorado in his operations, but that the Anderson Transportation Company had confined most of their operations to Highway No. 87 and only served customers who would have more than one movement of freight. He further stated that his ewn operations were more or less localized on U. S. Highway 87, but that he has picked up and delivered at points off of said highway; that he formerly reported all movements from the nearest town, which is why his reports failed to disclose these eff-route points; that commencing in July, 1941, he started reporting from the actual point of destination.

An examination of said reports discloses that this statement is correct. He introduced an exhibit showing some 56 hauls that had been made by himself and his predecessors under this permit from January 1938, to June, 1941, from points off of Highway 87. The exact distances from Highway 87 are not given except in a few instances, but show as northeast of Berthoud, east of Loveland as far as Johnstown, etc. Respondent further testified that from a point five miles west of Loveland on the west, to Johnstown on the east, would cover all of this transportation service, outside of the two or three trips made to Walden. Respondent contends that he never voluntarily abandoned any of his rights under said permit. Johnstown is approximately 10 miles east of Highway No. 87.

As we have pointed out in several other cases, mere failure to serve certain territory, does not of itself constitute abandonment. However, when this failure to serve has extended over a long period of time, with every indication that the operator has no intention of serving certain territory, we believe the Commission is justified in restricting private permits to the actual operations conducted, as otherwise when a new service is instituted by the owner thereof, it constitutes new competition with presently established common carrier service of which they had no knowledge, and tends to disrupt the established transportation system of the state. If, in the instant case, we authorize respondent to serve those points which his own testimony shows that his operations had been confined to, we believe that no injustice is being done to respondent, and at the same time we are protecting other common carrier service from what we believe would be unauthorized competition. In our opinion, the trips to Walden, the last one being in December, 1959, have not been sufficient to justify our granting authority to serve said area.

In rendering service under this permit, respondent must, of course, always be guided by the original authority contained in the permit and the restrictions therein imposed, as well as our clarification order of September 29, 1941, Decision No. 17584.

After a careful consideration of the record, the Commission is of

the opinion, and so finds, that operations under Permit No. A-626 shall be further restricted to the extent hereinafter set forth.

ORDER

IT IS ORDERED:

That respondent's operations under Permit A-626 be, and they are hereby, limited to service between Denver and Wellington, Colorado, via U. S. Highway 87, and intermediate points, including the right to serve points not exceeding ten miles east of Highway 87, and points not exceeding five miles west of Highway No. 87 between Denver and Wellington.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Dated at Denver, Colorado, this 9th day of May, 1942.

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO, . . .

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RE MOTOR VEHICLE OPERATIONS OF)

HARRY CIRULLI Route 2, Box 634 Pueblo, Colorado

PERMIT NO. C-13091

May 11, 1942 STATEMENT

By the Commission:

| | The | Commission | is in | receipt of | a | communication from |
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| | Harry | CiPulli | | | | of Route 2, Box 634 Pueblo, Colorado |
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| - | nagtin | g that his | Dormit | No | | C-13091 be cancelled. |
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After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-13091, heretofore issued to Harry Cirulli of Route 2, Box 654, Pueblo, Colorado be, and the same is hereby, declared cancelled effective December 8, 1941.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Dated at Denver, Colorado,

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this fith day of May

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RE MOTOR VEHIGLE OPERATIONS OF)

MYRON W. MARTIN 4449 Osceola St., Denver, Colorado PERMIT NO. C-10574

May 11, 1942

STATEMENT

By the Commission:

| | The | Commi | ission | n is | in rec | eipt of | ° a | communi | cation 1 | from. | | ******** | ********** | |
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| M | ron | W. Me | rtin | | | | | . 4449 | Osceola | St. | | Denver, | Colorad | dc |
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| reque | sting | g tha | t his | Perm | it No. | | <u> </u> | -10574 | | | рө са | ancelled | 1. | |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this 11th day of May, 19.42....

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-10574</u>, heretofore issued to <u>Myron W. Martin of 4449 Osceola St., Denver, Colorado</u> be, and the same is hereby, declared cancelled effective May 1, 1942.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Dated at Denver, Colorado,

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHIGLE OPERATIONS OF)

JACK STEIN 1235 Larimer St., Denver, Colorado

PERMIT NO. C-3981

May 11, 1942

STATEMENT

By the Commission:

| The | Commission | n is in rece | ipt of a co | ommunication : | from | | |
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| Jack | Stein | | ^ | P 1235 Larimer | • ^S t.] | Denver, Colora | do |
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| requestin | g that his | Permit No | | 981 | be | cancelled. | |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-3981</u>, heretofore issued to <u>Jack Stein of 1235 Larimer St., Denver, Colorado</u> be, and the same is hereby, declared cancelled effective May 1, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Printer and a In Sugar Singa m Concellon

Commissioners.

Dated at Denver, Colorado,

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RE MOTOR VEHIGLE OPERATIONS OF)

PERMIT NO. C_3052

MRS. CORA E. BUCK Box 53 Arvada, Colorado

May 11, 1942

STATEMENT

By the Commission:

| | The | Commi | ssion | is in | receipt | of a | communication | from | | |
|------|--------|--------|-----------|-----------|----------|--|---------------|------|----------|------------|
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| N | Irs. C | ora E. | Buck | | | | Box 53 | | Arvada | , Colorado |
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| reau | estin | g that | his | Permit | , No. | () ((((((((((((((((((| -3052 | | be cance | elled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-3052, heretofore issued to Mrs. Cora E. Buck of Box 53, Arvada, Colorado be, and the same is hereby, declared cancelled effective April 1, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO Filenced Charles 1 aleran and attand

Commissioners.

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Dated at Denver, Colorado,

this 11th day of May 19.42 12

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RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-13561

DONALD SCOTT Cimarron, Kansas

May 11, 1942

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<u>S T A T E M E N T</u>

By the Commission:

| | The Com | nission | is in | receipt | of a | communic | cation | from | | |
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| | | | _ | | С. | -13561 | | | | |
| reques | ting th | at his | Permit | No | | | ********* | b | e cancel | led. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO ÷., and the

Commissioners.

Dated at Denver, Colorado,

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| BEFORE | THE PUBLIC | UTILIT | LES COM | MISSION |
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RE MOTOR VEHIGLE OPERATIONS OF)

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PERMIT NO. C-12855

May 11, 1942

<u>S T A T E M E N T</u>

By the Commission:

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| | J. E | Ba | tes | | | | | | - X | of Route | , 1, ^B | ox 07 | | | San | Anton | Lo, | Texas | \$ |
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| requ | SS PT | ing n | 181.0 | ura | гегщ. | LUN | Q | | ***** | ************** | ********* | ****** | "DA | can | icett | eu. | | | |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-12855 , heretofore issued to J. E. Bates of Route 1, Box 97, San Antonio, Texas be, and the same is hereby, declared cancelled effective April 23, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO' n Statist Veren un Malcon Cristian Commissioners.

Dated at Denver, Colorado, this <u>11th</u> day of <u>May</u>, 19.42

M

RE MOTOR VEHICLE OPERATIONS OF)

DUKE B. WOODS & MARION JENKINS) Moab, Utah)

PERMIT NO. C-12803

May 11, 1942

STATEMENT

By the Commission:

| The Commiss | sion is in | receipt of | a communication | from | |
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| Duke B. Woods & | Marion Jen | kins | of Moab | ម | tah |
| | | ***** | | | |
| requesting that | | 전 소송 가격지 | C-12803 | | celled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this______ 11th _____ day of ______ May _____, 19___42___

ORDER

IT IS THEREFORE ORDERED, That Permit No.....C-12803..., heretofore issued to ______ Duke B. Woods and Marion Jenkins of Mosb, Utah ______ be, and the same is hereby, declared cancelled effective March 26, 1942.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

elle Commissioners.

Dated at Denver, Colorado,

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ned to a second

RE MOTOR VEHICLE OPERATIONS OF)

O. L. BONHAM Peace Valley, Missouri PERMIT NO. C-12729

May 11, 1942

STATEMENT

By the Commission:

| | | The | Comm | issio | n is | in re | eceipt | t of a | con | munica | tion | from | | | | |
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After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners.

....., 19.42.....

Dated at Denver, Colorado,

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this 11th day of May

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RE MOTOR VEHICLE OPERATIONS OF)

GEORGE S. KIMBALL 963 Walnut St., Rocky Ford, Colorado

PERMIT NO. C-13717

May 11, 1942

STATEMENT

By the Commission:

| The | Commission | is in rec | eipt of a | communication | from | | |
|--|--------------|-----------|-----------|---------------|------|------------|------------|
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1919년 - 1919년 1월 2019년 1월 2019 | | 이 같은 감독을 | 일, 등 등 성상 | | | | |
| Georg | ge S. Kimbal | 1 | | of 963 Walnut | St. | Rocky Ford | , Colorado |
| | | | | | | | |
| requestin | g that his | Permit No | C-18 | 5717 | he | cancelled | |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-13717, heretofore issued to George S. Kimball of 965 Walnut St. Rocky Ford, Colorado be, and the same is hereby, declared cancelled effective May 2, 1942.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

1 1 To Calant بىلىكىتىت. Commissioners.

Dated at Denver, Colorado,

this <u>11th</u> day of <u>May</u>, 19.42

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*

RE MOTOR VEHICLE OPERATIONS OF)

FRANK E. BAKER Wellington, Colorado PERMIT NO. C-13558

May 11, 1942 STATEMENT

By the Commission:

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| The Commis | ssion is in | receipt of a | communication | from | |
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| Frank E. Bal | ker | 에는 것을 가지 않는 것을 못 한다.
이 것 같은 것 같 | of Wellington | | Colorado |
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| requesting that | his Parmit | No | C-13558 | he ca | ncelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-13558, heretofore issued to Frank E. Baker of Wellington, Colorado be, and the same is hereby, declared cancelled effective May 8, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

2 Cho Commissioners.

Dated at Denver, Colorado,

this 11th day of May , 19 42

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| | | | | | | | |

RAYMOND WHITE 282 Elati St., Denver, Colorado

May 11, 1942

STATEMENT

By the Commission:

| The Commiss | sion is in | receipt of | a communicat | ion from | |
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| Raymond Wh | Lte | | of 282 El | ati St | Denver, Colorado |
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이곳에 제가 가장 것은 것이 가지? |
| requesting that l | nis Permit | No. | -13248 | b | e cancelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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Commissioners.

Dated at Denver, Colorado,

this 11th day of May , 19 42

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RE MOTOR VEHICLE OPERATIONS OF)

BEN HODGES 3434 Tejon St., Denver, Colorado PERMIT NO. C-12392

May 11, 1942

STATEMENT

By the Commission:

| The | Commission | n is in rece | aipt of a | communication | from | |
|-----------|--|--------------|------------|---------------|------|------------------------|
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| Ben Hor | land | | | of SASA Teion | <+ T | enver, Colorado |
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| | | 말 이 것 모님 것 | | 0-1-0200 | | 영상 전문화 같은 것. |
| requestin | g that his | Permit No. | | CƏ12392 | be c | ancelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-12392, heretofore issued to Ben Hodges of 3434 Tejon St., Denver, Colorado be, and the same is hereby, declared cancelled effective January 1, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

ilan Roadstrioners.

Dated at Denver, Colorado,

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this______ llth day of May ______, 19_42____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. C-12000

CAPITOL FIXTURE & SUPPLY COMPANY 1436 - 15th St., Denver, Colorado

May 11, 1942

)

STATEMENT

By the Commission:

The Commission is in receipt of a communication from..... Capitol Fixture & Supply Company of 1436 - 15th St. Denver, Colorado

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-12000 , heretofore issued to Capitol Fixture & Supply Company of 1436 - 15th St., Denver, Colo be, and the same is hereby, declared cancelled effective April 8, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

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this____lth May 19.42day of

RE MOTOR VEHICLE OPERATIONS OF)

OTTO J. SPETH Yuma, Colorado PERMIT NO. C-1687

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May 11, 1942

STATEMENT

By the Commission:

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|------------|---|-----------|---|-------|----------|-------------------|------|---|---------|
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| Otto J. | Speth | | | | of Yuna | | | C | olorado |
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같은 것은 것은 것은 것은 것은 것을 | | C-1687 | | | | |
| requesting | g that hi | s Permit | , NO | | 0-7061 | ***** | be | cance | lied. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-1687 , heretofore issued to <u>Otto J. Speth of Yuma, Colorado</u> be,

and the same is hereby, declared cancelled effective May 5, 1942.

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLORADO Crack Caller eler and GALLINNE z

Commissioners.

Dated_at Denver, Colorado,

m

this_____11th day of ______, 19.42_____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

RE MOTOR VEHIGLE OPERATIONS OF) JOHN A. McCOOL dba) BRIGHTON ICE & FUEL) 210 North 5th) Brighton, Colorado)

PERMIT NO. C-13120

May 11, 1942

STATEMENT

By the Commission:

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-13120, heretofore issued to John A. McCool dba Brighton Ice & Fuel of 210 North 5th, Brighton, be, Colorado and the same is hereby, declared cancelled effective April 18, 1942.

THE PUBLIC UTILITIES COMMISSION THE STATE OF, COLORADO, concent

Commissioners.

....., 19...42.....

Dated at Denver, Colorado,

day of May

this___llth__

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RE MOTOR VEHIGLE OPERATIONS OF)

PERMIT NO. C-12905

ROY DENNY Yampa, Colorado

May 11, 1942.

STATEMENT

By the Commission:

| The | Commission | n is in rec | eipt of a | communicatio | n from | |
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| Rov | Denny | | | of Yampa | | Colorado |
| , | ** ********************************** | ******** | ***** | •V& | | |
| | | . | C_1 | .2905 | | |
| requestin | g that his | Permit No. | | ********* | De | cancelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-12905</u>, heretofore issued to <u>Roy Denmy of Yampa, Colorado</u> be, and the same is hereby, declared cancelled effective May 6, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO C.F.C. A.S. S. C. Commissioners.

19 42

Dated at Denver, Colorado, this <u>llth</u> day of <u>May</u>

* * *

RE MOTOR VEHICLE OPERATIONS OF) J. W. MARTIN dba) MARTIN OIL COMPANY) Florence, Colorado)

PERMIT NO. C-9202

<u>May 11, 1942</u> S T A T E M E N T

By the Commission:

| The | Commission | is in 1 | receipt of a | communication | from. J. W. | Martin dba |
|------------|------------|----------|--------------|---------------|-------------|------------|
| | | | | | | |
| Martin.Oi | 1. Company | | ***** | of Florence | Col | lorado |
| | | | | | | |
| requesting | that his | Permit 1 | Vo. C-92 | Q2 | be can | celled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-9202</u>, heretofore issued to <u>J. W. Martin dba Martin Oil Company of Florence, Colorado</u> be, and the same is hereby, declared cancelled effective April 1, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO 0 The states 880. -fler Commissioners.

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Dated at Denver, Colorado, this lith day of May

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF WILBUR ADAMS, DELTA, COLORADO, PRIVATE CARRIER PERMIT NO. B-2026.

CASE NO. 4878

May 11, 1942

- - - - - -

Appearances: E. B. Evans, Esq., Denver, Colorado, and R. L. Gee, Esq., Denver, Colorado, for the Commission; Wilbur Adams, Delta, Colorado, <u>pro se</u>.

STATEMENT

By the Commission:

The Commission, heretofore, filed its case, No. 4878, against Wilbur Adams, directing that an investigation and hearing be had to determine if respondent Adams had violated the provisions of law and the rules and regulations of the Commission governing private carriers and the terms and provisions of his private carrier permit, No. B-2026, and specifically whether he had or had not transported some thirteen (13) shipments of freight for charges less than those prescribed by the Commission, and had transported shipments of property for the Forest Service and Red Mountain Mine between points not authorized by his permit.

At the hearing it developed that he had transported a number of shipments for less than the rates prescribed by the Commission, undercharges amounting to seventy-eight dollars and ninety-nine cents (\$78.99); However, it appeared that said undercharges were not intentionally assessed as much, but were due to the fact that carrier did not know how to classify and bill said commodities.

It also developed that he had hauled a shipment for the Forest

Service between points not included in his authority; that said shipment had been hauled by him, with knowledge of Patrolman in district, because Forest Service was unable to get the service of a carrier authorized to serve, and asked respondent to haul the commodities in question, which had to be moved immediately.

After careful consideration of the record, the Commission is of the opinion, and finds, that respondent erred in assessing the charges aforesaid, and in particular, failing to collect seventy-eight dollars and ninety-nine cents (\$78199) undercharges; that an order should be entered herein, suspending his permit for a period of sixty (60) days, said suspension to be effective July 15, 1942, with the proviso that if he collects said undercharges prior to said July 15, 1942, and files statement with the Commission so showing prior to said date, the Commission will enter an order, setting aside said suspension.

ORDER

IT IS ORDERED:

That Private Carrier Permit No. B-2026 be, and the same hereby is, suspended for a period of sixty (60) days, said suspension to become effective on July 15, 1942, unless said respondent, prior to said 15th day of July, 1942, shall collect the undercharges heretofore mentioned and file evidence of said collection with the Commission, in which event an order will be entered herein by the Commission, setting aside the aforesaid suspension.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 11th day of May, 1942.

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* * *

IN THE MATTER OF THE APPLICATION OF) INTERMOUNTAIN FREIGHT LINES, INC.,) COLORADO SPRINGS, COLORADO, FOR) AUTHORITY TO TRANSFER INTERSTATE) CERTIFICATE TO RINGSBY TRUCK LINES,) INC., 3262 BLAKE STREET, DENVER,) COLORADO.)

INTERSTATE CERTIFICATE NO. 1414-I SUPPLEMENTAL ORDER

May 11, 1942.

STATEMENT

By the Commission:

On April 9, 1942, by Decision No. 18594, Intermountain Freight Lines, Inc., was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to transfer PUC No. 1414-I to Ringsby Truck Lines, Inc., a Colorado corporation.

Said parties now ask that said authority to transfer be set aside. After careful consideration of the record, the Commission is of the opinion, and finds, that said request should be granted.

ORDER

IT IS ORDERED:

That Decision No. 18594 should be, and the same hereby is, vacated, set aside, and held for naught.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Auch Suiten Commissioners.

Dated at Denver, Colorado, this 11th day of May, 1942.

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* * *

IN THE MATTER OF THE APPLICATION OF) MAURICE E. HILL, ENGLEWOOD, COLO-) RADO, TO EXERCISE FRANCHISE RIGHTS.)

APPLICATION NO. 5875

May 11, 1942 _ _ _ _ _ _

Appearances: Worth Allen, Esq., Denver, Colorado, for applicant; Nels S. Nielson, Englewood, Colorado, for the City of Englewood, Colorado.

STATEMENT

By the Commission:

This is an application by Maurice E. Hill, of Englewood, Colorado, for an order and a certificate of public convenience and necessity, authorizing him to exercise franchise rights granted by the City of Englewood, Colorado:

> "to engage in the transportation of passengers by motor vehicles on the streets of Englewood for uniform fares, on regular routes, and on regular schedules."

The matter was heard in Denver, Colorado, on April 16, 1942. No one appeared in opposition to the granting of the auth-

ority sought.

At the hearing, applicant, Mayor Nels S. Nielson of Englewood, and a number of other witnesses, in person or by stipulation, testified in support of the application. It appeared that applicant is now operating a taxi service in Englewood and vicinity; that he has seven 1941 Dodge sedans, and two Plymouth station-wagons, his net worth being approximately twenty thousand dollars (\$20,000.00; that he proposes to furnish motor vehicle service for the transportation of passengers in the City of Englewood, pursuant to authority granted in Ordinance No. 1, Series of 1942, passed and adopted by the City Council of the City of Englewood on February 9, 1942, said privilege or franchise being granted for a period of one year from the passage and approval of said ordinance, with the proviso:

> "and, in the event the said Hill himself carries on said operation or operations for one (1) year, then the privilege granted herein shall be, and the same is hereby, automatically extended for an additional term of nine (9) years."

It developed that Englewood is without bus service; that, on account of new factories and government projects in Englewood and the vicinity thereof, population of Englewood has greatly increased, said population being estimated at eleven (11) thousand at the time of the hearing. The only transportation service afforded is taxi service and street car service via Broadway to Denver, and bus service, Englewood to Littleton; that applicant's schedules and routes will be determined, developed and changed as business and circumstances may require. Fares will be ten cents (10ϕ) for adults, and five cents (5ϕ) for children between the ages of five years and twelve years. Applicant proposes to use the station-wagons mentioned, which are valued at approximately twenty-eight hundred dollars (\$2800.00) as equipment, with a 1941 Dodge taxi, of the value of fifteen hundred dollars (\$1500.00), as stand-by equipment. However, the Commission will not be bound by these figures in any subsequent rate investigation, should such occur.

After careful consideration of the record and the testimony given at the hearing, the Commission is of the opinion, and finds, that public convenience and necessity require the exercise by applicant of the privileges and rights contained in said franchise granted by the City of Englewood to the applicant herein to operate a motor vehicle passenger transportation service in the City of Englewood.

<u>ORDER</u>

IT IS ORDERED:

That public convenience and necessity require the exercise

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by applicant herein of the franchise rights and privileges granted by the City of Englewood, Colorado, in that certain Ordinance, No. 1, Series of 1942, on February 9, 1942, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

The applicant shall file tariffs of rates, rules and regulations and time and distance schedules as required by the rules and regulations of this Commission within twenty (20) days from date.

The applicant shall operate his carrier system according to the schedule filed except when prevented by Act of God, the public enemy or extreme conditions.

This order is subject to compliance by applicant with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this llth day of May, 1942.

Dist

RE MOTOR VEHICLE OPERATIONS OF) ROY KOHL, BRECKENRIDGE, COLORADO,) PERMITS NOS. B-1734 and B-2591.)

<u>CASE NO. 18275-R</u> and <u>CASE NO. 18599-R</u>

May 11, 1942.

By the Commission:

On April 4, 1942, an order was issued in both of the above matters, cancelling Permits Nos. B-1754 and B-2591 for failure to file monthly reports. A petition has been filed with the Commission seeking the reinstatement of said permits, wherein it is alleged that respondent was also the owner of Permit A-676; that respondent's wife usually made out his reports and, through ignorance, had been accustomed to filing reports for all three permits under one report, so that in some cases said reports were filed with the Commission under one permit number, and sometimes under a different permit number.

We are further advised that all reports now have been filed under all of said permits, and respondent agrees in the future to make a separate report for each permit.

After a careful consideration of said petition, the Commission is of the opinion, and so finds, that same should be granted.

ORDER

IT IS ORDERED:

That our order of April 4, 1942, cancelling Permits B-2591 and B-1734 for failure to file reports be, and the same is hereby, set aside, and said permits are reinstated as of April 4, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CODORADO

Commissioners

Dated at Denver, Colorado, this 11th day of May, 1942. BH

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At a General Session of The Public Utilities Commission of the State of Colorado, held at its office in Denver, Colorado, May 12, 1942.

INVESTIGATION AND SUSPENSION DOCKET NO. 243

IT APPEARING, That on April 30, 1942, the Union Pacific Railroad Company, by its Superintendent, and Western Union Telegraph Company, by its Superintendent, filed an application with the Commission to close and discontinue their agency station at Arapahoe, Cheyenne County, Colorado, to be effective on and after May 51, 1942, alleging that the amount of business at said station is very light and has been decreasing; that the amount of business handled is greatly out of proportion to the cost of maintenance and operation of the station; that all passenger trains which stop at the station pass that point during the night when no agent is on duty, and the business of the station is such that it can all be handled from Cheyenne Wells, 9.9 miles west, or at Weskan, 11.5 miles east of Arapahoe;

IT FURTHER APPEARING, That on May 6, 1942, the Commission received a petition signed by representatives of the several business firms and schools of Arapahoe, protesting the proposed closing of the said railroad agency station at Arapahoe, alleging that in view of the increased car loadings at the station and improved farm conditions in that vicinity, the people of the community were very much surprised at the railroad company's action in the matter. A hearing to be held at Arapahoe for consideration of the matter, is requested.

IT FURTHER APPEARING, That the Commission finds that the proposed closing and discontinuance of the agency station of the said Railroad Company and Telegraph Company at Arapahos, Colorado, might injuriously affect the rights and interests of said protestants or others that might be concerned;

1.

IT IS THEREFORE ORDERED, That the effective date for the proposed closing of the agency station of said Railroad Company and Telegraph Company at Arapahoe, Colorado, be suspended for one hundred and twenty (120) days from May 31, 1942, or until September 28, 1942, unless otherwise ordered by the Commission.

IT IS FURTHER ORDERED, That the matter of the protests of the aforesaid protestants or others concerned therein, is hereby set down for hearing before the Commission at the Court House at Cheyenne Wells, Colorado, at 9:00 o'clock A. M., on May 26, 1942, at which time and place such evidence in the matter as is proper may be offered.

IT IS FURTHER ORDERED, That a copy of this order shall be filed with the aforesaid application for the closing of the agency station of the said Railroad Company and Telegraph Company at Arapahoe, Colorado, and copies hereof be forthwith served on H. E. Shumway, Superintendent for Union Pacific Railroad Company, Denver, Colorado; H. W. Deneke, Superintendent of Western Union Telegraph Company, Denver, Colorado, and W. W. Howard, Arapahoe, Colorado, as representative of the aforesaid protestants.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLOBADO

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Commissioners.

Dated at Denver, Colorado, this 12th day of May, 1942.

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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* * *

RE MOTOR VEHIGLE OPERATIONS OF) GERALD G. BENNETT

PERMIT NO. C-1168

May 13, 1942

STATEMENT

By the Commission:

418 West "D"

Pueblo, Colorado

| The | Commission i | is in receipt o | f a communication | n from | |
|------------|---------------------|-----------------|-------------------|---------|-----------------|
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| Gerald | G. Bennett | | of418 West "1 | D# . Pi | leblo, Colorado |
| | NA*********** | **** | | | |
| | | | C-1168 | | |
| requesting | that his Po | ermit No | <u>041100</u> | be | cancelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-1168 , heretofore issued to <u>Gerald G. Bennett of 418 West "D", Pueblo, Colorado</u> be, and the same is hereby, declared cancelled effective May 1, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLOBADO orwar eura alin Fran Commissioners.

Dated at Denver, Colorado,

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(Decision No. 18834

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHIGLE OPERATIONS OF)

PERMIT NO. C-4912

G. DERMER Merino, Colorado

May 13, 1942

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STATEMENT

By the Commission:

| The | Commission | is in rece | oipt of a | communication | from | **** |
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| G. Derm | er | | | of Norino | | Colorado |
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| requesting | g that his | Permit No. | | C-4912 | DO C | cancelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-4912</u>, heretofore issued to <u>G. Permer of Merino, Colorado</u> be, and the same is hereby, declared cancelled effective May 1, 1942.

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLORADO OF TURAN al Commissioners.

....., 19..42.....

name i segur

Dated at Denver, Colorado,

this____loth____day of May

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHIGLE OPERATIONS OF)

PERMIT NO. C-2401

406 Marion Court Alameda, California

F. C. DOUD

May 15, 1942

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STATEMENT

By the Commission:

| | The | Commi | ssion | is in | rece | ipt of | a | commun | ication | from. | | | |
|-------------|-------------|--------|-------|-------|------|---------------------------------------|---|--------|-------------------------------------|-------|-------|----------|------------|
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| F. 1 | <u>0.</u> [|)oud | | | | | | of 406 | Marion | Court | | Alameda, | California |
| | | | | | | | | | | | | | |
| reques | ting | g that | his | Permi | t No | | Ç | -2401 | * * * * * * * * * * * * * * * * * * | | .Ъе с | cancelle | d. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

13th day of May , 19 42

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-2401</u>, heretofore issued to <u>F. C. Doud of 406 Marion Court, Alameda, California</u> be, and the same is hereby, declared cancelled effective May 4, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO elient chamin Environment Commissioners.

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Dated at Denver, Colorado,

this_

(Decision No. 18836)

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHIGLE OPERATIONS OF)

LEO A. GARNIER Westcliffe, Colorado PERMIT NO. C-13310

May 13, 1942

STATEMENT

By the Commission:

| The Commission i | s in receipt of | a communication from |
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| Leo A. Garnier | | of Westcliffe Colorado |
| | *** | |
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| requesting that his Pe | rmit No. | C-13310 be cancelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this 13th day of May, 19 42-

ORDER

IT IS THEREFORE ORDERED, That Permit No..C.13310......, heretofore issued to......be, and the same is hereby, declared cancelled effective May 4, 1942.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Ualcomissioners.

and a fee

Dated at Denver, Colorado,

C-8230

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHIGLE OPERATIONS OF)

J. S. FORTNER 309 West 10th St., Pueblo, Colorado

PERMIT NO.

May 15, 1942

STATEMENT

By the Commission:

| | The | Commis | sion | is in | n recei | ipt of | a | communication | fro | m | | | | |
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| reque | sting | that | his | Permi | No. | | 34 | C-8230 | | be | canc | elled. | | |
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After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this_____13th_____day of ______ May_____, 19.42....

ORDER

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO Comrssioners. clo

Dated at Denver, Colorado,

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RE MOTOR VEHICLE OPERATIONS OF)

GEORGE S. FREY Satanta, Kansas PERMIT NO. C-5950

May 13, 1942

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STATEMENT

By the Commission:

| The C | ommission | is in rec | eipt of a | communication | from | |
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| Georg | e S. Frey | 김 동물 관계 같은 | | of Satanta | | Kansas |
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| requesting | that his l | Permit No. | <u>V-0</u> | 950 | be | cancelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this___15th ____ day of _____ May _____, 19.42....

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-5950 , heretofore issued to George S. Frey of Satanta, Kansas be, and the same is hereby, declared cancelled effective May 7, 1942.

> See

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO Con Contractor Commissioners.

Dated at Denver, Colorado,

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C-5659

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHIGLE OPERATIONS OF)

| CLIDE | IRVIN | | | | /
) | PERMIT NO. | |
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May 15, 1942

STATEMENT

By the Commission:

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After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

day of May

<u><u>O</u> <u>R</u> <u>D</u> <u>E</u> <u>R</u></u>

IT IS THEREFORE ORDERED, That Permit No. C-5659 , heretofore issued to <u>Clide Irvin of Route 4, Grand Junction, Colerado</u> be, and the same is hereby, declared cancelled effective **May 4, 1942.**

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

a Commissioners

Dated at Denver, Colorado,

13th

this_

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IN THE MATTER OF THE APPLICATION OF M. L. KNIGHT, W. G. PETERSON AND MILTON C. GARWOOD, DOING BUSINESS AS "DIME DELIVERY COMPANY," DENVER, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT NO. A-415 TO DIME DELIVERY, INC., DENVER, COLORADO.

APPLICATION NO. 3861-PP-AAA

May 13, 1942.

Appearances: Garwood and Garwood, Esqs., Equitable Building, Denver, Colorado, for applicants; Joseph M. Hodges, Esq., Denver, Colorade, for Rocky Mountain Motor Company, Package Delivery Service; A. J. Fregeau, Denver, Colorado, for Weicker Transfer and

Storage Company.

STATEMENT

By the Commission:

M. L. Knight, W. G. Peterson and Milton C. Garwood, copartners, doing business as "Dime Delivery Company," successors in interest to Our Own Delivery, Inc., a corporation, herein seak authority to transfer their Private Carrier Permit No. A-415 to Dime Delivery, Inc., a Colorado corporation.

Said permit issued on December 30, 1952, authority being limited to the transportation of freight:

Denver to Englewood; Denver to Littleton; Denver to Lakewood; Denver to Golden; Denver to Wheatridge; Denver to Arvada; Denver to Fitzsimons; Denver to Aurora.

Protestant, Package Delivery Service, operates a common carrier package delivery service in and from Denver to all points in trade territory adjoining the City, including all points transferor is authorized to serve.

1.

Cross-examination of applicants' witnesses at hearing in Denver,

Colorado, developed that transferors conduct a common carrier moving, express and package delivery service within the City Limits of Denver, serving approximately eighty (80) customers; that a similar service is furnished to points out of Denver, Permit A-415 being used for that purpose; that service is furnished by means of trucks and bicycles, bicycle service chiefly being limited to city deliveries; that carrier advertises extensively in Denver, by distribution of circulars, mineographed sheets showing schedules, etc., letters, and listing in telephone directory (general and classified sections). The advertising matter does not state that common carrier service is limited to Denver, or that applicants operate to points beyond the City Limits as a private carrier. The same equipment, about ten or eleven trucks, is used in and out of the City - that is, a truck leaving downtown Denver delivers packages as a common carrier as far as the City Limits, and continuing beyond the City Limits, delivers as a private carrier, and returning, entering the City Limits, continues to deliver as a common carrier until it returns to dock. Common carrier service and private carrier service is furnished same customer, and customer has not been informed, and does not know, that he is being served in two capacities. There is no difference in character of service. Transferee corporation has taken over, and now is conducting, the delivery service in Denver as a common carrier, said service having been transferred to it by the partnership. It proposes to acquire the partnership's private carrier permit, and to conduct business in the same manner as heretofore conducted by the partners.

Package Delivery's certificate was made part of the record.

Protestants objected to transfer, and justified their objection upon the ground that facts developed at the hearing show that operation, as conducted by transferors, has been, and is, illegal, and that transferee corporation, whose stock is owned by the individuals constituting the transferor partnership, contemplates conducting business in the same manner. They asked that, if transfer is authorized, service to points outside the

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nga 1 city be firmished by one or more trucks limited to such service; that common carrier city freight and out-of-town private carrier freight be not handled in the same equipment. Also, that all advertising be limited definitely to Denver service, if advertising is allowed, it being protestants' opinion that advertising of either city or inter-city service should not be permitted.

Applicants objected to suggested restrictions on transfer, stating that said restrictions, in effect, would cancel the permit; that it was not practical to furnish out-of-town service with equipment not used in city service. They agreed that suggested restrictions as to advertising might be imposed.

We think protestants' position is well taken. While, ordinarily, in the past on transfer proceedings involving either certificates or permits, we have not examined the question of public convenience and necessity, question whether authority sought is or is not in the public interest is always involved. Especially is this true where operating right or privilege, as in this instance, originally issued as a matter of course without a hearing. If applicants here were before us seeking a permit to conduct a private carrier operation in the manner their operations under Permit No. A-415 have been, and will continue to be conducted, the permit would not be granted. In the past, they have been conducting a common carrier operation to and from, as well as within, the City of Denver, using the same officers, employes, solicitors, office, telephone, advertising, bills, equipment, etc. In fact, the supposedly two different operations have been one. The only inconvenience they have been put to because their authority granted by the Commission was that of a private carrier and not that of a common carrier, was the filing of a customer list.

The Commission's rules prehibit the interchange of freight between ptivate carriers, between a common carrier and a private carrier, and between an operator, in his capacity as a common carrier, and himself, in his capacity as a private carrier. The Commission's position was approved by the Supreme Court in the McKay case. Here, transferor does not physically

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interchange freight at City Limits. The operation merely is styled "common carrier" inside City Limits, and "private carrier" outside the City Limits. It is "the same horse."

If suggested restrictions on method of operating designed to insure operation as a private carrier, and not as a common carrier, are imposed, transferee apparently does not want the permit. Obviously, it intends to continue to conduct the operation in the manner in which it heretofore has been conducted. If we now authorize transfer sought, without imposing conditions which will prevent continuance by transferee of illegal operation of its predecessor in interest, we not only condone and approve past law violations, but, in effect, authorize or at least permit continuance thereof in the future.

After a careful consideration of the record, the Commission is of the opinion, and finds, that the proposed transfer is not in the public interest, and authority therefor should be denied.

<u>ORDER</u>

IT IS ORDERED:

That application to transfer be, and the same hereby is, denied. This order shall become effective twenty days from date.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Dated at Denver, Colorado, this 13th day of May, 1942.

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(Decision No. 18841)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

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ALBINO COPPA 715 Arizona Trinidad, Colorado

May 15, 1942

STATEMENT

By the Commission:

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| reque | sting | that | his l | Permit | NO | | ****** | ····· | | | .be c | ancelle | d. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-9267 heretofore issued to <u>Albino Coppa of 715 Arizona, Trinidad, Colerado</u> be, and the same is hereby, declared cancelled effective April 14, 1942.

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLORADO OF alconom Caracter and Commissioners.

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

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RE MOTOR VEHIGLE OPERATIONS OF)

ALBINO COPPA 715 Arizona Trinidad, Colorado

PERMIT NO, A-1092

May 15, 1942

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<u>S T A T E M E N T</u>

By the Commission:

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| Albino Coppa | | of 715 Arizona | Trinidad, Colorado |
| | | | |
| requesting that his Per | mit No A- | 1092 | be cancelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. A-1092 , heretofore issued to <u>Albino Coppe of 715 Arizona, Trinidad, Colorado</u> be, and the same is hereby, declared cancelled effective April 114, 1942.

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THE PUBLIC UTILITIES COMMISSION HE STATE MO

Commissioners.

Dated at Denver, Colorado,

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LESLIE R. ARMSTRONG)
Gondad, Colorado)

PERMIT NO. C-167

May 15, 1942

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STATEMENT

By the Commission:

| The (| Commission | is in re | ceipt of a | communication | n from | | |
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| Leslie R. | Armstrone | | | of Gould | | c | olorado |
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| 20~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~ | | | | | | | |
| requesting | that his | Permit No | | C167 | be | cancelle | d. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-167....., heretofore issued to Leslie R. Armstrong of Gould, Colorado be,

and the same is hereby, declared cancelled effective May 1, 1942.

THE PUBLIC UTILITIES COMMISSION HE STATI 10

Commissioners.

Sec. No.

Dated at Denver, Colorado, this____15th day of May _____, 19_42____

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RE MOTOR VEHIGLE OPERATIONS OF)

PERMIT NO. A-2034

LESLIE R. ARMSTRONG Gould, Colorado

> <u>May 15, 1942</u> <u>S T A T E M E N T</u>

By the Commission:

| The | e Commissio | on is in re | ceipt of a | communication | from | ******** |
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| Lesl | ie R. Arms | trong | | of Gould | Col | Lorado |
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| requesti | ng that his | s Permit No | | 1-2034 | he cr | uncelled. |
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After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>A-2034</u>, heretofore issued to <u>Leslie R. Armstrong of Gould, Colorado</u> be,

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and the same is hereby, declared cancelled effective May 1, 1942.

THE PUBLIC UTILITIES' COMMISSION OF THE STATE OF COLORADO

Comissioners.

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Dated at Denver, Colorado,

this 15th day of

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RE MOTOR VEHICLE OPERATIONS OF)

PERMIT NO. A-2363

J. D. CHEEK Gould, Colorado

May 15, 1942

STATEMENT

By the Commission:

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| | r. D. | Cheel | ٢ | | | | | of G | ould | | | Colo | rado | | |
| reque | sting | g that | his | Permi | lt No | | A: | 2363 | | | | .be ca | ancel | led. | |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

and the same is hereby, declared cancelled effective April 21, 1942.

ORDER

IT IS THEREFORE ORDERED, That Permit No. A-2363 , heretofore issued to J. D. Cheek of Gould, Colorado be,

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO A.c.r. P Tor & Radian 14.11.2 06

Commissioners.

...., <u>19</u>...<u>42</u>...

| Dated at | Denver, Col | orado. | |
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| this | | day of | May |
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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF GOLORADO

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RE MOTOR VEHIGLE OPERATIONS OF)

DON COLLINS 1843 Spruce St., Boulder, Colorado PERMIT NO. B-1371

May 15, 1942

STATEMENT

By the Commission:

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| Don Collins | | of 1843 Spruce St | Boulder, Colorado |
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| requesting that his Permit | NoB | 1371 | be cancelled. |

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After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>B-1371</u>, heretofore issued to <u>Don Collins of 1843 Spruce St., Boulder, Colorado</u> be,

and the same is hereby, declared cancelled effective April 18, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO S. M. Sacceson Bern alcon areaction

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Commissioners.

Dated at Denver, Colorado,

this_

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RE MOTOR VEHICLE OPERATIONS OF)

DYCEL MERRILL Atwood, Colorado PRIVATE PERMIT NO. B-2248

May 15, 1942

STATEMENT

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2248 be suspended for a period of six months from May 2, 1942.

ORDER

IT IS ORDERED:

That Dycel Merrill, of Atwood, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-2248 for a period of not to exceed six months from May 2, 1942.

That unless said Dycel Merrill shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO Contraction of the second 100-

Dated at Denver, Colorado, this 15th day of May, 1942.

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Commissioners

RE MOTOR VEHICLE OPERATIONS OF)

IRIS HERBERTSON 4855 Beach Court Denver, Colorado PRIVATE PERMIT NO. B-2368

May 15, 1942

<u>STATEMENT</u>

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2368 be suspended for a period of six months from May 1, 1942.

ORDER

IT IS ORDERED:

That Iris Herbertson, of Denver, Colorado, be, and she is hereby, authorized to suspend her operations under Permit No. B-2368 for a period of not to exceed six months from May 1, 1942.

That unless said Iris Herbertson shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO 810 J. S. C.C.C. Commissioners

Dated at Denver, Colorado, this 15th day of May, 1942.

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RE MOTOR VEHICLE OPERATIONS OF)

GLEN KELLOGG dba KELLOGG TRUCK LINE Burlington, Colorado

PRIVATE PERMIT NO A-711

May 15, 1942 <u>STATEMENT</u>

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. A-711 be suspended for the duration and six months thereafter from April 28, 1942.

ORDER

IT IS ORDERED:

That Glen Kellogg, of Burlington, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. A-711 for the duration and six months thereafter from April 28, 1942.

That unless said Glen Kellogg shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be rewoked without the right to reinstate.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * E & E 2P Alon Commissioners

Dated at Denver, Colorado, this 15th day of May, 1942.

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF) FRED VIEBROCK) 814 E. Cimarron St.,) Colorado Springs, Colorado)

PERMIT NO. C-5620

May 15, 1942

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<u>S T A T E M E N T</u>

By the Commission:

| The Commis | ssion is in rec | pipt of a comm | unication from | | |
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| Fred Viebrock | | of | 814 E. Cimaron | n Colo Sprin | gs, Colorado |
| | | | | | |
| requesting that | hig Permit No | C-562 | 20 | .be cancelled. | |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-5620, heretofore issued to <u>Fred Viebrock of 814 E. Cimarron, Colo Springs, Colorado</u> be, and the same is hereby, declared cancelled effective April 20, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO 611-Bellan Perma Concellans Commissioners.

Dated at Denver, Colorado, this 15th day of May, 19.42....

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RE MOTOR VEHICLE OPERATIONS OF

PRIVATE PERMIT NO. B_2235

FRED VIEBROCK 814 E. ^Cimarron Colo Springs, Colorado

May 15, 1942

<u>STATEMENT</u>

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2235 be suspended for a period of six months from April 20, 1942.

ORDER

IT IS ORDERED:

That Fred Viebrock, of Colorado Springs, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-2235 for a period of not to exceed sixthenths from April 20, 1942.

That unless said Fred Viebrock shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION of the state of COI TSILLA

Dated at Denver, Colorado, this 15th day of May, 1942.

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Commissioners

At a General Session of the Public Utilities Commission of the State of Colorado, held at its Office in Denver, Colorado, May 15, 1942.

INVESTIGATION AND SUSPENSION DOCKET NO. 244 (APPLICATION NO. 5914)

IT APPEARING, That on April 30, 1942, the Union Pacific Railroad Company, by its Superintendent, and Western Union Telegraph Company, by its Superintendent, filed an application jointly with the Commission to close and discontinue their agency station at Wild Horse, Cheyenne County, Colorado, to be effective on and after May 51, 1942, alleging that the amount of business at said station is very light and has been decreasing, and that the amount of business handled is greatly out of proportion to the cost of maintenance and operation of the station; also that with the exception of one passenger train, which it is not often necessary to stop at Wild Horse, all trains pass that station at night, at which time there is no agent on duty and all traffic is handled by train crews, and that the business of the railroad is such at this point, it is believed that all such can be handled from Aroya, 7.2 miles west, or at Kit Carson, 12.7 miles east of Wild Horse;

IT APPEARING FURTHER, That on May 14, 1942, the Commission received a petition with some fifty signatures of alleged families and patrons of the railroad company residing in the vicinity of Wild Horse, protesting the closing of the said agency station at Wild Horse, as set out in the application of the said railroad company;

IT FURTHER APPEARING, That the Commission finds that the proposed closing and discontinuance of the agency station of the said Railroad Company at Wild Horse might injuriously affect the rights and interests of said protestants or others that might be concerned;

IT IS THEREFORE ORDERED, That the effective date for the proposed

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closing of the agency station of said railroad company and telegraph company at Wild Horse, Colorado, be suspended for one hundred and twenty days from May 31, 1942, or until September 28, 1942, unless otherwise ordered by the Commission.

IT IS FURTHER ORDERED, That the matter of the protests of the aforesaid protestants, or others concerned therein, is hereby set down for hearing before the Commission at the <u>Court House at Cheyenne Wells</u>, <u>Colorado</u>, <u>at 9:00 o'clock A. M., on May 26</u>, <u>1942</u>, at which time and place such evidence in the matter as is proper may be introduced.

IT IS FURTHER ORDERED, That a copy of this order shall be filed with the aforesaid application for the closing of the agency station of the said Railroad Company and Telegraph Company at Wild Horse, Colorado, and copies hereof be forthwith served on H. E. Shumway, Superintendent of the Union ^Pacific Railroad Company, Denver, Colorado; H. W. Deneke, Superintendent of Western Union Telegraph Company, Denver, Colorado, and Mildred Nye ^Holte, Wild Horse, Colorado, as representative of the aforesaid protestants.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioner

Dated at Denver, Colorado, this 15th day of May, 1942.

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IN THE MATTER OF THE APPLICATION OF WILLARD F. BRITT, DOING BUSINESS AS BRITT TRUCK SERVICE, FOR AN EXTENSION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 3229-A-B

May 19, 1942.

Appearances: Marion F. Jones, Esq., Denver, Colorado, for applicant;

- T. A. Stockton, Jr., Esq., Denver, Colorado, for Surnow Livery and Transfer Company and the Common Carrier Division of The Colorado Motor Carriers' Association;
- E. C. Mason, Boulder, Colorado, for Over-Land Express Company; Joe Heppberger, Blackhawk, Colorado,
- for Gilpin County Freight Line;
- A. J. Fregeau, by T. A. Stockton, Jr., Esq., Denver, Colorado, for Weicker Transfer and Storage Company;
- R. E. Conour, Esq., Del Norte, Colorado, by T. A. Stockton, Jr., Esq., Denver, for Faus Transportation Company.

<u>STATEMENT</u>

By the Commission:

As filed herein, the application seeks to extend operating rights originally issued in Application No. 3229 to Norman Rhyno and thereafter transferred to applicant herein, to include the transportation of general commodities, excepting livestock and milk, between points within a 50-mile radius of Boulder, and between points in said area and points in the State of Colorado. However, at the hearing, a stipulation was entered into between protestants and applicant which somewhat restricted the authority sought. The presently authorized operations under said certificate, which has been designated No. 949, covers the transportation of farm products (excluding livestock), farm supplies and farm equipment, including household goods, coal, ore and concentrates, mining equipment and supplies, and machinery, between points

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in an area which is roughly the southern and western part of Boulder County, and from said area to and from other points in the State of Colorado.

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Testifying in his own behalf, applicant stated that due to war conditions, mining activity and construction work of various kinds have been greatly stimulated in the area to which he is seeking to extend his service as a common carrier. He now owns Private Permit No. B-862 and also was the owner of Permit A-722, which has heretofore been cancelled by the Commission. His operations under Permit B-862, which is a state-wide permit, have been practically of the same character as he is now seeking to obtain under an extension of his certificate. He proposes to cancel the "B" permit if the extension sought is granted. Applicant is the owner of a large number of equipment units particularly adapted to handle ores, concentrates and mining supplies. He further testified that it was quite often necessary to go to various points in the State of Colorado now to obtain used machinery for various mines, and due to recent ODT orders, service to the mines will no longer be available by private carriers.

Mr. Joe Little, of Denver, Colorado, who is interested in Slide mines, Tungsten mill, and other properties in Boulder County, testified that said district was prepared to produce large quantities of tungsten, as well as small amounts of copper and lead ores, all of which are strategic metals and are needed in the prosecution of the war; that there is not enough backhaul so that any of the crude ore or concentrates could be transported by private carriers; that at the present time the Boulder Tungsten Company is building a 75-ton mill northeast of Nederland, and it is expected a large number of properties will start operating; that new mining machinery is scarce and that it is necessary in many instances to secure second-hand machinery; that in his opinion, two-thirds of the mining industry in Boulder would be crippled if applicant is not granted the authority sought.

A witness who is in the lumber business at Winter Park, testified that while he had been handling his own products, this summer he would be required to secure for-hire transportation; that he sells to the Denver Arms

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plant, as well as Federal projects at Colorado Springs and Pueblo. The manager of the Boulder Tungsten Mill, in effect, substantiated the testimony that had been given by Mr. Little.

In view of the stipulation entered into, no objection was made by any protestant to the granting of the additional authority sought.

The financial standing of applicant was established to the satisfaction of the Commission.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that the extension herein sought should be granted.

<u>ORDER</u>

IT IS ORDERED:

That the public convenience and necessity require the proposed extended operations of Willard F. Britt under certificate of public convenience and necessity No. 949 to include the transportation of general commodities, except household goods, livestock, and fluid milk as a farm pickup, between points within a 50-mile radius of Boulder, excepting the City and County of Denver and that part of said 50-mile radius lying west of U. S. 87 and south of the south line of Township 2 South, as shown on Exhibit "A" attached to the application filed herein and by reference made a part hereof, and to and from points in said area from and to all points in the State of Colorado, including Denver, excepting that no processed fruits shall be transported between points within or into and out of Larimer County, and further excepting any town-to-town movement where served by scheduled common carriers, with the further provision that the present authority under Certificate No. 949 shall not be altered or changed, except as it may be increased by this decision, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

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

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The applicant shall operate his motor carrier system according to the schedule filed except when prevented from so doing by the Act of God, the public enemy or extreme conditions.

This order is subject to compliance by applicant with all present and future laws and rules and regulations of the Commission.

That Private Permit No. B-862 be, and the same is hereby, cancelled and revoked.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this 19th day of May, 1942.

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(Decision No. 18854)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF) LEE SNOOK Route 4, Box 377 Ft Collins, Colorado

C-11619 PERMIT NO.

May 22, 1942

STATEMENT

By the Commission:

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After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-11619 , heretofore issued to Lee Snook of Route 4, Box 377, Ft Collins, Colorado be, and the same is hereby, declared cancelled effective June 16, 1941.

THE PUBLIC UTILITIES COMMISSION OF, THE STATE OF COLOBADO Lac on-Commissioners.

Dated at Denver, Colorado, this 22nd day of May

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RE MOTOR VEHICLE OPERATIONS OF)

HOIL BILLINGSLEY Box 143, Lamar, Colorado PERMIT NO. C-13845

May 22, 1942

<u>S T A T E M E N T</u>

By the Commission:

| The Commission in | s in receipt of a | communication fr | 011 |
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| requesting that his Pe | rmit No | C-13843 | be cancelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-13843</u>, heretofore issued to <u>Hoil Billingsley of Box 143, Lamar, Colorado</u> be, and the same is hereby, declared cancelled effective May 1, 1942.

THE PUBLIC UTILITIES COMMISSION OF. THE STATE OF COLORADO sugar una xxee berne GAGE KAM Commissioners.

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Dated at Denver, Colorado, this 22nd day of May

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RE MOTOR VEHICLE OPERATIONS OF)) FRED KREUTZER) Garden City, Kansas)

PERMIT NO. C-13573

May 22, 1942

<u>S T A T E M E N T</u>

By the Commission:

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| Fred Krew | ltzer | | | of Garden Cit | 7 | Kansas |
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| | | | 영상 관련적인 수는 | C-13578 | | |
| requesting | that his | Permit No. | | 0-10010 | De (| cancelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-13573, heretofore issued

to Fred Kreutzer of Garden Citr, Kansas be,

and the same is hereby, declared cancelled effective April 1, 1942.

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLORADO ere. Qn man Calledans Commissioners.

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RE MOTOR VEHICLE OPERATIONS OF)

MARION & LEON JOHNSON Paonia, Colorado PERMIT NO. C-13520

May 22, 1942

STATEMENT

By the Commission:

| The | Commission | is in receipt of | a communication | from | |
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| | | Permit No | C-13520 | be cancel | |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-13520, heretofore issued

to Marion and Leon Johnson of Paonia, Colorado be,

and the same is hereby, declared cancelled effective May 12, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO S-31LORM illim Commissioners.

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)) COY E. PLUNKETT) () () Rocky Ford, Colorado

PERMIT NO. C-13468

May 22, 1942

STATEMENT

By the Commission:

| The | Commission | is in recei | pt of a c | ommunicatio | n from | |
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| | 문제에는 문화되었다. | | | 김 김 양종은 가슴옷 | 영영 전문을 위한다. | |
| Cov E. | Plunkett | | | P Rocky Ford | 3 | Colorado |
| | | ****************** | | 1 | ····· | |
| | | | | | | |
| requestin | g that his 1 | Permit No | <u>С-</u> . | 13468 | be | cancelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No.C-13468, heretofore issued to Coy E. Plunkett of Rocky Ford, Colorado be,

and the same is hereby, declared cancelled effective May 1, 1942.

THE PUBLIC UTILITIES COMMISSION COLORADO THR STATE alcom Grickson Commissioners.

Dated at Denver, Colorado, this ______ day of ______ May _____, 19.42

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RE MOTOR VEHICLE OPERATIONS OF)) ZEB GUSTIN) Lyons, Colorado ١

PERMIT NO. C-13279

May 22, 1942

STATEMENT

By the Commission:

| The | Commissior | n is in rece | ipt of a (| communication | from | |
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| requesting | that his | Permit No | | -13279 | be | cancelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-13279 , heretofore issued

to Zeb Gustin of Lyons, Colorado be,

and the same is hereby, declared cancelled effective May 5, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO Comissioners

Dated at Denver, Colorado, this _____ 22nd _____ day of _____ May _____, 1942.

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

J. T. JONNSTON dba MOTOR SALES COMPANY Wauneta, Nebraska

PERMIT NO. C-15101

May 22, 1942

<u>S T A T E M E N T</u>

By the Commission:

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| requesting t | hat his Permit | No | C-13101 | be | cancelled | |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

<u>O R D E R</u>

IT IS THEREFORE ORDERED, That Permit No. <u>C-13101</u>, heretofore issued to <u>J. T. Johnston dbs Motor Sales Company of Waunets, Nebraska</u> be, and the same is hereby, declared cancelled effective May 6, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

missioners

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Dated at Denver, Colorado, this 22nd day of May , 19 42

| | OF THE | STATE OF | COLORADO | |
|---|---|-------------------|------------|---------|
| RE MOTOR VEHICLE OPERAT | 'IONS OF) | | | |
| WILLIAM B. COON
4578 Xavier St.,
Denver, Colorado | | | PERMIT NO. | C-13076 |
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By the Commission:

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Tal | | | of 4578 | Xavier | St I | enver, | Colorado |
| | | | | ********** | ****** | | ************* | | | •••••• |
| requestin | g that | his 1 | Permit | No | C | 13076 | ***** | be | cancel | led. |

BEFORE THE PUBLIC UTILITIES COMMISSION

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-13076, heretofore issued william B. Coon of 4578 Xavier St., Denver, Colorado be,

and the same is hereby, declared cancelled effective May 14, 1942.

THE PUBLIC UTILITIES COMMISSION OF COLORADO OF THE france Commissioners.

Dated at Denver, Colorado, this ______ 22nd ______ day of ______ May _____, 19...42

RE MOTOR VEHICLE OPERATIONS OF)

IVAN SURBECK Montrose, Colorado PERMIT NO. C-12858

May 22, 1942

<u>S T A T E M E N T</u>

By the Commission:

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- 12일 - 12 | | | |
| requesting that his | C_1 | 2858 | be cancelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-12858 , heretofore issued

to Ivan Surbeck of Montrose, Colorado

and the same is hereby, declared cancelled effective April 14, 1942.

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THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO Commissioners.

....., 19.42.

.....be,

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

RE MOTOR VEHIGLE OPERATIONS OF)

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May 22, 1942

STATEMENT

By the Commission:

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After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-12537, heretofore issued to The Regain Corporation of Box 297, Colorado Springs, Colorado be, and the same is hereby, declared cancelled effective May 12, 1942.

THE PUBLIC UTILITIES COMMISSION THE STATE OF. COLORADO alc Carackson-

Commissioners.

....., 19...42....

Dated at Denver, Colorado,

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this 22nd day of May

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)

LOUIS TRUJILLO Walsenburg, Colorado

PERMIT NO. C-12526

May 22, 1942

STATEMENT

By the Commission:

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| Louis T | rujillo | | | | Walsenbur | g | Colorado |
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After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

<u>ORDER</u>

IT IS THEREFORE ORDERED, That Permit No. C-12526 , heretofore issued to Louis Trujillo of Walsenburg, Colorado be,

and the same is hereby, declared cancelled effective May 1, 1942.

this 22nd day of May , 19.42

THE PUBLIC UTILITIES COMMISSION TATE OF COLOBADO THE S 6 11 Commissioners.

Dated at Denver, Colorado,

RE MOTOR VEHIGLE OPERATIONS OF).

PERMIT NO. C-12405

May 22, 1942

STATEMENT

By the Commission:

A. J. BAEHR

Fullerton, Nebraska

| | | T | he | Comm | issi | ion | is | in | rece | ipt | of | ac | ommun | icat: | ion | from | *** | | | | |
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After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-12405 , heretofore issued to A. J. Bachr of Fullerton, Nebraska be,

and the same is hereby, declared cancelled effective April 13, 1942.

S. A. Com

THE PUBLIC UTILITIES COMMISSION)F THE STATE COLORA un areally

Commissioners.

Dated at Denver, Colorado,

this _______ day of ______, 19.42.....

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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| Purcell, Col | lorado |) | |
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| | | May 28, 1942 | |

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By the Commission:

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الأربية | | | | 물 관람이 같은 것을 못 | | |
| | 승규가 이 가지 않는 것이 있었다. | 승규는 이 이상 물건 것 같아요. ㅠㅠ | 이 그들이 다 같은 것을 알려야 한다. 그는 것을 가지 않는 것을 하는 것을 가지 않는 것을 하는 것을 수가 있는 것을 하는 것을 수가 있는 것을 수가 있다. | | 🔺 an shina ka ka ka shina ta | 그 같은 것 같은 |
| r | equestin | g that his | Permit No | C-1231 | 9 | be cancelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-12319 , heretofore issued to Glen Massey of Purcell, Colorado be, and the same is hereby, declared cancelled effective May 13, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners unchant

Dated at Denver, Colorado,

this_

(Decision No. 18867)

C_11731

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

*. * * . . . 2 . Sections

)

PERMIT NO.

RE MOTOR VEHIGLE OPERATIONS OF)

T. WILLRICH 459 Raleigh St., Denver, Colorado

May 22, 1942

STATEMENT

By the Commission:

| | | The | Comm: | issior | is i | in r | eceipt | of a | L (| communi | catio | n f | rom | | | | | |
|------|------|--------|--------|--------|-------|------|--------|--------|------------|---------|----------|-----|--------|------|--------|----|------|--------------------|
| | | | | | | | 전환 사람이 | | | | m | | | | | | | |
| | T. | W11] | rich | | | | | | | of 459 | Kale: | igh | St. | | Denvei | • | Colo | rade |
| | | | | | | | | | | | | | | | | | | |
| rei | 1110 | atin | a the | t his | Dorm | it N | | | | C-1173 | 1 | | | ho a | ancell | ъđ | | alut Ka
Kirinta |
| 1 01 | Ino | 0 . 11 | R ATTC | v 1110 | TOIM. | ron | V • | ****** | **** | | ******* | | ****** | na c | ancort | ou | • | |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-11731, heretofore issued ¹. Willrich of 459 Raleigh St., Denver, Colorado be, to..... and the same is hereby, declared cancelled effective May 8, 1942.

THE PUBLIC UTILITIES COMMISSION THE STATE CO1 **n** Kene calcom (

Commissioners.

Dated at Denver, Colorado, this_____22nd day of May

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

FLOYD A. LEWIS 1315 - 11th Ave., Greeley, Colorado PERMIT NO. C-11705

May 22, 1942

)

)

)

<u>S T A T E M E N T</u>

By the Commission:

| The Commission is in receipt of a communication from | |
|--|-----|
| Floyd A. Lewis of 1515 - 11th Ave., Greeley, Colo | |
| | add |
| 전상 그렇게 많은 것을 많이 많은 것 같아요. 그 것은 것도 것을 것 같은 것을 가 많은 것을 가 많다. 것 같은 것을 하는 것을 했다. | |
| requesting that his Permit No. C-11705 be cancelled. | |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

C-11705 IT IS THEREFORE ORDERED, That Permit No......, heretofore issued to.....<u>Flayd A. Lewis of 1515 - 11th Ave., Greeley, Colorado</u>be, and the same is hereby, declared cancelled effective May 7, 1942.

THE PUBLIC, UTILITIES COMMISSION OF THE STATE OF COLORADO FURK Gar KAm

Commissioners.

Dated at Denver, Colorado,

RE MOTOR VEHIGLE OPERATIONS OF)

KNEISEL AND ANDERSON Georgetown, Colorado PERMIT NO. C-11318

May 22, 1942

)

STATEMENT

By the Commission:

| The | Commission | is in rec | eipt of a | communication | from | |
|------------|------------|------------|----------------|---------------|--|---|
| | | | | | 시간 이 것 같은 것 같아요.
같은 이 것 같아요. 것 같아요. | |
| Kneisel | and Anders | son | | of Georgetown | a | Colorado |
| ····· | | | ************** | .U1 | | *************************************** |
| | | | | 11210 | | |
| requesting | that his | Permit No. | | 11518 | be C | ancelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-11318 , heretofore issued to Kneisel and Anderson of Georgetown, Colorado _____be,

and the same is hereby, declared cancelled effective January 1, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

In

Mucommissioners

this ______ day of ______ May _____, 19.42....

A State Server

Dated at Denver, Colorado,

C-11301

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PERMIT NO.

RE MOTOR VEHIGLE OPERATIONS OF)

THE BALDWIN PIANO COMPANY 1623 California St., Denver, Colorado

May 22, 1942

STATEMENT

By the Commission:

| The Commission | is in receipt of a | communication from | | | |
|-----------------------|--------------------|--------------------|---------------------|----------|--|
| 승규는 사람 것이 문제 동물인데 | 영 것이 너희 같은 고려올랐다. | | | | |
| Baldwin Piano Company | ny | of 1625 California | a St. | Denver, | Colorado |
| | ***** | | • 9 • • • • • • • • | | •••••••••••••••••••••••••••••••••••••• |
| requesting that his P | | -11301 | | ncelled. | |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No ... C-11301, heretofore issued and the same is hereby, declared cancelled effective May 7, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO Name 2 Gau

Commissioners,

19 42

Dated at Denver, Colorado, day of May 22nd

this_

RE MOTOR VEHICLE OPERATIONS OF)

LEONARD DAVID PATANO 831 E St., Salida, Colorado

PERMIT NO. C-10119

May 22, 1942

)

١

)

STATEMENT

By the Commission:

| The | Commissio | n is in 1 | receipt of a | communication | from | |
|-----------|------------|-----------|--------------|---------------|--------|----------|
| | David Pat | | | of 831 E St. | | Colorado |
| | | | | C-10119 | | |
| requestin | g that his | Permit 1 | ٧٥ | | be car | ncelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this ______ day of ______, 19.42....

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-10119</u>, heretofore issued to <u>Leonard David Patano ef 851 E St., Salida, Colorado</u> be, and the same is hereby, declared cancelled effective May 9, 1942.

THE PUBLIC UTILITIES COMMISSION OF, THE STATE OF COLORADO Juan. eur lam GALL 1110 Commissioners.

Dated at Denver, Colorado,

TR.

(Decision No. 18872)

C-9867

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

MRS. VERNON G. HEATH Box 529 Boulder, Colorado

PERMIT NO.

STATEMENT

By the Commission:

| | The C | ommiss | ion is | in rece | ipt of a | communic | ation fr | om | |
|-------|-------|--------|---------|---------|----------|----------|----------|----------|--------------|
| | | | | | | | | | |
| Mrs | | ion C. | Heath | | | of Box | 529 | Bould | er, Colorado |
| | | | | | | | | | |
| reque | sting | that h | is Peri | nit No | ******* | C-9867 | | be cance | lled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-9867, heretofore issued to Mrs. Vernon C. Heath of Box 529, Boulder, Colorado be, and the same is hereby, declared cancelled effective May 13, 1942.

THE PUBLIC UTILITIES COMMISSION THE STATE COKORAZO OF 1 Commissioners.

Dated at Denver, Colorado, this 22nd day of May 19 42

(Decision No. 18873)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHIGLE OPERATIONS OF)

MARTIN J. HAMMER Divide, Colorado

PERMIT NO. C-8883

May 22, 1942

3

<u>S T A T E M E N T</u>

By the Commission:

| The Commission is in receipt of a communication from | |
|--|-----|
| | |
| Martin J. Hammer Of Divide Color | obe |
| | , |
| requesting that his Permit No. C-8883 be cancel | hai |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-8885....., heretofore issued to Martin J. Hammer of Divide, Colorado be,

and the same is hereby, declared cancelled effective April 21, 1942.

this______ day of _______, 19.42.....

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO LIAM Che Conce Commissioners.

and the second second

Dated at Denver, Colorado,

重

(Decision No. 18874)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

3

RE MOTOR VEHIGLE OPERATIONS OF)
CARL HENKEL
)

PERMIT NO. C-8023

<u>May 22, 1942</u> <u>S T A T E M E N T</u>

By the Commission:

Route 4, Box 227

Ft Collins, Colorado

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-8023</u>, heretofore issued to <u>Carl Henkel off Route 4, Box 227, Ft Collins, Colorado</u> be, and the same is hereby, declared cancelled effective <u>March 11, 1942</u>.

THE PUBLIC UTILITIES COMMISSION THE STATE OF COLOBADO ale Cale Rala Commissioners.

Dated at Benver, Colorado,

this 22nd

(Decision No. 18875)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

RE MOTOR VEHIGLE OPERATIONS OF)

PERMIT NO. C-7530

A. J. JOHNSON dba CAPITOL CITY COAL & SUPPLY CO 2855 Milwaukee St., Denver. Colorado

May 22, 1942

<u>S T A T E M E N T</u>

By the Commission:

The Commission is in receipt of a communication from <u>H. J. Johnson dba</u> <u>Capitol City Coal and Supply Company</u> of 2855 Milwaukee St Denver, Colorado requesting that his Permit No. <u>C-7550</u> be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this______ day of ______ 1942_____

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-7530, heretofore issued to H. J. Johnson dba Capitol City Coal & Supply Company of 2855 Milwaukeebe, Denver, Colorado and the same is hereby, declared cancelled effective May 12, 1942.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Mechanissi Grets Room

Dated at Denver, Colorado,

(Decision No. 18876

C-7517

)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PERMIT NO.

* * *

)

RE MOTOR VEHIGLE OPERATIONS OF)

JACOB MARTIN 4777 Lincoln St., Denver, Colorado

May 22, 1942

<u>S T A T E M E N T</u>

By the Commission:

| | The | Commi | ssion | is in | receipt | of a | comm | unicati | lon from | | | |
|--------|-------|----------|-------------|--------|--|--------|------------|---------|----------------------|----------|--|------------|
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| Ja | cob 1 | Arti | n | | | | of 4 | 4777 Li | ncoln S | t Denve | r, Colora | do |
| | | | | | | ****** | | | 1221 JL JL WWWW 166- | ····· | ~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~ | |
| | | . | 1 -2 | | | | ^ ' | 7517 | | | | |
| reques | erug | unau | U18 | Permit | NO., | | | (N + L | **** | be cance | allea. | in
An l |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this _____ day of ______, 19 _____, 42 _____

ORDER

THE PUBLIC UTILITIES COMMISSION COLOBADO THE STATE OF ni Commissioners.

Dated at Denver, Colorado,

* * *

RE MOTOR VEHIGLE OPERATIONS OF) M. O. PRICE & PAUL T. HABERLY) 231 East Douglas St.,) Canon City, Colorado)

PERMIT NO. C-6989

May 22, 1942

<u>S T A T E M E N T</u>

By the Commission:

m

| The Commission | is in receipt of a | communication from M. | 0. Price and |
|-----------------------|--------------------|-----------------------|--|
| | 그는 것 같은 것이 나라 물건물건 | 그는 그는 것은 것은 것을 받았다. | 같은 것이 있는 것 같은 것을 들었다. 가장을 가지 않는 것이다.
기억에 가지 않는 것은 것을 것을 것을 수 있다. 것을 가장을 가지 않는 것을 것을 것을 수 있다. 것을 가장을 가지 않 |
| Paul T. Haberly | | of 231 East Douglas | Canon City, Colorado |
| | | | |
| requesting that his I | Permit No. | C-6989 be | cancelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-6989 , heretofore issued to Paul T. Haberly of 231 East Douglas of Canon City, Colorade be, and the same is hereby, declared cancelled effective May 14, 1942.

THE PUBLIC UTILITIES COMMISSION THE STATE QF OF COLORADO 2hcars and

Commissioners.

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHIGLE OPERATIONS OF) SAM SIGAL)

PERMIT NO. C-6089

May 22, 1942

STATEMENT

By the Commission:

3428 W. 16th Ave.,

Denver, Colorado

| The | • Commis | sion is : | in receipt | of a | communication f | rom | |
|----------|----------|-----------|------------|-----------------------------|-----------------|---------|------------------|
| | | | 그 같은 이 가지? | | | | 승규가 말 들어 있는 것이다. |
| Sam (| Sigal | | | n é l'isteach
Daoiseacht | of 3428 W. 16th | Ave. De | nver, Colorado |
| | | | | | | | |
| equestin | ng that | his Perm | it No | C- | -6089 | be car | ncelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this ______ day of ______ May _____, 19 ____42

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-6089, heretofore issued to Sam Sigal of 3428 W. 16th Ave., Denver, Colorado be, and the same is hereby, declared cancelled effective May 11, 1942.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OR COLORADO S THURN 210

Commissioners.

Dated at Denver, Colorado,

C-2591

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

¥ ¥ ×

RE MOTOR VEHIGLE OPERATIONS OF)) WESTERN STATES TRANSPORTATION) COMPANY) 610 Interstate Trest Building) Denver, Colorado.....)

PERMIT NO.

May 22, 1942

STATEMENT

By the Commission:

The Commission is in receipt of a communication from <u>Western States</u> <u>Transportation Company</u> of 610 Interstate <u>Trust Building</u>, Denver, Colorado requesting that his Permit No....<u>C-2591</u> be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

this ______ day of ______ May _____, 19.42....

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-2591</u>, heretofore issued to <u>Western States Transportation Company of 610 Interstate Trust Building</u>, Denver, Colorado and the same is hereby, declared cancelled effective <u>May 11, 1942</u>.

THE PUBLIC UTILITIES COMMISSION THE STATE COL Concerce Commissioners.

Dated at Denver, Colorado,

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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})

RE MOTOR VEHIGLE OPERATIONS OF)

SCOTT OIL COMPANY 301 S. 10th St., Colorado Springs, Colorado

PERMIT NO. C-553

May 22, 1942

STATEMENT

By the Commission:

| The | Commission | is in 1 | receipt of | a commun | ication fr | •om | | | |
|------------|------------|----------|------------------------------|------------|---------------------------------------|--------|------------|-------------|----------|
| | | | | 요즘 문제에서 가지 | | | | | |
| Scott 0 | il Company | | | of 30] | S. 10th | St. Co | lorado Spr | ings, Color | rado |
| | | | | | • • • • • • • • • • • • • • • • • • • | | | | |
| requesting | that his | Dormit | T . | C-553 | | he e | ancelled. | | 1. A. A. |
| redreserus | may 1118 | エムエ明エア・コ | VV • • • • • • • • • • • • • | | ************* | | ancerted. | | |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No._____, heretofore issued to Scott Oil Company of 301 S. 10th St., Colorado Springs, Colorado be, and the same is hereby, declared cancelled effective March 31, 1942.

THE PUBLIC UTILITIES COMMISSION)F THE STATE OF COLORADO é . 5 Sula Person (:

Commissioners.

Dated at Denver, Colorado,

this_____22nd_____day of ______ May_____, 19...42...

C-307

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

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}

)

RE MOTOR VEHICLE OPERATIONS OF)

RUDOLPH W. BRUL 1221 Cedar St., Pueblo, Colorado

PERMIT NO.

STATEMENT

May 22, 1942

By the Commission:

| The Commissio | n is in receipt of | a communication | from | ******** |
|---|---|-----------------|--------|----------------|
| 가장 가장 가지 않는 것은 것이 있는 것이라. 가지 않는 것이다.
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이 가슴에 있는 것은 가슴을 가슴 가슴에 들었다. 가슴 | | | |
| Rudolph W. Brul | | of 1221 Cedar | St. Pu | eblo. Colorado |
| 1993년 1993년 - 1993년 1
1993년 1993년 199
1993년 1993년 199 | 같이 있는 것은 것은 것은 것은 것이 가장하지 않는다.
전 방법에서 가장이 관계 것은 것은 것은 것은 것이다. | | | |
| requesting that his | Permit No | C-307 | he ca | ncelled. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. <u>C-307</u>, heretofore issued to <u>Rudolph W. Brul of 1221 Cedar St., Pueblo, Colorado</u> be, and the same is hereby, declared cancelled effective January 1, 1942.

THE PUBLIC UTILITIES COMMISSION fury o rean

Commissioners.

Dated at Denver, Colorado,

m

this 22nd day of May , 19 42

IN THE MATTER OF THE PETITION OF RIO GRANDE MOTOR WAY, INC., TO TEMPORARILY SUSPEND OPERATION OF ITS TRUCK LINE BETWEEN LEADVILLE AND RED CLIFF OVER U.S. HIGHWAY 24.

<u>APPLICATION NO. 5927</u> <u>P.U.C. NO. 149</u>

May 19, 1942.

ine, inc. :

)

STATEMENT

By the Commission:

2 L . .

Rio Grande Motor Way, Inc., is now authorized to operate common carrier freight trucks between Leadville and Red Cliff over U. S. Highway No. 24. The verified petition filed herein alleges that, effective May 20, 1942, the War Department will close said U. S. Highway No. 24 between Leadwille and Red Cliff, due to the construction of an Army Cantonment at Pando, and authority is sought to suspend operations of petitioner's freight service between Leadville and Red Cliff during the closing of said highway.

This is an emergency application, and it does not appear that any good purpose would be served by holding a formal hearing in regard thereto. We are of the opinion, and so find, that the matter should be determined ex parte upon the verified petition filed herein.

After a careful consideration of the petition, the Commission is of the opinion, and so finds, that the authority sought should be granted.

ORDER

IT IS ORDERED:

That Rio Grande Motor Way, Inc., be, and it is hereby, authorized to suspend operation of its freight service over U. S. Highway No. 24 between Leadville and Red Cliff during the time said highway is closed under order of the War Department of the United States.

That as soon as said Highway No. 24 is again opened to public

-1-

travel between said points, petitioner shall immediately resume its presently established freight service.

That this order shall become effective on the day and date hereof.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

orman

Malun Commissioners.

Dated at Denver, Colorado, this 19th day of May, 1942.

BH

.....

IN THE MATTER OF THE PETITION OF) RIO GRANDE MOTOR WAY, INC., FOR) TEMPORARY SUSPENSION OF CERTAIN) SERVICE BY REASON OF THE WAR) EMERGENCY.

APPLICATION NO. 5926 P.U.C. NO. 149

May 19, 1942.

<u>STATEMENT</u>

By the Commission:

્રાંચ

Rio Grande Motor Way, Inc., is presently operating certain bus routes for the transportation of passengers, baggage, mail and express between Pueble and Grand Junction, Colorado, via Salida, Leadville, Red Cliff, Minturn and Glenwood Springs. The instant petition alleges that the War Department of the United States is now engaged in the construction of an Army Cantonment in the vicinity of Pando, Colorado, which is located on U. S. Highway No. 24 between Leadville and Minturn; that in connection with this construction work, the War Department will close said U. S. Highway No. 24 to public travel on May 20, 1942, which will make it impossible for petitioner to use said highway between Leadville and Red Cliff.

Petitioner proposes to meet the emergency brought about by the closing of said highway by operating bus service for the transportation of passengers, mail and express in connection with railroad trains Nos. 1 and 2 of The Denver and Rio Grande Western Railroad Company by detouring one operation over State Highway No. 91, thence over Vail Pass to Dowd, from thence to Red Cliff, where the operation will stop, returning via the same route to Salida, and the other operation west over U. S. Highway No. 50 to Grand Junction, thence to Glenwood Springs, returning via the same route to Salida.

It will be noted that petitioners propose to stop one operation at Red Cliff that formerly went through to Grand Junction, and the reason

-1-

given for failure to continue said operation to Grand Junction is the fact that due to the longer route traversed and the slower speed under which said busses will be operated, sufficient time could not be arranged to permit said bus to continue to Grand Junction and arrive in time to be used for the run from Grand Junction east to Salida in time to make certain train connections at Salida. It is further alleged that petitioner does not have available equipment to use another bus for said operation.

Petitioner further alleges that it is expected that the closing of U. S. Highway No. 24 at Pando is only of a temporary nature and will probably not exceed some four or five months duration, and petitioner expects to resume its presently established bus operations over said highway as soon as the same is again opened to public travel.

It is also alleged that Trains Nos. 1 and 2 will provide passenger, express and mail transportation service in the territory between Glenwood Springs and Minturn.

This application is of an emergency nature due to the closing of the road on the 20th of this month. The petition is verified, and it does not appear that any good purpose would be served by holding a formal hearing. In our opinion, the matter should be determined <u>ex parte</u> upon the verified petition on file herein.

After a careful consideration of said petition, the Commission is of the opinion, and so finds, that the authority sought should be granted.

<u>ORDER</u>

IT IS ORDERED:

That Rio Grande Motor Way, Inc., be, and it is hereby, authorized to temporarily suspend operation of passenger, baggage, mail and express service over U. S. Highway No. 24 between Leadville, Colorado, and Red Cliff, Colorado, while said highway is closed to travel, due to construction of Army Cantonment at Pando, Colorado, by U. S. War Department; provided, however, that in lieu thereof, said Rio Grande Motor Way, Inc., shall

-2-

operate bus service for the transportation of passengers, mail and express in connection with Trains Nos. 1 and 2 of The Denver and Rio Grande Western Railroad Company as follows:

(1) From Salida westbound over U. S. Highways 285 and 24 to Leadville, thence to Wheeler over State Highway No. 91, from Wheeler to Dowd over U. S. Highway 24 and from thence to Minturn, Gilman and Red Cliff over U. S. Highway 24, returning over the same route to Salida, and (2) from Salida westbound over U. S. Highway 50 to Grand Junction via Gunnison, Montrose and Delta, and from Grand Junction to Glenwood Springs over U. S. Highway 24, returning over the same route to Salida.

IT IS FURTHER ORDERED, That in the substituted service herein permitted, applicant shall carry mail, parcel post and express, as well as passengers and baggage, and that this order is contingent upon passengers, express and mail transportation service being provided by the Denver and Rio Grande Western Railroad Trains 1 and 2 in the territory between Glenwood Springs and Minturn.

IT IS FURTHER ORDERED, That this authority is temporary only and shall expire with the reopening of U. S. Highway No. 24 between Leadville and ed Cliff to public travel.

This order shall become effective on the day and date hereof.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Cano D. Toule

Commissioners.

Dated at Denver, Colorado, this 19th day of May, 1942.

BH

RE MOTOR VEHICLE OPERATIONS OF

W. M. MOORE 2033 Curtis St., Denver, Colorado PRIVATE PERMIT NO. B-2385 B-2385-I

May 26, 1942 <u>S T A T E M E N T</u>

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2385 and B-2385-I be suspended for the duration and six months thereafter from May 15, 1942.

ORDER

IT IS ORDERED:

That W. M. Moore, of Denver, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-2385 and B-2385-I for the duration and six months thereafter from May 15, 1942.

That unless said W. M. Moore shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION OF COLORADO THE STATE Commissioners

Dated at Denver, Colorado this 26th day of May, 1942.

RE MOTOR VEHICLE OPERATIONS OF

PRIVATE PERMIT NO. B_2651

C. W. FINCH Leop Route A Colorado Springs, Colorado

May 26, 1942

STATEMENT

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2651 be suspended for a period of six months from May 8, 1942.

ORDER

IT IS ORDERED:

That C. W. Finch, of Colorado Springs, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-2651 for a period of not to exceed six months from May 8, 1942.

That unless said C. W. Finch shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO Veur Commissioners

Dated at Dehmer, Colorado this 26th day of May, 1942.

RE MOTOR VEHICLE OPERATIONS OF)

GERALD **B.** BENNETT 418 West "D" St., Pueblo, Colorado

PRIVATE PERMIT NO. B-2637

May 26, 1942.

STATEMENT

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2637 be suspended for the duration and six months thereafter from May 7, 1942.

<u>ORDER</u>

IT IS ORDERED:

That Gerald G. Bennett of Pubblo, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-2637 for the duration and six months thereafter from May 7, 1942.

That unless said Gerald G. Bennett, shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO lay

Dated at Denver, Colorado, this 26th days of May, 1942.

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RE MOTOR VEHICLE OPERATIONS OF

L. D. HARTSELL Las Animas, Colorado

PRIVATE PERMIT No. B-2402

May 26, 1942.

STATEMENT

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2402 be suspended for the duration and six months thereafter from May 4, 1942.

ORDER

IT IS ORDERED:

That L. D. Hartsell, of Las Animas, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-2402 for the duration and six months thereafter from May 4, 1942.

That unless said L. D. Hartsell, shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

> THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

issioners

Dated at Denver, Colorado, this 26th day of May, 1942.

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RE MOTOR VEHICLE OPERATIONS OF

E. J. HAZE 4505 Irving St., Denver, Colorado PRIVATE PERMIT NO. B-2346

May 26, 1942. <u>S T A T E M EN T</u>

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2546 be suspended for the duration and six months thereafter from June 1, 1942.

<u>Q R D E R</u>

IT IS ORDERED:

That E. J. Haze, of Denver, Colorado, be, and he is hereby, authorized to suspend his operations under Permit B-2346 for the duration and six months thereafter from June 1, 1942.

¹hat unless said E. J. Haze shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to private parrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION OF THE STATE COLORADO Commissioners

Dated at Denver, Colorado, this 26th day of May, 1942.

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF) CHESTER COLE) Route 1, Box 193) Pueblo, Colorado)

PERMIT NO. A-1998

May 28, 1942

STATEMENT

By the Commission:

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| reque | sting | g that | C N18 | rermit | 6 NO | ····· | 4-1998 | | De | cancel | rea. |

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

ORDER

IT IS THEREFORE ORDERED, That Permit No. A-1998 , heretofore issued to <u>Chester Cole of Route 1, Box 193, Pueblo, Colorado</u> be, and the same is hereby, declared cancelled effective **May 6, 1942.**

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO Commissioners

Dated at Denver, Colorado,

this 26th day of May , 19 42