

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
THE MIDLAND TERMINAL RAILWAY COM- )  
PANY, COLORADO SPRINGS, COLORADO, )  
FOR AUTHORITY TO DISCONTINUE OPERA- )  
TION OF TRAINS 1 and 2 BETWEEN )  
COLORADO SPRINGS AND CRIPPLE CREEK, )  
COLORADO. )

APPLICATION NO. 6315

-----  
May 8, 1943.  
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Appearances: D. P. Strickler, Esq., Colorado,  
Springs, Colorado, and  
W. H. McKay, General Manager, and  
Merrill Shoup, President, The  
Midland Terminal Railway Company,  
Colorado Springs, Colorado,  
for applicant.

S T A T E M E N T

By the Commission:

The instant matter was heard at Colorado Springs on May 5, 1943.

The evidence disclosed that applicant operates a line of railroad between Colorado Springs and the Cripple Creek mining district, a distance of approximately 55 miles. The number of passengers carried by the road for the months of January, February and March, 1943, averaged two passengers per day, with total receipts of \$5.02 per day.

Said passenger service has been rendered with trains Nos. 1 and 2, the motive power of which has been one gasoline and one Diesel unit. The Diesel unit was recently involved in a collision at a grade crossing, and applicant has been unable to secure necessary repair parts. The gasoline unit is obsolete, and for that reason repair parts are unobtainable. If steam motive power was substituted, it would mean an operating cost of \$113.18 per day.

It was further disclosed that approximately the total revenue of this road is derived from the hauling of gold ores from the Cripple Creek mining district to the Golden Cycle mill at Colorado Springs, and

due to the fact that the mining of said gold ores has been restricted by the War Production Board, the population of the Cripple Creek district has been reduced approximately 75 per cent within the past 18 months. Since October 8, 1942, when the gold mines at Cripple Creek were closed, applicant has operated at an approximate loss of \$12,000.00. Said mines are now operating to a limited extent under an arrangement with the War Production Board which expires next month. Only such maintenance of the road as was absolutely necessary to permit the operation of the trains over the tracks, has been maintained, and it is questionable how long said road can continue to function.

The Cripple Creek Stage Line operates daily between Colorado Springs and the Cripple Creek district. This company now operates one truck every day and two trucks at least three days a week. If trains Nos. 1 and 2 are discontinued, they expect to be able to handle the business by operating at least two trucks every day. They also operate 7-passenger sedans daily for the purpose of handling the passenger business. The Post Office Department has requested, and said Stage Line has submitted a bid for the purpose of handling mail between Colorado Springs and the Cripple Creek mining district, and no objections were interposed by the Post Office Department to the granting of the relief sought in the instant application. The passenger bus line will leave Cripple Creek at 9:30 A.M. for Colorado Springs, and the reverse movement will leave Colorado Springs at 3:30 P. M. The passenger business of said stage line has decreased very materially in recent months. However, they expect to be able to continue operations with the help of the Government mail contract if same is secured. Applicant will continue to furnish freight service as in the past with steam motive power.

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

Notice has been received by the Commission from the Mayor of the

City of Victor, Mayor of the City of Cripple Creek, and the General Chairman of the Order of Railroad Telegraphers, stating, in effect, that no objections would be interposed to the granting of the relief sought.

After careful consideration of the record, the Commission is of the opinion, and so finds, that the petition filed herein should be granted.

O R D E R

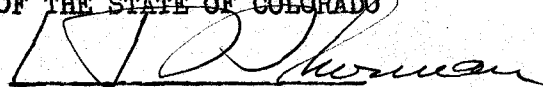
IT IS ORDERED:

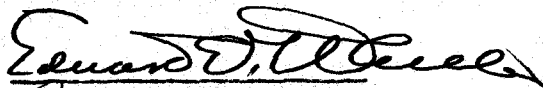
That the Midland Terminal Railway Company be, and it is hereby, authorized to discontinue operations of its Trains Nos. 1 and 2 between Colorado Springs and Cripple Creek and points in the Cripple Creek mining district.

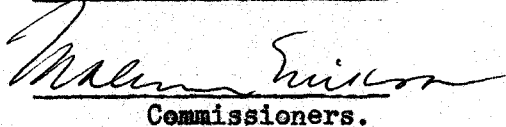
IT IS FURTHER ORDERED, That this order shall become effective May 15, 1943.

IT IS FURTHER ORDERED, That all tariffs containing passenger fares or preferred freight service handled in passenger trains of applicant, may be cancelled, effective May 15, 1943, on five days notice by filing and posting in the manner prescribed in Section 16 of the Public Utilities Act.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of May, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
FRANK M. CADWELL, BOX 104, BOONE, )  
COLORADO, FOR A CLASS "A" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE FOR THE TRANS- )  
PORTATION OF LIVESTOCK, FARM PRODUCE, )  
BEANS AND CORN, AND COAL FROM POINT )  
TO POINT OVER HIGHWAY 50 BETWEEN )  
CANON CITY AND ROCKY FORD; HIGHWAY )  
85 BETWEEN DENVER AND WALSENBURG; )  
HIGHWAY 96 BETWEEN BOONE, PUEBLO )  
AND THE NORTH BOONE DISTRICT. )  
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APPLICATION NO. 6282-PP

-----  
May 8, 1943.  
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Appearances: Frank M. Cadwell, Boone, Colorado,  
pro se;  
T. A. Stockton, Jr., Esq., Denver,  
Colorado, for Southwestern Trans-  
portation Company;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer and Storage  
Company;  
J. S. Wright, R. 2, Box 530, Pueblo,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

At the hearing, which was held in Colorado Springs, March 17, 1943,  
applicant, testifying in his own behalf, stated that he had been operating  
under a "C" permit and desired more business; that he did not propose to  
render any town to town service, but wanted to pick up farm produce, including  
livestock, within an area 25 miles north, 14 miles east, 10 miles south and  
west of Boone, Colorado, as well as coal from the Florence and Canon City  
coal districts to points within the above described area. Besides serving  
points within said area, authority is sought to transport livestock from  
said area to Denver.

Applicant further testified as to a number of requests that had  
been made of him by various farmers in said district to perform for-hire

service, which he had been unable to do on account of lack of authority. In his opinion, a shortage of trucks existed in said area from October into February so far as transportation of farm products is concerned. He has one 1939 one and one-half-ton truck which is clear, and besides owns other property.

William Farrier, who lives at Boone and has a Class "A" permit authorizing a farm service in the vicinity of Boone, testified that from August through November, there was a shortage of trucks for the transportation of cantaloupes, beets, beans and peas in the Boone area, but that there is no inadequacy of service so far as the movement of livestock is concerned.

J. S. Wright, of Pueblo, who operates under common carrier certificate No. 1178, which authorizes a farm service in and out of Pueblo County, except that portion west of Highway 85 and south of the Arkansas river west of Pueblo, testified that in connection with other authorized carriers, he had ample equipment to take care of the transportation needs of his territory, although it was generally conceded that during harvest season a shortage of trucks existed so far as the transportation of farm products was concerned. This witness named a number of other authorized carriers now serving within this territory, and felt that no further permits should be granted, as it might impair the common carrier service now offered therein.

No shippers appeared on behalf of applicant, and we are unable to determine from the record that any inadequacy of service exists in said area except the seasonal shortage of trucks in the fall for the movement of farm products. Certainly, there is no showing that shipments of livestock are not promptly and adequately taken care of.

After careful consideration of the record, the Commission is of the opinion, and so finds, that the applicant should be authorized to transport coal from Canen City and Florence districts, farm products during the fall of the year, and that his application for authority to

transport livestock should be denied.

O R D E R

IT IS ORDERED:

That Frank M. Cadwell, Box 104, Boone, Colorado, be, and he is hereby, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from the Florence and Canon City coal districts to points within the area 25 miles north, 14 miles east, and 10 miles south and west of Boone, Colorado, including the right to transport farm products in the above-described area from the first of August to the end of December of each year, only; provided, however, that in the movement of said farm products, no town to town service in competition with scheduled carriers shall be rendered.

IT IS FURTHER ORDERED, That in all other respects said application shall be denied.

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

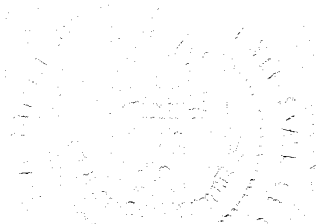
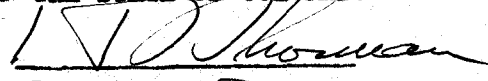
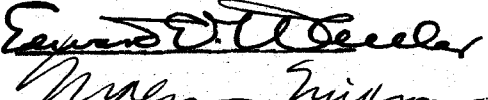
This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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.

The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

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, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THE ARKANSAS VALLEY NATURAL GAS )  
COMPANY FOR A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY. )  
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APPLICATION NO. 1877

-----  
May 10, 1943  
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Appearances: Brock, Akolt and Campbell, Esqs.,  
Denver, Colorado, for applicant.

S T A T E M E N T

By the Commission:

On September 11, 1931, Decision No. 3652, The Arkansas Valley Natural Gas Company was granted a certificate of public convenience and necessity to construct and operate a natural gas pipe line to be used in delivering natural gas to Fountain Valley School in El Paso County.

The Commission is now advised by counsel for said applicant that the Colorado Interstate Gas Company, from whom it purchased the gas delivered to said Fountain Valley School, has agreed to and is now selling gas directly to said school under a direct industrial sale contract, delivery being made from said company's interstate line.

We are further advised that said arrangement is entirely satisfactory to said Fountain Valley School, and that this is the last piece of business conducted by applicant within this State.

In view of this situation, the Commission is of the opinion, and so finds, that the certificate of public convenience and necessity heretofore issued to applicant, should be cancelled for the purpose of clearing the Commission's record, subject, however, to any protest by said Fountain Valley School, provided same is filed within six (6) months from the date hereof.

O R D E R

IT IS ORDERED:

That the certificate of public convenience and necessity heretofore granted the Arkansas Valley Natural Gas Company, Decision No. 3652, be, and the same hereby is, declared cancelled, subject, however, to the right of said Fountain Valley School to file any objection or protest to said cancellation, provided same is filed with the Commission on or before six (6) months from date of this order.

This order shall become effective on the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

W. D. Shuman

Edward D. Dwyer

Malcolm E. Smith

Commissioners

Dated at Denver, Colorado,  
this 10th day of May, 1943.

HW

(Decision No. 20903)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE FREE OF CHARGE TRANSPORTATION BY  
THE DENVER AND SALT LAKE RAILWAY COM-  
PANY FROM MT. HARRIS, COLORADO, TO THE  
TABERNACLE COMMUNITY CHURCH, DENVER,  
COLORADO.

}  
}  
}  
}  
} MISCELLANEOUS DOCKET NO. 183

-----  
May 11, 1943  
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S T A T E M E N T

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 May 8, 1943, requesting authority to transport one carload of coal from Mt. Harris, Colorado, free of charge, on account of charity.

The shipment in question has been donated by a shipper on the line of The Denver and Salt Lake Railway Company for use of the Tabernacle Community Church, Denver, Colorado, 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.

O R D E R

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 Tabernacle Community Church, in care of the Colorado & 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

  
W. D. Thomson

Edward D. Deery

Walter Wilson  
Commissioners

Dated at Denver, Colorado,  
this 11th day of May, 1943

JH

**THE DENVER AND SALT LAKE RAILWAY CO.**

OFFICE OF TRAFFIC MANAGER

**DENVER, COLORADO****F. J. TONER**  
TRAFFIC MANAGER

May 8, 1943.

The Public Utilities Commission of the  
State of Colorado,  
State Office Building,  
Denver, Colorado.

Gentlemen:

A carload of coal has been donated by one of the operators on our line to the Tabernacle Community Church, 20th and Lawrence Streets, Denver, a charitable institution. This car will be consigned to the Tabernacle Community Church 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,

*F. J. Toner*  
B.

E

Dec. 20 903  
5-11-43  
M.D. 193  
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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

THE CALHAN LUMBER COMPANY )  
Calhan, Colorado )  
..... )

PERMIT NO. C-1464

.....  
May 12, 1943  
.....

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
The Calhan Lumber Company of Calhan Colorado  
....., requesting that his Permit No. C-1464 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. 6-1464, heretofore issued to The Calhan Lumber Company of Calhan, Colorado be, and the same is hereby, declared cancelled effective May 4, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry R. ...*  
.....  
*James E. Wheeler*  
.....  
*Malcolm Erickson*  
.....  
Commissioners.

Dated at Denver, Colorado,

this 12th day of May, 19 43

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ORVILLE VICKERS )  
Route 1 )  
Atwood, Colorado )  
----- )

PERMIT NO. C-11076

-----  
May 12, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Orville Vickers Route 1 Atwood, Colorado  
----- of -----,  
requesting that his Permit No. C-11076 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-11076, heretofore issued  
to Orville Vickers of Route 1, Atwood, Colorado be,  
and the same is hereby, declared cancelled effective February 10, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry A. Brown*  
-----  
*Samuel E. Wheeler*  
-----  
*Malcolm Erickson*  
-----  
Commissioners.

Dated at Denver, Colorado,

this 12th day of May, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

DAYTON WARNER )  
9904 E. Colfax Ave., )  
Aurora, Colorado )  
----- )

PERMIT NO. C-13321

-----  
May 12, 1943  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Dayton Warner of 9904 E. Colfax Ave., Aurora, Colorado,  
requesting that his Permit No. C-13321 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13321, heretofore issued  
to Dayton Warner of 9904 E. Colfax Ave., Aurora, Colorado be,  
and the same is hereby, declared cancelled effective May 5, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shuman*  
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*Edward D. Wheeler*  
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*Malcolm Erickson*  
-----

Commissioners.

Dated at Denver, Colorado,

this 12th day of May, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

FLOYD WINELAND )  
Route 3, )  
Greeley, Colorado )  
----- )

PERMIT NO. C-14142

-----  
May 12, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Floyd Wineland of Route 3, Greeley, Colorado,  
requesting that his Permit No. C-14142 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14142, heretofore issued  
to Floyd Wineland of Route 3, Greeley, Colorado be,  
and the same is hereby, declared cancelled effective April 24, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry S. Shuman*  
-----  
*Edward E. Wheeler*  
-----  
*Malcolm Erickson*  
-----

Commissioners.

Dated at Denver, Colorado,

this 12th day of May, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

JOHN MACCAGNAN )  
Sopris, Colorado )  
\_\_\_\_\_ )

PERMIT NO. C-13943

\_\_\_\_\_  
May 12, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_

John Maccagnan \_\_\_\_\_ of Sopris, Colorado \_\_\_\_\_,

requesting that his Permit No. C-13943 \_\_\_\_\_ be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13943, heretofore issued to John Maccagnan of Sopris, Colorado \_\_\_\_\_ be, and the same is hereby, declared cancelled effective May 3, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shuman*  
\_\_\_\_\_  
*Edward E. Wheeler*  
\_\_\_\_\_  
*Malcolm Erickson*  
\_\_\_\_\_

Commissioners.

Dated at Denver, Colorado,

this 12th day of May, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

HORACE W. ALLRED )

222 - 23rd St., )

Ogden, Utah )

PERMIT NO. B-2559-I

May 12, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from

Horace W. Allred of 222 - 23rd St., Ogden, Utah,

requesting that his Permit No. B-2559-I be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-2559-I, heretofore issued to Horace W. Allred of 222 - 23rd St., Ogden, Utah be, and the same is hereby, declared cancelled effective May 2, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shuman*  
*Edward E. Wheeler*  
*Malcolm Erickson*

Commissioners.

Dated at Denver, Colorado,

this 12th day of May, 19 43

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CHARLES ROBBINS )  
815 S. 37th St., )  
San Diego, California )  
\* \* \* - - - - -

P U C NO. 253

- - - - -  
May 12, 1943  
- - - - -

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named Certificate holder, requesting that Certificate Number 253 be suspended for a period from May 8, 1943 to June 1, 1944.

O R D E R

IT IS ORDERED:

That Charles Robbins of 815 S. 37th St., San Diego, California be, and he is hereby, authorized to suspend his operations under Certificate Number 253 for a period from May 8, 1943 to June 1, 1944.

That unless said Charles Robbins 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 Certificate holders, said Certificate, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Johnson*  
*Edward D. Wheeler*  
*Malcolm Erickson*  
Commissioners.

Dated at Denver, Colorado,  
this 12th day of May, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

JO H. DOUGLAS )

~~Garnett, Kansas~~ )

Monte Vista, Colo. )

PERMIT NO. C-3462

May 12, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from

Jo H. Douglas

Garnett

Kansas

of

C-3462

requesting that his Permit No. be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-3462, heretofore issued

to Jo H. Douglas of Garnett, Kansas be,

and the same is hereby, declared cancelled effective April 19, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shuman*

*Edward O. Wheeler*

*Madison Erickson*

Commissioners.

Dated at Denver, Colorado,

this 12th day of May, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

CHESTER LINVILLE )

C/O B. H. LINVILLE )

403 9th St., Fowler, Colorado )

PERMIT NO. C-1146

May 12, 1943

S T A T E M E N T

By the Commission:

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

Chester Linville c/o B. H. Linville of 403 9th St., Fowler, Colorado,

requesting that his Permit No. C-1146 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-1146, heretofore issued to Chester Linville c/o B. H. Linville of 403 9th St., Fowler, Colorado be, and the same is hereby, declared cancelled effective May 1, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry P. [Signature]  
Edward E. [Signature]  
Malcolm Erickson  
Commissioners.

Dated at Denver, Colorado,

this 12th day of May, 19 43.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

JAMES PASTORE )  
619 Arapahoe St., )  
Boulder, Colorado )  
..... )

PERMIT NO. C-444

.....  
May 12, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
James Pastore of 619 Arapahoe St., Boulder, Colorado,  
requesting that his Permit No. C-444 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-444, heretofore issued to James Pastore of 619 Arapahoe St., Boulder, Colorado be, and the same is hereby, declared cancelled effective May 1, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shuman*  
.....  
*Edward E. Wheeler*  
.....  
*Malcolm Erickson*  
.....

Commissioners.

Dated at Denver, Colorado,

this 12th day of May, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

JAMES PASTORE )  
619 Arapahoe St., )  
Boulder, Colorado )  
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PRIVATE PERMIT NO. A-764

-----  
May 12, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. A-764 be suspended for a period of six months from May 1, 1943.

O R D E R

IT IS ORDERED:

That James Pastore of 619 Arapahoe St., Boulder, Colorado be, and he is hereby, authorized to suspend his operations under Permit A.-764 for a period of not to exceed six months from May 1, 1943.

That unless said James Pastore 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

*Henry D. [Signature]*  
*Edward E. [Signature]*  
*Malcolm Erickson*  
Commissioners.

Dated at Denver, Colorado,  
this 12th day of May, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF A GENERAL INVESTIGATION )  
OF THE FREIGHT RATES AND CLASSIFICATION OF ) CASE NO. 1585  
FREIGHT OF ALL COMMON AND PRIVATE MOTOR )  
VEHICLE CARRIERS. )  
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May 13, 1943  
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APPEARANCES: V. G. Garnett, Colorado Rapid Transit Co.,  
2130 Market St., Denver, Colorado;  
Fred Austin, Austin Brothers, Boulder, Colo.;  
Fred Rein, Jr., Rein Milk Transport, 445  
Ogden St., Denver, Colorado;  
W. Borgmann, Borgmann Brothers, Longmont,  
Colorado;  
Ray Smith, for the Colorado Motor Carriers  
Association, Denham Bldg., Denver, Colo.;  
Oren Hartsel, Hartsel Truck Line, Simla,  
Colorado;  
A. M. Kine, Esq., 3503 S. Broadway, Engle-  
wood, Colorado; for Walter Adams and  
Mikelson & Sheaffer, d.b.a. Littleton  
Truck Line;  
E. B. Evans, Ass't Attorney General of  
Colorado, State Office Bldg., Denver,  
Colo.;  
T. S. Wood, Rate Expert, Public Utilities  
Commission of the State of Colorado,  
Denver, Colorado;  
Percy S. Morris, Office of Price Administra-  
tion, Kittredge Bldg., Denver, Colo.;  
Robert M. Jones, Esq., Office of Price  
Administration, Washington, D. C.  
William T. Bullard, Pioneer Truck Lines,  
1140 Arapahoe St., Denver, Colorado;  
W. L. Lang, Lang Truck Line, Route 4,  
Longmont, Colorado.

S T A T E M E N T

By the Commission:

On February 6, 1943, a further hearing in the above designated case  
was had on the following proposed rates, viz.:

Rates on Milk

For Account of Fred H. Austin, d.b.a. Austin Brothers

Publish a rate of 16 1/2 cents per 100 pounds of milk for distances  
of 15 miles and over four miles from Boulder to Boulder. For four  
miles and under from Boulder to Boulder, 20 per cent increase over the  
present rate. To Denver and Golden, for distances under 25 miles, 24  
cents per 100 pounds of milk; for distances 25 miles and over, 28  
cents per 100 pounds of milk.

For Account of Colorado Rapid Transit Co., Inc., The Fuller Truck Line, Inc.,  
Frank Pless and Fred Hein, Jr.

Increase all milk rates to Brighton and Boulder, Colorado, as follows:

To Brighton:

Distances 15 miles or less, 20¢ per 100 lbs. of milk  
" over 15 miles . . 24¢ " " " " "

To Boulder:

Distances over 4 miles and not exceeding 15 miles from Boulder,  
20¢ per 100 lbs. of milk.

Distances over 15 miles from Boulder,  
24¢ per 100 lbs. of milk.

For Account of Borjmann Brothers, Longmont, Colorado

To raise 20 per cent on milk in the 25-mile zone, now being hauled  
for 20 cents per 100 pounds of milk.

Volume shipments of 500 pounds on average of daily shipments for  
bi-monthly period to remain at 20 cents.

To raise 10 per cent on milk beyond the 25-mile zone, except milk  
now being hauled at 27 cents, which should be raised to 27½ cents;  
500-pound shipments to remain at 25 cents as at present. All  
milk now being hauled for over 27½ cents to remain at the same  
rate as at present.

For Account of the Littleton Truck Line by Chas. Sheaffer and Walter Adams

To increase all present milk rates 20 per cent.

For Account of the Hartsel Truck Line

To publish the following rates in cents per 100 pounds on eggs, in  
standard cases, to Denver, from Agate, 37; Buick, 38; Peyton, 42;  
Calhan, 43; Ramah and Matheson, 47, and Simla, 48. Empty cases  
to be returned free of charge. Not subject to tariff of in-  
creased rates.

For Account of Moab Garage

Column 1 and 2 rates in cents per 100 pounds

And	Between Cortez, Colorado Dolores, "	
	Less Truckload Column	
	1	2
Cahone	37	27
Dove Creek	37	27
Lewis	32	21
North Dale	37	27
Pleasant View	37	27
Yellow Jacket	32	21

And	Between Durango, Colorado Minimum Weight			
	5,000 Lbs. Column		10,000 Lbs. Column	
	1	2	1	2
Cahone	36	31	30	27
Dove Creek				
Lewis				
North Dale				
Pleasant View				
Yellow Jacket				

The above proposed rates to be subject to the tariff of increased rates.

Due to the fact that the authorized territories of the milk carriers serving Northern Colorado, to a certain extent, overlap each other, the Commission, on its own motion, placed in issue in the further hearing the rates of all the milk carriers and sent such carriers a copy of its order covering the hearing. However, many of the carriers did not appear at the hearing to offer any testimony for or against their present rates.

Prior to September 7, 1942, the rates in cents per 100 pounds of milk of some of the carriers were as follows, viz.:

Colorado Rapid Transit Co.

25 miles or less from Denver to Denver

In lots of less than 510# for any bi-monthly period - 20  
(Subject to Note 1)

Note 1 - When butter fat price is less than 40¢ per pound the rate will be 16½¢, and when over 60¢ per pound the rate will be 25¢.

510# and less than 850# for any bi-monthly period - 20 or 5¢ per lb. fat

Note 2- When butter fat price is less than 40¢ per (Subject to Note 2) pound, the rate will be 16½¢, or 4¢ per lb. fat.

850# or more for any bi-monthly period - 15 or 5¢ per lb. fat.

Over 25 miles from Denver to Denver

Less than 510# for any bi-monthly period - 25

510# and less than 850# for any bi-monthly period 25 or 6¢ per lb. fat.

850# or more " " " " 25 or 5¢ per lb. fat

15 miles or less from any destination except Denver to any destination except Denver

Less than 510# for any bi-monthly period - 15

510# or more " " " " 15 or 4¢ per lb. fat

Fuller Truck Line - To Denver

When butter price is Rate in Cents per 100 lbs. of Milk

40¢ or under 16½

Over 40¢ and not exceeding 60¢ - 20

60¢ or over - 25

In lots of 510# or more for any bi-monthly period

40¢ or under - 16½ or 4¢ lb. fat

Over 40¢ and not exceeding 60¢ - 20 5¢ " "

Frank Fless

To Denver - 27

To Brighton - 20

Fred Rein, Jr.

To Denver

25 miles or less 20  
(Subject to Note 3)

Over 25 miles 25  
(Subject to Note 3)

To Brighton

Under 10 miles - 15  
(Subject to Note 3)

10 miles and over 16½  
(Subject to Note 3)

Note 3- If price of butterfat increases to 60¢ per lb., the above rates will be increased 5¢ per 100 pounds of milk. A 10 per cent reduction will be made to any shipper who provides an average of 600 pounds per day over a continuous period of 15 days or more, provided all shipments are destined to one destination.

Alex Laubhan, Jr.

To Denver	
Less than 510#	20
510 to 850#	18
850# but not exceeding 40 cans -	15

Fred Rein

To Denver	
Less than 700# -	20
700 to 850# for bi-monthly period -	18
850# or more " " " -	16
If butter fat price is 40¢ or less	
Less than 700# -	16½
700 to 850, and 850# or more, rates will be reduced 10 and 20% respectively under the 16½ cent rate	
If butter fat price is 60¢ or more	
Less than 700# -	25
700 to 850# and 850# or more, rates will be reduced 10 and 20% respectively under the 25¢ rate.	

Pioneer Truck Lines

To Denver	
Shipments of 600# or more within a radius of 20 miles of Denver -	20
All other shipments -	25

Wm. Troxler (Now transferred to Pioneer)

To Denver	
Less than 510# -	20
510# to 850# on a daily average for a bi-monthly period -	18
850# or more on a daily average for a bi-monthly period -	15

Bernard H. Bollers

To Denver -	20
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P. M. Stewart

To Denver	
Less than 7-10 gal. cans -	20
7 or more 10-gal. cans -	18

Lang Transit Line

To Denver	
Not over 25 miles -	25
" " " " (Min. of 6 cans)	20
Over 25 miles -	30
" " " " (Min. of 10 cans) -	20
Except overlapping territory with Frank Pless the rate will be -	27

Austin Brothers

To Boulder and Longmont	
4 miles and under -	15
Min. of 4 10 Gal. cans -	10
To Boulder, Lafayette, Longmont	
10 miles and over 4 miles -	15
To Boulder, Denver, Golden, Johnstown, Lafayette, Longmont and Loveland	
25 miles and under -	25
Min. of 6 10-Gal. cans -	20
Over 25 miles -	30
Min. of 10 10-Gal. cans -	20
Between Boulder and Loveland, Denver and Golden	
Min. Wt. 2,000 pounds -	20

Adolph A. Bethke

To Fort Lupton - 18  
To Denver - 27

-----  
J. A. Meyers

To Denver - 2¢ per gallon

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Orville Jenkins, d/b/a Arvada Transfer (Now transferred  
to Austin Bros.)

To Denver - 15¢ per 5 Gal. can  
25¢ " 10 " "

-----  
Borgmann Bros.

To Denver

From that part of authorized territory roughly  
described as being north and east of Longmont and  
south and east of Berthoud,

In lots of less than 500# per day - 30, except in over-  
lapping territory with  
Frank Pless

Over 500# per day for bi-monthly period - 27  
25

North and east of Berthoud

Less than 500# per day - 32  
Over 500# per day for bi-monthly period - 27

South and east of Longmont

Less than 500# per day - 27, except in over-  
lapping territory with  
Colo. Rapid Transit Co.

Over 500# per day for bi-monthly period - 25  
25 miles or less from Denver - 20

Over 25 miles from Denver in overlapping  
territory with the Colo. Rapid Transit Co.

Less than 510# per day - 25  
510# and less than 850# per day for bi-  
monthly period - 25 or 6¢ per lb. at  
850# or more per day for bi-monthly period 25 or 5¢ per lb. fat

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Clyde Beeson

To Denver

From that part of territory south of an east  
and west road running past Rinn Church

North of said road - 25  
27½

300# or more per day for bi-monthly period,  
2½ cents per 100 pounds will be deducted.

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An exhibit introduced in the hearing on July 7, 1942, and made a part  
of the record in the instant proceeding shows the territories of the  
various milk carriers serving northern Colorado.

The authorized territory of the Colorado Rapid Transit Company overlaps  
to some extent the territories of all the carriers whose rates have been  
hereinbefore set forth.

Fred Rein overlaps P. M. Stewart, Fuller Truck Line, Austin Bros.,  
Bollers, Colorado Rapid Transit Company, and, to a small extent, Fred  
Rein, Jr.

Fred Rein, Jr. overlaps slightly Fuller Truck Line, Adolph Bethke and Colorado Rapid Transit Company

Fuller Truck Line overlaps Fred Rein, Fred Rein, Jr., Frank Pless, Adolph Bethke, Austin Brothers, Bollers, and Colorado Rapid Transit Co.

Adolph Bethke overlaps Fuller, Pless, Fred Rein, Jr., Clyde Beeson, Lang Transit Line, Borgmann Bros., and Colorado Rapid Transit Co.

Borgmann Bros. overlaps Pless, Lang, Beeson, Austin Bros., and Colorado Rapid Transit Co.

Lang overlaps Austin Bros., Beeson, Borgmann Bros., and Colorado Rapid Transit Company.

Austin Brothers overlaps Lang, Beeson, Pioneer Truck Lines, Laubhan, and Colorado Rapid Transit Co.

Pioneer Truck Lines overlaps Austin Bros., Laubhan and Colorado Rapid Transit Co.

The distances used by the various carriers in rendering their road tax reports are as follows, viz.:

Austin Brothers

Longmont and vicinity to Denver -	30 miles
Boulder " " " " -	25 "
" " " " Golden -	20 "
Vicinity of Denver and Arvada to Golden and Denver	7 "
" " Broomfield to Denver -	10 "

Bethke Truck Line

Farm to Greeley -	26 miles
" " Fort Lupton -	26 "
" " " "	23 "
" " " "	20 "
Ft. Lupton to Denver -	26 miles

Borgmann Bros

28 "

Bollers, Bernard H. -

16 "

Colorado Rapid Transit Co.

21 "

Fuller Truck Line

16 "

Lang Truck Line

35 "

Laubhan, Jr., Alex -

15 "

Pioneer Truck Line -

38 "

Pless, Frank -

18 "

" " - 30 "

" " - 38 "

Rein, Fred -

14 "

Rein, Fred, Jr. To Denver

17 "

" " " " " 22 "

" " " " " 31 "

" " " To Brighton 10 "

Stewart, P.M. -

12 "

On August 24, 1942, Decision No. 19473, the Commission issued its order authorizing Austin Brothers, Colorado Rapid Transit Co., Fuller Truck Line, Frank Pless, Fred Rein, Fred Rein, Jr., and William Troxler to increase their rates twenty (20) per cent, from farms located within a radius of 25 miles of Denver or Golden to Denver or Golden, except on volume shipments of 510 pounds or more of milk per day on a daily average for a bi-monthly period, and for distances over 25 miles from Denver an increase of ten (10) per cent. To Brighton and Boulder a rate of 16 1/2 cents per 100 pounds of milk for distances 15 miles and less, and 20 cents per 100 pounds of milk for distances over 15 miles were prescribed. On the route of the Arvada Transfer rates of 10 cents per 5 gallon can, and 16 1/2 cents per 10 gallon can, to Denver and Wheatridge were prescribed.

The Colorado Rapid Transit Company, Inc., Fuller Truck Line, Inc., Frank Pless and Fred Rein, Jr., are seeking to increase the rates to Brighton and Boulder, Colorado. Neither Fuller or Pless appeared at the hearing in support of their petition, and Mr. Garnett of the Colorado Rapid Transit Company, and Mr. Rein, Jr., testified that they were not hauling to Boulder. Mr. Garnett and Mr. Rein, Jr., testified in support of the proposed change to Brighton.

Prior to September 7, 1942, the rate of the Colorado Rapid Transit Company to Brighton was 15 cents per 100 pounds of milk in lots of less than 510 pounds per day, and 15 cents per 100 pounds of milk or four (4) cents per pound fat, in lots of 510 pounds or more per day for a bi-monthly period, and the rates of Rein, Jr., were 15 cents per 100 pounds of milk for distances under 10 miles and 16 1/2 cents per 100 pounds of milk for distances 10 miles and over, with the provisions that if the price of butter fat increased to 60 cents per pound, the rates would be increased five (5) cents per 100 pounds of milk, also a ten (10) per cent reduction in the rates would be made on shipments averaging 600 pounds per day for a continuous period of 15 days or more.

In regard to the proposed rates to Brighton, Mr. Garnett and Mr. Rein, Jr. testified that a mistake had been made in their previous proposal of 16 1/2 and 20 cents; that prior to September 7, 1942, there was a spread of five (5) cents between the Brighton and Denver rates in favor of Brighton; that the spread was now 7 1/2 cents; that the price of butter fat at Brighton was two (2) cents under the Denver price; that widening the spread in the rates between the two cities would have a tendency to divert milk from Denver to Brighton; that the cost of operating to Brighton had increased to the same extent as to Denver and that rates of 20 and 24 cents for distances 15 miles and under and over 15 miles to Brighton would be just and reasonable for the services rendered. W. L. Lang also testified in support of the proposed Brighton rates.

The following proposals were made at the hearing by Fred H. Austin of Austin Bros.:

"From authorized territory other than that territory located in the vicinities of Arvada and Golden formerly operated by A. A. Beck and the Arvada Transfer:

To Denver -		Rates in Cents per 100 lbs of milk (Except as otherwise provided for herein)	
(A)	For distances 25 miles and under -		24
(B)	" " over 25 miles -		33 except in competitive territory with Lang and Borgmann
			30
			22
(C)	Boulder, Colorado, and points in an area extending four (4) miles North and South of an east and west line from Boulder to U.S. Highway No. 87.		28 (X) 22
	Except from territory described in paragraph (C) hereof		
(X)	Applies only on 10 or more 10 gallon cans per shipment		

To Boulder and Longmont

For distances 4 miles and under	
Less than 4 10-gallon cans per shipment -	16½
4 or more 10-gallon " " " -	12
For distances 15 miles and over 4 miles, any quantity	16½
" " over 15 miles, any quantity -	20

From authorized territory surrounding Arvada and Golden, formerly operated by A. A. Beck and the Arvada Transfer.

To Golden or Denver

Alternate rates to be applied at shippers' choice

In lots of	5 Gallon Cans	10 Gallon Cans	
	In Cents per Can	Per 100 Pounds	In Cents per Can
1 to 6 cans	11	22	16½
6 " 10 "	11	20	15
10 " 15 "	11	17	13½
15 " 25 "	11	15	12
25 cans or over	11	10	9

Witness A. M. Kime, representing Adams and Sheaffer, testified that labor and automobile parts costs were 50 per cent more than last year; that unless these carriers received an increase in their rates they would be compelled to discontinue their operations as it was a losing proposition for them under their present rates.

The position of the Price Administrator in this proceeding as stated in a memorandum filed by its representative, Robert M. Jones, is, that special consideration should be given to the effect of the proposed increases for the delivery of milk upon the cost of living and the efforts being made to stabilize the prices of milk in order to prevent disruptions of efforts to avoid advances in the cost of this essential cost-of-living commodity.

The memorandum points out that the President in messages to Congress on April 27 and September 7, 1942, set forth a seven-point stabilization program, and requested immediate legislation to check this rise in the cost of living. This proposal required stabilization of the major elements entering into the cost of living.

In response to these messages, Congress enacted the Second Price Control Act, which in part provided, that no common carrier or other public utility shall make any general increase in its rates or charges which were in effect on September 15, 1942, unless it first gives thirty days' notice to the President, or such agency as he may designate,\*\*\*.

It is the apparent aim and purpose of the President to set forth a program for the stabilization of all prices, services and costs affecting the economic system of the United States during the war, and that increases in rates should not be made except to correct a gross inequity, or to provide carriers with sufficient revenue to continue performing transportation service essential to the war effort.

In regard to the petition of Hartsel, it developed at the hearing the only thing being sought was authority to return empty egg cases free of charge. Witness Hartsel testified that in order to secure the loaded movement of eggs into Denver it was necessary to return the empty cases without charge, otherwise the movement would be by commercial operators or by the producers.

No testimony was given for or against the proposal of the Moab Garage, and inasmuch as it represents a reduction in the rates the Commission feels that the request should be granted.

With the exceptions of Adams and Sheaffer, the change in the milk rates being sought herein is more or less of an adjustment to harmonize the rates of all the carriers operating in a general location and whose territories overlap with each other. It is true that it will, in some cases, result in advances, but it will also result in some reductions.

The milk rates in this general territory have for a long time been a source of annoyance to the Commission and among the carriers themselves.

The record as now made will permit the Commission to prescribe rates which will be just and reasonable, and at the same time make the rates uniform where one carrier is in direct competition with another one.

#### Findings

The Commission finds that where rates on milk are based on distances, there should be some central location from which the distances may be computed; that such central points should be as follows:

Denver -	Intersection of Colfax and Broadway
Brighton -	" " State Highway No. 7 and U.S. No. 85
Ft. Lupton -	" " " " " 52 " " " "
Greeley -	" " 8th Avenue and 9th Street
Boulder -	" " State Highways Nos. 7, 119 and 170
Longmont -	" " State Highway No. 254 and U.S. 87
Ft. Collins -	" " " " " 14 " U.S. 87
Golden -	" " State Highways Nos. 58 and 68

That the rates set forth in Supplement No. 8 to Appendix D and Supplement No. 5 to Appendix L-3, attached hereto and made a part hereof, are, and for the future will be, just, fair, reasonable and sufficient maximum and minimum rates for motor vehicle common carriers, and minimum rates for private carriers by motor vehicle when competing with duly authorized motor vehicle common carriers for substantially the same or similar service; that the Hartsel Truck Line should be authorized to return empty egg cases without charge where it has received the loaded movement in the opposite direction; that private carriers by motor vehicle operating in competition with the Hartsel Truck Line should be granted the same privilege.

#### O R D E R

IT IS ORDERED:

That this order shall become effective on the 16th day of May, 1943; that the rates, rules and provisions set forth in Supplement No. 8 to Appendix D, and Supplement No. 5 to Appendix L-3, attached hereto and made a part hereof, shall be published by all motor vehicle common carriers and private carriers by motor vehicle operating in intrastate commerce in Colorado, to the extent they are affected, on notice to this Commission and the general public by not less than one day's filing and posting in the manner prescribed in Section 16 of the Public Utilities Act of 1913, and Section 10, Chapter 120, Session Laws of 1931, as amended; that on and after said effective date of this order, all affected motor vehicle common carriers shall cease and desist from demanding, charging and

collecting rates and charges which shall be greater or less than the rates herein prescribed; that private carriers by motor vehicle shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those prescribed herein; that the Hartsel Truck Line is hereby authorized to return empty cases without charge where it has transported the loaded movement, and any private carrier by motor vehicle operating in competition with the Hartsel Truck Line may do likewise; that this order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier, or to subject any such private carrier by motor vehicle to the laws or liability applicable to a motor vehicle common carrier; that the order entered in this proceeding on February 5, 1936, as since amended, shall continue in force until the further order of the Commission; that jurisdiction is retained to make such further orders as may be necessary and proper; that this order shall become effective on less than twenty (20) days' notice.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



*W. D. Thomson*

*Edward D. Devel*

*Malcolm Smith*  
Commissioners

Dated at Denver, Colorado,  
this 13th day of May, 1943

JH

SUPPLEMENT NO. 8 TO APPENDIX D

The following rates in cents per 100 pounds of milk shall apply:

Colorado Rapid Transit Company, also Austin Bros., Pioneer Truck Line, Lang Transit Line, Bethke Truck Line, Fuller Truck Line, Clyde Beeson, Borgmann Bros., and Alex Laubhan, Jr., in overlapping competitive territory with the Colorado Rapid Transit Company.

To Denver, Colo.

25 miles or less from Denver, Colo.  
In lots of less than 510 pounds per day on an average for a bi-monthly period, 24  
" " " 510 and less than 850 pds. per day, on an " " " " " 22  
" " " 850 pounds or more per day, on an average " " " " " 17

Over 25 miles from Denver, Colorado  
In lots of less than 510 Lbs. per day on an average for a bi-monthly period, 28  
" " " 510 and less than 850 lbs. per day on an average for " " " 25  
" " " 850 pounds or more per day on an average for a bi-monthly " " " 22

18 Miles or less from Denver, Colo.  
In lots of not less than 40 cans (3,400 pounds) per day on an average  
for a bi-monthly period - 10

To Destinations other than Denver, Boulder  
and Brighton, Colo.

15 miles or less from any Destination other than Denver, Boulder,  
or Brighton, Colo., to any destination other than Denver, Boulder,  
or Brighton, Colo., any quantity - 17

To Brighton, Colo.

15 miles or less from Brighton, Colo., any quantity - 20  
Over 15 miles " " " " " 24  
The above rates will also apply via the Overland Motor Express Co., when in  
competition with Colorado Rapid Transit Company.

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Fred H. Austin, doing business as Austin Bros.

From points located in authorized territory other than that territory  
located in the vicinities of Arvada and Golden, Colorado, formerly  
operated by A. A. Beck and the Arvada Transfer.

To Denver, Colo.

Over 25 miles from Denver, Colo., except in overlapping competitive  
territory with the Colorado Rapid Transit Company, and except from Boulder,  
Colo., and points in an area extending four (4) miles north and two (2)  
miles south of Colorado Highway No. 7, from Boulder, Colo., to U.S.  
Highway No. 87.

In lots of less than ten (10) ten-gallon cans per day on an  
average for a bi-monthly period - 33

(Subject to Note 1)

Note 1-A rate of 30 cents per 100 pounds of milk will apply in over-  
lapping territory with Lang Transit Line and Borgmann Bros.

In lots of ten (10) or more ten-gallon cans per day on an average  
for a bi-monthly period - 22

(Austin Brothers, concluded)

From Boulder, Colo., and points in an area extending four (4) miles North, and two (2) miles south of Colorado Highway No. 7, from Boulder, Colo., to U. S. Highway No. 87, other than in overlapping competitive territory with the Colorado Rapid Transit Company.

In lots of less than six (6) ten-gallon cans per day on an average for a bi-monthly period -	28
In lots of six (6) or more ten-gallon cans per day on an average for a bi-monthly period -	22

To Boulder or Longmont, Colo.

Four (4) miles or less from Boulder or Longmont, Colo.	
In lots of less than four (4) ten-gallon cans per day on an average for a bi-monthly period -	16½
In lots of four (4), or more ten-gallon cans per day on an average for a bi-monthly period -	12
Fifteen (15) miles and over four (4) miles, any quantity -	16½
Over fifteen (15) miles, any quantity -	20

Will also apply to any and all carriers in overlapping competitive territory with Austin Bros.

From points located in authorized territory in the vicinities of Arvada and Golden, Colorado, formerly operated by A. A. Beck and the Arvada Transfer.

In lots of	5-Gallon Cans	10-Gallon Cans	
	In Cents per Can	In Cents per 100 pounds of milk	or In Cents per Can
1 to 6 cans	11	22	16½
6 " 10 "	11	20	15
10 " 15 "	11	17	13½
15 " 25 "	11	15	12
25 cans or more	9	10	9

Tisone Bros. and Bullard, doing business as,  
Pioneer Trucking Company

To Denver, Colorado

The same rates as hereinbefore set forth in connection with the Colorado Rapid Transit Company.

To Golden, Colorado

From Boulder, Colorado, via what is known as the "Foot-hills Route," viz., Colorado Highways Nos. 170 and 93, 15 cents per 100 pounds of milk

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Frank Pless

To Denver, Colorado, any quantity -	30
To Brighton, Colorado,	
15 miles or less, any quantity	20
Over 15 miles, " "	24

Fred Rein, Jr.

To Denver, Colorado

25 Miles or less from Denver, Colorado

In lots of less than 600 pounds per day on an average for a bi-monthly period -	24
In lots of 600 and less than 850 pounds per day on an average for a bi-monthly period -	22
In lots of 850 pounds or more per day on an average for a bi-monthly period -	17

Over 25 miles from Denver, Colorado

In lots of less than 600 pounds per day on an average for a bi-monthly period -	28
In lots of 600 and less than 850 pounds per day on an average for a bi-monthly period -	25
In lots of 850 pounds or more per day on an average for a bi-monthly period -	22

To Brighton, Colorado

15 miles or less from Brighton, Colorado, any quantity -	20
Over 15 miles from Brighton, Colorado, any quantity -	24

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Fred Rein

To Denver, Colorado

In lots of less than 700 pounds per day on an average for a bi-monthly period -	24
In lots of 700 and less than 850 pounds per day on an average for a bi-monthly period -	22
In lots of 850 pounds or more per day on an average for a bi-monthly period -	17

-----  
Alex Laubhan, Jr.

To Denver, Colo.

The same rates as hereinbefore set forth in connection with the Colorado Rapid Transit Company for 25 miles or less.

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Fuller Truck Line, Inc.

To Denver, Colo.

The same rates as hereinbefore set forth in connection with the Colorado Rapid Transit Company to Denver, Colorado, for 25 miles or less.

To Brighton, Colo.

The same rates as hereinbefore set forth in connection with the Colorado Rapid Transit Co., to Brighton, Colorado.

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Bernard H. Bollers

To Denver, Colorado

Any quantity -	24
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P. M. Stewart

To Denver, Colorado

The same rates as hereinbefore set forth in connection with Fred Rein, Jr., to Denver, Colorado, for 25 miles or less.

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Lang Transit Line

To Denver, Colorado

The same rates as hereinbefore set forth in connection with the Colorado Rapid Transit Co., for 25 miles or less.

Over 25 miles from Denver, Colorado:

In overlapping competitive territory with the Colorado Rapid Transit Company, the same rates as hereinbefore set forth in connection with the Colorado Rapid Transit Company for over 25 miles.

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Over 25 miles from Denver, Colorado

From points in authorized territory which is not overlapping that of the Colorado Rapid Transit Company:

In lots of less than six (6) ten-gallon cans per day on an average for a bi-monthly period -	30
In lots of six (6) and less than ten (10), ten-gallon cans per day on an average for a bi-monthly period -	25
In lots of ten (10), or more, ten-gallon cans per day on an average for a bi-monthly period -	22

To Brighton, Colo.

15 miles or less from Brighton, Colo., any quantity -	20
Over 15 miles from " " " " -	24

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Clyde Beeson

To Denver, Colo.

The same rates as hereinbefore set forth in connection with the Lang Transit Lines, to Denver, Colorado.

-----

Borgmann Bros.

To Denver, Colo.

(A) From points in authorized territory which is overlapping competitive territory with the Colorado Rapid Transit Company, for distances 25 miles or less, or over 25 miles from Denver, Colo. apply the same rates as hereinbefore set forth for the Colorado Rapid Transit Co.

(B) From points in authorized territory which is overlapping competitive territory with the Lang Transit Company, and not overlapping with the Colorado Rapid Transit Company, apply the same rates as hereinbefore set forth for the Lang Transit Lines.

(C) From points in authorized territory north of the section line between Townships Two (2) and Three (3) North, and South of an east and west line beginning at the junction of U. S. Highway No. 87 and Colorado Highway No. 56, to the Platte River.

In lots of less than 510 pounds per day on an average for a bi-monthly period -	30
In lots of 510 pounds or more per day " " " " " "	25

Borgmann Bros. (concluded)

(D) From points in authorized territories north of the east and west line described in paragraph (C) hereof:

In lots of less than 510 pounds per day on an average for a bi-monthly period - 30

In lots of 510 pounds or more per day on an average for a bi-monthly period - 27

Adolph A. Bethke

To Denver, Colorado

The same rates as hereinbefore set forth in connection with Frank Pless, Colorado Rapid Transit Co., Lang Transit Lines, and Borgmann Bros., in overlapping competitive territory with the above named carriers.

In non-competitive territory, any quantity - 27

Walter Adams, also Martin Mikelson and Charles Sheaffer, doing business as Littleton Truck Line

From points in authorized territory of the above named carriers, the following rates shall apply.

To Denver, Colorado

5 gallon cans in single shipments -	18¢ per can
10 gallon cans in lots of less than 10 cans per single shipment -	18¢ " "
10 gallon cans in lots of 10 cans and less than 20 cans per single shipment	12¢ " "
10 gallon cans in lots of 20 cans and less than 30 cans per single shipment -	09½¢ " "
10 gallon cans in lots of 30 or more cans per single shipment -	07¢ " "

Where quantity rates are provided in cents per 100 pounds of milk the following rule shall be published, viz.:

"When the charges based on a higher rate and the actual weight (but not less than the minimum weight specified for the higher rate) exceeds the charges based on a lower rate and the actual weight (but not less than the minimum weight specified for the lower rate), the latter charges shall apply."

Where quantity rates are provided in cents per can the following rule shall be published, viz.:

"When the charges based on a higher rate and the actual number of cans (but not less than the minimum number of cans specified for the higher rate) exceed the charges based on a lower rate and the actual number of cans (but not less than the minimum number of cans specified for the lower rate), the latter charges shall apply."

Where rates are based on distance, the following central points shall be used in determining the distance:

Denver, Colo. - Intersection of Colfax and Broadway  
 Brighton, Colo. - " " State Highway No. 7 and U.S. Highway No. 85  
 Ft. Lupton " - " " " " No. 52 " " " " "  
 Greeley " - " " 3th Avenue and 9th Street  
 Boulder, " - " " State Highways Nos. 7, 119 and 170  
 Longmont, " - " " State Highway No. 254 and U.S. Highway No. 87  
 Ft. Collins, " - " " State Highway No. 14 and U.S. " - No. 87  
 Golden, " - " " State Highways Nos. 58 and 68

In all cases empty cans shall be returned free, where the carrier  
 has transported the loaded movement.

SUPPLEMENT NO. 5 TO APPENDIX L-3

The following Column 1 and 2 rates (subject to the tariff of increased  
 rates, viz.: C. F. Jackson, Agent, Colo. PUC No. 5) cancel the present  
 applicable Column 1 and 2 rates.

<u>Rates in Cents per 100 Pounds between</u>			
<u>Cortez and Dolores, Colorado</u>			
<u>And</u>	<u>Column</u>		
	1	-	2
Cahone, Colo.	37	-	27
Dove Creek, Colo.	37	-	27
Lewis, Colo.	32	-	21
North Dale, Colo.	37	-	27
Pleasant View, Colo.	37	-	27
Yellow Jacket, Colo.	32	-	21

<u>Between Durango, Colorado</u>						
<u>And</u>	<u>Minimum</u>			<u>Weight</u>		
	<u>5,000 Pounds</u>			<u>10,000 Pounds</u>		
	<u>Column</u>			<u>Column</u>		
	1	-	2	1	-	2
Cahone, Colo. )						
Dove Creek, Colo. )						
Lewis, Colo. )	36		31	30		27
North Dale, Colo. )						
Pleasant View, Colo. )						
Yellow Jacket, Colo. )						

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
RALPH VELTRI, 612 HAINLEN ST., ) CASE NO. 20274-Ins.  
TRINIDAD, COLORADO, PERMIT NO. )  
C-8236. )  
-----

-----  
May 13, 1943.  
-----

S T A T E M E N T

By the Commission:

On May 6, 1943, the Commission entered its order revoking Permit No. C-8236 for failure to have on file the necessary insurance required by law. It now appears that respondent had effective insurance, but same was not filed with the Commission, due to oversight on the part of the insurance agency.

Effective insurance has now been filed, and the Commission has been requested to reinstate said permit.

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

O R D E R

IT IS ORDERED:

That our order of May 6, 1943, revoking Permit No. C-8236, be, and the same hereby is, set aside, and said permit is reinstated, effective as of May 8, 1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Edward D. Wheeler*  
*Malcolm H. Smith*  
Commissioners.

Dated at Denver, Colorado,  
this 13th day of May, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
CLYDE W. TILDEN, GRAND LAKE, )  
COLORADO. )  
-----

PRIVATE PERMIT NO. A-77

-----  
May 13, 1943.  
-----

S T A T E M E N T

By the Commission:

On November 21, 1942, by order of the Commission, Decision No. 20067, Clyde W. Tilden, of Grand Lake, Colorado, was given authority to suspend operations under Permit No. A-77 for a period of six months, 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.


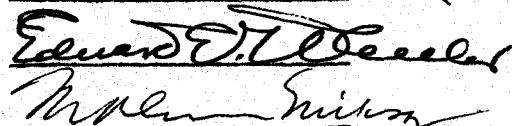
After careful consideration, permittee having on file the necessary certificate of insurance, cash deposit, and otherwise having complied with the rules and regulations of the Commission governing private carriers, the Commission is of the opinion, and so finds, that said order of suspension should be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

O R D E R

IT IS ORDERED:

That said order of suspension be, and it hereby is, set aside, and said Permit No. A-77 is restored to its active status, as of the date of this order.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Edward D. Tilden  
  
William E. Smith  
Commissioners.

Dated at Denver, Colorado,  
this 13th day of May, 1943.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
F. R. & W. E. CONARD, DOING )  
BUSINESS AS CONARD BROTHERS, )  
4988 STUART ST., DENVER, )  
COLORADO. )  
-----

PRIVATE PERMIT NO. B-2716

-----  
May 13, 1943.  
-----

S T A T E M E N T

By the Commission:

On January 16, 1942, by order of the Commission, Decision No. 20259, F. R. and W. E. Conard, doing business as Conard Brothers, were given authority to suspend operations under Permit No. B-2716 for a period of six months, 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.

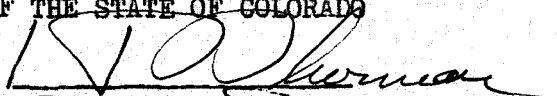
After careful consideration, permittee having on file the necessary certificate of insurance, cash deposit, and otherwise having complied with the rules and regulations of the Commission governing private carriers, the Commission is of the opinion, and so finds, that said order of suspension should be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

O R D E R

IT IS ORDERED:

That our order of suspension, dated January 16, 1943, suspending Permit No. B-2716, be, and the same is hereby, set aside and said Permit No. B-2716 is restored to its active status as of the date of this order.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Edward D. U. Seeler  
Melvin E. Quinn  
Commissioners.

Dated at Denver, Colorado,  
this 13th day of May, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

OPIE E. CODY )  
721 Main St., )  
Monte Vista, Colorado )  
----- )

PERMIT NO. C-13888

-----  
May 14, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Opie E. Cody of 721 Main St., Monte Vista, Colorado  
-----, requesting that his Permit No. C-13888 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13888, heretofore issued to Opie E. Cody of 721 Main St., Monte Vista, Colorado be, and the same is hereby, declared cancelled effective May 9, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shuman*  
*Edward D. Wheeler*  
*Malcolm Erickson*  
Commissioners.

Dated at Denver, Colorado,

this 14th day of May, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

HILL FARM SUPPLY COMPANY )  
1525 Wazee St., )  
Denver, Colorado )

PERMIT NO. C-12627

May 14, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Hill Farm Supply Company of 1525 Wazee St., Denver, Colorado,  
requesting that his Permit No. C-12627 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12627, heretofore issued  
to Hill Farm Supply Company of 1525 Wazee St., Denver, Colorado be,  
and the same is hereby, declared cancelled effective April 22, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry S. Shuman*  
*Edward O. Wheeler*  
*Malcolm Erickson*  
Commissioners.

Dated at Denver, Colorado,

this 14th day of May, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

VIRGIL BOLLINGER )  
Imperial, Nebraska )  
\_\_\_\_\_ )

PERMIT NO. C-12624

\_\_\_\_\_  
May 14, 1943  
\_\_\_\_\_

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Virgil Bollinger \_\_\_\_\_ of Imperial, Nebraska \_\_\_\_\_,  
requesting that his Permit No. C-12624 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12624, heretofore issued  
to Virgil Bollinger of Imperial, Nebraska \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective May 1, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
Henry D. Shaw  
\_\_\_\_\_  
Edward E. Wheeler  
\_\_\_\_\_  
Malcolm E. Erickson  
Commissioners.

Dated at Denver, Colorado,

this 14th day of May, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

RIFLE FEED STORE )  
201 W. 2nd St., )  
Rifle, Colorado )  
----- )

PERMIT NO. C-12302

-----  
May 14, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Rifle Feed Store of 201 W. 2nd St., Rifle, Colorado  
-----,  
requesting that his Permit No. C-12302 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12302, heretofore issued  
to Rifle Feed Store of 201 W. 2nd St., Rifle, Colorado be,  
and the same is hereby, declared cancelled effective April 30, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shaw*  
-----  
*Edward D. Decker*  
-----  
*Malcolm Erickson*  
-----  
Commissioners.

Dated at Denver, Colorado,

this 14th day of May, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
STAMFORD PRODUCE COMPANY )  
Stamford, Texas )  
 )  
 )  
----- )

PERMIT NO. C-11280

-----  
May 14, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Stamford Produce Company of Stamford Texas  
-----  
C-11280  
requesting that his Permit No.-----be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-11280, heretofore issued  
to Stamford Produce Company of Stamford, Texas be,  
and the same is hereby, declared cancelled effective April 13, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shuman*

*Edward O. Wheeler*

*Malcolm Erickson*

Commissioners,

Dated at Denver, Colorado,

this 14th day of May, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
AIRLINE GROCERY & SERVICE )  
203 E. 3rd St., )  
McCook, Nebraska )  
----- )

PERMIT NO. C-11206

-----  
May 14, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Airline Grocery & Service of 203 E. 3rd St., McCook, Nebraska,  
requesting that his Permit No. C-11206 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-11206, heretofore issued  
to Airline Grocery & Service of 203 E. 3rd St., McCook, Nebraska be,  
and the same is hereby, declared cancelled effective April 22, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shuman*  
-----  
*Edward E. Dwyer*  
-----  
*William E. Erickson*  
-----  
Commissioners.

Dated at Denver, Colorado,

this 14th day of May, 19 43.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
)  
SOUTHWESTERN PEANUT COMPANY )  
Abilene, ~~Kansas~~ *Texas* )  
)  
----- )

PERMIT NO. C-10647

-----  
May 14, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Southwestern Peanut Company of Abilene, Kansas,  
requesting that his Permit No. C-10647 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-10647, heretofore issued  
to Southwestern Peanut Company of Abilene, Kansas be,  
and the same is hereby, declared cancelled effective May 4, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry S. Plummer*  
*Edward E. Wheeler*  
*Malcolm Erickson*  
-----  
Commissioners.

Dated at Denver, Colorado,

this 14th day of May, 19 43

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
HEINZ ROOFING TILE COMPANY )  
1925 W. 3rd )  
Denver, Colorado )  
..... )

PERMIT NO. C-4641

.....  
May 14, 1943  
.....

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Heinz Roofing Tile Company ..... of 1925 W. 3rd, Denver, Colorado  
....., requesting that his Permit No. C-4641 ..... be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-4641, heretofore issued to Heinz Roofing Tile Company of 1925 W. 3rd, Denver, Colorado ..... be, and the same is hereby, declared cancelled effective May 16, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shaw*  
.....  
*Edward J. Wheeler*  
.....  
*Malcolm Erickson*  
.....  
Commissioners.

Dated at Denver, Colorado,

this 14th day of May, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

FRED HARSCH LUMBER COMPANY )  
Johnstown, Colorado )  
..... )

PERMIT NO. C-3754

.....  
May 14, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Fred Harsch Lumber Company of Johnstown, Colorado,  
requesting that his Permit No. C-3754 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-3754, heretofore issued  
to Fred Harsch Lumber Company of Johnstown, Colorado be,  
and the same is hereby, declared cancelled effective May 11, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry D. Peterson  
Edward E. O'Connell  
Malcolm Erickson  
Commissioners.

Dated at Denver, Colorado,

this 14th day of May, 19 43

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

C. R. FREEMAN )  
215 Poncha Ave., )  
Alamosa, Colorado )  
..... )

PERMIT NO. C-598

.....  
May 14, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
C. R. Freeman.....of 215 Poncha Ave., Alamosa, Colorado  
requesting that his Permit No. C-598.....be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-598....., heretofore issued  
to C. R. Freeman of 215 Poncha Ave., Alamosa, Colorado.....be,  
and the same is hereby, declared cancelled effective May 1, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

.....  
.....  
Malcolm Erickson  
Commissioners.

Dated at Denver, Colorado,

this 14th day of May, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

JACK OATIS )  
832 Van Buren )  
Pueblo, Colorado )  
..... )

PERMIT NO. A-2582

.....  
May 14, 1943  
.....

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Jack Oatis ..... of 832 Van Buren, Pueblo, Colorado,  
.....  
requesting that his Permit No. A-2582 ..... be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. A-2582, heretofore issued  
to Jack Oatis of 832 Van Buren, Pueblo, Colorado ..... be,  
and the same is hereby, declared cancelled effective May 6, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

.....  
.....  
.....  
Commissioners.

Dated at Denver, Colorado,

this 14th day of May, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
EUGENE GOETZ, WESTMINSTER, COLO- ) CASE NO. 30404-Ins.  
RADO, PERMIT NO. B-2870. )

-----  
May 13, 1943.  
-----

S T A T E M E N T

By the Commission:

On April 26, 1943, the Commission entered an order revoking Permit No. B-2870 for failure to have on file the necessary insurance required by law. It now appears that respondent did have on file the necessary insurance required for Permit B-2870 as originally issued. However, on May 20, 1943, Decision No. 20691, the respondent was granted an extension of authority under Permit B-2870, which required additional insurance. Respondent did not, however, accept the terms and conditions of said extension, and his original permit remained in full force and effect. We have been requested to set aside said order of revocation.

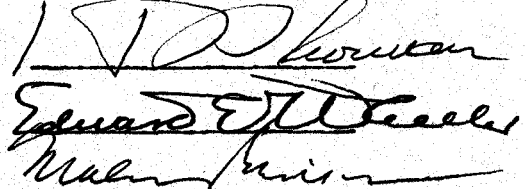
After careful consideration of the record, the Commission is of the opinion, and so finds, that said request should be granted.

O R D E R

IT IS ORDERED:

That our order of April 26, 1943, revoking Permit No. B-2870, be, and the same is hereby, set aside and said permit is reinstated, effective as of April 26, 1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 13th day of May, 1943.

bh

(Decision No. 20931)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

R. I. NIGHTINGALE,

Petitioner,

v.

SAN MIGUEL POWER ASSOCIATION,  
INC.,

Respondent.

CASE NO. 4809

May 12, 1943

Appearances: L. D. Hunt, Esq., Denver, Colorado,  
for Petitioner, R. I. Nightingale;  
Harry W. Gueno, Esq., Delta, Colorado,  
and Earnest L. Rushmer, Esq., St.  
Louis, Missouri, for Respondent;  
E. B. Evans, Esq., Denver, Colorado,

S T A T E M E N T

By the Commission:

Heretofore, on April 23, 1943, this Commission entered its Decision No. 20831 in the above entitled case, which said decision by its terms was to become effective on May 13, 1943. Thereafter, on May 5, 1943, and within less than ten days of the effective date of said decision, the respondent filed its application for rehearing and therein requested that the effective date be suspended.

The Commission finds that the effective date of said decision should be suspended during the pendency of said application for rehearing.

O R D E R

IT IS ORDERED:

That the effective date of Decision No. 20831 in the above entitled matter be suspended until application for rehearing is

granted or denied.

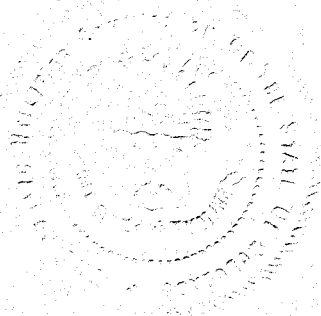
Dated at Denver, Colorado, this 12th day of May, 1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

L. J. Norman

Edward D. Wheeler

Commissioner Erickson not present.  
Commissioners



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

R. I. NIGHTINGALE,	)	
	)	
Petitioner,	)	
	)	
v.	)	CASE NO. 4809
	)	
SAN MIGUEL POWER ASSOCIATION,	)	
INC.,	)	
Respondent.	)	

---

May 14, 1943

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Appearances: L. D. Hunt, Esq., Denver, Colorado,  
for Petitioner, R. I. Nightingale;  
Harry W. Gueno, Esq., Delta, Colorado,  
and Ernest L. Rushmer, Esq., St.  
Louis, Missouri, for Respondent,  
San Miguel Power Association, Inc.,  
E. B. Evans, Esq., Denver, Colorado,  
for the Commission.

S T A T E M E N T

By the Commission:

Heretofore, on April 23, 1943, this Commission entered its Decision No. 20831, in the above entitled proceeding. Thereafter, and on May 11, 1943, the petitioner filed in said proceeding his motion for modification, alteration, and amendment of said Decision No. 20831, a copy of which said motion has been served upon the respondent; and the respondent in the above entitled proceeding, on May 5, 1943, filed its application for a rehearing in said proceeding.

The Commission finds that said application for rehearing filed by the respondent and the motion for modification, alteration, and amendment of Decision No. 20831 filed by the petitioner should be set for oral argument upon said application for rehearing and for hearing and oral argument upon said motion for modification, alteration, and amendment of Decision No. 20831.

O R D E R

IT IS ORDERED:

That the application for rehearing filed in the above entitled proceeding by the respondent be set for oral argument before the Commission in the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, at ten o'clock, a. m., on the 8th day of June, 1943.

That the motion for modification, alteration, and amendment of Decision No. 20831, filed by the petitioner in the above entitled proceeding be set for hearing and oral argument at the same time and place.

The Public Utilities Commission  
of the State of Colorado



*L. D. Thurman*

*Edward E. T. Erickson*  
Commissioners

Commissioner Erickson not present.

DATED at Denver, Colorado,  
this 14th day of May, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

ORIGINAL

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
COLORADO RAILROADS FOR INCREASES IN )  
INTRASTATE FREIGHT RATES AND )  
CHARGES, AND PASSENGER FARES, IN )  
LINE WITH INCREASES IN INTERSTATE )  
FREIGHT RATES AND CHARGES APPLIED )  
FOR IN I.C.C. DOCKET EX PARTE 148. )  
-----

APPLICATION NO. 5819

-----  
May 14, 1943  
-----

Appearances: J. A. Gallaher, Esq., 429 Equitable  
Building, Denver, Colorado, for  
the steam carriers;  
E. G. Knowles, Esq., Denver, Colo-  
rado, for Union Pacific Railroad  
Company;  
J. H. Shepherd, Esq., Denver, Colo-  
rado, for The Denver and Salt  
Lake Railway Company;  
Douglas McHendrie, Esq., Denver,  
Colorado, for The Atchison,  
Topeka and Santa Fe Railway  
Company;  
J. H. Cummins, Esq., Denver, Colo-  
rado, for The Colorado and  
Southern Railway Company and  
Chicago, Burlington & Quincy  
Railroad Company;  
G. A. Hoffelder, Chicago, Illinois,  
for Chicago, Burlington & Quincy  
Railroad Company;  
E. D. Speer, Topeka, Kansas, for The  
Atchison, Topeka and Santa Fe Rail-  
way Company;  
O. L. Strieby, Denver, Colorado, for  
the Missouri Pacific Railroad Com-  
pany;  
A. C. Mattson, 1200 Fidelity Bldg.,  
Kansas City, Missouri, for the  
Chicago, Rock Island and Pacific  
Railroad Company;  
A. J. Stilling, Omaha, Nebraska, for  
Union Pacific Railroad Company;  
F. C. Hogue, General Traffic Manager,  
for The Denver and Rio Grande  
Western Railroad Company;  
George Williams and  
W. M. Carey, Denver, Colorado, for  
The Denver and Rio Grande Western  
Railroad Company;  
Truman A. Stockton, Jr., Esq., Den-  
ver, Colorado, for The Motor Truck  
Common Carriers' Association;

Chamber of Commerce, Pueblo, Colorado;  
 Lowe P. Siddons, Esq., and  
 F. H. Orgren, P. O. Box 1052, Colorado  
 Springs, Colorado, for the Holly  
 Sugar Company;  
 E. B. Evans, Esq., Denver, Colorado,  
 for The Public Utilities Commission  
 of the State of Colorado;  
 Monroe P. Hester, Denver, Colorado,  
 for Great Western Sugar Company;  
 George Work and  
 L. B. Fitzpatrick, Denver, Colorado,  
 for the Colorado Milling and  
 Elevator Company;  
 F. O. Sandstrom, Denver, Colorado, for  
 Colorado-New Mexico Coal Operators;  
 A. J. Baumann, Denver, Colorado, for  
 Armour & Company;  
 R. W. Lentz, Denver, Colorado, Traffic  
 Manager, for Swift & Company;  
 A. Brester, Denver, Colorado, Traffic  
 Manager, for Cudahy Packing Company;  
 John R. Wolf, Esq., Boulder, Colorado,  
 for Boulder County Metal Mining  
 Association;  
 D. I. McCarl, Denver, Colorado, for the  
 Colorado Potato Growers' Exchange;  
 F. J. Rebhan, Denver, Colorado, for  
 American Crystal Sugar Company;  
 R. L. Ellis, Denver, Colorado, for Kumer-  
 Empson Company;  
 T. S. Wood, Denver, Colorado, for The  
 Public Utilities Commission of the  
 State Of Colorado;  
 L. K. Wilson, Denver, Colorado, for  
 Rocky Mountain Produce Company;  
 Reginald C. Carey, Sugar City, Colorado,  
 Vice President, for National Sugar  
 Manufacturing Company.

### S T A T E M E N T

By the Commission:

The Commission is in receipt of a petition filed by The Motor  
 Truck Common Carriers' Association and the Liquid Fuel Carriers' Division  
 of The Colorado Motor Carriers' Association, for modification of the order  
 of the Commission entered in Application No. 5819, under date of April 30,  
 1943, being Decision No. 20875, in which petitioners request that the Com-  
 mission re-consider said order and modify it to such extent that the  
 presently effective rates upon so-called "merchandise traffic in l.c.l.  
 lots" will remain in effect until further order of the Commission.

The Commission has carefully considered the application, and  
 finds that no good purpose would be served by re-consideration of its

Decision No. 20875, and further finds that said order should not be modified, as requested by petitioners.

O R D E R

IT IS ORDERED:

That petition filed by The Motor Truck Common Carriers' Association and the Liquid Fuel Carriers' Division of The Colorado Motor Carriers' Association, for modification and amendment of Decision No. 20875 be, and the same hereby is, denied.

This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



W. D. Sherman

Edward D. Wheeler

William Emerson  
Commissioners

Dated at Denver, Colorado,  
this 14th day of May, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HARRY H. HARBISON AND HENRY HAUSER, )  
DOING BUSINESS AS "HAUSER & HARBI- )  
SON", EAST PROSPECT STREET, FORT )  
COLLINS, COLORADO, FOR AUTHORITY )  
TO TRANSFER PERMIT NO. B-2440 TO )  
HARRY H. HARBISON, P O BOX 302, )  
FORT COLLINS, COLORADO )  
-----)

APPLICATION NO. 4832-PP-BB-A

IN THE MATTER OF THE APPLICATION OF )  
HENRY HAUSER AND HARRY H. HARBISON, )  
DOING BUSINESS AS "HAUSER & HARBI- )  
SON", EAST PROSPECT STREET, FORT )  
COLLINS, COLORADO, FOR AUTHORITY TO )  
TRANSFER PERMIT NO. A-2599 TO HARRY )  
H. HARBISON, P O BOX 302, FORT COL- )  
LINS, COLORADO )  
-----)

APPLICATION NO. 5539-PP-A

IN THE MATTER OF THE APPLICATION OF )  
HENRY HAUSER AND HARRY H. HARBISON, )  
DOING BUSINESS AS "HAUSER & HARBI- )  
SON, EAST PROSEECT STREET, FORT COL- )  
LINS, COLORADO, FOR AUTHORITY TO )  
TRANSFER PUC NO. 910 TO HARRY H. )  
HARBISON, P O BOX 302, FORT COLLINS, )  
COLORADO. )  
-----)

APPLICATION NO. 3210-AAA

-----  
May 17, 1943  
-----

Appearances: Henry Hauser, Fort Collins,  
Colorado, pro se;  
Harry H. Harbison, Fort  
Collins, Colorado, pro se.

S T A T E M E N T

By the Commission:

The above matters were heard at Denver, Colorado, on April 2,  
1943.

Transferors have been doing business as co-partners in conduct-  
ing operations under Permits Nos. B-2440, A-2599, and PUC No. 910.

By Decision No. 12781, dated December 29, 1938, in Application No. 4832-PP, transferors herein, as co-partners, were granted a Class "B" permit (No. B-2440) to operate as private carriers by motor vehicle for hire for the transportation of:

"farm products, including livestock and feed between points in the Laramie River country and the Red Feather country, being that area in northwestern Larimer County West of U S Highway No. 287, and north of State Highway No. 14, both highways not included, and Fort Collins and Greeley; and coal from the northern Colorado coal fields to users in Fort Collins and the described Laramie River country and the Livermore and Red Feather Country, provided no cement shall be transported in competition with Ted Carpenter and Son as authorized by their Certificate No. 1017, and no intermediate points between Fort Collins and Greeley nor between Fort Collins and Livermore shall be served by applicants."

By Decision No. 13848, dated August 9, 1939, in Application No. 4832-PP-A, said authority was extended to include the right to transport:

"livestock, only, from that part of Larimer County lying west of U S Highway 287, known as the Laramie River country and the Red Feather Lakes section, to Denver, with no back haul."

By Decision No. 15020, dated March 9, 1940, in Application No. 4832-PP, Decision No. 12781 was amended to include the transportation of:

"cement from the cement plant at Boettcher to users in the Laramie River country and the Red Feather-Livermore country".

By Decision No. 15509, dated June 7, 1940, in Application No. 4832-PP-BB, permittees were authorized to extend their operations to include the right to transport:

"fresh cucumbers, only, from points within the so-called 'Red Feather' territory, described in Decision No. 12781, and from points within a radius of twenty-five miles of Fort Collins to processing plants of said Drehr Pickle Company in said original and extended territory".

By Decision No. 16702, dated February 22, 1941, in Application No. 5339-PP, transferors herein were granted a Class "A" permit (No. A-2599) to operate as private carriers by motor vehicle for hire for the transportation of:

"pickles and pickle company products, both before and after processing, between Fort Collins and Denver, via U S Highway No. 287 to corner east of Broomfield, thence to Denver via North Washington Highway, including the right to transport from Denver to Fort Collins merchandise and plant supplies; provided, however, that such service shall extend only to the transportation of such merchandise between Fort Collins and Denver, and vice versa, without the right to serve any intermediate points, and provided further that the only customer that may be served by applicants herein will be the Drehr Pickle Company and applicants may not add to or extend such customer list without authority from the Commission after due notice and hearing".

By Decision No. 7919, dated June 30, 1936, in Amended Application No. 3210, Solomon Deines was granted a certificate of public convenience and necessity (PUC No. 910), authorizing the transportation of:

"farm products, including live stock, as a common carrier by motor vehicle in irregular service and upon call and demand, from point to point in all of Larimer County and Weld County north of a line drawn east and west nine miles south of Ft. Collins and west of Range Line 67 West, to and from other points in the State of Colorado, with the right to transport all commodities except household goods from farms in said area to and from Fort Collins, Colorado, specifically eliminating, however, the transportation of farm products (exclusive of livestock) into Denver, and any competition with common carrier line haul operators between towns".

By Decision No. 16116, dated November 4, 1940, in Application No. 3210-A, inter alia, Solomon Deines was granted authority to transfer all his right, title and interest in and to PUC No. 910 to Blue Eagle Truck Lines, Inc. This transfer was never completed.

Thereafter, by Decision No. 17668, dated September 19, 1941, in Application No. 3210-AA, Solomon Deines was authorized to transfer all his right, title and interest in and to PUC No. 910 to transferors herein.

At the hearing, it appeared that Transferor Hauser is now in the Armed Forces of the United States, and both parties desire that his interest in the above operations be transferred to Transferor Harry H. Harbison.

The consideration for the transfer is the sum of \$3,500.00, \$1,500.00 of which had been paid by the first day of January, 1943, the balance to be paid at the rate of \$100.00 per month on and after said date until full payment has been made, the next payment to be so due thereunder becoming due April 15, 1943.

There is no operating indebtedness against the operations, and Transferee Harbison will have the same equipment operated by the partnership.

Both transferor and transferee desire that the cash deposit be transferred to the account of transferee.

The operating experience and financial responsibility of transferee were established to the satisfaction of the Commission.

The Commission finds that said transfer should be authorized.

#### O R D E R

##### IT IS ORDERED:

That Harry H. Harbison and Henry Hauser, co-partners, doing business as "Hauser & Harbison", Fort Collins, Colorado, be, and they hereby are, authorized to transfer all their right, title and interest in and to Permits Nos. B-2440 and A-2599 and PUC No. 910 to Harry H. Harbison, Fort Collins, Colorado.

The tariff of rates, rules and regulations of the transferors covering PUC No. 910 shall become and remain those of the transferee until changed according to law and the rules and regulations of this Commission.

The right of transferee to operate under this order shall depend upon his 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 transferee shall conduct the transferred operations separately, and in such manner as to avoid violations of rules and regulations of the Commission which prohibit consolidation of common carrier and private carrier operations.

That cash deposit of said partnership held by this Commission should be transferred to the account of Harry H. Harbison.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

L. D. Shuman

Edward D. Wheeler

Malcolm Ericson  
Commissioners

Dated at Denver, Colorado,  
this 17th day of May, 1943.

hs

Original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

ORIGINAL

\* \* \*

IN THE MATTER OF A GENERAL INVESTIGATION )  
OF THE FREIGHT RATES AND CLASSIFICATION OF ) CASE NO. 1585  
FREIGHT OF ALL COMMON AND PRIVATE MOTOR )  
VEHICLE CARRIERS. )  
-----

-----  
May 14, 1943  
-----

S T A T E M E N T

By the Commission:

On March 27, 1942, by Decision No. 18561, the Commission ordered a general increase of three (3) and six (6) per cent in the intrastate rates of all motor vehicle carriers, except on household goods and office furniture (used, second-hand), uncrated and unpacked, weighing in excess of 1,000 pounds per shipment, the minimum charge on single shipments, C.O.D. return charges, storage charges, and milk and cream, which order became effective on April 6, 1942.

On April 30, 1943, Decision No. 20875, effective May 15, 1943, in Application No. 5819, the Commission issued its order suspending on intrastate traffic the increases granted the rail carriers in Decision No. 18528 of March 16, 1942, from May 15, 1943, to December 31, 1943, inclusive.

The Commission is now in receipt of a petition requesting an order suspending from May 15, 1943 to December 31, 1943, inclusive, the increases granted under Decision No. 18561, supra, on the lines of the Weicker Transfer & Storage Company (scheduled line haul operations, not call and demand service), Rio Grande Motor Way, Inc., and The Southwestern Transportation Company, also on interline traffic in connection with these carriers.

The petition states that due to the competitive conditions that exist between the above named carriers and the rail carriers they must be on the same basis of rates, otherwise their traffic will, to a great extent, be diverted to the said rail carriers.

It appears to the Commission that the same competitive conditions may prevail with many other motor vehicle carriers who have not requested similar action as these three carriers.

The Commission finds that the increases ordered by Decision No. 18561, in Case No. 1585, should be suspended from May 15, 1943 to December 31, 1943, inclusive, on the line haul operations of the Weicker Transfer & Storage Company, the Southwestern Transportation Company, and the Rio Grande Motor Way, Inc., and on intrastate interline traffic handled in connection with these three carriers, that Case 1585 should be reopened for the purpose of determining whether or not the increases ordered by Decision No. 18561 should be suspended on intrastate traffic for all motor vehicle carriers.

O R D E R

IT IS ORDERED, That the increases ordered under Decision No. 18561, dated March 27, 1942, be, and the same are hereby, suspended on intrastate

traffic in Colorado on and after May 15, 1943, to and including December 31, 1943, on the line haul operations of the Weicker Transfer and Storage Company, the Southwestern Transportation Company, and the Rio Grande Motor Way, Inc., and on interline traffic handled in connection with said carriers; that said carriers be, and they are hereby, required to publish schedules in accordance with this order upon notice to this Commission and the general public by not less than one day's filing and posting in the manner prescribed in Section 16 of the Public Utilities Act; that Case No. 1585 be, and the same is hereby, reopened to determine whether said increases in general should be suspended; that same is hereby assigned for hearing in the Hearing Room of the Commission, 330 State Office Building, June 2, 1943, at 10:00 o'clock A.M.; that this order shall continue in force and effect until the further order of the Commission; that jurisdiction is retained to make such further orders as may be necessary and proper; that this order shall become effective on less than twenty (20) days' notice.

Commissioner Erickson absent

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

(S E A L)

ATTEST: A TRUE COPY

J. M. McNulty  
Secretary

HENRY S. SHERMAN  
EDWARD E. WHEELER  
Commissioners

Dated at Denver, Colorado,  
JH this 14th day of May, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
CLYDE WILLIAMS AND VERNON WILLIAMS, )  
DOING BUSINESS AS "WILLIAMS AND SON," )  
HAYDEN, COLORADO, FOR A CLASS "A" )  
PERMIT TO OPERATE AS PRIVATE CARRIERS )  
BY MOTOR VEHICLE FOR HIRE. )  
-----

SUPPLEMENTAL ORDER

APPLICATION NO. 5294-PP

IN THE MATTER OF THE APPLICATION OF )  
CLYDE WILLIAMS AND VERNON WILLIAMS, )  
DOING BUSINESS AS "WILLIAMS AND SON," )  
HAYDEN, COLORADO, FOR AN EXTENSION )  
OF PERMIT NO. A-2589. )  
-----

APPLICATION NO. 5294-PP-B

-----  
May 18, 1943.  
-----

S T A T E M E N T

By the Commission:

By Decision No. 14877, in Application No. 5294-PP, Clyde Williams and Vernon Williams, doing business as "Williams and Son," Hayden, Colorado, were authorized to operate as Class "A" private carriers by motor vehicle for hire for the transportation of:

"coal from Grassy Creek Mine to Mount Harris, Colorado."

By Decision No. 16395, in Application No. 5294-PPB, said permittees were authorized to extend their operations under said authority to include the right to transport,-

- "(a) coal from Sleepy Cat Mine seven miles south of Hayden, to Hayden;
- (b) coal from mine of Champion Fuel, Inc., two and one-half miles north of Mount Harris, to Mount Harris;
- (c) coal from Crowbar Mine, six miles south of Hayden, to Hayden, and
- (d) coal from the Hammond Mine four miles north of Mount Harris, to Mount Harris."

The Commission is now in receipt of a letter dated May 9, 1943, from C. and V. Williams, requesting elimination from their Permit No. A-2589 of the authority granted by said Decision Nos. 14877 and 16395.

The Commission finds that the request should be granted.

O R D E R

IT IS ORDERED:

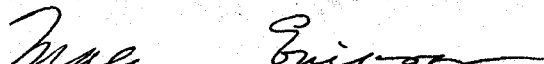
That the authority granted Clyde Williams and Vernon Williams, doing business as "Williams and Son," Hayden, Colorado, by Decisions Nos. 14877 and 16395 be cancelled.

The only remaining authority under said permit (Decision No. 20729, in Application No. 5294-PP-BB), is the right to transport:

ore from Kramer Mines located in Brown Canyon, about nine and one-half miles from the main line of The Denver and Rio Grande Western Railroad Company, to mill in Chaffee County, and ores and concentrates from said mines and mill to railroad loading points in said county.

This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of May, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

FRANK CADWELL )  
Box 75 )  
Boone, Colorado )  
..... )

PERMIT NO. C-14273

.....  
May 18, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Frank Cadwell of Box 75 Boone, Colorado,  
requesting that his Permit No. C-14273 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14273, heretofore issued  
to Frank Cadwell of Box 75, Boone, Colorado be,  
and the same is hereby, declared cancelled effective May 1, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shuman*  
*Edward D. Wheeler*  
*Malcolm Erickson*

Commissioners.

Dated at Denver, Colorado,

this 18th day of May, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
C. L. JESSEE & H. E. LOOMILLER )  
616 Perry St., )  
Longmont, Colorado )  
----- )

PRIVATE PERMIT NO. B-2856

-----  
May 18, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2856 be suspended for a period of six months from March 29, 1943.

O R D E R

IT IS ORDERED:

That C. L. Jessee & H. E. Loomiller of Longmont, Colorado be, and they are hereby, authorized to suspend operations under Permit No. B-2856 for a period of not to exceed six months from March 29, 1943.

That unless said C. L. Jessee & H. E. Loomiller 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

*Henry D. Shaw*  
*Edward J. Decker*  
*Malcolm Erickson*  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of May, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
NERO DIREZZA )  
104 Fillmore St., )  
Denver, Colorado )  
\_\_\_\_\_ )

PERMIT NO. B-2794

\_\_\_\_\_  
May 18, 1943  
\_\_\_\_\_

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Nero Direzza of 104 Fillmore St., Denver, Colorado  
\_\_\_\_\_ of \_\_\_\_\_,  
requesting that his Permit No. B-2794 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-2794, heretofore issued  
to Nero Direzza of 104 Fillmore St., Denver, Colorado be,  
and the same is hereby, declared cancelled effective January 1, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shaw*  
\_\_\_\_\_  
*Edward E. Wheeler*  
\_\_\_\_\_  
*Malcolm Erickson*  
\_\_\_\_\_  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of May, 19 43

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
STEWART BROTHERS )  
17 N. Tejon St., )  
Colorado Springs, Colorado )  
..... )

PERMIT NO. C-13010

.....  
May 18, 1943  
.....

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Stewart Brothers ..... of 17 N. Tejon St., Colo Springs, Colo  
requesting that his Permit No. ~~C-13000~~ be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. ~~C-13000~~ C-13010, heretofore issued  
to Stewart Brothers of 17 N. Tejon St., Colo Springs, Colorado be,  
and the same is hereby, declared cancelled effective May 10, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry S. Shuman*  
.....  
*Edward D. Wheeler*  
.....  
*Malcom Erickson*  
.....

Commissioners.

Dated at Denver, Colorado,

this 18th day of May, 19 43.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

JACKSON PRODUCE COMPANY )  
Las Animas, Colorado )  
\_\_\_\_\_ )

PERMIT NO. C-1540

\_\_\_\_\_  
May 18, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Jackson Produce Company of Las Animas, Colorado,  
requesting that his Permit No. C-1540 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-1540, heretofore issued  
to Jackson Produce Company of Las Animas, Colorado be,  
and the same is hereby, declared cancelled effective May 10, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry S. Plummer*  
\_\_\_\_\_  
*Edward E. Wheeler*  
\_\_\_\_\_  
*Malcolm Erickson*  
\_\_\_\_\_  
Commissioners.

Dated at Denver, Colorado,

this 18th day of May, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

R. W. LONG )  
Manzanola, Colorado )  
\_\_\_\_\_ )

PERMIT NO. C-12710

\_\_\_\_\_  
May 18, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from\_\_\_\_\_

R. W. Long \_\_\_\_\_ of Manzanola, Colorado \_\_\_\_\_,

requesting that his Permit No. C-12710 \_\_\_\_\_ be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12710 \_\_\_\_\_, heretofore issued to R. W. Long of Manzanola, Colorado \_\_\_\_\_ be, and the same is hereby, declared cancelled effective April 27, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shuman*  
\_\_\_\_\_  
*Edward E. Dwyer*  
\_\_\_\_\_  
*Malcolm Erickson*  
\_\_\_\_\_  
Commissioners.

Dated at Denver, Colorado,

this 18th \_\_\_\_\_ day of May \_\_\_\_\_, 19 43.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
C. C. TAYLOR )  
717 East Main St., )  
Shawnee, Oklahoma )  
-----

P U C NO. 1311-I

-----  
May 18, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named Certificate holder, requesting that Certificate No. 1311-I be suspended for a period of six months from April 19, 1943.

O R D E R

IT IS ORDERED:

That C. C. Taylor of Shawnee, Oklahoma be, and he is hereby, authorized to suspend his operations under Certificate No. 1311-I for a period of not to exceed six months from April 19, 1943.

That unless said C. C. Taylor 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 Certificate holders, said Certificate, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shoverman*  
*Edward E. [unclear]*  
*William [unclear]*  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of May, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN WILLIAM DONELSON, 1501 PEORIA )  
STREET, AURORA, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----

APPLICATION NO. 6332-PP

-----  
May 21, 1943  
-----

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of 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.

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

O R D E R

IT IS ORDERED:

That John William Donelson, Aurora, 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.

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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

W. D. Shuman

Edward D. O'Connell

Walter E. Spier  
Commissioners

Dated at Denver, Colorado,  
this 21st day of May, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE MOTOR VEHICLE )  
OPERATIONS OF W. J. SCHELLER, LONG- )  
MONT, COLORADO, PRIVATE CARRIER )  
PERMIT NO. A-1196-I. )

May 22, 1943

S T A T E M E N T

By the Commission:

It appears from the records of the Commission that on September 28, 1936, this Commission entered an order revoking the above numbered permit because said carrier had failed to file a certificate of insurance as required by law and the rules and regulations of this Commission.

It also appears from the records of this Commission that on October 10, 1938, the above named carrier filed an application for the reissuance of said permit, paid the application fee of \$5.00, and deposited with the Commission the sum of \$10.00 as security for the payment of all State highway compensation taxes.

No action was taken upon this application to reissue. Apparently, the carrier has erroneously presumed that the above permit had been reissued, because he has, since that time, filed reports relating to the amount of hauling which he did under said permit, a great many of which reports show that he had done no hauling thereunder.

The above-named carrier has now requested that said permit be reissued, and that, immediately upon the reissue thereof, said permit be suspended.

The Commission now finds from all of the facts within its knowledge, that the above-numbered permit should be reissued and reinstated,

and that, upon such reissue and reinstatement, said permit should be suspended for a period of six months.

O R D E R

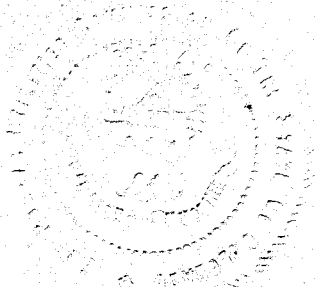
IT IS ORDERED:

That Private Carrier Permit No. A-1196-I be, and the same hereby is, reissued and reinstated.

That W. J. Scheller should be, and he hereby is, permitted to suspend his operations under Permit No. A-1196-I for a period not to exceed six months from the date hereof.

That unless said W. J. Scheller shall, prior to expiration of said suspension period, reinstate said permit by filing insurance and otherwise complying with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall stand revoked, without right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
W. J. Scheller

Edward D. T. Greely

Mason E. Quinn

Commissioners.

DATED at Denver, Colorado,  
this 22d day of May, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
JOHN BUNKER )  
1530 Pearl St., )  
Denver, Colorado )  
..... )

PERMIT NO. C-13906

.....  
May 22, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
John Bunker of 1530 Pearl St., Denver, Colorado,  
requesting that his Permit No. C-13906 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13906, heretofore issued  
to John Bunker of 1530 Pearl St., Denver, Colorado be,  
and the same is hereby, declared cancelled effective May 20, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry S. Shuman  
David E. Baker  
William E. Erickson  
Commissioners.

Dated at Denver, Colorado,

this 22nd day of May, 19 43

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
)

T. I. GRIFFITH )  
Blanca, Colorado )  
\_\_\_\_\_ )

PERMIT NO. C-1988

\_\_\_\_\_  
May 22, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
T. I. Griffith of Blanca, Colorado,  
requesting that his Permit No. C-1988 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-1988, heretofore issued  
to T. I. Griffith of Blanca, Colorado be,  
and the same is hereby, declared cancelled effective May 15, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry S. Shaw*  
\_\_\_\_\_  
*Edward J. O'Brien*  
\_\_\_\_\_  
*Malcolm Erickson*  
\_\_\_\_\_  
Commissioners.

Dated at Denver, Colorado,

this 22nd day of May, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
J. W. FARRIS )  
Atwood, Colorado )  
 )  
 )  
 )

PERMIT NO. C-14215

May 22, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
J. W. Farris ..... of ..... Atwood, ..... Colorado,  
requesting that his Permit No. C-14215 ..... be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14215, heretofore issued to J. W. Farris of Atwood, Colorado ..... be, and the same is hereby, declared cancelled effective May 14, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shaw*  
*Edward E. Wheeler*  
*Malcolm Erickson*  
Commissioners.

Dated at Denver, Colorado,

this 22nd day of May, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GEORGE E. JONES )  
1361 Kalamath St., )  
Denver, Colorado )  
----- )

PRIVATE PERMIT NO. B-2775

-----  
May 22, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2775 be suspended for the duration and six months from May 18, 1943.

O R D E R

IT IS ORDERED:

That George E. Jones of 1361 Kalamath St., Denver, Colorado be, and he is hereby authorized to suspend his operations under Permit No. B-2775 for the duration and six months from May 18, 1943.

That unless said George E. Jones 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

*Henry D. Shuman*  
*Edward E. Wheeler*  
*Malcolm Erickson*  
Commissioners.

Dated at Denver, Colorado,  
this 22nd day of May, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
AMOS SWEDDELL, 1734 SOUTH FRANKLIN )  
STREET, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----

APPLICATION NO. 6333-PP

-----  
May 24, 1943  
-----

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of rock, 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, 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That Amos Swedell, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of rock, 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, 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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



*W. D. Shuman*

*Edward D. Wheeler*

*Walter E. Quinn*

Commissioners

Dated at Denver, Colorado,  
this 24th day of May, 1943.

MW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
GEORGE C. DWINNELL, BENKELMAN, )  
NEBRASKA, P.U.C. NO. 1166-I. )  
-----

CASE NO. 20002-Ins.

-----  
May 24, 1943.  
-----

S T A T E M E N T

By the Commission:

On August 31, 1942, P.U.C. No. 1166-I was revoked for failure to keep on file the necessary insurance required by law. It now appears that proper insurance was filed with the Commission September 1, 1942, and no lapse occurred in insurance protection so far as operations of respondent were concerned. We have been requested to reinstate said certificate.



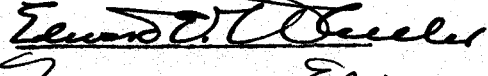

The rule of the Commission ordinarily is to allow five days for filing of proper insurance after the date of any revocation order, and after careful consideration of the record, the Commission is of the opinion, and so finds, that said certificate should be reinstated.

O R D E R

IT IS ORDERED:

That our order of August 31, 1942, revoking Certificate No. 1166-I, be, and the same is hereby, set aside and said certificate is reinstated, effective as of September 1, 1942.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 24th day of May, 1943.

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CHARLES OSWALD & SON, WILEY, COLO- )  
RADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS PRIVATE CARRIERS BY MOTOR )  
VEHICLE FOR HIRE FOR THE TRANSPORTA- )  
TION OF FARM PRODUCTS, INCLUDING )  
LIVESTOCK, TANKAGE, FEED AND FARM )  
SUPPLIES WITHIN A RADIUS OF 25 MILES )  
OF WILEY AND FROM AND TO POINTS IN )  
SAID AREA, TO AND FROM POINTS IN THE )  
STATE OF COLORADO. )

APPLICATION NO. 6325-PP

-----  
May 25, 1943.  
-----

Appearances: Charles Oswald, Wiley, Colorado,  
                  pro se;  
                  Leland Good, Lamar, Colorado,  
                  pro se;  
                  L. O. Light, Lamar, Colorado,  
                  pro se;  
                  A. J. Fregeau, Denver, Colorado,  
                  for Weicker Transfer & Storage  
                  Company;  
                  T. A. Stockton, Jr., Esq., Denver,  
                  by A. J. Fregeau, Denver, Colorado,  
                  for the Common Carrier Division of  
                  The Colorado Motor Carriers'  
                  Association.

S T A T E M E N T

By the Commission:

At the hearing, which was held in La Junta, Colorado, on May 21, 1943, applicant, testifying in his own behalf, stated that he expected to be able to buy a new International 1½-ton truck if successful in obtaining authority under this application, as his request for such equipment had been tentatively approved by the War Board, subject to the action of the Commission in the instant matter.

Mr. Oswald lives at Wiley and owns a 160-acre farm and is engaged in the livestock business. He testified that he had received many requests for transportation service which the operators located at Lamar were unable

to take care of within a reasonable time. Wiley is a town of approximately 500 population and is located about ten miles from Lamar.

Mr. A. C. Davis, who is engaged in farming and stockraising in the Wiley territory, testified that there had been a considerable increase in the demand for trucking service in said area; that the large operators at Lamar were compelled to get a full load before making trips to market, and this often occasioned a delay, with resultant shrinkage in the livestock. It was further developed that some fifty shippers in said Wiley territory were in about the same position as Mr. Davis. Twenty-three of these witnesses were present at the hearing, and it was stipulated that their testimony would be practically the same as that of Mr. Davis.

At this point, applicant testified that he was willing to limit his operations to a farm service, and would not engage in any town to town movements in competition with regularly established common carriers. He further stated that he was willing that the authority, if granted, should be limited to the duration of the war and six months thereafter, and that his pickup area for livestock would be within ten miles of Wiley, with service between points in said area and to Denver; farm products, feed, and farm supplies limited to a 12-mile radius of Wiley for a destination area, with pickup area for feed from Denver and points south of Wiley to the state line, west 50 miles, east 45 miles, and north 125 miles, of Wiley.

In view of this stipulation, all protests to the granting of the authority sought were withdrawn.

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

After 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.

## O R D E R

### IT IS ORDERED:

That Charles Oswald and Son, of Wiley, Colorado, be, and they are hereby, authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of livestock between points within a radius of ten miles of Wiley, Colorado, and from said area on the one hand to Denver on the other hand, including service from Denver to said area; also the right to transport farm products, feed and farm supplies within a radius of 12 miles of Wiley, including the right to pick up feed at Denver and points around Wiley extending south to the state line, west 50 miles, east 45 miles, and north 125 miles, for destination points within said 12-mile radius of Wiley, including also the right to transport turkeys, live or dressed, between points within a radius of 25 miles of Wiley; provided, however, that all of said service shall be a farm service, including only transportation from farm to farm, farm to town, or town to farm.

IT IS FURTHER ORDERED, That the authority granted shall extend only for the duration of the war and six months thereafter.

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 authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

The right of applicants to operate hereunder shall depend upon 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

L. J. Shuman

Edward V. W. W. W.

W. E. E. E.  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of May, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
F. TEEL ADAIR & SON, CASTLE ROCK, )  
COLORADO, FOR AUTHORITY TO TRANSFER )  
TO N. A. PEARMAN, LARKSPUR, COLORADO, )  
THAT PORTION OF PERMIT A-529 GRANTED )  
IN DECISION 11934 AND TO CONSOLIDATE )  
WITH PERMIT A-1273. )  
-----

APPLICATION NO. 2672-PP-ABA

-----  
May 27, 1943.  
-----

Appearances: F. Teel Adair, Castle Rock,  
Colorado, pro se;  
N. A. Pearman, Larkspur,  
Colorado, pro se;

S T A T E M E N T

By the Commission:

On June 4, 1938, Decision No. 11934, F. Teel Adair and Harold Adair, doing business as Adair and Son, were granted an extension of Permit No. A-529 to include authority for the transportation of,-

"milk and cream from milk producers residing along and within three miles of U. S. Highway No. 85, beginning at a point four miles south of Larkspur, Colorado, and extending south along said highway a distance of twenty-one miles to the creamery at Larkspur, Colorado."

The instant application seeks authority to transfer the authority granted under said Decision No. 11934 to N. A. Pearman.

The evidence disclosed that the consideration to be paid for said transfer is the sum of \$400.00.

Transferee is now operating a milk route under Permit A-1273 and is in better position to serve the customers under said extension than transferors. Granting of the authority sought herein would save the use of one truck. The rules of the Commission prohibit the transfer of portions of private permits. However, under the circumstances in the instant case, we are of the opinion that said rule should be set aside, as it would

appear in the public interest to grant the authority sought. Transferee desires to combine the authority obtained in this transfer with his operations under Permit A-1273.

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

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

O R D E R

IT IS ORDERED:

That F. Teel Adair and Son be, and they are hereby, authorized to transfer to N. A. Pearman, of Larkspur, Colorado, all of their right, title and interest in and to that portion of Permit A-529 which authorizes the transportation of milk and cream from milk producers residing along and within three miles of U. S. Highway No. 85, beginning at a point four miles south of Larkspur, Colorado, and extending south along said highway a distance of twenty-one miles, to the creamery at Larkspur, Colorado.

IT IS FURTHER ORDERED, That transferee, N. A. Pearman, may consolidate the above authority with his present operations under Permit No. A-1273.

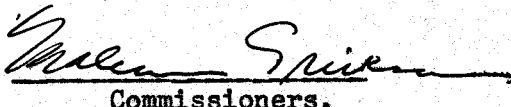
The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

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





  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of May, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN A. MEYERS, 4663 LOGAN STREET, )  
DENVER, COLORADO, FOR AUTHORITY TO )  
TRANSFER PUC NO. 513 TO FRED REIN, )  
SR., DOING BUSINESS AS "FRED REIN )  
TRUCK LINE," 445 OGDEN STREET, DEN- )  
VER, COLORADO. )

APPLICATION NO. 1644-A

-----  
May 27, 1943  
-----

Appearances: Fred Rein, Sr., Denver, Colo-  
rado, pro se;  
John A. Meyers, Denver, Colo-  
rado, pro se;  
B. H. Boller, Denver, Colorado,  
pro se;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer and  
Storage Company.

S T A T E M E N T

By the Commission:

By Decision No. 3125, dated October 30, 1930, in Application  
No. 1644, John A. Meyers, Denver, Colorado, was authorized to operate as  
a common carrier by motor vehicle for hire for the transportation of:

milk, butter, eggs and other small parcels of  
farm products from the territory described as:  
commencing in the City of Denver, the route will  
follow the Brighton Road to the township line  
between Townships 2 and 3-South at a point on  
the south line of Section 31, Township 2-South,  
Range 67-West; thence east ten and one-half  
miles on the south line of Township 2-South to  
the southwest corner of Section 36, Township  
2-South, Range 66-West; thence one mile south  
along the west line of Section 1, Township 3-  
South, Range 66-West; thence west eleven miles  
along the north lines of Sections 11, 10, 9, 8,  
and 7, Township 3-South, Range 66-West, and  
Sections 12, 11, 10, 9, 8, 7, Township 3-South,  
Range 67-West, to the Brighton Road; thence to  
Denver via said Brighton Road, to Denver; and  
small packages from Denver directly to the pub-  
lic residing in said above-described territory.

By Decision No. 19683, dated September 12, 1942, said certificate-  
holder was authorized to suspend his operations under said authority, PUC

No. 513, for a period of not to exceed six months from September 1, 1942, with reinstatement proviso.

By Decision No. 20679, dated March 26, 1943, he was authorized to further suspend his operations under said certificate for six months from March 1, 1943, with reinstatement proviso.

John A. Meyers now asks that PUC No. 513 be reinstated, and that he be authorized to transfer said authority to Fred Rein, Sr., doing business as "Fred Rein Truck Line," Denver, Colorado.

At the hearing, in Denver, Colorado, on May 19, 1942, at 2:00 o'clock P.M., it appeared that the consideration to be paid for the transfer of PUC No. 513 is \$225.00 in cash, to be paid upon authorization by the Commission of said transfer.

Exhibit No. 1, a map, was introduced in evidence, showing the territory heretofore served by transferor, together with territory served by transferee and by protestant, B. H. Boller.

There is no operating indebtedness against the operation, and it was testified by transferor that all road tax had been paid.

The operating experience and financial responsibility of transferee were established to the satisfaction of the Commission.

Protestant Boller testified that he had been hauling on the west end of Meyers' territory. It appeared, however, that this hauling was done without authority, so there is no valid ground for the protest.

The Commission finds that PUC No. 513 should be reinstated; that the authority sought to transfer said certificate should be granted; that said transferred authority should be consolidated with and operated under PUC No. 527, being the present authority of Fred Rein, Sr.

#### O R D E R

##### IT IS ORDERED:

That PUC No. 513 is hereby reinstated.

That John A. Meyers, Denver, Colorado, is hereby authorized to transfer all his right, title and interest in and to said PUC No. 513 to Fred Rein, Sr., doing business as "Fred Rein Truck Line," Denver, Colorado.

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 authority herein authorized to be transferred should be consolidated with and operated under, PUC No. 527, being the present authority of Fred Rein, Sr.

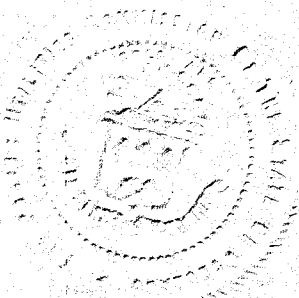
This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

L. T. Whorham

Edward D. O'Connell

Wm. E. Smith  
Commissioners



Dated at Denver, Colorado,  
this 27th day of May, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CORINNE MC KEE, DOING BUSINESS AS )  
"STOCKYARDS LIVESTOCK HAULING COM- )  
PANY," 4235 COLUMBINE STREET, DEN- )  
VER, COLORADO, FOR TRANSFER OF PUC )  
NO. 436 FROM P. C. MC KEE, DOING )  
BUSINESS AS "THE STOCKYARDS LIVE- )  
STOCK HAULING COMPANY," DENVER, )  
COLORADO, TO HER. )  
-----

APPLICATION NO. 1405-A

-----  
May 27, 1943  
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S T A T E M E N T

By the Commission:

On October 21, 1929, by Decision No. 2593, P. C. McKee, doing business as "The Stockyards Livestock Hauling Company," was granted a certificate of public convenience and necessity to transport, by motor vehicle for hire:

livestock between Denver and all points in the State of Colorado, subject to the provision that applicant should not have any branch office, agencies or agents outside of the City of Denver for the solicitation and conduct of his business, and subject to further usual provisions, set forth in said order.

It now appears from a certified copy of an order of the County Court in and for the City and County of Denver, State of Colorado, in Docket No. 30203, that a hearing was held before said County Court on the 8th day of May, 1943, in which testimony was introduced that Phillip C. McKee has not, and never has had, any investment or interest in, and has not operated the business done under the name of "The Stockyards Livestock Hauling Company." The County Court ordered that Corinne McKee, the wife and conservatrix of the Estate of Phillip C. McKee, was authorized to present said Order to The Public Utilities Commission, showing that said P. C. McKee has no interest in or claim in or upon said truck line,

and to procure the correction of the records of The Public Utilities Commission to show Corinne McKee, doing business as "Stockyards Livestock Hauling Company" as the owner and operator of said PUC No. 436.

The Commission finds, in view of the Order of the County Court, that such correction should be made, and that in order to correct the records of said Commission, a transfer of PUC No. 436, standing in the name of P. C. McKee, doing business as "The Stockyards Livestock Hauling Company," to Corinne McKee, doing business as "Stockyards Livestock Hauling Company," should be made.

O R D E R

IT IS ORDERED:

That transfer of PUC No. 436 should be made, and the Secretary of the Commission is hereby ordered to amend and change the current records and files of the Commission by substituting the name of Corinne McKee, doing business as "Stockyards Livestock Hauling Company," Denver, Colorado, as owner and holder of said PUC No. 436, in lieu of P. C. McKee, doing business as "The Stockyards Livestock Hauling Company," Denver, Colorado.

That no transfer fee shall be required for said transfer.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
1 T D Shuman

Edward D. O'Connell

Maureen E. Quinn

Commissioners

Dated at Denver, Colorado,  
this 27th day of May, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
JOSE LOUIS HERRERA )  
Cokedale, Colorado )  
 )  
 )  
----- )

PERMIT NO. C-14390

-----  
May 26, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Jose Louis Herrera of Cokedale, Colorado ,  
requesting that his Permit No. C-14390 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14390 , heretofore issued  
to Jose Louis Herrera of Cokedale, Colorado be,  
and the same is hereby, declared cancelled effective May 31, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shuman*  
-----  
*Edward J. Decker*  
-----  
*Malcolm Ericsson*  
-----  
Commissioners.

Dated at Denver, Colorado,

this 26th day of May, 19 43

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF)

DAVID H. LARSEN  
Hillfield  
Ogden, Utah

PRIVATE PERMIT NO. A-929

-----  
May 26, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. A-929 be suspended for a period of six months from April 26, 1943.

O R D E R

IT IS ORDERED:

That David H. Larsen of Ogden, Utah be, and he is hereby, authorized to suspend his operations under Permit No. A-929 for a period of not to exceed six months from April 26, 1943.

That unless said David H. Larsen 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

*Henry D. Shawan*  
*David E. Dwyer*  
*Malcolm Erickson*  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of May, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MIKE SHUMAN AUTOMOTIVE SERVICE )  
1105 W. Pico )  
Los Angeles, California )  
..... )

P U C  
~~PERMIT~~ NO. 1329-I

-----  
May 26, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Mike Shuman Automotive Service of 1105 W. Pico, Los Angeles, California,  
requesting that his ~~Permit No.~~ P U C No. 1329-I be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That ~~Permit No.~~ P U C No. 1329-I, heretofore issued  
to Mike Shuman Automotive Service of 1105 W. Pico, Los Angeles, California be,  
and the same is hereby, declared cancelled effective May 22, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry S. Shuman  
Edward O. Wheeler  
Malcom Erickson  
Commissioners.

Dated at Denver, Colorado,

this 26th day of May, 19 43

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

W. P. GADELMAN )  
Garnett, Kansas )  
..... )

PERMIT NO. C-8644

.....  
May 26, 1943

S T A T E M E N T

By the Commission:

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

W. P. Gadelman of Garnett, Kansas

requesting that his Permit No. C-8644 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-8644, heretofore issued to W. P. Gadelman of Garnett, Kansas be, and the same is hereby, declared cancelled effective April 19, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shuman*

*Edward E. Wheeler*

*Malcom Erickson*

Commissioners.

Dated at Denver, Colorado,

this 26th day of May, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

J. J. SOFFA )  
Route 2, Box 164 )  
Pueblo, Colorado )  
----- )

PERMIT NO. C-7187

-----  
May 26, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
J. J. Soffa of Route 2, Box 164, Pueblo, Colorado,  
requesting that his Permit No. C-7187 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-7187, heretofore issued  
to J. J. Soffa of Route 2, Box 164, Pueblo, Colorado be,  
and the same is hereby, declared cancelled effective May 20, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shuman*  
*Edward E. Wheeler*  
*Malcom Erickson*  
-----  
Commissioners.

Dated at Denver, Colorado,

this 26th day of May, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

TANNER BROTHERS )  
Nederland, Colorado )  
..... )

PERMIT NO. C-6587

.....  
May 26, 1943  
.....

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Tanner Brothers of Nederland, Colorado,  
requesting that his Permit No. C-6587 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-6587, heretofore issued  
to Tanner Brothers of Nederland, Colorado be,  
and the same is hereby, declared cancelled effective May 5, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shuman*  
.....  
*Edward J. Wheeler*  
.....  
*Malcolm Erickson*  
.....  
Commissioners.

Dated at Denver, Colorado,

this 26th day of May, 19 43

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
H. E. TYLER )  
Delta, Colorado )  
 )  
 )  
 )

PERMIT NO. C-932

May 26, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
H. E. Tyler of Delta, Colorado,  
requesting that his Permit No. C-932 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-932, heretofore issued to H. E. Tyler of Delta, Colorado be, and the same is hereby, declared cancelled effective May 14, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry P. Shuman  
Donald E. Wheeler  
Malcolm Erickson  
Commissioners.

Dated at Denver, Colorado,

this 26th day of May, 19 43

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

L. R. ALLEN )  
701 S. Clay St., )  
Denver, Colorado )  
..... )

PERMIT NO. C-790

.....  
May 26, 1943  
.....

S T A T E M E N T

By the Commission:

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

..... L. R. Allen ..... of 701 S. Clay St., Denver, Colorado  
requesting that his Permit No. C-790 ..... be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-790, heretofore issued  
to L. R. Allen of 701 S. Clay St., Denver, Colorado ..... be,  
and the same is hereby, declared cancelled effective January 1, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Phoenix*  
.....  
*Edward O. Wheeler*  
.....  
*Malcom Erickson*  
.....  
Commissioners.

Dated at Denver, Colorado,

this 26th day of May, 19 43

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

C. B. VAN HORN )  
Pueblo, Colorado )  
..... )

PERMIT NO. C-212

.....  
May 26, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
C. P. Van Horn of Pueblo Colorado,  
requesting that his Permit No. C-212 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-212, heretofore issued to G. P. Van Horn of Pueblo, Colorado be, and the same is hereby, declared cancelled effective April 1, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry S. Shaw*  
.....  
*Edward J. Wheeler*  
.....  
*Malcolm Erickson*  
.....  
Commissioners.

Dated at Denver, Colorado,

this 26th day of May, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
B. P. AND C. L. SAUL, DOING BUSINESS )  
AS SAUL BROTHERS, 927 INCA STREET, )  
DENVER, COLORADO, FOR AUTHORITY TO ) APPLICATION NO. 4598-PP-BB-AA  
TRANSFER PERMIT B-2249 TO B. P. SAUL, )  
927 INCA STREET, DENVER, COLORADO. )  
-----

-----  
May 27, 1943.  
-----

Appearances: B. P. and C. L. Saul, 927 Inca St.,  
Denver, Colorado, pro se.

S T A T E M E N T

By the Commission:

On May 26, 1938, Decision No. 11982, B. P. and D. R. Goodloe,  
copartners, doing business as Saul and Goodloe, were granted private carrier  
permit No. B-2249, authorizing,-

"the transportation of sand and gravel from pits and  
supply points within the State of Colorado to road  
construction jobs within a radius of fifty miles  
thereof."

Thereafter, on October 27, 1939, Decision 14240, said Saul and  
Goodloe were authorized to extend their operations under said permit to  
include the right to transport,-

"sand and gravel from pits and supply points within  
a radius of 25 miles of Denver, to construction jobs  
in said area, and road and bridge-building materials,  
including cement, from rail heads, and other supply  
points within said area, in connection with the  
movement of sand and gravel, to road construction  
jobs, only, without the right to haul steel and bridge  
timbers, and excluding service between points served  
by line haul motor vehicle common carriers."

Thereafter, on January 21, 1942, said permit was further extended  
to include the right to transport,-

"coal from mines in the northern Colorado coal mines  
to Denver."

Thereafter, on September 2, 1942, Decision No. 19559, said  
permit was transferred to B. P. Saul and C. L. Saul, doing business as

Saul Brothers. The instant application seeks authority to transfer said permit from the said Saul Brothers to B. P. Saul.

The evidence disclosed that no outstanding obligations exist against said operation, and that the consideration being paid by B. P. Saul to his brother, C. L. Saul, for the transfer of his interest in said permit, is the sum of \$100.00.

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

O R D E R

IT IS ORDERED:

That S. P. Saul and C. L. Saul, doing business as Saul Brothers, be, and they are hereby, authorized to transfer all of their right, title and interest in and to Permit B-2249 to B. P. Saul, of 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 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

*W. D. Thompson*

*Edward D. Wheeler*

*Chas. E. Evers*  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of May, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LILLIAN WOODWARD, DOING BUSINESS AS )  
"WOODWARD TRUCK LINE," 115 NORTH )  
CASCADE AVENUE, COLORADO SPRINGS, )  
COLORADO, FOR AUTHORITY TO TRANSFER )  
PUC NO. 319 TO J. F. WHARTON AND J. )  
F. WHARTON, JR., DOING BUSINESS AS )  
"WHARTON TRUCK LINE," 115 NORTH CAS- )  
CASE AVENUE, COLORADO SPRINGS, COLO- )  
RADO. )

APPLICATIONS NOS. 1260-A  
1474-A

-----  
May 27, 1943  
-----

Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for the applicants;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer and Stor-  
age Company.

S T A T E M E N T

By the Commission:

By Decision No. 2090, dated March 11, 1929, in Application No. 1260, E. M. Woodward, doing business as "Woodward Truck Line," was authorized to operate as a common carrier by motor vehicle for hire for the transportation of:

freight between Colorado Springs and Matheson and intermediate points.

By Decision No. 3247, dated March 2, 1931, in Application No. 1474, E. M. Woodward, doing business as "Woodward Truck Line," was authorized to operate as a common carrier by motor vehicle for hire for the transportation of:

freight, except lumber, coal and grain, between Matheson and Burlington, Colorado, and intermediate points.

By Decision No. 14061, dated September 23, 1939, Lillian Woodward, as widow of E. M. Woodward, also known as Eugene M. Woodward, was substituted as owner and holder of certificate of public convenience and necessity, PUC No. 319.

Said Lillian Woodward, doing business as "Woodward Truck Line," now seeks authority to transfer said PUC No. 319 to J. F. Wharton and J. F. Wharton, Jr., Colorado Springs, Colorado.

At the hearing, in Denver, Colorado, on May 19, 1943, at 2:00 o'clock P.M., transferor testified that she is the owner of PUC No. 319; that there are no outstanding unpaid operating obligations against the operation; that the consideration for the transfer is to be \$1,500.00 in cash, payable upon approval of the transfer by the Commission; that the transfer includes the operating authority and one 1939 Chevrolet truck.

Transferees propose to operate under the trade name of "Wharton Truck Line."

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

The Commission finds that the transfer should be authorized.

O R D E R

IT IS ORDERED:

That Lillian Woodward, doing business as "Woodward Truck Line," Colorado Springs, Colorado, is authorized to transfer all her right, title and interest in and to PUC No. 319 to J. F. Wharton and J. F. Wharton, Jr., co-partners, doing business as "The Wharton Truck Line," Colorado Springs, Colorado.

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 (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
W. D. Johnson

Edward E. O'Connell

Wm. E. Quinn

Commissioners

Dated at Denver, Colorado,  
this 27th day of May, 1943.

mm

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

LOUIS BEETEN )  
1015 - 9th Ave., )  
Longmont, Colorado )  
..... )

PERMIT NO.

C-14228

.....  
May 26, 1943  
.....

S T A T E M E N T

By the Commission:

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

Louis Beeten

1015 - 9th Ave., Longmont, Colorado

.....of.....,

C-14228

requesting that his Permit No.....be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14228, heretofore issued

to Louis Beeten of 1015 - 9th Ave., Longmont, Colorado be,

and the same is hereby, declared cancelled effective May 15, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shaw*

*Edward E. Wheeler*

*Malcolm Erickson*

Commissioners.

Dated at Denver, Colorado,

this 26th day of May, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EDWIN A. BOWLES D/B/A/ )  
OVERLAND TRANSPORT COMPANY )  
4584 Raleigh St., )  
Denver, Colorado Z 12 )  
-----

PRIVATE PERMIT NOS. B-972 & B-972-I

-----  
May 26, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit Nos. B-972 and B-972-I be suspended from May 21, 1943 to May 27, 1944. This period to coincide with the suspension period of the Interstate Commerce Commission.

O R D E R

IT IS ORDERED:

That Edwin A. Bowles d/b/a Overland Transport Company of 4584 Raleigh St., Denver, Colorado be, and he is hereby, authorized to suspend his operations under Permit Nos. B-972 and B-972-I from May 21, 1943 to May 27, 1944. This period to coincide with the suspension period of the Interstate Commerce Commission.

That unless said Edwin A. Bowles d/b/a Overland Transport Company 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

*Henry D. Sherman*

*Edward H. Beebe*

*Malcolm Erickson*  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of May, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
PHILIP J. WASHBURN )  
Forks, Washington )  
-----

PRIVATE PERMIT NO. B-2743

-----  
June 2, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2743 be suspended for a period of six months from May 26, 1943.

O R D E R

IT IS ORDERED:

That Philip J. Washburn of Forks, Washington be, and he is hereby, authorized to suspend his operations under Permit No. B-2743 for a period of not to exceed six months from May 26, 1943.

That unless said Philip J. Washburn 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

*Henry D. Sherman*  
*Edward J. Wheeler*  
*Malcolm G. Smith*  
Commissioners.

Dated at Denver, Colorado,  
this 2nd day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF A GENERAL INVESTIGATION  
OF THE FREIGHT RATES AND CLASSIFICATION OF  
FREIGHT OF ALL COMMON AND PRIVATE MOTOR  
VEHICLE CARRIERS.

CASE NO. 1585

June 3, 1943

S T A T E M E N T

By the Commission:

On May 14, 1943, by Decision No. 20935, the Commission entered its order, which, in part, suspended on intrastate traffic in Colorado on and after May 15, 1943, to and including December 31, 1943, on the line haul operations of the Weicker Transfer and Storage Company, the Southwestern Transportation Company, and the Rio Grande Motor Way, Inc., and on interline traffic handled in connection with said carriers, the increases authorized and ordered under Decision No. 18561, dated March 27, 1942.

The Commission is now in receipt of a request on behalf of the above named carriers asking for a modification of the order under Decision No. 20935, to-wit:

That the suspension shall apply only to the class, column and special commodity rates contained in Appendices C-2, L-3, and K, and that said further order be made effective nunc pro tunc as of the date of Decision No. 20935, or on May 15, 1943.

The order in Decision No. 20935 was based primarily on the competitive conditions existing between the petitioners and the rail carriers. It now appears that commodities other than those moving under class, column, or special commodity (as specified in Appendix K) rates are not competitive with the rail rates and that the increase should be continued in force and effect on said commodities.

The Commission finds that the request should be granted.

O R D E R

IT IS ORDERED, That the order entered under Decision No. 20935, dated May 14, 1943, be, and the same is hereby, modified nunc pro tunc as of May 15, 1943, to the extent that said suspension shall apply only to class, column and special commodity rates contained in Appendices C-2, L-3, and K of Rate Pamphlet dated June 30, 1939, as amended; that in all other respects said order shall continue in force and effect until the further order of the Commission; that jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*[Signature]*

*[Signature]*

*[Signature]*  
Commissioners

Dated at Denver, Colorado,  
this 3rd day of June, 1943

JH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
SEERIE CONSTRUCTION COMPANY )  
605 Interstate Trust Bldg., )  
Denver, Colorado )  
..... )

PERMIT NO. C-13928

June 4, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Seerie Construction Company of 605 Interstate Trust Bldg., Denver, Colo  
requesting that his Permit No. C-13928 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13928, heretofore issued  
to Seerie Construction Company of 605 Interstate Trust Bldg., Denver, Colo  
and the same is hereby, declared cancelled effective May 24, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry S. Shaw  
Edward E. Wheeler  
Malcom Erickson  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of June, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

HARRY MORRIS )

Castle Apartments )

Idaho Springs, Colorado )

PERMIT NO. C-3536

June 4, 1943

S T A T E M E N T

By the Commission:

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

Harry Morris

Castle Apartments Idaho Springs, Colo

C-3536

requesting that his Permit No.....be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-3536, heretofore issued

to Harry Morris of Castle Apartments, Idaho Springs, Colorado be,

and the same is hereby, declared cancelled effective April 27, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry S. Shaw*

*Edward D. Wheeler*

*William Erickson*

Commissioners.

Dated at Denver, Colorado,

this 4th day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

ARTHUR J. SCHOLES )  
1358 S. Corona St., )  
Denver, Colorado (10) )  
..... )

PERMIT NO. C-2390

.....  
June 4, 1943  
.....

S T A T E M E N T

By the Commission:

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

.....Arthur J. Scholes.....of.....1358 S. Corona St., Denver, Colorado  
requesting that his Permit No. ....C-2390.....be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. ....C-2390....., heretofore issued  
to.....Arthur J. Scholes of 1358 S. Corona St., Denver, Colorado.....be,  
and the same is hereby, declared cancelled effective May 24, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry P. Plummer  
.....  
Malcolm Erikson  
.....  
Commissioners.

Dated at Denver, Colorado,

this 4th day of June, 19 43

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

JAY FORSYTH )  
Espanola, New Mexico )

PERMIT NO. C-1982

June 4, 1943

S T A T E M E N T

By the Commission:

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

Jay Forsyth of Espanola, New Mexico,  
requesting that his Permit No. C-1982 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-1982, heretofore issued to Jay Forsth of Espanola, New Mexico be, and the same is hereby, declared cancelled effective May 21, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shaw*  
*Edward D. Wheeler*  
*Malcolm Erickson*

Commissioners.

Dated at Denver, Colorado,

this 4th day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

ELZA BURCHAM )  
Sutherland, Nebraska )  
\_\_\_\_\_ )

P U C  
~~PERMIT~~ NO. 1502-I

\_\_\_\_\_  
June 4, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from\_\_\_\_\_

Elza Burcham of Sutherland, Nebraska,  
P U C  
requesting that his ~~Permit~~ No. 1502-I be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That P U C  
~~Permit~~ No. 1502-I, heretofore issued  
to Elza Burcham of Sutherland, Nebraska be,  
and the same is hereby, declared cancelled effective May 25, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry D. Thomson  
Edward O. Wheeler  
Malcolm Erickson  
Commissioners.

Dated at Denver, Colorado,

this 4th day of June, 19 43

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

JOHN E. LEBHARDT )  
1926 W. 12th Ave., )  
Denver, Colorado )  
..... )

PERMIT NO. B-2772

.....  
June 4, 1943  
.....

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
John E. Lehardt of 1926 W. 12th St., Denver, Colorado  
....., requesting that his Permit No. B-2772 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-2772, heretofore issued to John E. Lehardt of 1926 W. 12th St., Denver, Colorado be, and the same is hereby, declared cancelled effective May 20, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry S. Sherman*  
.....  
*Edward J. Wheeler*  
.....  
*Malcolm Erickson*  
.....  
Commissioners.

Dated at Denver, Colorado,

this 4th day of June, 1943.

(Decision No. 20977)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

At a General Session of The Public  
Utilities Commission of the State  
of Colorado, held at its office in  
Denver, Colorado, June 3, 1943

INVESTIGATION AND SUSPENSION DOCKET NO. 249

IT APPEARING, That on May 14, 1943 the Union Pacific Railroad Company, by its Superintendent, filed an application with the Commission to abandon its agency at Briggsdale, Colorado, to be effective on and after June 15, 1943, alleging that, in accordance with the order of the Interstate Commerce Commission, Finance Docket No. 13799, Re Abandonment of the segments of the Briggsdale Branch of said Company, in which it was stated a possible saving of \$1,700.00 per year could be made by the elimination of the Agent at Briggsdale; the Company is of the opinion that this saving would be necessary to continue the operation of the Briggsdale segment. It was also alleged that in compliance with the order of the Interstate Commerce Commission in said Finance Docket, the Company desires authority to institute service on call from Greeley and to handle freight only in carloads to and from Briggsdale. As a further reason for abandonment of said Agency, it is alleged that on account of war conditions there is a shortage of agency and telegraph operator personnel, and therefore the Agent at Briggsdale could be placed in more essential service elsewhere. The Superintendent of the Western Union Telegraph Company also concurred in the discontinuance of the Agent so far as the telegraph service is concerned.

IT FURTHER APPEARING, That the Commission has received a letter from the S. A. Foster Lumber Company protesting any curtailment of l.c.l. service at Briggsdale as there is no other adequate transportation service for the Briggsdale community.

The Commission also received a letter signed by Mr. G. W. Cass and twenty-seven other alleged residents of Briggsdale, conceding the necessity

for the elimination of the Agent at Briggsdale, provided that the Railroad Company would deliver local freight at least once each week, and carload lots from adjoining states, such as lumber, coal, oils, livestock, and other merchandise as occasion demands. The Commission also received a letter from Mr. A. T. King with same protest as stated above.

IT APPEARING FURTHER, That the proposed discontinuance of the Agent of the Union Pacific Railroad Company at Briggsdale might injuriously affect the rights and interests of said protestants and others that might be concerned:

IT IS THEREFORE ORDERED, That the effective date for the proposed abandonment of the Agent or Agency station of the Union Pacific Railroad Company at Briggsdale, Colorado, be suspended for one hundred and twenty days from June 15, 1943, or until October 13, 1943, unless otherwise ordered.

IT IS FURTHER ORDERED, That the proposed abandonment of said railroad agency be made a subject of investigation and determination by the Commission within the said period of suspension or such further time as the same may be lawfully suspended.

IT IS FURTHER ORDERED, That the matter of protests of the aforesaid protestants or others concerned therein is hereby set down for hearing before the Commission at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, at 10:00 o'clock A.M., on June 11, 1943, at which time and place said evidence in the matter as is proper may be offered.

IT IS FURTHER ORDERED, That a copy of this order be filed with the aforesaid application for the discontinuance of the Agent of the Union Pacific Railroad Company at Briggsdale, Colorado, and copies hereof be forthwith served on E. G. Knowles, Esq., Attorney for the Union Pacific Railroad Company, H. E. Shumway, Superintendent of the Union Pacific Railroad Company, at Denver, Colorado, and H. W. Deneke, Superintendent of the Western Union Telegraph Company, Denver, Colorado, and Mr. George C. Selimer, Manager of the S. A. Foster Lumber Company, Briggsdale, Colorado, Mr. G. W. Cass, representative of other signers of letter, Briggsdale,

and Mr. A. T. Ling, Briggsdale, Colorado, The Board of County Commissioners  
of Weld County, Colorado, Greeley, Colorado, and the Order of Railroad  
Telegraphers,

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

W. D. Shorman

Edward D. Basler

Wm. E. Egan  
Commissioners

Dated at Denver, Colorado,  
this 3rd day of June, 1943

JH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

At a General Session of the  
Public Utilities Commission  
of the State of Colorado, held  
at its office in Denver, Colo-  
rado, June 3, 1943.

INVESTIGATION AND SUSPENSION DOCKET NO. 250

IT APPEARING, That on May 14, 1943, the Union Pacific Railroad Company, by its Superintendent, filed an application with the Commission to abandon regular service on the segments continued in service of its Greeley Branch and Pleasant Valley Branch in Weld County, Colorado, substituting therefor carload freight service on call between Greeley and Briggsdale and between Cloverly and Galeton, alleging that the Company should be authorized to make the aforesaid changes in the operation of the segments of the Greeley Branch to be continued in service to comply with the order of the Interstate Commerce Commission in Finance Docket No. 13799, re abandonment of certain segments of the Greeley Branch, and as fully meeting the requirements of service on the segments to be continued in service;

IT FURTHER APPEARING, That the Commission has received protests from business concerns and residents of Briggsdale, Colorado, as set out in I. & S. Docket No. 249, concerning the matter of receiving and delivery of freight only in carload lots, and requesting the delivery of local freight at least once each week and carload lots from adjoining states, such as lumber, coal, oils, livestock, and other merchandise, as occasion demands;

IT APPEARING FURTHER, That the proposed arrangements for delivery of freight only in carload lots on call might injuriously affect the rights and interests of said protestants or others who might be concerned:

IT IS THEREFORE ORDERED, That the effective date for the proposed change in operation of the segments of the Greeley Branch of the Union Pacific concerned herein be suspended for One Hundred and Twenty (120)

days from June 15, 1943, or until October 13, 1943, unless otherwise ordered.

IT IS FURTHER ORDERED, That the proposed operating arrangement for the segments of the Greeley Branch concerned herein be made a subject of investigation and determination by the Commission within the said period of suspension, or such further time as the same may be lawfully suspended.

IT IS FURTHER ORDERED, That the matter of protests of the aforesaid protestants or others concerned therein is hereby set down for hearing at the Hearing Room of the Commission, State Office Building, Denver, Colorado, at ten o'clock A.M., June 11, 1943, 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 be filed with the aforesaid application for change in operation of the Greeley Branch of the Union Pacific Railroad Company, and copies hereof be forthwith served on E. G. Knowles, Esq., Attorney for the Union Pacific Railroad Company, Denver, Colorado, H. E. Shumway, Superintendent of the Union Pacific Railroad Company, Denver, Colorado, Geo. C. Selimer, Manager, S. A. Foster Lumber Company, Briggsdale, Colorado, G. W. Cass, representative of other signers of letter, Briggsdale, Colorado, A. T. Ling, Briggsdale, Colorado, and the Board of County Commissioners of Weld County, Colorado.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Dated at Denver, Colorado,  
this 3rd of June, 1943.

JH

W. D. Shuman  
Edward E. Dancer  
Walter E. Dancer  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF )  
PEPPER TANK & CONTRACTING COMPANY, ) CASE NO. 30415-Ins.  
CASPER, WYOMING, PERMIT C-11374. )  
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-----  
June 7, 1943.  
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S T A T E M E N T

By the Commission:

On May 18, 1943, the Commission entered its order, cancelling Commercial Carrier Permit No. C-11374 for failure to have on file the necessary insurance required by law.

It now appears that our records in regard to said insurance were in error, and that respondent did have effective insurance on file at all times, and said order of revocation was in error.

After careful consideration of the record, the Commission is of the opinion, and so finds, that said order of revocation should be set aside.

O R D E R

IT IS ORDERED:

That our order of May 18, 1943, cancelling Permit No. C-11374, be, and the same is hereby, vacated and set aside, and said permit is reinstated, effective as of May 18, 1943.

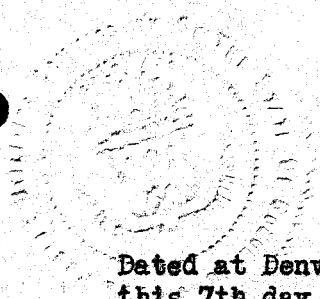
THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*[Signature]*

*[Signature]*

*[Signature]*

Commissioners.

  
Dated at Denver, Colorado,  
this 7th day of June, 1943.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF )  
HARVEY AND B. W. HITCHCOCK, DOING )  
BUSINESS AS HITCHCOCK BROTHERS, )  
BRECKENRIDGE, COLORADO. )  
-----

PRIVATE PERMIT NO. A-1477

-----  
June 7, 1943.  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of what purports to be copy of a letter written to the Commission, dated February 4, 1943, signed Hitchcock Brothers, by B. W. Hitchcock, requesting suspension for six months of their Permit A-1477. Our records fail to disclose receipt of the original of said letter. However, the Commission has determined to accept said copy as proof that the original was written, and has also determined to grant the request for suspension.


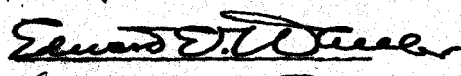
O R D E R

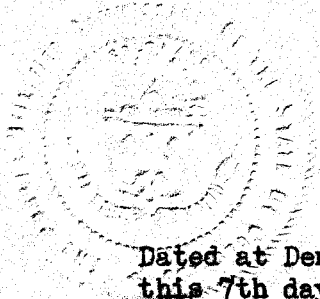
IT IS ORDERED:

That Harvey Hitchcock and B. W. Hitchcock, doing business as Hitchcock Brothers, be, and they are hereby, permitted to suspend operations under Permit A-1477 for the period, February 4, 1943, to August 4, 1943.

That unless said Hitchcock Brothers 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 7th day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
HARVEY AND B. W. HITCHCOCK, )  
BRECKENRIDGE, COLORADO, PERMIT )  
NO. A-1477. )  
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CASE NO. 30215-Ins.

-----  
June 7, 1943.  
-----

S T A T E M E N T

By the Commission:

On March 22, 1943, the Commission entered its order revoking Permit No. A-1477 for failure to have on file the necessary insurance required by law.

It now appears that respondents claim they wrote the Commission on February 4, 1943, requesting the suspension of said permit for a period of six months. Our records do not disclose receipt of said request. However, respondents have submitted what purports to be a copy of said letter bearing date of February 4, 1943, and the Commission has decided to accept said letter as proof that request for suspension was made prior to the issuance of show cause order in the instant matter.

In view of the fact that no insurance would have been required if said suspension had been granted, the Commission is of the opinion, and so finds, that our revocation order of March 22, 1943, should be set aside.

O R D E R

IT IS ORDERED:

That our order of March 22, 1943, revoking Permit A-1477 be, and the same is hereby, set aside, and said permit is reinstated, as of March 22, 1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*W. D. Thomas*

*Edward D. Wheeler*

*Walter E. Quinn*

Commissioners.

Dated at Denver, Colorado,  
this 7th day of June, 1943.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF)  
HAROLD L. EAKINS, 4421 WEST 35th )  
AVENUE, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----

APPLICATION NO. 6343-PP

-----  
June 7, 1943.  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of 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, 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted, and that said permit, when issued, should bear the number "B-2328", being the number of a permit formerly held by said Harold L. Eakins.

O R D E R

IT IS ORDERED:

That Harold L. Eakins, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for

hire for the transportation of sand, gravel, and other 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, Colorado.

That said permit, when issued, should bear the number "B-2328."

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.


The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

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 June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HARRY LOWELL AND JOE A. KING, JR., )  
CO-PARTNERS, DOING BUSINESS AS )  
"DENVER-GRAND JUNCTION TRUCK LINE", )  
26 RICE STREET, GRAND JUNCTION, )  
COLORADO, FOR AUTHORITY TO TRANS- )  
FER INTERSTATE OPERATING RIGHTS )  
TO JOE A. KING, JR., DOING BUSI- )  
NESS AS "DENVER-GRAND JUNCTION )  
TRUCK LINE", 26 RICE STREET, GRAND )  
JUNCTION, COLORADO. )  
----- )

PUC NO. 1350-I

-----  
June 7, 1943  
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S T A T E M E N T

By the Commission:

Heretofore, Harry Lowell and Joe A. King, Jr., co-partners, doing business as "Denver-Grand Junction Truck Line", Grand Junction, Colorado, 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 certificate No. 1350-I issued to them.

Said certificate-holders now seek authority to transfer said authority to Joe A. King, Jr., doing business as "Denver-Grand Junction Truck Line", Grand Junction, Colorado.

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

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

O R D E R

IT IS ORDERED:

That Harry Lowell and Joe A. King, Jr., co-partners, doing business as "Denver-Grand Junction Truck Line", Grand Junction, Colorado, should be, and they hereby are, authorized to transfer all their right, title and interest in and to PUC No. 1350-I to Joe A. King, Jr., doing

business as "Denver-Grand Junction Truck Line", Grand Junction, Colorado,  
said transfer to be 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  
OF THE STATE OF COLORADO

W. D. Thorman

Edward D. O'Beirne

Walter E. Egan  
Commissioners

Dated at Denver, Colorado,  
this 7th day of June, 1945.

hs

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WILLIAM N. MALCOM, LAKEWOOD, COLO- )  
RADO, FOR A CLASS "B" PERMIT TO OP- )  
ERATE AS A PRIVATE CARRIER BY MOTOR )  
VEHICLE FOR HIRE. )  
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APPLICATION NO. 6336-PP

-----  
June 7, 1943  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of 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 Lakewood, 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That William N. Malcom, Lakewood, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other 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 Lakewood, Colorado.

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

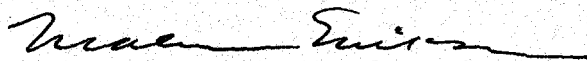
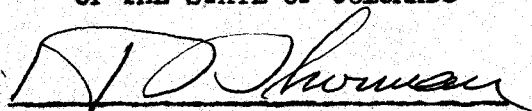
This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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 7th day of June, 1943.

mW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LAWRENCE E. LIGGETT, 593 SOUTH QUIT- )  
MAN STREET, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )

APPLICATION NO. 6337-PP

-----  
June 7, 1943  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of 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, 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That Lawrence E. Liggett, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other 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, 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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

W. D. Shuman

Edward E. D. D. D.

Wm. E. D. D.  
Commissioners

Dated at Denver, Colorado,  
this 7th day of June, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MIKE MARSICO, 4118 SHOSHONE STREET, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 6338-PP

-----  
June 7, 1943  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of 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, 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

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

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



W. D. Shuman

Edward D. D. D. D.

W. E. E. E. E.  
Commissioners

Dated at Denver, Colorado,  
this 7th day of June, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
B. K. HILL AND CECIL HILL, DOING )  
BUSINESS AS HILL PIPE & MACHINERY )  
COMPANY, SILVERTON, COLORADO, FOR A )  
PRIVATE CARRIER CLASS "B" PERMIT )  
FOR THE TRANSPORTATION OF ORE, MINING )  
MACHINERY AND SUPPLIES FROM POINT TO )  
POINT OVER PUBLIC AND PRIVATE ROADS )  
WITHIN A RADIUS OF FIFTY MILES OF )  
SILVERTON, COLORADO. )  
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APPLICATION NO. 6329-PP

June 9, 1943.

Appearances: Wm. A. Way, Esq., Silverton, Colorado,  
for applicants;  
Jerome Paul, Esq., Ouray, Colorado,  
for Fellin Brothers;  
A. J. Tait, Fenver, Colorado,  
for Rio Grande Meter Way, Inc.

S T A T E M E N T

By the Commission:

At the hearing, which was held in Ouray, Colorado, May 25, 1943, the evidence disclosed that applicants are copartners and are presently engaged in trucking operations in San Juan County under a Class "C" permit, which operation has consisted largely of the buying and selling of scrap iron. Applicants own four trucks, and if granted the authority sought hereunder, propose to use two International dump trucks in said operation. Both of said trucks are 1940 models, one of 2-ton and one of 1½-ton capacity.

B. K. Hill, testifying in his own behalf, told of some five or six mine operators in San Juan County that had requested his service in transporting ores to the rail head at Silverton or to the Mayflower mill. He also detailed the necessity of being authorized to transport mining machinery and supplies back to said mines.

Applicants stated for the record that they would be willing to limit their pickup area to San Juan County and would only seek authority to transport mining machinery and supplies to those mines from which they

transport ore. It was further developed that they did not expect to render any town to town service in competition with established common carriers.

In view of these statements, all protests against the granting of the authority sought were withdrawn.

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

After 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.

### O R D E R

#### IT IS ORDERED:

That B. K. Hill and Cecil Hill, doing business as Hill Pipe and Machinery Company, be, and they are hereby, authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of ore and concentrates from mines located in San Juan County to rail heads or mills in San Juan County, including the right to transport mining machinery and mining supplies from points within a radius of fifty miles of Silverton, Colorado, for delivery only to mines in San Juan County for whom they transport ores or concentrates.

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 its compliance with all present and future laws and rules and regulations of the Commission.

The authority herein granted is subject to all applicable

orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



*W. D. Thomas*

*Edward T. Wheeler*

*Walter E. Smith*  
Commissioners.

Dated at Denver, Colorado,  
this 9th day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
W. L. PIERSON, 818 INCA STREET, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 6342-PP

-----  
June 7, 1943.  
-----

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of 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, 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That W. L. Pierson, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other 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, 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.

The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



*W. D. Thomas*

*Edward D. Threlkeld*

*Wm. E. Egan*  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of June, 1943.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CHARLES H. DU COMMUN, 330 GALAPAGO )  
STREET, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----

APPLICATION NO. 6341-PP

-----  
June 7, 1943  
-----

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of 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, 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That Charles H. DuCommun, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other 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, Colorado.

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

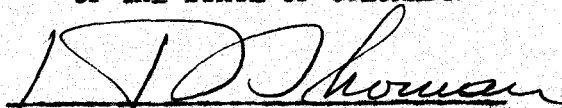
This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

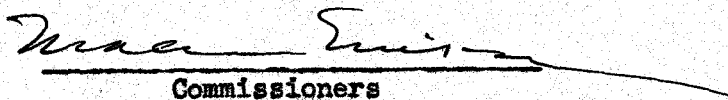
THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



W.D. Thomas



Edward T. O'Connell



Wm. E. Smith  
Commissioners

Dated at Denver, Colorado,  
this 7th day of June, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
KELLEY WATKINS, 4300 COOK STREET, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 6340-PP

-----  
June 7, 1943  
-----

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado within a radius of fifty miles of Denver, to points within said fifty-mile area, 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That Kelley Watkins, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado within a radius of fifty miles of Denver, to points within said fifty-mile area, 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 this Commission.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

LT J. J. Shuman

Edward E. Wacker

Wm. E. Spivey  
Commissioners

Dated at Denver, Colorado,  
this 7th day of June, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

IN THE MATTER OF THE APPLICATION OF )  
SAM HUNNICUTT AND WAYNE HUNNICUTT, )  
A COPARTNERSHIP, DOING BUSINESS AS )  
SALIDA CAB COMPANY OF SALIDA, CHAFFEE )  
COUNTY, COLORADO, FOR A CERTIFICATE )  
OF PUBLIC CONVENIENCE AND NECESSITY )  
TO OPERATE A CAB, TAXI OR HACKMAN'S )  
SERVICE WITHIN THE LIMITS OF THE CITY )  
OF SALIDA, COLORADO, AND WITHIN THE LIMITS )  
OF THE TOWN OF BUENA VISTA, COLORADO, AND )  
FOR PERMISSION TO OPERATE SAID CAB SERVICE )  
FROM SAID CITY OF SALIDA, COLORADO, AND BUENA )  
VISTA, COLORADO, TO POINTS WITHIN THE STATE )  
OF COLORADO, BY SPECIAL INDIVIDUAL CONTRACT )  
ARRANGEMENT OVER THE HIGHWAYS OF THE STATE OF )  
COLORADO. )

APPLICATION NO. 6516

-----  
June 3, 1943  
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Appearances: John M. Boyle, Esq., Salida, Colorado,  
for applicant;  
T. A. White, Esq., Denver, Colorado,  
for Rio Grande Motor Way, Inc.;  
T. A. Stockton, Jr., Esq., Denver,  
Colorado, for Leadville Taxi  
Service.

S T A T E M E N T

By the Commission:

At the hearing, which was held in Salida, Colorado, on May 12, 1943, counsel for applicants requested permission to amend the application to limit the authority sought for operations outside of the city of Salida to a 10-mile radius of Salida. No objections being interposed, said amendment was allowed.

The evidence disclosed that applicants had been operating a taxi service in Salida and the vicinity thereof since April 4, 1943, under temporary authority issued by the Commission, and during the month of April had transported some 1700 passengers, with gross receipts for said period amounting to over \$500.00. Applicants own a 1941 Chevrolet passenger car, a 1935 Oldsmobile passenger car, and a 1939 two-door Ford sedan, which they propose to operate in said taxi business.

It was estimated that the population of Salida, including a ten-mile radius thereof, was approximately 7500 people. Within this area of Salida, a number of mines are located, a creosote plant, swimming pool, stockyards, and mineral hot springs. It was testified that within the city itself taxi service is needed, particularly for the meeting of trains and service to the hospitals.

The Highway Patrolman located at Salida testified that applicants conduct a very clean operation under their temporary authority, and in his opinion the service is much needed in that territory.

The cashier of the First National Bank of Salida testified as to the excellent financial standing of applicants, as well as to the necessity for taxi service in the Salida area. The Secretary of the Chamber of Commerce went into considerable detail as to the need for taxi service. He stated that his office had many calls from people seeking taxi service; that some 180 men worked at various mines within a 10-mile radius of Salida and live in Salida, and transportation service is necessary to take them back and forth.

The combined net worth of applicants, who are brothers, was estimated to be at least \$15,000.00.

Sam Hunnicutt lives in Salida and is in active charge of the taxi operations at that point. He employs one other driver besides himself. An office is maintained and telephone service is available. The other brother, Wayne Hunnicutt, resides at Buena Vista, and the testimony indicated that sufficient business did not now exist in the Buena Vista area to institute taxi service. It was hoped that the coming season would see this service develop, particularly after the Government established a hospital in that vicinity. However, it was not proposed to institute taxi service at Buena Vista at this time.

No evidence was introduced in opposition to the granting of the authority sought, provided the rates which applicant proposes to charge are maintained and no change is made in same without due notice to Rio Grande Motor Way who operates line haul passenger bus service through that area. The rates proposed by applicants are, -

25 cents for one person and 25 cents for each additional person within the corporate limits of the City of Salida, and from Salida to points within said 10-mile radius thereof 25 cents per mile one way; fare and one-half round trip; one-half fare for each passenger over one, either one way or round trip; \$2.00 per hour waiting charge.

We believe it apparent from the record that public convenience and necessity does require the proposed operations of applicant, and after a careful consideration of the record, the Commission is of the opinion, and so finds, that the authority sought should be granted, except that no public convenience and necessity was shown for any taxicab operations in the Town of Buena Vista or from said town to and from other points.

#### O R D E R

##### IT IS ORDERED:

That the public convenience and necessity requires the proposed motor vehicle operations of Sam Hunnicutt and Wayne Hunnicutt, copartners, doing business as Salida Cab Company, for the conduct of a cab and taxi service, on call and demand, within the corporate limits of the City of Salida, Chaffee County, Colorado, and within and between points within a ten-mile radius of said City of Salida, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

IT IS FURTHER ORDERED, That authority to operate a taxicab service within the corporate limits of the Town of Buena Vista be, and the same is hereby, denied without prejudice.

IT IS FURTHER ORDERED, That applicants shall maintain the rates attached to their application and marked "Exhibit C", and that no change shall be made in same without an order from the Commission after due notice to competitive carriers and formal hearing if requested.

The applicant shall file tariffs of rates, rules and regulations 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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

L. D. Johnson

Edward D. Wheeler

Walter E. Quinn  
Commissioners

Dated at Denver, Colorado  
this 3d day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
E. D. HOLMES, DOING BUSINESS AS LEADVILLE )  
TAXI SERVICE, LEADVILLE, COLORADO, FOR A )  
CERTIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY TO CONDUCT A TAXI SERVICE FOR )  
THE TRANSPORTATION OF PASSENGERS AND )  
THEIR HAND BAGGAGE BETWEEN POINTS WITHIN )  
A RADIUS OF TWENTY MILES OF SALIDA AND )  
BETWEEN POINTS IN THAT AREA TO AND FROM )  
POINTS IN THE STATE OF COLORADO. )  
----- )  
APPLICATION NO. 4252-AB

-----  
June 4, 1943  
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Appearances: T. A. Stockton, Jr., Esq., Denver,  
Colorado, for applicant;  
James M. Boyle, Esq., Salida, Colorado,  
for Salida Cab Company.

S T A T E M E N T

By the Commission:

E. D. Holmes, doing business as Leadville Taxi Company, is the owner of a certificate of public convenience and necessity which authorizes a taxicab service between points in the City of Leadville, and between points in that city and points in the State of Colorado.

The instant application, which was heard at Salida, Colorado, on May 12, 1943, seeks to extend said certificate to include a taxicab service between points within a radius of twenty miles of Salida, Colorado, and from and to points in said area to and from points in the State of Colorado. The testimony which was offered in Application No. 6316 in reference to public convenience and necessity, was made part of the record in the instant case.

Testifying in his own behalf, applicant stated that he was presently engaged in conducting his taxi operations at Leadville and expected to put a manager in charge of operations if granted authority to operate at Salida. This manager would work on a profit-sharing

basis. He further stated that he had two pieces of equipment that would be available for the Salida operations, and he could add more if needed; that he would expect to maintain an office in Salida and keep the same open twenty-four hours a day; that he had contact with numerous citizens in Salida and had been requested to install such a service.

The equipment which applicant now owns consists of a 1939 Dodge 4-door sedan, Plymouth 4-door sedan, and a 1937 Chrysler 7-passenger sedan, all valued at \$2,300.00, against which he has an outstanding mortgage of approximately \$600.00. He has approximately \$500 cash on hand.

He proposes to charge rates of 25 cents for one person and 15 cents for each additional person, within the corporate limits of the city of Salida, and 20 cents per mile per person one way fare for points outside thereof, with fare and one-half for round trip, and \$3.00 per hour waiting time. He would expect to employ another driver besides his manager in Salida, and this driver would also be upon a commission basis.

It is conceded that sufficient business does not exist to justify two taxicab operations in the Salida area. The Commission has heretofore in Application No. 6316 granted a certificate to Hunnicutt Brothers to perform such service. Said application and the instant application were considered together, and the Commission was of the opinion that upon the record as made said Hunnicutt Brothers were entitled to receive the certificate. While it is true that Hunnicutt Brothers are only recent residents of Salida, having formerly been engaged in the automobile business in Oklahoma, yet they are now established in Salida, have been conducting a taxicab business there, and have established a reputation for integrity and reliability. Applicant in the instant matter is conducting a taxicab operation at Leadville, his operations in Salida would be under the management of other parties, and it would appear to the Commission, all facts considered, that the record

justifies granting of the Hunnicutt certificate and denial of the instant application.

After careful consideration of the record, the Commission is of the opinion, and so finds, that the instant application should be denied.

O R D E R

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



L. D. Shuman

Edward M. Wheeler

Walter E. Smith  
Commissioners

Dated at Denver, Colorado,  
this 4th day of June, 1943

JH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
J. C. CLAUSSEN, 4619 TEJON STREET, )  
DENVER, COLORADO, FOR A CLASS "B" ) APPLICATION NO. 6339-PP  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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-----  
June 9, 1943.  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand and gravel from pits and supply points in the State of Colorado within a radius of fifty miles of Denver to construction jobs in said fifty-mile radius, 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 permit 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted, and that said permit, when issued, should bear the number "B-2308," being the number of a permit formerly held by applicant.

O R D E R

IT IS ORDERED:

That J. C. Claussen, Denver, Colorado, he, 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 from pits and supply points in the State of Colorado within a radius of fifty miles of Denver, to

construction jobs in said fifty-mile area, 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.

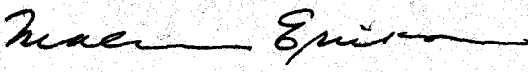
The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

That said permit shall bear the number "B-2308."


The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order 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 June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
E. L. BRINLEE, FLORENCE, COLORADO, )  
FOR AN EXTENSION OF HIS AUTHORITY )  
UNDER PERMIT NO. A-966. )  
-----)

APPLICATION NO. 2399-PP-BB-B

-----  
June 9, 1943  
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S T A T E M E N T

By the Commission:

Applicant herein seeks an extension of his authority under Permit No. A-966 to include the right to transport coal over U. S. Highway No. 50 east from Florence, Colorado, to junction of Highways Nos. 50 and 85-87, then over Highway No. 85-87 north to Camp Carson and Peterson Field, on U. S. Highway No. 24 east.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of authority, as 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED;

That E. L. Brinlee, Florence, Colorado, be, and he hereby is, authorized to extend his operations under Permit No. A-966 to include the right to transport coal over U. S. Highway No. 50 east from Florence, Colorado, to junction of Highways Nos. 50 and ~~85-87~~, then over Highway No. 85-87 north to Camp Carson, and Peterson Field, on U S Highway No. 24 east.

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 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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

L. D. Shuman

Edward D. W. W.

Commissioners

Commissioners

Dated at Denver, Colorado,  
this 7th day of June, 1943.

hs

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
LEE FAUROT, SPRINGFIELD, COLORADO, )  
FOR AUTHORITY TO TRANSFER CERTIFI- ) APPLICATION NO. 1001-B-AAA  
CATE OF CONVENIENCE AND NECESSITY )  
NO. 304 TO L. C. HUNTER, SPRINGFIELD, )  
COLORADO. )  
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-----  
June 9, 1943.  
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Appearances: Oliver W. Weber, Esq., Springfield,  
Colorado, for applicants;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer & Storage  
Company.

S T A T E M E N T

By the Commission:

On November 5, 1928, in Application No. 1001, Decision No. 1987,  
Ralph T. Preston was granted a certificate of public convenience and necessity  
authorizing the transportation of,-

freight on schedule between Springfield and Lamar,  
and intermediate points, and the transportation of  
agricultural products, including livestock, and  
household furniture, from Springfield and the territory  
within a radius of 50 miles thereof to Lamar and  
other points within ten miles of Lamar, excluding  
service in territory then being served by other  
authorized certificate holders, if any.

On January 20, 1937, Decision No. 9323, said certificate was  
extended to include the right,-

"to transport commodities generally between Springfield,  
Colorado, and Vilas, Walsh, Stonington, Midway, Richards  
and Rodley, and intermediate points, and between Spring-  
field and Campo and intermediate points on schedule, and  
between Springfield and Two Buttes on call and demand."

Thereafter, by Decision No. 16063, said authority, which had  
been designated Certificate No. 304, was transferred to H. B. Reynolds,  
doing business as "North Plains Motor Freight Lines", and later by  
Decision 18560 said authority was transferred to Lee H. Faurot, of  
Springfield, Colorado.

The instant application, which was heard at La Junta, Colorado, on May 21, 1943, seeks authority to transfer said Certificate No. 304 to L. C. Hunter.

The evidence disclosed that the consideration for said transfer is the sum of \$4,600.00, which includes one 1936 Ford truck. The transaction is a cash deal and there are no outstanding obligations against the operations of transferor under said certificate.

It was further disclosed that transferee is a responsible party who will start his operations without any mortgages and with \$1,000.00 in cash. He has had experience in the operation of motor vehicle equipment and apparently will conduct a first class operation in conformity with the law and the rules and regulations of the Commission. He desires to operate under the same trade name now being used by transferor, to-wit, "Springfield-Lamar Motor Freight".

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

O R D E R

IT IS ORDERED:

That Lee H. Fauret, of Springfield, 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. 304 to L. C. Hunter, of Springfield, Colorado, doing business as "Springfield-Lamar Motor Freight."

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 the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Edward D. L. L. L.*  
*Malcolm G. L. L.*  
Commissioners.

Dated at Denver, Colorado,  
this 9th day of June, 1943.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Original*

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THE WESTERN COLORADO POWER COMPANY )  
AND UTAH POWER & LIGHT COMPANY FOR )  
COMMISSION CONSENT TO AND APPROVAL )  
OF THE TRANSFER OF CERTAIN CERTIFI- )  
CATES OF PUBLIC CONVENIENCE AND NE- )  
CESSITY. )  
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APPLICATIONS NOS. 781-A, 788-A,  
971-A, 1103-AA, 1107-AA, 1257-A,  
1283-AA, 1337-A, 1338-A, 1339-A,  
1935-A, 1684-A, 1752-AA, 1775-A,  
2081-A, 2126-A, 4600-A, 4653-A,  
5127-A, 5475-A.

-----  
June 9, 1943  
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Appearances: George R. Corey, Esq., Salt Lake  
City, Utah, and  
Moynihan, Hughes and Sherman, Esqs.,  
Montrose, Colorado, for the appli-  
cants;  
John L. Stivers, Esq., Montrose, Colo-  
rado, for John L. Burritt, on behalf  
of himself and others similarly  
situated, as protestant.

S T A T E M E N T

By the Commission:

This matter was heard at Denver, Colorado, on May 11, 1943.

Applicants seek authority to transfer the following certificates  
of public convenience and necessity from The Western Colorado Power Company,  
hereafter called "Colorado Company," to Utah Power and Light Company, here-  
after called "Utah Company:"

<u>Application</u> <u>Number</u>	<u>Grantee</u>	<u>Decision</u> <u>Number</u>	<u>Date Rendered</u>
781	Western Colorado Power Co. -- to render electric service in Dolores County	1103	Feb. 28, 1927
788	Western Colorado Power Co. -- to exercise franchise rights in Rico	1104	Feb. 28, 1927
971	Western Colorado Power Co. -- to render electric service in Rico	1591	Feb. 23, 1928
1103	Hotchkiss Electric Co. (not in- corporated) -- electric line in vicinity of Hotchkiss	1736	May 10, 1928

<u>Application Number</u>	<u>Grantee</u>	<u>Decision Number</u>	<u>Date Rendered</u>
1103-A	Western Colorado Power Co. -- transfer of Gunnison Valley Power Co. franchises issued under 1103	4751	Dec. 30, 1932
1107	Hotchkiss Electric Co. (transferred to W.C.P. 1107-A)	1735	May 10, 1928
1107-A	Western Colorado Power Co. -- transfer from Gunnison Valley Power Co., rights issued under 1107	4751	Dec. 30, 1932
1257	Western Colorado Power Co. -- transmission line City Limits of Delta to and through Town of Cedaredge and to acquire system in Cedaredge	2052	Jan. 24, 1929
1283	Transfer certificate Hotchkiss Electric to Gunnison Valley Power Co.	2119	Mar. 26, 1929
1283-A	Transfer Gunnison Valley Power to Western Colorado Power Co.	4751	Dec. 30, 1932
1337	Western Colorado Power Co., construction transmission line from City Limits Delta	2468	Sept. 6, 1929
1338	Western Colorado Power Co. -- exercise franchise rights in Cedaredge	2238	May 24, 1929
1339	Western Colorado Power Co. -- franchise rights in Orchard City	2236	May 24, 1929
1664	Oliver Power Co. -- exercise rights in Paonia	3008	Aug. 18, 1930
1665	Oliver Power Co. -- Plant and transmission line, Delta and Gunnison Counties	3008	Aug. 18, 1930
1684	Western Colorado Power Co. -- transmission line in Delta County	3022	Aug. 28, 1930
1752	Gunnison Valley Power Co. -- exercise rights in Crawford	3231	Feb. 21, 1931
1752-A	Western Colorado Power Co. -- transfer Gunnison Valley Power Co. rights issued under 1752	4751	Dec. 30, 1932
1775	Western Colorado Power Co. -- exercise franchise rights in Animas City	3338	Apr. 13, 1931
1831	Oliver Power Co. -- extend service beyond Rogers Mesa	3553	July 27, 1931
1831	Oliver Power Co. -- to serve Rogers Mesa	3625	Aug. 21, 1931
1935	Western Colorado Power Co. -- transfer from Oliver Power Co., Appls. 1664, 1665 and 1831	3809	Nov. 30, 1931
2081	Western Colorado Power Co. -- exercise franchise rights in Hotchkiss	4750	Dec. 30, 1932
2126	Western Colorado Power Co. -- exercise franchise rights in Olathe	5209	Aug. 23, 1933
4600	Western Colorado Power Co. -- exercise franchise rights in Ridgway	12266	Aug. 4, 1938
4653	Western Colorado Power Co. -- exercise franchise rights in Montrose and Delta Counties	12285	Aug. 29, 1938
5127	Western Colorado Power Co. -- franchise rights in Ouray	14107	Oct. 10, 1939
5475	Western Colorado Power Co. -- exercise franchise rights in Telluride	16115	Nov. 4, 1940

The testimony of witnesses for applicant, and as disclosed by exhibits received in evidence, and as alleged in the application, shows

substantially the following:

Colorado Company, being a Colorado Corporation and a public utility subject to the jurisdiction of this Commission, with its principal office in Durango, Colorado, owns and operates an electric power system in Gunnison, Delta, Montrose, Ouray, San Miguel, San Juan and La Plata Counties, generating and delivering electric energy to customers therein.

Utah Company, a Maine Corporation, and a public utility subject to the jurisdiction of the State of Utah, among others, owns and operates an electric power system, generating and delivering electric energy to customers within the States of Utah, Idaho and Wyoming. Utah Company is not qualified to do business in Colorado, but will qualify, prior to transfers, if application is granted.

Utah Light and Traction Company, a subsidiary of Utah Company, owns electric property within the State of Utah, in addition to a street railway-electric trolley, coach-gas bus transportation system in Salt Lake City, Utah. The Traction Company is mentioned herein only in that it is involved in the proposed financial structure of Utah Company.

All of the common stock of Colorado Company is owned by Utah Company, which in turn is a subsidiary of Electric Power and Light Corporation, the latter company being a member of Electric Bond and Share group of properties.

Utah Company proposes to acquire the physical assets and operating rights of Colorado Company, as well as of the Traction Company, so that Utah Company will not continue to be a holding company under the Federal Holding Company Act of 1935.

The Commission has considered the plan of financial reorganization as disclosed by the testimony and exhibits, and inasmuch as such testimony was not controverted at the hearing, it is not deemed necessary in these findings to recite the reorganization plans in full, except to state that the Commission finds that the allegations of the application, with respect thereto, are true. Generally speaking, Colorado Company has outstanding first mortgage 5% gold bonds in the amount of \$3,884,000.00, due on demand, and 35,000 shares of common stock at a stated value of \$3,500,000.00. In

addition, Colorado Company owes Utah Company \$1,500,000.00 on a demand note, bearing interest at the rate of 6% if, as, and when earned. No interest has been earned, hence none was ever paid.

Utah Company proposes to acquire the physical assets of both Colorado Company and the Traction Company and their operating rights, in consideration of the assumption of the outstanding indebtedness of said companies and forgiveness of all indebtedness owing to it by said companies and the cancellation of all common stock of said companies, whereupon said companies will be dissolved.

Utah Company proposes, subject to approval of the Securities and Exchange Commission, to re-finance part of the present indebtedness of Utah Company by the issuance of first mortgage bonds in the principal amount of \$37,000,000.00 and general mortgage bonds in the amount of \$7,000,000.00, or a total of \$44,000,000.00. It is contemplated that the first mortgage bonds will be 30-year bonds, at an interest rate of 3-3/4% or less, with provision for a sinking fund for retiring bonds at 1/2% annually for the first 15 years and 2% annually for the last 14 years. The general mortgage bonds in the amount of \$7,000,000.00 are to be 15-year bonds, at a contemplated interest rate of not to exceed 4-1/2%, this issue also to contain sinking fund provisions. There will still remain outstanding as obligations of Utah Company \$5,000,000.00 in debentures not due however until the year 2022, and \$25,000,000.00 of preferred stock.

Electric Power and Light Corporation proposes to dispose of Utah Company, so that Utah Company will no longer be a subsidiary of this corporation, and would be entirely independent and not subject to the Securities and Exchange Commission, but would be, in effect, largely a locally owned company.

The benefits recited by applicants under the above plan, both to the companies involved and the customers served, are recited by applicants as the following:

- a. Vesting of ownership of all properties in one corporation with one corporate operating structure, instead of three.
- b. Utah Company will cease to be a "holding company."

c. Reduction in number of reports to be prepared and filed with various state and federal agencies.

d. Savings estimated at \$15,000.00 annually through one operating unit, rather than three.

In view of the findings herein, the above brief outline of proposals of applicants is deemed sufficient. The benefits claimed by applicants under such proposals were not controverted.

The only protest filed was that of John L. Burritt, a resident of Delta County, Colorado, on behalf of himself and others similarly situated, of which he estimated in his written protest there were approximately 8,000, being that number of users of electric energy receiving power from Colorado Company throughout western Colorado from Delta County to La Plata County. This figure was arrived at from an estimate of approximately 2,000 rural connections, with four members to each family connection.

According to the testimony, a meeting was held at which representatives of three rural cooperatives were present in person and two by proxy, which authorized protestant to appear and intervene in any proceeding before either state or federal bodies concerned with the proposed transfers.

Protestant claims a write-up on the books of Colorado Company in the amount of \$4,415,193.00, and a physical value of the property not in excess of \$4,468,807.00, which should be considered as a maximum figure in fixing rates. Protestant advances the view that the operations of Utah Company under the proposed plan would become interstate, and hence not subject to the jurisdiction of this Commission. Protestant further alleges that the proposed issue of \$44,000,000.00 in bonds is vastly in excess of the physical value of all properties involved. Protestant was present at the hearing, but did not testify, the only witness for protestant being Donald S. Mitchell, manager of one of the distributing systems of the Rural Electrification Association serving protestant and other users with power purchased from Colorado Company.

Protestant's chief interest, and that of those represented by him, appeared, both from the testimony of Mitchell and the statement of Mr. Stivers, counsel for protestant, to be the obtaining of cheap power.

Counsel for protestants stated, "We don't want to own projects unless forced to do so to get the power at a reasonable rate," while Mr. Mitchell testified, "We are not appearing as a party wanting to purchase the company -- that isn't our idea at all. We are only appearing in the respect to be able to purchase power economically enough that we can distribute it to rural districts in which we can further encourage the use of electricity," and again, "We got plenty of headache without getting into the generating business, and would rather the other fellow would generate it if they would sell it to us." However, Mr. Mitchell later testified that a corporation had been organized, composed of the seven rural cooperatives serving the western slope area, which had made tentative surveys and plans for a master generating system, and this corporation had encouragement from the Rural Electrification Association in Washington. It could be feasibly financed, but the project was held up because of the war. He also testified that approximately two years ago the R.E.A. made a proposal to purchase the Western Colorado Power Company if and when it should be for sale, and that it was still interested in the purchase of this company. No definite proposition of any kind, however, appears to have been made, and any such proposal on the part of the R.E.A., from all that appeared in the evidence, never advanced beyond the nebulous stage.

From evidence adduced by protestants, it appeared that Electric Power and Light owns 92.39% of the voting power of Utah Company. Electric Bond and Share owns 46.83% of the voting power of Electric Power and Light, while the remainder is owned by the public. No one owner of Electric Bond and Share owns as much as 1% of its stock, hence Electric Bond and Share is owned by the public, generally. This appears pertinent to mention, inasmuch as there seemed to be a fear on the part of protestants that if the top of the various corporate structures was reached, it would be found that control rested with a single individual or small group of individuals, which, even though it had been true, does not seem relevant.

It is possible, when Colorado Company was acquired by predecessors of Utah Company in 1912 and 1913, that there was a so-called "write-up" of approximately \$4,000,000.00, and that when Utah Company, Colorado Company,

and the Traction Company were financially intermingled, about the same time there was also a write-up in the capital of Utah Company. However, the application of applicants before the Securities and Exchange Commission is based upon the question of whether or not Utah Company has sufficient value in earnings to warrant the issuance of \$44,000,000.00 of bonds, and whether the plan is an economical one. The findings to be made by the Securities and Exchange Commission, in relation to the soundness of the capital structure under the proposed plan, does not necessarily preclude the proper regulatory authority or authorities from investigation of such capital structure with reference to proper and just rates. While it is within our providence to determine the financial feasibility of the proposal and the effect on rates, we believe it safe to leave such matters to the consideration of the Securities and Exchange Commission, as its approval must be first secured before any order of transfer of certificates, as prayed for in the application, will become effective, especially in view of the fact that we do not have any control over issuance of securities by utilities.

Under cross-examination of G. M. Gadsby, President of Utah Company, Colorado Company and the Traction Company, it developed that if Utah Company acquires Colorado Company, it is anticipated that lower rates will result by virtue of anticipated lower interest rate, and that better service will result than as though Colorado Company were operated separately from Utah Company, because of the better and more adequate facilities of Utah Company. It was also stated by Mr. Gadsby that there was no intention of physical integration of the two companies, as is not economically possible at present, and in view of the generation of adequate power for western Colorado by Colorado Company, it would be useless to build connecting lines between Utah Company and Colorado Company.

What may develop in the future is a matter of conjecture, but the conclusions which are deduced from the evidence are these:

1. Lower rates are anticipated through the proposed plan.
2. This Commission will not lose jurisdiction over its rate-making power by virtue of the proposed plan, and such plan will not interfere with the determination by the Commission of just and reasonable rates

to be paid by users.

3. The feasibility of the proposed plan and the soundness of the proposed capital structure of Utah Company is better left to the determination of the Securities and Exchange Commission, which has conducted exhaustive hearings and has made independent surveys and investigations in the field.

The Commission finds that the present and future public convenience and necessity require the transfer of certificates of public convenience and necessity, as hereinbefore specifically described, from Western Colorado Power Company to Utah Power and Light Company, subject, however, to the provisos that such transfers will not become effective until the capital reorganization of Utah Company and acquisition of Colorado Company and the Traction Company shall have been approved by the Securities and Exchange Commission, and Utah Company shall have qualified to do business within the State of Colorado.

#### O R D E R

#### IT IS ORDERED:


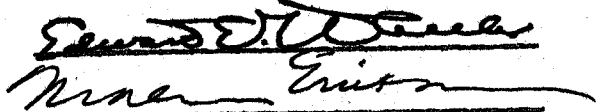
Western Colorado Power Company hereby is authorized to transfer all its right, title and interest in and to certificates of public convenience and necessity, as specifically described in the foregoing Statement, to Utah Power and Light Company, and this order shall be deemed to be a certificate of public convenience and necessity therefor.

The transfer herein authorized shall not become effective until the capital reorganization of Utah Company and acquisition of Colorado Company and the Traction Company shall have been approved by the Securities and Exchange Commission, and Utah Company shall have qualified to do business in the State of Colorado.

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

  
  
Commissioners

Dated at Denver, Colorado,  
this 9th day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
DOWLETT FARMS )  
Canutillo, Texas )  
\_\_\_\_\_ )

PERMIT NO. C-13365

June 9, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Dowlett Farms of Canutillo, Texas,  
requesting that his Permit No. C-13365 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13365, heretofore issued  
to Dowlett Farms of Canutillo, Texas be,  
and the same is hereby, declared cancelled effective May 27, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shaw*  
*Edward J. Green*  
*William Erickson*  
Commissioners.

Dated at Denver, Colorado,

this 9th day of June, 19 43

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
HOME PRODUCTS COMPANY )  
1452 S. Broadway )  
Denver, Colorado (10) )  
..... )

PERMIT NO. C-12996

.....  
June 9, 1943  
.....

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Home Products Company of 1452 S. Broadway Denver, Colorado  
....., requesting that his Permit No. C-12996 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12996, heretofore issued to Home Products Company of 1452 S. Broadway, Denver, Colorado be, and the same is hereby, declared cancelled effective May 1, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry S. Shuman*  
.....  
*Edward D. Wheeler*  
.....  
*Malcolm Erickson*  
.....  
Commissioners.

Dated at Denver, Colorado,  
this 9th day of June, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

HARRY WEST )  
3330 E. Center )  
Denver, Colorado (9) )  
..... )

PERMIT NO. C-13438

June 9, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Harry West of 3330 E. Center St., Denver, Colo  
....., requesting that his Permit No. C-13438 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13438, heretofore issued to Harry West of 3330 E. Center St., Denver, Colorado be, and the same is hereby, declared cancelled effective May 28, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shuman*  
*Edward J. Wheeler*  
*Marion Erickson*  
Commissioners.

Dated at Denver, Colorado,

this 9th day of June, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

HOWARD A. WHELAN )  
Hemingford, Nebraska )  
\_\_\_\_\_ )

PERMIT NO. C-13238

\_\_\_\_\_  
June 9, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Howard A. Whelan of Hemingford, Nebraska,  
requesting that his Permit No. C-13238 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13238, heretofore issued  
to Howard A. Whelan of Hemingford, Nebraska be,  
and the same is hereby, declared cancelled effective May 28, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shaw*  
\_\_\_\_\_  
*Donald H. Green*  
\_\_\_\_\_  
*Malcolm Erickson*  
\_\_\_\_\_  
Commissioners.

Dated at Denver, Colorado,

this 9th day of June, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

CHARLES MILES )  
Fleming, Colorado )  
\_\_\_\_\_ )

PERMIT NO. C13100

\_\_\_\_\_  
June 9, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Charles Miles of Fleming, Colorado,  
requesting that his Permit No. C-13100 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13100, heretofore issued  
to Charles Miles of Fleming, Colorado be,  
and the same is hereby, declared cancelled effective May 23, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shaw*  
\_\_\_\_\_  
*Edward E. [unclear]*  
\_\_\_\_\_  
*Malcolm Erickson*  
\_\_\_\_\_  
Commissioners.

Dated at Denver, Colorado,

this 9th day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

J. FRED HILL )  
Ignacio, Colorado )  
----- )

PERMIT NO. C-9115

-----  
June 9, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
J. Fred Hill of Ignacio, Colorado,  
requesting that his Permit No. C-9115 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-9115, heretofore issued  
to J. Fred Hill of Ignacio, Colorado be,  
and the same is hereby, declared cancelled effective June 1, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry S. Shawan*  
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*Edward H. Wheeler*  
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*Malcom Erickson*  
-----  
Commissioners.

Dated at Denver, Colorado,

this 9th day of June, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

ELTON DEINES )  
Route 1, Box 395 )  
Boulder, Colorado )  
..... )

PERMIT NO. C-3742

.....  
June 9, 1943  
.....

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Elton Deines ..... of Route 1, Box 395, Boulder, Colorado  
....., requesting that his Permit No. C-3742 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-3742, heretofore issued to Elton Deines of Route 1, Box 395, Boulder, Colorado be, and the same is hereby, declared cancelled effective May 13, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry S. Phowman*

*Edward D. Wheeler*

*Malcolm Erickson*

Commissioners.

Dated at Denver, Colorado,

this 9th day of June, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

ALDRIDGE & SON )  
Wellington, Colorado )  
\_\_\_\_\_ )

PERMIT NO. C-2257

\_\_\_\_\_  
June 9, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Aldridge & Son of Wellington, Colorado,  
requesting that his Permit No. C-2257 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-2257, heretofore issued  
to Aldridge & Son of Wellington, Colorado, be,  
and the same is hereby, declared cancelled effective May 23, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Phowan*  
\_\_\_\_\_  
*Edward J. [unclear]*  
\_\_\_\_\_  
*Malcolm Erickson*  
\_\_\_\_\_  
Commissioners.

Dated at Denver, Colorado,

this 9th day of June, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

FRANK HAAS )  
Minturn, Colorado )  
\_\_\_\_\_ )

PERMIT NO. C-2040

\_\_\_\_\_  
June 9, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Frank Haas of Minturn, Colorado,  
requesting that his Permit No. C-2040 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-2040, heretofore issued  
to Frank Haas of Minturn, Colorado, be,  
and the same is hereby, declared cancelled effective May 21, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Sherman*  
\_\_\_\_\_  
*Edward E. Wheeler*  
\_\_\_\_\_  
*Malcolm Erickson*  
\_\_\_\_\_  
Commissioners.

Dated at Denver, Colorado,

this 9th day of June, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

JOHN E. ANDERSON )  
1672 Kendall St., )  
Lakewood, Colorado (15) )  
..... )

PERMIT NO. A-2299

.....  
June 9, 1943

S T A T E M E N T

By the Commission:

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

John E. Anderson ..... of 1672 Kendall St., Lakewood, Colorado

requesting that his Permit No. A-2299 ..... be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. A-2299, heretofore issued to John E. Anderson of 1672 Kendall St., Lakewood, Colorado be, and the same is hereby, declared cancelled effective June 1, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry S. Shaw*

*Edward J. Buckley*

*Malcolm Erickson*  
Commissioners.

Dated at Denver, Colorado,

this 9th day of June, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

COMMON CARRIERS' DIVISION OF )  
THE COLORADO MOTOR CARRIERS )  
ASSOCIATION, A Corporation, )

Petitioner, )

vs. )

STEVE MALIN, )

Respondent. )

CASE NO. 4905

-----  
June 10, 1943.  
-----

Appearances: T. A. Stockton, Jr., Esq., Denver,  
Colorado, for Petitioner;  
Paul W. Crawford, Esq., Leadville,  
Colorado, for Respondent.

S T A T E M E N T

By the Commission:

The instant case, which was heard at Leadville, Colorado, on May 13, 1943, was based upon a petition filed by the Common Carrier Division of The Colorado Motor Carriers' Association, wherein it is alleged that respondent has failed to operate within his authorized territory for a period of more than six months, and requesting that the Commission revoke respondent's permit for said reason.

Petitioner asked to have respondent's road tax reports for the year 1942 made a part of the record, which request was granted.

The manager of the Partridge Truck Line at Leadville testified that respondent's truck was kept in his garage during the year 1942 most of the time; that respondent had worked at the smelter near Leadville until August, 1942, and that he knew of one request that had been made upon respondent to haul gravel which was delayed for approximately ten days because respondent failed to perform the service.

Testifying in his own behalf, respondent stated that he had never refused any work; that he had been ill and in the hospital but did have a driver for his truck if any work "showed up"; that he had taken out license plates for the year 1941, as well as for the year 1942; that he had kept his insurance on file with the Commission and had made regular monthly reports even though no transportation was performed, and that he had no intention of abandoning his permit.

The 1942 road reports of respondent disclose that the only service performed in that year was in the month of December, when 150,000 pounds of coal was transported, upon which road tax was duly paid. However, reports were filed for each month of the year showing no service for the other eleven months.

Our rule in reference to abandonment of permits provides that the Commission may revoke or suspend a permit for nonuse for a period of six months unless such nonuse had been authorized by the Commission. However, as we have pointed out in other decisions, the question of abandonment is largely a matter of intention, and the facts presented in the instant record showing that applicant kept his insurance alive and filed his reports promptly, all indicate that he had no intention of abandoning his operating rights.

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

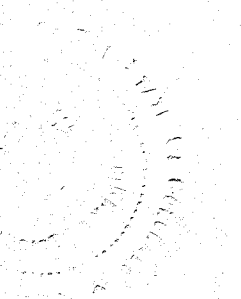

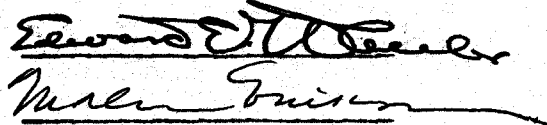
O R D E R

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 10th day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
JOHN P. MARTIN, 113 WEST 8th ST., )  
LEADVILLE, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE )  
FOR THE TRANSPORTATION OF MERCHAN- )  
DISE BETWEEN POINTS WITHIN A RADIUS )  
OF FIFTY MILES OF LEADVILLE FOR )  
FRANK ZAITZ MERCANTILE COMPANY, ONLY. )

APPLICATION NO. 6318-PP

-----  
June 10, 1943.  
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Appearances: John P. Martin, Leadville, Colorado,  
pro se;  
T. A. White, Esq., Denver, Colorado,  
for Rio Grande Motor Way, Inc.;  
T. A. Stockton, Jr., Esq., Denver,  
Colorado, for Harold Partridge.

S T A T E M E N T

By the Commission:

At the hearing, which was held in Leadville, Colorado, on May 13, 1943, applicant, testifying in his own behalf, stated that he had a 1939 GMC 1½-ton panel body truck, also a 1939 Diamond "T", platform body truck, with which he proposed to conduct the operation. Applicant is engaged in the coal business at Leadville, and also performs local trucking, for which apparently he has no authority. He stated that he was willing to limit his authority to the transportation of beer, only, for the Zaitz Mercantile Company, from Leadville to Camp Hale. This beer arrives in Leadville in carload lots which contain 1500 cases weighing approximately 40 pounds to the case. Camp Hale is about 14 miles from Leadville, and applicant had been operating under a lease of his equipment to the Zaitz Mercantile Company. For this service, he has apparently been paid 10 cents a case and his average haul has been about 250 cases a day, although he could transport 440 cases. He has been returning the empty cases without charge. He has paid a driver \$6.00 per day, and allowing \$6.00 per day for his own service, has been making from \$100.00 to \$125.00 per month on the job. This includes unloading from railroad cars in Leadville and delivering to six different post exchanges at Camp Hale.

It was applicant's position that no other carrier could handle this business economically or with satisfaction to the shipper. He has been leaving Leadville at 7:30 A.M. each day.

On behalf of protestants, witnesses for Rio Grande Motor Way testified that they render freight service between Leadville and Camp Hale with trucks that originate at both Pueblo and Salida. The Salida truck arrives in Leadville around 7:00 to 7:30 A. M. and has empty space for approximately 18,000 pounds more freight for points west of Leadville. The Pueblo truck arrives in Leadville around 6:00 A. M. and has empty space for from 15,000 to 25,000 pounds more freight for points west of Leadville. This truck could be held in Leadville until 9:00 A. M. if necessary.

Our prescribed rate for the movement of this beer would be 15 cents a case, including a return of the empty cases, as compared with 10 cents a case which applicant has been receiving. These rates do not include pickup at the car in Leadville, but would be from Motor Way's dock. Both the Pueblo and Salida trucks go through Leadville and as far west as Montrose. In addition to these trucks, Motor Way also has trucks out of Denver through Leadville, which arrive in Leadville between 4:00 and 6:00 A. M. Witnesses for Motor Way also testified that they had never been requested to transport the beer in question.

The manager of the Partridge Truck Line in Leadville testified that his company had rover's authority to go any place in the State from a 15-mile radius of Leadville; that they had never been requested by the Zaitz Company to haul this beer, although they had equipment to perform the service; that they would be willing to lease their equipment to the Motor Way, or would lease equipment from Motor Way if it was needed to properly transport the freight in question. No one appeared on behalf of the Zaitz Mercantile Company.

Upon the record as made, the Commission is unable to determine that any need exists for further freight service between Leadville and Camp Hale, as testimony was undisputed that trucks with ample space to carry

the freight in question, are now operating between Leadville and Camp Hale daily. To grant duplicating authority at this time would only mean the apparent unneeded use of motor vehicle equipment and tires, and impairment of presently established common carrier service might result from the granting of additional and unnecessary authority.

After careful consideration of the record, the Commission is of the opinion, and so finds, that the instant application should be denied.

O R D E R

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

  
W. D. Thomas

Edward D. Decker

Wm. E. Spivey  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
LEE H. FAUROT, SPRINGFIELD, COLO-  
RADO, FOR AUTHORITY TO TRANSFER CER-  
TIFICATE OF PUBLIC CONVENIENCE AND  
NECESSITY NO. 1151 TO CLARENCE JOR-  
DAN, SPRINGFIELD, COLORADO.

APPLICATION NO. 3877-B-AA

June 10, 1943

Appearances: Oliver W. Weber, Esq., Spring-  
field, Colorado, for appli-  
cants;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer and Ster-  
age Company.

S T A T E M E N T

By the Commission:

On April 21, 1937, Wesson Burrow, by Decision No. 9831, was granted a certificate of public convenience and necessity, authorizing the transportation:

"on schedule, of miscellaneous freight and express, including newspapers, between Springfield, Colorado, and Kim, Colorado, and all intermediate points, over U. S. Highway No. 160, in packages or parcels of not to exceed 300 pounds in weight each."

Thereafter, on May 23, 1941, by Decision No. 17188, the words "in packages or parcels not to exceed 300 pounds in weight each," were eliminated from said authority.

On November 28, 1942, said certificate, which had been designated "No. 1151," was transferred from the said Wesson Burrow to Lee H. Faurot, and the instant application seeks authority to transfer the same to Clarence Jordan, of Springfield, Colorado.

At the hearing, which was held in La Junta, Colorado, on May 21, 1943, the evidence disclosed that the consideration for the transfer of said certificate, including one 1937 Model Ford truck, was the sum of \$1,025.00.

The financial standing and operating reliability of transferees were established to the satisfaction of the Commission, and there are no outstanding obligations against the operations of transferor under said certificate.

Transferee desires to do business under the name of "Jordan Truck Line."

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

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

O R D E R

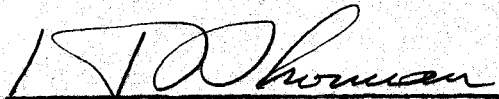
IT IS ORDERED:

That Lee H. Faurot be, and he is hereby, authorized to transfer all his right, title and interest in and to certificate of public convenience and necessity No. 1151 to Clarence Jordan, doing business as "Jordan Truck Line," Springfield, Colorado.

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





  
Commissioners

Dated at Denver, Colorado,  
this 10th day of June, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
STEVE MALIN, 201 WEST 4TH, LEAD- )  
VILLE, COLORADO, FOR AUTHORITY TO )  
TRANSFER PERMIT NO. B-1976 TO ROY )  
SEABRY, 204 WEST 6TH, LEADVILLE, )  
COLORADO. )  
-----

APPLICATION NO. 4058-PP-BA

RE MOTOR VEHICLE OPERATIONS OF )  
ROY SEABRY, 204 WEST 6TH, LEAD- )  
VILLE, COLORADO. )  
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PERMIT NO. B-2389

-----  
June 10, 1943  
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Appearances: Paul W. Crawford, Esq., Leadville,  
Colorado, for applicants;  
T. A. Stockton, Jr., Esq., Denver,  
Colorado, for the Common Carrier  
Division of The Colorado Motor  
Carriers' Association.

S T A T E M E N T

By the Commission:

On October 4, 1931, by Decision No. 10676, Steve Malin was granted  
a Class "B" permit authorizing:

"the transportation of: (a) ore from mines in the  
Leadville, Sugar Loaf, Breckenridge, Kekomo and  
Salida metal mining districts, to Leadville; (b)  
sand and gravel from pits and supply points with-  
in a radius of fifty miles of Leadville to con-  
struction jobs in said area, excluding service  
from or to Alma and Fairplay; (c) coal from Salida  
to Leadville and mines in the Sugar Loaf, Brecken-  
ridge, Kokomo and Leadville districts; and (d) junk  
from mines in said mining districts to Leadville."

Thereafter, on March 4, 1940, the authority to transport junk  
from mines in said mining district to Leadville, was eliminated from said  
authority.

Thereafter, on December 18, 1940, by Decision No. 16305, said  
authority was extended to include the transportation of:

"Logs from point to point within a fifty-mile radius of Leadville, and coal from mines near Crested Butte to Leadville and points within a fifty-mile radius thereof, excluding service from or to Alma and Fairplay."

The instant application, which was heard at Leadville, Colorado, on May 13, 1943, seeks authority to transfer said permit, which has been designated No. B-1976, to Roy Seabry.

The evidence disclosed that the consideration being paid for said transfer is the sum of \$300.00, and that no debts exist against the operations under said permit by transferor.

Transferee is now the owner of Permit No. B-2389, which he desires to have cancelled if the present transfer is authorized. Request was also made that the deposit under Permit No. B-2389 be transferred to Permit No. B-1976 and transferor's deposit returned to him.

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

O R D E R

IT IS ORDERED:

That Steve Malin be, and he is hereby, authorized to transfer to Roy Seabry all of his right, title and interest in and to Permit No. B-1976.


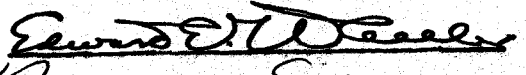

That Permit No. B-2389 be, and the same hereby is, cancelled.

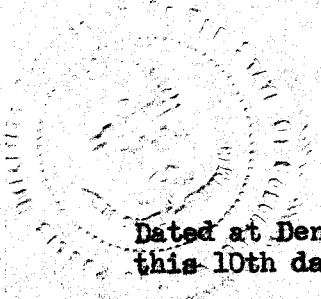
That the deposit of Roy Seabry under Permit No. B-2389 be transferred to Roy Seabry under Permit No. B-1976, and that the Auditor is hereby instructed to make a refund to Steve Malin of his present deposit under Permit No. B-1976.

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 (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

  
Dated at Denver, Colorado,  
this 10th day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
C. J. ALFREY, VILAS, COLORADO, FOR ) APPLICATION NO. 3740-PP-BA  
AUTHORITY TO TRANSFER PERMIT B-2033 )  
TO AUSTIN HIRSH, VILAS, COLORADO. )  
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-----  
June 10, 1943.  
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Appearances: C. J. Alfrey, Vilas, Colorado,  
pro se;  
Austin Hirsh, Vilas, Colorado,  
pro se;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer and  
Storage Company.

S T A T E M E N T

By the Commission:

On January 18, 1937, Decision No. 9305, C. J. Alfrey was granted  
a Class "B" permit authorizing the transportation of,-

"(a) farm products, including livestock, from farms  
within an area extending 25 miles north and 25 miles  
south of Vilas, the state line on the east and a  
point 20 miles west of Vilas on the west, to  
Pritchett, Springfield, Walsh, Two Buttes, Campo,  
and Lamar; (b) used furniture and household goods,  
farm machinery and equipment from Walsh to farms in  
said area, and repossessed farm machinery from said  
farms to Walsh; (c) firewood to points in said area  
from the "Cedars", located about 50 miles west of  
Springfield, with the proviso that he shall not engage  
in the transportation of livestock in competition with  
the common carrier truck line service of L. E. Walker  
from or to points in the area served by Walker and  
shall not transport machinery from or to Walsh without  
first offering the business to said L. E. Walker."

On March 22, 1940, Decision No. 15073, said authority was extended  
to include the right to transport,-

"merchandise and mill feeds for Tony Havens, only,  
(without the right to add to the number of his  
customers), from Lamar to Vilas, Colorado."

The instant application, which was heard at La Junta, Colorado, on  
May 21, 1943, seeks authority to transfer said permit, which has been

designated "B-2033", from the said C. J. Alfrey to Austin Hirsh.

The evidence disclosed that no outstanding obligations exist against the operations of transferer under said permit.

Transferee owns a 1938 1½-ton Chevrolet truck, title to which is clear, and his financial standing and operating reliability were established to the satisfaction of the Commission. The consideration being paid for transfer of said permit is the sum of \$200.00.

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

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

O R D E R


IT IS ORDERED:

That C. J. Alfrey be, and he is hereby, authorized to transfer all of his right, title and interest in and to Permit B-2033 to Austin Hirsh, of Vilas, 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 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 10th day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
E. L. BODDY AND C. B. BODDY, )  
DOING BUSINESS AS "BODDY COAL )  
COMPANY," 2520 18th STREET, )  
DENVER, COLORADO. )  
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PERMIT NO. B-2791

-----  
June 10, 1943.  
-----

S T A T E M E N T

By the Commission:

On January 16, 1943, by Decision No. 20256, permittees above-named were authorized to suspend operations under Permit No. B-2791 for a period of not to exceed six months from December 1, 1942, with reinstatement proviso.

Said permittees now ask that their permit be reinstated, effective as of May 18, 1943.

The records and files of the Commission show that they have filed the necessary insurance, and otherwise complied with our rules and regulations applicable to Private Carrier Permits.


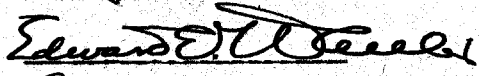

After careful consideration of the record, the Commission is of the opinion, and finds, that said permit should be reinstated, as of May 18, 1943.

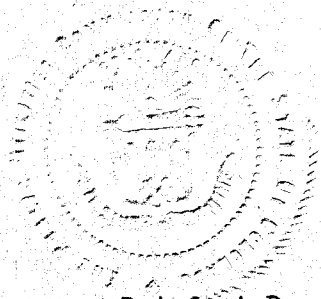
O R D E R

IT IS ORDERED:

That Permit No. B-2791 be, and the same hereby is, reinstated, as of May 18, 1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

  
Dated at Denver, Colorado,  
this 10th day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JAMES PASTORE, 619 ARAPAHOE ST., )  
BOULDER, COLORADO. )  
-----

PERMIT NO. A-764

-----  
June 10, 1943.  
-----

S T A T E M E N T

By the Commission:

On May 12, 1943, by Decision No. 20914, permittee above-named was authorized to suspend operations under his Permit No. A-764 for a period of not to exceed six months from May 1, 1943, with reinstatement proviso.

Said permittee now asks that his permit be reinstated, effective as of June 2, 1943.

The records and files of the Commission show that he has filed the necessary insurance, and otherwise complied with our rules and regulations applicable to private carrier permits.

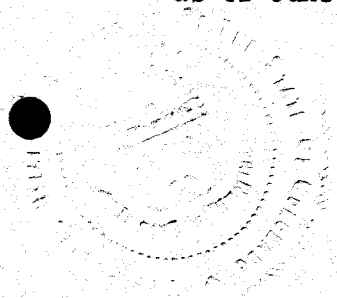

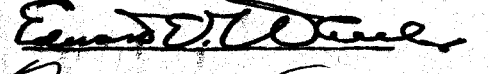
After careful consideration of the record, the Commission is of the opinion, and finds, that said permit should be reinstated, as of June 2, 1943.

O R D E R

IT IS ORDERED:

That Permit No. A-764 be, and the same hereby is, reinstated, as of June 2, 1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of June, 1943.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF RALPH )  
MILLER, 244 SOUTH QUITMAN STREET, )  
DENVER, COLORADO. )  
-----

PERMIT NO. B-2735

-----  
June 10, 1943  
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S T A T E M E N T

By the Commission:

On January 16, 1943, by Decision No. 20257, permittee above named was authorized to suspend operations under his Permit No. B-2735 for a period of not to exceed six months from December 15, 1942, with reinstatement proviso.

Said permittee now asks that his permit be reinstated, effective as of June 1, 1943.

The records and files of the Commission show that he has filed the necessary insurance, and otherwise complied with our rules and regulations applicable to Private Carrier Permits.

After careful consideration of the record, the Commission is of the opinion, and finds, that said permit should be reinstated, as of June 1, 1943.

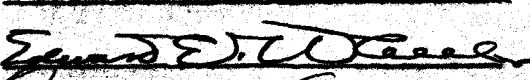
O R D E R

IT IS ORDERED:

That Permit No. B-2735 be, and the same hereby is, reinstated, as of June 1, 1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





Commissioners

Dated at Denver, Colorado,  
this 10th day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF FRED )  
BENNING, 26 SOUTH ADAMS STREET, DEN- )  
VER, COLORADO. )  
-----

PERMIT NO. B-2850

RE MOTOR VEHICLE OPERATIONS OF LELA )  
BENNING, 2709 ELIZABETH STREET, DEN- )  
VER, COLORADO. )  
-----

PERMIT NO. B-2844

-----  
June 10, 1943  
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S T A T E M E N T

By the Commission:

On April 17, 1943, the Commission was asked by Lela Benning, of Denver, Colorado, to cancel her Private Carrier Permit No. B-2850, and her Commercial Carrier Permit No. C-14014.

Thereupon, said permits were cancelled by Decisions Nos. 20802 and 20803, effective April 10, 1943.

It now develops that Lela Benning's permit in numbered "B-2844," Permit No. B-2850 being permit of Fred Benning, and that said Permit No. B-2844, instead of Permit No. B-2850, should have been cancelled.

Therefore, after careful consideration of the record, the Commission is of the opinion, and finds, that Decision No. 20803, heretofore entered herein, cancelling Permit No. B-2850, should be set aside and held for naught, and said Permit No. B-2850 reinstated, as of date April 10, 1943, and Permit No. B-2844 should be cancelled.

O R D E R

IT IS ORDERED:

That Decision No. 20803, of date April 17, 1943, cancelling Private Carrier Permit No. B-2850, be, and the same hereby is, set aside, vacated, and held for naught, and said Permit No. B-2850 reinstated and made effective as of date April 10, 1943.

That Private Carrier Permit No. B-2844, heretofore issued to  
Lela Benning, be, and the same hereby is, cancelled, as of April 10,  
1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

W. D. Thorman

Edward D. Wheeler

Wm. E. Quinn  
Commissioners

Dated at Denver, Colorado,  
this 10th day of June, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF C. L. )  
JESSEE AND H. E. LOOMILLER, 616 )  
TERRY STREET, LONGMONT, COLORADO. )

PERMIT NO. B-2856

-----  
June 10, 1943  
-----

S T A T E M E N T

By the Commission:

On May 18, 1943, by Decision No. 20938, permittees above named were authorized to suspend operations under their Permit No. B-2856 for a period of not to exceed six months from March 29, 1943, with reinstatement proviso.

Said permittees now ask that their permit be reinstated, effective as of June 2, 1943.

The records and files of the Commission show that they have filed the necessary insurance, and otherwise complied with our rules and regulations applicable to Private Carrier Permits.

After careful consideration of the record, the Commission is of the opinion, and finds, that said permit should be reinstated, as of June 2, 1943.

O R D E R

IT IS ORDERED:

That Permit No. B-2856 be, and the same hereby is, reinstated, as of June 2, 1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*W. D. Johnson*

*Edward D. D. D.*

*Major E. E.*

Commissioners

Dated at Denver, Colorado,  
this 10th day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LAWRENCE DRAKE, HAYDEN, COLORADO, )  
FOR AUTHORITY TO TRANSFER PERMIT NO. )  
A-2493 TO VERNE M. DECKER, HAYDEN, )  
COLORADO. )  
-----

APPLICATION NO. 5225-PP-BBB-B  
SUPPLEMENTAL ORDER

-----  
June 10, 1943  
-----

Appearances: Lawrence Drake, Hayden, Colo-  
rado, pro se;  
Verne M. Decker, Hayden, Colo-  
rado, pro se.

S T A T E M E N T

By the Commission:

On May 5, 1943, by Decision No. 20891, the Commission authorized the transfer by Lawrence Drake and Ashley Drake, Hayden, Colorado, of Permit No. A-2493 to Verne M. Decker, Hayden, Colorado, authority thereunder to be limited to the authority granted in Decision No. 14406, being the transportation of:

coal, only, from the Coryell Mine south of Hayden, Colorado, to Hayden, Colorado.

It now develops that authority of transferors was extended under Decision No. 15799 to include the right to transport:

coal, only, from the Babson Mine and the Sleepy Cat Mine, each located south of Hayden, Colorado, near the Coryell Mine, to Hayden, Colorado;

that said permit, by Decision No. 16473, was extended to include the right to transport:

coal from Cpowbar Mine, located six miles south of Hayden, Colorado, to Hayden, Colorado;

that said permit, by Decision No. 17808, was further extended to include the right to transport:

bulk grain from farms within a radius of fifty miles of Hayden to storage, elevators and railroad loading points within said area; seed grain from supply points in said area to farms in said area; coal between points in said area; gravel, sand, and road and bridge building materials between points in the area embraced in County Commissioners' District No. 2, Routt County, Colorado, for said County, only, without the privilege of adding to number of customers for said last-mentioned service,

also that Ashley Drake, with consent of this Commission, withdrew from said partnership, leaving Lawrence Drake as the sole owner thereof.

It would seem that said Decision No. 20891 should be set aside, and that inasmuch as it appeared at the hearing, in Steamboat Springs, Colorado, on April 20, 1943, that there are no outstanding unpaid operating obligations against said operation, transferee being able and willing to carry on the proposed operations, which he asked to be consolidated with his operations under said Permit No. A-2689, consolidated operations to be conducted under the Drake number, A-2493, the transfer should be authorized, and the Commission so finds.

#### O R D E R

##### IT IS ORDERED:

That Decision No. 20891 be, and the same hereby is, set aside, vacated, and held for naught.

That Lawrence Drake, Hayden, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to Permit No. A-2493 to Verne M. Decker, Hayden, Colorado, said Decker to be permitted to consolidate his operations under said permits, Nos. A-2493 and A-2689, said consolidated operations to be known as "Permit No. A-2493," the authority of said Decker, in addition to his authority under Permit No. A-2689, to include all operating rights heretofore granted under Permit No. A-2493, viz.:

coal, only, from the Coryell, Babson, Crowbar and Sleepy Cat Mines to Hayden, Colorado; bulk grain from farms within a radius of fifty miles of Hayden to storage, elevators and railroad loading points within said area; seed grain from supply points in said area to farms in said area; coal between points in said area; gravel, sand, and road and bridge building materials between points in the area embraced in County Commissioners' District No. 2, Routt County, Colorado, for said County, only, without the privilege of adding to number of customers for said last-mentioned service.

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.

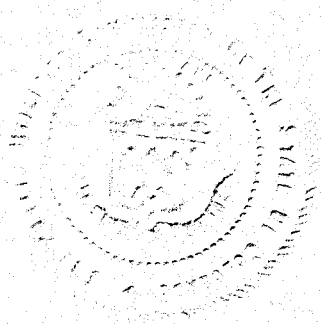
This order is made a part of the permit authorized to be transferred, and shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

W. D. Thomas

Edward D. Wheeler

Wesley E. Smith  
Commissioners



Dated at Denver, Colorado,  
this 10th day of June, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

C. W. EATON )

Box 5 )

Ft. Garland, Colorado )

PERMIT NO. C-13806

June 10, 1943

S T A T E M E N T

By the Commission:

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

C. W. Eaton of Box 5, Ft Garland, Colorado,

requesting that his Permit No. C-13806 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13806, heretofore issued to C. W. Eaton of Box 5, Ft Garland, Colorado be, and the same is hereby, declared cancelled effective June 2, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry S. Shawman*  
*Edward H. Wheeler*  
*Malcolm Erickson*  
Commissioners.

Dated at Denver, Colorado,

this 10th day of June, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

WRAY AND FINNEY  
Ft. Cobb, Oklahoma

PERMIT NO. C-13462

June 10, 1943

# STATEMENT

By the Commission:

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

**Wray and Finney**                      **Ft. Cobb**                      **Oklahoma**

requesting that his Permit No. C-13462 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-13462, heretofore issued

to Wray and Finney of Ft. Cobb, Oklahoma be,

and the same is hereby, declared cancelled effective **June 5, 1943**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry P. Shuman  
Edward H. Wheeler  
William Erickson  
Commissioners.

Dated at Denver, Colorado,

this 10th day of June, 19 43

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
JOHN PLOZZA )  
Route 1, Box 40 )  
Lafayette, Colorado )  
..... )

PERMIT NO. C-10823

.....  
June 10, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
John Polzza ..... of Box 40, Route 1, Lafayette, Colorado  
....., requesting that his Permit No. C-10823 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-10823, heretofore issued to John Polzza of Route 1, Box 40, Lafayette, Colorado be, and the same is hereby, declared cancelled effective May 22, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry S. Shaw*  
.....  
*Edward J. [unclear]*  
.....  
*Malcolm Erickson*  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of June, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
DALE PRATT )  
Plainfield, Iowa )  
 )  
 )  
 )

PERMIT NO. C-9001

June 10, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Dale Pratt of Plainfield, Iowa,  
requesting that his Permit No. C-9001 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-9001, heretofore issued  
to Dale Pratt of Plainfield, Iowa be,  
and the same is hereby, declared cancelled effective May 10, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry P. Shuman  
Edward D. Wheeler  
Malcom Erickson  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of June, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
VALVERDE WOOD BOX COMPANY )  
c/o Shwayder Brothers Inc., )  
1050 S. Broadway Denver, Colorado )  
..... )

PERMIT NO. C-4574

.....  
June 10, 1943  
.....

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Valverde Wood Box Company c/o Shwayder of 1050 S. Broadway Denver, Colorado  
Brothers Inc.  
requesting that his Permit No. C-4574 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-4574....., heretofore issued  
to Valverde Wood Box Company c/o Shwayder Brothers Inc., 1050 S. Broadway, Denver, Colorado be,  
and the same is hereby, declared cancelled effective June 1, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry D. Shuman

Edward H. Wheeler

Malcolm Erickson

Commissioners.

Dated at Denver, Colorado,

this 10th day of June, 19 43

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

**J. D. INFELD GRAIN COMPANY**  
Eads, Colorado

PERMIT NO. C-1766

June 10, 1943

# STATEMENT

By the Commission:

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

**M. D. Infield Grain Company** of **Eads** **Colorado**

requesting that his Permit No. C-1766 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-1766, heretofore issued to J. D. Infield Grain Company of Eads, Colorado be, and the same is hereby, declared cancelled effective June 2, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry S. Rowman

*[Handwritten signature]*

Malcolm Erickson  
Commissioners.

Dated at Denver, Colorado,

this 10th day of June, 19 43

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

A. M. FAIRCHILD COAL & FEED )  
COMPANY )  
Blackhawk, Colorado )  
..... )

PERMIT NO. C-61

.....  
June 10, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
A. M. Fairchild Coal & Feed Company of Blackhawk, Colorado  
requesting that his Permit No. C-61 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-61, heretofore issued  
to A. M. Fairchild Coal & Feed Company of Blackhawk, Colorado be,  
and the same is hereby, declared cancelled effective June 3, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shuman*  
*James E. Wheeler*  
*Malcolm E. Erickson*  
Commissioners.

Dated at Denver, Colorado,

this 10th day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
HENRY H. ELLIOTT, BOX 71, MINTURN, )  
COLORADO, FOR CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY TO OPERATE )  
PASSENGER CARRIER SERVICE BETWEEN ) APPLICATION NO. 6317  
CAMP HALE, PANDO, COLORADO, AND )  
GRAND JUNCTION, COLORADO, AND RETURN, )  
AND BETWEEN CAMP HALE, PANDO, COLO- )  
RADO, AND DENVER, COLORADO, AND )  
RETURN. )

-----  
June 10, 1943.  
-----

Appearances: Arthur A. Brooks, Jr., Esq., 538 First  
National Bank Bldg., Denver, Colo-  
rado, for applicant;  
T. A. White, Esq., Denver, Colorado,  
for The Denver and Rio Grande Western  
Railroad Company and Rio Grande  
Motor Way, Inc.

S T A T E M E N T

By the Commission:

At the hearing, which was held in Leadville, Colorado, on May 13, 1943, applicant submitted the testimony of two soldiers stationed at Camp Hale, who testified as to the difficulties involved in getting transportation to various points from Camp Hale. They stated, in effect, that bus and train facilities are unable to take care of the transportation needs, and one of them testified that he and three others had paid the owner of a car at Leadville \$28.00 to bring them to Denver; that at one time he had attempted to secure a seat on the bus, but had been advised that no seats were available; that several men in his company had had the same experience, and that passes issued on Friday for week-end trips could not be obtained until after 5:30 P. M., and that week-end leaves expire at 10:50 P. M. Sunday night. The testimony of the other soldier was to the same effect, although he added that in his opinion from 1000 to 1500 passes were issued each week.

Applicant also submitted a petition signed by a large number of soldiers stationed at Camp Hale, stating that transportation facilities were inadequate and they were willing to ride in almost any kind of a vehicle, provided same was properly covered by liability insurance. This petition was filed, but not made part of the record.

Testifying in his own behalf, applicant stated that he lives at Minturn, Colorado; that he only desires to transport members of the armed forces stationed at Camp Hale between said camp and Grand Junction, and said camp and Denver, for that period of time between Friday noon of each week and Monday noon of the following week. He has two 1941 Chevrolet  $1\frac{1}{2}$ -ton trucks, one equipped with a panel body, and one with a so-called "house body". Both trucks have been driven approximately 42,000 miles, but are in good condition and are equipped with good tires. The distance from Camp Hale to Grand Junction is approximately 157 miles, and from Camp Hale to Denver 128 miles. Applicant is engaged in the dairy business and proposes to use his trucks in said business as he is now doing during the portion of the week when he would not be busy operating out of Camp Hale. Applicant also testified as to numerous requests that had been made upon him for service and stated that he could haul from 16 to 22 soldiers in each truck, depending somewhat upon their size. He proposes to charge the same "furlough" rates that are now charged by Rio Grande Motor Way, Inc., between the points mentioned. One of the drivers for applicant testified that he was engaged in delivering produce at Camp Hale and expressed the opinion that more transportation service was needed to accommodate the soldiers.

On behalf of protestants, the general passenger agent of The Denver and Rio Grande Western Railroad Company testified to the effect that he had worked out with the transportation officer at Camp Hale a plan for the movement of soldiers from Camp Hale to various points on the lines of the railroad and Motor Way; that surveys were made each week prior to Thursday as to how many expected to take a week-end trip, where they wanted

to go, and whether by bus or rail; that the eastbound movement included service to Salida, Canon City, Pueblo, Colorado Springs and Denver, and the westbound service included Glenwood Springs and Grand Junction; that special trains were operated if enough soldiers signified their intention to use the same; that in addition to special trains, Train No. 1 arrived Camp Hale at 6:01 P.M. going west and left at 6:45 P.M.; that soldiers taking said train could return via bus if they so desired, as tickets were interchangeable; that since December 4, 1942, covering a period of 23 weeks, fifteen special trains had been operated with an average of 470 passengers per train; that in three of the weeks not operated, there was not sufficient demand to justify the train, and in the other five weeks they did not have sufficient equipment available on account of organized troop train demands; that experience so far had shown that not over 75% of those who requested service made the trip by train or bus; that the last week-end prior to the hearing in Leadville, the survey indicated 135 passengers for Denver via rail, 61 for Pueblo, 24 for Colorado Springs, 91 for Salida and 28 for Canon City, or a total of 339, while actually only 263 made the trip, and the number that went to Denver was actually 42 instead of 135; that the westbound movement seems to be increasing and they propose to operate special trains west as well as to Denver in the future.

This witness also pointed out that soldiers could take Train No. 1 at Pando, go to Glenwood Springs and catch No. 20 in to Denver over the Moffat tunnel route, and take No. 19 out of Denver and catch No. 2 at Glenwood Springs for Pando. The proposed special train from Pando west would leave at 7:00 P.M. arriving at Grand Junction at midnight Friday, and leave Grand Junction on Sunday at 6:00 P.M., arriving at Pando at 11:00 P. M. This witness testified that the Rio Grande had always been able to handle all men who wanted to travel by train and that approximately 175 Denver passengers were needed to make the train pay expenses. It was his opinion that the granting of further authority would tend to impair the rail and bus service available, and that the soldiers might lose this

form of transportation if patronage did not justify keeping the same in operation.

The president and general manager of Rio Grande Motor Way, Inc., testified that they have approximately 60 seats available on the Friday afternoon bus from Camp Hale to Denver and the average movement is approximately 100 men; that the number of soldiers westbound so far is not so large, although movement of soldiers from Grand Junction eastbound to Pando is heavy. He admitted that on occasions some soldiers had not been able to obtain seats and that they always had standees. However, it was brought out that an attempt was being made to secure additional bus equipment, which, in the opinion of the witness, would provide adequate bus service for all who presented themselves. It was the opinion of this witness that the type of equipment proposed to be used by applicant was not safe to operate, particularly over Loveland Pass. We stated that Rio Grande Motor Way had truck equipment which could be converted for passenger transportation if the Commission felt that this form of transportation was desirable.

The Major in charge of transportation service at Camp Hale testified that he agreed with the statements of the General Passenger Agent of the Rio Grande Railroad, as well as the President of Rio Grande Motor Way, Inc.; that surveys were made each week, but the number who actually went, after stating they desired either bus or train service, continued to decrease; that in his opinion the best policy was to deal with large concerns for mass transportation rather than with a "batch of little ones"; that he himself would not want to ride in a truck for either safety or comfort; that both Rio Grande Motor Way and The Denver and Rio Grande Western Railroad Company had been very cooperative in trying to work out various transportation problems; that no complaints in regard to either bus or railroad service had come to his attention. However, he stated that he knew many soldiers hitch-hiked and tried to secure rides to Denver and other points, and that some excessive charges had been paid by some of the soldiers.

It would appear to the Commission that in endeavoring to take care of the transportation needs of Camp Hale, we should be governed by the wishes of those army officers who are directly in charge of the transportation problem. The judgment of these men who are in direct contact with the situation, of necessity, must carry considerable weight. Just why the soldiers change their minds and do not take advantage of either train or bus service after indicating their desire so to do, is not plain, but it is plain that if the rail and bus service now available would be impaired on account of granting applications similar to the instant one, the transportation situation at Camp Hale would be considerably worse than it now is. Apparently a sincere and honest effort is being made to solve this mass transportation problem. Train service appears to be adequate, and if the additional equipment is secured, as the record indicates it probably will be, we believe the bus service will be adequate. Of course, it is not pleasant to stand up in a bus from Pando to Denver, but one or two additional busses for these week-end movements would undoubtedly provide seats for all those who desire to go by bus. The indiscriminate hauling of soldiers from Denver or other points by those who are charging "all the traffic will bear", is not only in violation of law, but is a practice that cannot be condoned, and all steps necessary to stop the same are being taken.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that the public convenience and necessity do not require the proposed operations of applicant, and that the instant application should be denied.

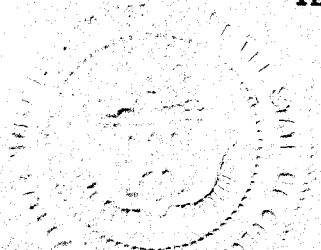

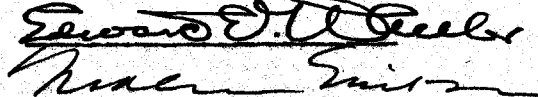
#### O R D E R

#### 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 10th day of June, 1943.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF A GENERAL INVESTIGATION )  
OF THE FREIGHT RATES AND CLASSIFICATION OF ) CASE NO. 1585  
FREIGHT OF ALL COMMON AND PRIVATE MOTOR )  
VEHICLE CARRIERS. )  
-----

-----  
June 10, 1943  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a petition from The Motor Truck Common Carriers Association, as Agent, for and on behalf of the following common motor vehicle carriers for authority to publish the rates and provisions hereinafter set forth:

For account of Moab Garage Transportation Company

"A rate of 40 cents per 100 pounds on beer and carbonated beverages in cans or bottles, minimum weight 500 pounds. Rate to include return of empty cases. From Durango, Colorado, to Dolores, Pleasant View, Lewis, Yellow Jacket, Cahone, Dove Creek and North Dale, Colorado."

"A rate of 30 cents per 100 pounds on Flour, or Feed, Animal or Poultry, minimum weight 500 pounds. From Durango, Colorado, to Pleasant View, Lewis, Yellow Jacket, Cahone, Dove Creek and North Dale, Colorado."

For account of Rio Grande Motor Way, Inc.

"To reissue Item No. 1340, Page 148 of Tariff No. 2-B, and remove restriction, viz.: 'Will not apply via Keith Trucking Company.'"

For account of Hartsel Truck Line

"Reissue Item No. 1200-A, Page 12 of Supplement No. 11 to Tariff No. 2-B, and remove the following origin point: 'Lincoln School'."

For Account of Yuma County Transportation Company

"Cancel exception to application of rates on Farm Products as shown on Page 19 of Supplement No. 6 to Tariff No. 2-B."

For Account of Weicker Transfer and Storage Company

"Reissue Rule No. 3 of Tariff No. 2-B and add the following:

"Exception: Pick-up and delivery service within the city limits of Colorado Springs, Colorado, will also include free pick-up and delivery at the plant of Aircraft Mechanics, Inc., located at 3200 No. Nevada Street."

The column 2 rating is now applicable on beer and carbonated beverages, and one-half (1/2) of column 2 is applicable on empty carriers returned, between points on the line of the Moab Garage Transportation Company, and the column 2 rates from Durango, Colorado, to the named points range from 32 cents per 100 pounds to Dolores, Colorado, to 58

cents per 100 pounds to North Dale, Colorado. Taking into consideration that the proposed rate includes the return of empty cases, said proposal will represent a reduction in the charge the shipper would have to pay on the combined out-bound and in-bound movements. However, if the same shipper does not pay for both the out-bound and in-bound movements, it would be to his benefit to ship on the present column 2 rates to such points where the rate is less than the one herein proposed.

Prior to the time the Keith certificate was transferred to the Rio Grande Motor Way, Inc., this Commission, by appropriate order, authorized the non-application of its prescribed scale of sugar rates on the line of the Keith Trucking Company. It is now the desire of the Rio Grande Motor Way, Inc., to participate in any potential sugar traffic at the rates hereinbefore prescribed on sugar.

The request for account of Weicker needs no comments as it speaks for itself and will result in a benefit to shippers.

The request for account of Hartsel and the Yuma County Transportation Company should be assigned for a public hearing as there is no indication what the public reaction will be to the proposed changes.

#### Findings

The Commission finds that the rates, rules and provisions set forth in Supplement No. 7 to Appendix B and Supplement No. 7 to Appendix K, attached hereto and made a part hereof, are, and for the future will be, just, fair, reasonable and sufficient maximum and minimum rates, and just, reasonable and proper rules and provisions for all motor vehicle common carriers, and minimum rates, rules and provisions for all private carriers by motor vehicle when competing with duly authorized motor vehicle common carriers for substantially the same or similar service; that the request for account of the Hartsel Truck Line and Yuma County Transportation Company should be assigned for public hearing.

#### O R D E R

IT IS ORDERED, That this order shall become effective on the 28<sup>th</sup> day of June, 1943; that the rates, rules and provisions set forth in Supplement No. 7 to Appendix B, and Supplement No. 7 to Appendix K, attached hereto and made a part hereof, shall be published by all motor vehicle common carriers and private carriers by motor vehicle operating in intrastate commerce in Colorado, to the extent they are affected, on notice to this Commission and the general public by not less than one day's filing and posting in the manner prescribed in Section 16 of the Public Utilities Act of 1913, and Section 10, Chapter 120, Session Laws of 1931, as amended; that on and after said effective date of this order, all affected motor vehicle common carriers shall cease and desist from demanding, charging and collecting rates and charges which shall be greater or less than the rates and charges herein prescribed; that private carriers by motor vehicle shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those prescribed herein; that this order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier, or to subject any such private carrier by motor vehicle to the laws or liability applicable to a motor vehicle common carrier; that Case No. 1585 be, and the same is hereby, reopened for further hearing before the Commission at 10 o'clock A.M., on the 13th day of July, 1943, at the Hearing Room of the Commission, 330 State Office Building, Denver,

Colorado, for taking of evidence concerning the matters hereinbefore set forth in connection with the Hartsel Truck Line and the Yuma County Transportation Company; that the order entered in this proceeding on February 5, 1936, as since amended, shall continue in force until the further order of the Commission; that jurisdiction is retained to make such further orders as may be necessary and proper; that this order shall become effective on less than twenty (20) days' notice.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners

Dated at Denver, Colorado,  
this 10th day of June, 1943

JH

SUPPLEMENT NO. 7 TO APPENDIX B

Refer to Rule No. 3, Appendix B and provide the following, viz.:

Exception: Pick-up and delivery service within the city limits of Colorado Springs, Colorado, will also include free pick-up and delivery at the plant of Aircraft Mechanics, Inc., located at 3200 North Nevada Street.

Refer to Rule No. 18, Appendix B, Decision No. 15840, and cancel the following exception:

"The rates prescribed on sugar from Swink, Rocky Ford, and Sugar City, Colorado, will not apply in connection with the Keith Trucking Company when destined to Canon City, Colorado."

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SUPPLEMENT NO. 7 TO APPENDIX K

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Item No. :	Commodity :	From :	To :	Rate in Cents :per 100 Pounds
90	:Beer and Carbonated Bev- : erages, in cans or : bottles, in cases. :Minimum weight 500 lbs. :Empty cases returned free :of charge. : : : : :	:Durango, Colo. : : : : : : : : : :	:Dolores, Colo. : :Pleasant View, : : Colo. : :Lewis, Colo. : :Yellow Jacket, : : Colo. : :Cahone, " : :Dove Creek, : : Colo. : :North Dale, : : Colo. :	40
91	:Flour or Animal and :Poultry Feed. Minimum :Weight 500 Pounds : : : : : :	:Durango, Colo. : : : : : : : : :	:Pleasant View, : : Colo. : :Lewis, " : :Yellow Jacket, : : Colo. : :Cahone, Colo. : :Dove Creek, " : :North Dale, " :	30

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JERRY WOOD, ROUTE 1, ROCKY FORD, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE FOR THE )  
TRANSPORTATION OF FARM PRODUCTS )  
(HAY AND BEETS PRIMARILY) DURING )  
SEASONAL MOVEMENTS THEREOF; GENERAL )  
COMMODITIES, WITH OCCASIONAL LOADS )  
OF LIVESTOCK FROM FARMS TO SALES )  
RINGS AND SALES RINGS TO FARMS )  
WITHIN A RADIUS OF TWENTY MILES OF )  
ROCKY FORD, WITH OCCASIONAL TRIPS )  
BEYOND NOT TO EXCEED A RADIUS OF )  
ONE HUNDRED MILES THEREOF. )  
-----

APPLICATION NO. 6326-PP

-----  
June 14, 1943  
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Appearances: Jerry Wood, Rocky Ford, Colo-  
rado, pro se;  
A. J. Fregeau, Denver, Colo-  
rado, for Weicker Transfer  
and Storage Company;  
T. A. Stockton, Jr., Esq., Den-  
ver, Colorado, by A. J.  
Fregeau, for Jackson Transfer  
and Storage Company and Hub-  
bard Transfer & Storage Com-  
pany.

S T A T E M E N T

By the Commission:

At the hearing, which was held in La Junta, Colorado, on May 21, 1943, applicant, testifying in his own behalf, stated that he owned a 1937 Chevrolet one and one-half ton truck, which was clear of all incumbrance; that frequent requests had been made upon him to render a farm service within a radius of twenty miles of Rocky Ford and from said area to points within a 100-mile radius thereof; that he was willing to eliminate from his application the words "general commodities and freight," and would confine his operations to the movement of farm products from farm

to farm or farm to town, including the transportation of livestock from farms to sales rings and sales rings to farms.

In view of this statement, all objections by protestants present were withdrawn.

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

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

#### O R D E R

##### IT IS ORDERED:

That Jerry Wood, Route 1, Rocky Ford, Colorado, be, and he is hereby, 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 twenty miles of Rocky Ford on the one hand, and points not exceeding one hundred miles from Rocky Ford on the other hand; provided, however, that said service shall be strictly a farm service, and no town to town movements in competition with presently established common carrier service shall be conducted.

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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

L. T. Thorman

Edward D. Decker

Wm. E. Egan  
Commissioners

Dated at Denver, Colorado,  
this 14th day of June, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RAY BLAKNEY, ROUTE 2, LA JUNTA, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE FOR THE )  
TRANSPORTATION OF LIVESTOCK, HAY )  
AND GRAIN FROM POINT TO POINT WITH- )  
IN A RADIUS OF ONE HUNDRED MILES )  
OF LA JUNTA, COLORADO, OVER HIGH- )  
WAYS U S 10 AND 50 AND COLORADO 109. )  
-----

APPLICATION NO. 6324-PP

-----  
June 14, 1943  
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Appearances; Robert R. Sabin, Esq., La Junta,  
Colorado, for applicant;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer and Stor-  
age Company and Hubbard Trans-  
fer and Storage Company;  
T. A. Stockton, Jr., Esq., Denver,  
Colorado, for the Common Carrier  
Division of The Colorado Motor  
Carriers' Association;  
James Richardson, Kim, Colorado,  
pro se.

S T A T E M E N T

By the Commission:

At the hearing, which was held in La Junta, Colorado, on May 21, 1943, applicant testified that he owns a 1941 1½-ton truck; that he only proposed to transport bulk grain and hay, and would limit his pickup area on livestock and grain from points within a radius of twenty miles of Higbee, Colorado, and his pickup area on hay from points within a twenty-mile radius of Higbee and from points five miles east and five miles west of La Junta; that his delivery points for livestock would be at sales rings in La Junta and from said sales rings back to his pickup area; that his delivery points on hay would be Cheraw and points within a five-mile radius thereof, and his delivery of bulk grain would be to the elevators at La Junta, the above service to include transportation of said commodities between points within said twenty-mile radius of Higbee.

He further testified that he would not operate to points exceeding forty miles south of La Junta in competition with James Richardson, of Kim.

In view of this restriction upon the authority sought, all objections to the granting of the permit were withdrawn.

Evidence was introduced showing a need for the proposed service of applicant, and his financial standing and operating reliability were established to the satisfaction of the Commission.

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

#### ORDER

##### IT IS ORDERED:

That Ray Blakney, Route 2, La Junta, Colorado, be, and he is hereby, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of bulk hay and grain, including livestock, between points within a radius of twenty miles of Higbee, Colorado, including the right to transport livestock from said area to sales rings at La Junta, and from La Junta back to said area; the transportation of bulk grain from said area to elevators at La Junta, and the transportation of hay from the Higbee area and from points five miles east and five miles west of La Junta, to Cheraw and points within a five-mile radius thereof, as well as between points within said five-mile radius of Cheraw, no service to be rendered in competition with James Richardson, of Kim, Colorado, operating under Certificate No. 1249.

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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



W. D. Hornum

Edward D. Wheeler

Maer E. E. E. E.  
Commissioners

Dated at Denver, Colorado,  
this 14th day of June, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ORVILLE G. LAWLESS, 1036 SOUTH )  
GALAPAGO STREET, DENVER, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS A PRIVATE CARRIER BY MOTOR VE- )  
HICLE FOR HIRE. )  
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APPLICATION NO. 6350-PP

-----  
June 14, 1943  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of 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, 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That Orville G. Lawless, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other 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, 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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

W. D. Shuman

Edward D. Wheeler

Wm. E. Quinn  
Commissioners

Dated at Denver, Colorado,  
this 14th day of June, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
UNION PACIFIC RAILROAD COMPANY AND THE ) APPLICATION NO. 6331  
WESTERN UNION TELEGRAPH COMPANY FOR ) (I. & S. Docket No. 249)  
AUTHORITY TO ABANDON THE AGENCY AT )  
BRIGGSDALE, WELD COUNTY, COLORADO. )  
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-----  
June 12, 1943  
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APPEARANCE: E. G. Knowles, Esq., Denver, Colorado,  
for applicant;  
E. B. Evans, Esq., Denver, Colorado,  
for The Public Utilities Commission  
of the State of Colorado;  
A. T. Ling and George C. Schmer,  
Briggsdale, Colorado, for protestants.

S T A T E M E N T

By the Commission:

On May 14, the Union Pacific Railroad Company and the Western Union Telegraph Company, by their attorney, E. G. Knowles, filed with the Commission an application for leave to close and discontinue their agency station at Briggsdale, Colorado, effective on and after June 15, 1943, alleging as grounds therefor that Briggsdale is a town of two hundred people, in Weld County, Colorado; that business establishments consist of two elevators and two bulk oil stations; that most of the traffic handled by the railroad from the station consists of grain and beans, the in-bound traffic being petroleum products, chiefly, and a small amount of l.c.l. freight; that there is no passenger or express traffic; that most freight moves in carloads; that there is no necessity for the services of an agent; that, in Finance Docket No. 13799, filed by the Union Pacific Railroad Company for the abandonment of the Briggsdale segment of its railroad, the Interstate Commerce Commission entered its order on April 12, 1943, and suggested that some savings might be effected by elimination of agent at Briggsdale; that carload business at Briggsdale can be handled at Gill, 17.07 miles westerly from Briggsdale; that, due to war emergency, there is an increasing shortage of qualified station agents

and telegraph operators because of the induction of many employees into the Armed Forces of the United States, which renders it imperative that every possible man be released from unessential work and placed where his services can be used to advantage in the transportation of troops and Government material, as well as the other business of the applicants; that notice of proposed abandonment of agency station has been duly posted at Briggsdale.

On June 3, 1943, protests having been filed by a number of residents of Briggsdale and vicinity, objecting to the closing of said station, the Commission entered its order suspending the effective date of the proposed closing for one hundred twenty days from June 3, 1943, or until October 13, 1943, unless otherwise ordered by the Commission, said matter, by the same order, being set for hearing in the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, on May 11, 1943, at 10:00 o'clock A.M., at which time and place the matter was heard.

At the time and place appointed for hearing, no one appeared in opposition, and Messrs. Ling and Schmer, of Briggsdale, who entered appearance in the matter, stated that they did not object to the closing of Briggsdale as an agency station; that they desired merely to protest the discontinuance of l.c.l. service between Greeley and Briggsdale, as proposed in I. & S. Docket No. 250, which was heard on the same day.

The files were made a part of the record, and the matter was taken under advisement.

Upon the record, it would appear that the change proposed by the railroad should be permitted. Considering needs of the community, the war emergency, and the order of the Interstate Commerce Commission in Finance Docket No. 13799, longer retention of the agency station at Briggsdale, Colorado, is not required.

Therefore, after careful consideration of the record, the Commission is of the opinion, and finds, that the Union Pacific Railroad Company and the Western Union Telegraph Company should be authorized to close and discontinue their agency station at Briggsdale, Colorado, effective June 15, 1943.

O R D E R

IT IS ORDERED:

That public convenience and necessity do not require the continuance of agency station of Union Pacific Railroad Company and Western Union Telegraph Company at Briggsdale, Colorado, and said Union Pacific Railroad Company and Western Union Telegraph Company should be, and they hereby are, authorized to close and discontinue said agency and telegraph station at Briggsdale, Colorado, effective June 15, 1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners

Dated at Denver, Colorado,  
this 12th day of June, 1943.

JH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
UNION PACIFIC RAILROAD COMPANY FOR )  
AUTHORITY TO ABANDON REGULAR SERVICE ) APPLICATION NO. 6330  
ON ITS GREELEY BRANCH AND PLEASANT )  
VALLEY BRANCH IN WELD COUNTY, COLORADO, ) (I. AND S. DOCKET NO. 250)  
SUBSTITUTING THEREFOR CARLOAD FREIGHT )  
SERVICE ON CALL BETWEEN GREELEY AND )  
BRIGGSDALE AND BETWEEN CLOVERLY AND )  
GALETON )  
-----)

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June 14, 1943  
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Appearances: E. G. Knowles, Esq., Denver,  
Colorado, for applicant;  
E. B. Evans, Esq., Denver,  
Colorado, for The Public  
Utilities Commission of  
The State of Colorado;  
A. T. Ling and  
George C. Schner, Briggsdale,  
Colorado, for protestants.

S T A T E M E N T

By the Commission:

On May 14, 1943, the Union Pacific Railroad Company filed its application with the Commission for an order permitting the substitution of "on call" service on the Greeley and Pleasant Valley Branches of its railroad in Weld County, Colorado, for regular service now furnished on said branches.

From the recital in the application and copy of notice posted at its station on said lines, which was attached to the application, it appears that if the authority sought is granted that:

"Carload shipments destined to points on Greeley Branch and to points between Cloverly and Galeton, inclusive, on Pleasant Valley Branch, will be handled by special service from Greeley Junction on or near the schedule shown herein below.

"Carload shipments will be moved from such points to Greeley to make connections at that point with main line service on the following schedule:

<u>"Station</u>	<u>Approximate Departing Time</u>
Briggsdale	11:20 A.M.
Fosston	11:32 A.M.
Cornish	11:46 A.M.
Barnesville	11:58 A.M.
Mathews	12:05 P.M.
Gill	12:12 P.M.
Alden	12:19 P.M.
Cloverly	12:30 P.M.
Galeton	1:30 P.M.
Lowe	1:40 P.M.

"No service will be provided for LCL freight or express.

"Shippers may order cars and service for carload business only through the agents at Greeley, Galeton, or Gill, or through the Chief Dispatcher of the Union Pacific at Denver. Orders for cars and notice of intention to ship must be given to the Company at least twenty-four hours prior to the times shown at stations where shipments are to be made. Telephone orders for cars must be confirmed in writing at one of these agencies as soon as possible."

On June 3, 1943, a number of protests in writing having been filed with the Commission, objecting to the proposed change, the Commission entered its order, postponing the effective date of said change from June 15, 1943, as stated in the application, to October 13, 1943, unless otherwise ordered by the Commission, and setting the matter for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, at 10:00 o'clock A.M., at which time and place the matter was heard.

Mr. A. T. Ling, the Continental Oil Company agent at Briggsdale, who has also furnished dray service for the Union Pacific Railroad and the inhabitants of Briggsdale at Briggsdale, Colorado for twenty-five years, and George C. Schmer, Briggsdale Manager of the Foster Lumber Company, appeared in opposition to the elimination of l.c.l. service, as contemplated. They urged that once-a-week l.c.l. service by rail should be furnished by the railroad as a matter of public convenience. The Board of County Commissioners of Weld County filed its answer, stating that it did not desire to take "further action in the matter".

Briggsdale Farmers' Cooperative Elevator Company consented to the entry of an order authorizing abandonment of regular service by the Union Pacific Railroad Company on its Greeley Branch and Pleasant Valley Branch in Weld County, and the substitution therefor of carload freight service on call between Greeley and Briggsdale and between Cloverly and Galeton, as prayed for in the application.

Written protests were filed by W. J. Boyd and S. F. and Mary E. Dillard of Galeton, Colorado. Written protests was also filed by twenty-six residents of Briggsdale.

At the hearing, R. H. Kelly, Supervisor of Station Service on the Colorado Division of the Union Pacific Railroad, and F. R. Jenkins, Assistant Superintendent of the Colorado Division of the Union Pacific Railroad Company, testified for applicant. Exhibits 1 to 20 were identified by Mr. Kelly, and covered the less-carload business on the Pleasant Valley and Greeley Branches from May, 1941 to May, 1943. For the 12 months period, May 1, 1941 to April 30, 1942, inclusive, revenues from l.c.l. freight amounted to \$2,242.13, being \$456.69 at Gill, \$734.41 at Galeton, \$6.67 at Cornish, \$10.38 at Fosston, \$1,033.98 at Briggsdale. For the 12 months period beginning May 1, 1942 and ending April 30, 1943, revenues amounted to \$2,674.69, being \$616.63 at Gill, \$534.41 at Galeton, \$42.80 at Mathews, \$1.06 at Cornish, \$4.33 at Fosston, \$1,475.46 at Briggsdale. It appeared that without over-time charge, if any, railroad operation over this segment of its line cost \$98.40 a trip; that service now furnished is daily, except Sunday, Pleasant Valley being served on Tuesdays, Thursdays and Saturdays, Briggsdale on Mondays, Wednesdays, and Fridays; that a savings of approximately \$4,000.00 yearly would be effected by elimination of scheduled daily, except Sunday, service and substitution of on call service therefor; that in the opinion of management, which had carefully considered the situation, change should be made; that the railroad agent at Briggsdale is needed for service elsewhere; that the engine and its crew can be used to advantage in movement of other freight; that a star route mail carrier now handles small packages daily between Briggsdale and Greeley, and no doubt his service could be enlarged if the service offered justified such action; that a number of for-hire common carriers, in addition to one or more truckers at Briggsdale, maintain headquarters at Greeley; that freight can be moved by said trucks; that the railroad attempted to contract its l.c.l. freight movement, but was unable to get a trucker to handle it on schedule, on account of small volume available; that, under O.D.T. regulations, the railroad now must have 20,000 pounds of merchandise before it can move a car from Greeley to Briggsdale; that the total amount of

l.c.l. freight handled by rail into Briggsdale from May 1, 1942 to and including April 30, 1943, was 214,011 pounds; that freight has been handled in the caboose, and necessarily has been limited to packages small enough to be handled by said means.

Reference was made to the Interstate Commerce Commission decision of date April 12, 1943, in Finance Docket No. 13799, being the application of Union Pacific Railroad Company to abandon its lines from Galeton to Purcell and Barnesville to Briggsdale, in Weld County.

In said decision, the Commission suggested that:

"With respect to the Briggsdale segment, possible savings of approximately \$1,700 a year may be accomplished by the elimination of the agent at Briggsdale.";

that:

"Shippers prefer that the applicant install an 'on call' service, which type of service the applicant proposes to operate on the portion of the branches remaining should the segments be abandoned. The applicant contends, as previously indicated, that the Greeley switch engine could not be used as far as Briggsdale because of complaints which would arise from Greeley industries and because of the overtime involved. The latter feature appears to be the deciding factor. Except in the fall season the 'on call' service if established to Briggsdale would not average one trip a week. Assuming that the entire time consumed from Barnesville to Briggsdale, estimated at about three hours, should be performed on overtime, the annual expense therefor should be no greater than that now assigned to the segment on a mileage basis for triweekly service. The infrequency of the operation also would tend to minimize the complaints from Greeley industries. This method of operation should be given a trial. It is believed that the slight burden which may be placed on the applicant by the continued operation of the segment is not sufficient to offset the loss and inconvenience to the public which would result from the abandonment thereof. With the increased traffic in 1942, that which may be expected in the future, and elimination of the agency expense at Briggsdale, little, if any, out-of-pocket loss should be incurred from the operation."

Mr. Schmer, in opposition, stated that l.c.l. freight moving to his lumber and hardware business in Briggsdale has increased during recent months; that his freight is shipped from Hastings, St. Joseph, Beatrice, Lincoln, Omaha, and Denver, via Union Pacific Railroad; that freight from all points except Denver moves on a through rate to Briggsdale, which rate is the same as the rate from said points to Greeley; that truck service between Greeley and Briggsdale, at present, is not very satisfactory,

and if it were available, he would be compelled to pay an additional charge for movement of his freight from Greeley to Briggsdale; that the star route mail carrier furnishes daily service, but his equipment is inadequate to handle pipes, oil, and heavy commodities; that Ray Schiller, local trucker at Briggsdale, has been having difficulty with his equipment, and is not in a position to furnish service that would be required; that he paid freight charges amounting to \$181.10 in 1942, and \$187.70 during the first five months of 1943 for movement of l.c.l. freight by rail.

A. T. Ling, of Briggsdale, testified that greases and oil do not move in carload lots, on account of his inability to sell that amount in a reasonable period of time, and also because he does not have storage facilities to handle it; that he has been local drayman for the Union Pacific Railroad Company for twenty-five years; that he does not want to see the service discontinued, and feels that it is needed by the community.

In reply, Mr. Jenkins, of the railroad, suggested that Mr. Ling and Mr. Schmer should contact merchants in other towns on the Briggsdale branch and arrange for a pool car shipment. He stated that it would be possible to remove part of the carload shipment at Briggsdale and deliver the balance to other points on the line.

Apparently no one objects to the method of handling carload shipments in the event station is closed, which will be by telephone orders to Greeley, Eaton, Galeton, or some other station of the Union Pacific Railroad, as stated in the application.

Upon the whole record, it would appear that the change proposed by the railroad not only is not unreasonable, but probably should be tried as suggested in decision of the Interstate Commerce Commission in Finance Docket No. 13799. If the savings thereby effected are not sufficient to cover operating costs of the Greeley and Pleasant Valley Branches of the railroad, the Commission probably would permit the railroad to renew its application for abandonment, and perhaps would grant it. We appreciate the position of Mr. Schmer and Mr. Ling, but, considering the cost of operating a train into Briggsdale, and the amount of revenues derived from the line, we cannot require the railroad to continue the service. The question, after all, is one of managerial discretion, and under the law, unless the manage-

ment acts arbitrarily in the exercise of its discretion, we cannot interfere with its decision. While some inconvenience may be suffered by receivers of l.c.l. freight, when we weigh, in the alternative, the effect upon the general public interests, as well as the interests of the territory immediately affected by the abandonment of present l.c.l. service, as contrasted with the burden to be placed upon interstate commerce in the event the change is not authorized, we cannot say that the decision of the railroad to substitute "on call" service is arbitrary. Especially is this true in view of the fact that at this time successful prosecution of the War Effort is of paramount importance, and according to the railroad officials, the engine and employees involved can be better used elsewhere to supply service essential to the War Effort and the movement of freight which serves that purpose.

Therefore, after careful consideration of the record, the Commission is of the opinion, and finds, that the Union Pacific Railroad Company should be authorized to substitute "on call" service, as heretofore described, for regular service on the Greeley Branch and the Pleasant Valley Branch of said Union Pacific Railroad Company, in Weld County, Colorado.

O R D E R

IT IS ORDERED:

That Union Pacific Railroad Company be, and it hereby is, authorized to substitute "on call" service, as hereinbefore described, for regular service on the Greeley Branch and the Pleasant Valley Branch of said Union Pacific Railroad Company, in Weld County, Colorado.

This order shall become effective June 15, 1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

W D Thorman

Edward D. O'Guler

Wm Erikson  
Commissioners

Dated at Denver, Colorado,  
this 14th day of June, 1943.

hs

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DOMENIC LEONE, DOING BUSINESS AS )  
"DOMENIC LEONE CONSTRUCTION CO.", )  
818 OAK STREET, TRINIDAD, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS A PRIVATE CARRIER BY MOTOR )  
VEHICLE FOR HIRE. )  
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APPLICATION NO. 6311-PP

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June 15 1943  
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Appearances: Domenic Leone, Trinidad, Colo-  
rado, pro se;  
James Couey, Trinidad, Colorado,  
for Couey Transfer and Storage  
Company;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer and Stor-  
age Company;  
T. A. Stockton, Jr., Esq., Denver,  
for the Colorado Transfer and  
Warehousemen's Association.

S T A T E M E N T

By the Commission:

Domenic Leone, doing business as "Domenic Leone Construction Co.", Trinidad, Colorado, herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of heavy machinery, road and building material and supplies, and equipment therefor, and other kinds of heavy machinery, equipment and supplies, between points in southern Colorado extending north to the El Paso and Douglas County Lines, west to the Continental Divide, and east and south to the Colorado State boundary lines.

The matter was set for hearing, and heard, in Trinidad, Colorado, on April 27, 1943.

It appeared that, for many years, Mr. Leone has been engaged in construction work as a contractor -- chiefly the building of highways and bridges; that, in said operation, it has been necessary for him to acquire heavy trucking and moving equipment, that, among other things,

he has a low bed 20-foot transit trailer, and a highway low bed trailer; that, recently, he has received numerous requests from contractors and others to move commodities requiring the use of that type of equipment; that, in part, this demand for service is due to the fact that operators in Las Animas County do not have low bed equipment. Pople Brothers Construction Company, who had a low bed trailer, sold it to Weicker Transfer and Storage Company about a year ago. He stated that, on several occasions, he has leased his equipment to Pople Brothers for a comparatively small charge to haul a ditcher and other machinery. For instance, he received \$45.00 from Pople Brothers for the use of his truck to haul a ditcher, Trinidad to La Junta. To move the same ditcher, La Junta to Trinidad, Weicker received \$135.00. He did not know what Pople charged the contractor. On account of diminished road construction work, he will have idle equipment on his hands, which could be in use if he had a for-hire permit. His work chiefly would consist of hauling lumber, sand, gravel, cement and materials going into highway bridges and Government camps; that last summer, Weicker, on several occasions, was too busy to haul equipment for contractors, or lacked equipment for that purpose, he, on several occasions, having leased equipment to Weicker.

The application was opposed by numerous call and demand carriers. James R. Couey, manager of Couey Storage and Transfer Company in Trinidad, stated that his concern had not maintained equipment to move ditchers, boilers, and similar commodities, due to the fact that the business available in Las Animas County has been very limited, and Pople Construction Company, a competitor, had specialized in such service, it also being engaged in road and other construction work where equipment could be used to advantage when for-hire transportation jobs were not available; that last summer, on account of construction of a Government camp near Trinidad, he, by lease, had acquired some pole trailers and winch trucks from Weicker Transfer and Storage Company and Cohn Iron and Machinery Company; that he strung 35,000 feet of 8-inch and 16-inch pipe, said pipe being in 40-foot lengths; that he does not know of any business that will be available soon, because the

Government work has ceased; that he is confident he, Pople, Weicker, and other authorized carriers, can care for all demands adequately, and will lend him equipment, if he needs it.

Mr. Fregeau, for Weicker Transfer and Storage Company, stated it was true that during the summer of 1942, notwithstanding Weicker had greatly increased its equipment to the point where it then had in service 31 pieces of heavy equipment, including low beds with capacity up to 70 tons, the company was unable to care for all demands for service immediately; that sometimes a delay of a few days was necessary; that, in addition to its equipment valued at \$500,000.00, it had leased equipment where available from others, including Mr. Leone; that most of this equipment was purchased for Government projects. Government construction work apparently is about over, and Weicker, in common with many other carriers, now has such surplus equipment, which it must maintain in good order to meet demands that may be made upon it, and against which over-head costs, such as taxes, license fees, depreciation, etc., must be charged; that, should demands for use of heavy equipment not owned by Couey and other authorized carriers develop in Las Animas County, or elsewhere, Weicker will be glad to lend the interested carriers the necessary equipment. Mr. Fregeau added that highway construction work, and in fact all construction work requiring the use of heavy materials and equipment, apparently is over for the Duration, unless the Government should decide to do some more building, and that, in his opinion, the carriers cannot lose any business without said loss tending to materially impair the efficiency of their common carrier service.

No testimony was presented to show the need for service in any part of the territory sought to be served by applicant, except Las Animas County and Pueblo.

It would seem that in view of discontinuance of highway building and other construction projects in the State, and the likelihood that such work will not develop until the war is over, it would not be desirable or

proper to authorize additional for-hire transportation service. It is not in the public interest, and in no way will help the War Effort. It is true that there may have been some delay amounting to a few hours, or even a day, in movement of equipment or machinery on a few occasions mentioned by Mr. Leone, but apparently those people would not be regular customers of Mr. Leone if the authority here sought were granted, and the service performed was common carrier service, and if similar business should develop in the State, it would be impossible for him to furnish such service, it being service which should be furnished by a common carrier. When offered, it is possible that some delay again may be occasioned, but every common carrier cannot be expected to maintain all types of equipment ready for immediate service. In Las Animas County, it may be a year or two before a low bed is needed. Pople Brothers Construction Company would not have sold its low bed if enough business had been available to justify retaining it. It is not unreasonable for the carrier to expect that he will be given sufficient notice to arrange to get special equipment from other carriers where business requiring use of such equipment is very limited.

After careful consideration of the record, the Commission is of the opinion, and finds, that the common carrier service in the territory sought to be served by applicant is adequate; that the granting of the authority sought will tend to impair the efficiency of the service of said authorized carriers, and that said application should be denied.

O R D E R

IT IS ORDERED:

That the above-styled application should 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

W. T. D. Sullivan

Edward D. T. Guler

Wm. E. Pitt

Dated at Denver, Colorado  
this 15th day of June, 1943.

hs

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CHRIS WALTERS )  
1400 West 32nd Ave., )  
Denver, Colorado (11) )  
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PRIVATE PERMIT NO. B-2749

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June 16, 1943  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2749 be suspended for an additional period of six months from June 1, 1943.

O R D E R

IT IS ORDERED:

That Chris Walters of 1400 West 32nd Ave., Denver, Colorado be, and he is hereby, authorized to suspend his operations under Permit No. B-2749 for an additional period of six months from June 1, 1943.

That unless said Chris Walters 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

*Henry P. Shawan*  
*Edward H. Green*  
*William E. Johnson*  
Commissioners.

Dated at Denver, Colorado,  
this 16th day of June, 1943.

Original.

(Decision No. 21034)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN GRAVES, FORT LUPTON, COLORADO, )  
FOR AN EXTENSION OF PERMIT B-1138 )  
TO INCLUDE THE TRANSPORTATION OF )  
BUILDING MATERIALS BETWEEN YARDS )  
AND DENVER, AND DELIVERY TO CUSTOMERS )  
WITHIN A RADIUS OF 50 MILES OF FORT )  
LUPTON, AND USED HOUSEHOLD GOODS )  
BETWEEN POINTS WITHIN A RADIUS OF )  
15 MILES OF FORT LUPTON FOR FOSTER )  
LUMBER COMPANY AND BOISE PAYETTE )  
LUMBER COMPANY, ONLY. )  
-----)

APPLICATION NO. 2585-PP-B

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June 16, 1943  
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Appearances: John Graves, Ft. Lupton, Colorado,  
pro se;  
T. A. Stockton, Jr., Esq., Denver,  
Colorado, for the Common Carrier  
Division of The Colorado Motor  
Carriers' Association;  
Arthur Brooks, Jr., Esq., Denver,  
Colorado, for the Colorado Transfer  
and Warehousemen's Association;  
Marion F. Jones, Esq., Denver, Colorado,  
for Willard Britt;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer and Storage  
Company.

S T A T E M E N T

By the Commission:

At the hearing, which was held in Denver, Colorado, on May 19,  
1943, the evidence disclosed that applicant is now the owner of Permit B-1138,  
which authorizes the transportation of:

"Farm products and farm supplies from point to point  
within a radius of ten miles of Fort Lupton, Colorado,  
with occasional hauls of livestock to markets in Denver  
and from farms in the Lupton area to summer pastures."

Applicant owns a 1929 Dodge one-ton truck, and testifying in his  
own behalf, stated that he had been requested by the Foster Lumber Company and  
Boise Payette Lumber Company, not only to make local deliveries for them from  
Fort Lupton, but to haul building materials between their various yards and

Denver; that said companies were not receiving adequate service from established line haul carriers and needed a local trucker to take care of part of their transportation needs. No witness on behalf of said lumber companies appeared at the hearing, although letters from both companies were produced to the effect that their transportation needs required a local trucker.

On behalf of protestants, Mr. Fregeau, for Weicker Transfer and Storage Company, testified that they had no objection to applicant being granted authority to make local deliveries for said companies, but that no need existed for further service along Highway No. 85. He stated that Weicker's northbound truck left Denver at approximately noon and arrived at Fort Lupton between 2:00 and 2:30 P.M.; that no complaints had been made as to the service rendered, and that if any inadequacy did exist, they would be corrected.

It was further developed that applicant had recently been fined in a justice of the peace court for illegally transporting a shipment of drug store supplies from Fort Lupton to Denver.

It is impossible for the Commission to determine the questions involved in these truck applications upon letters only, as the law requires that the shippers shall be present and testify in person so that they may be subjected to cross examination if desired. As the record stands, it is impossible to say that line haul service along Highway No. 85 is inadequate, or at least cannot be made adequate, and the law does not permit us to grant additional authority upon such a record as exists in the instant matter.

No evidence was introduced in opposition to the local deliveries to country points within a radius of fifty miles of Fort Lupton for said lumber companies.

After a careful consideration of the record, the Commission is of the opinion, and so finds, that applicant should be permitted to extend his operations under Permit B-1138 only to the extent hereinafter described.

#### ORDER

It is ordered:

That John Graves, of Fort Lupton, Colorado, be, and he is hereby, authorized to extend his operations under Permit B-1138 to include the trans-

portation of building materials for Foster Lumber Company and Boise Payette Lumber Company, only, between Fort Lupton and country points within a radius of 50 miles thereof, with no town to town service in competition with established common carriers.

The applicant shall not add to his list of customers for the above authorized service without securing authority from the Commission after due notice and hearing.

This order is made a part of the permit granted to applicant.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



1 J J Thomas

Edward D. D. Guelar

Wm. E. Egan

Commissioners

Dated at Denver, Colorado,  
this 16th day of June, 1943.

hs

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
GERALD PORTER, HUDSON, COLORADO, FOR  
A CLASS "B" PERMIT TO OPERATE AS A  
PRIVATE CARRIER BY MOTOR VEHICLE FOR  
HIRE FOR THE TRANSPORTATION OF FARM  
PRODUCE, INCLUDING LIVESTOCK: SAND,  
GRAVEL, LUMBER, CINDER BLOCKS AND  
USED FURNITURE, BETWEEN POINTS  
WITHIN A RADIUS OF 15 MILES OF HUDSON  
AND FROM AND TO POINTS IN SAID AREA  
TO AND FROM POINTS WITHIN A 5-MILE  
RADIUS OF GREELEY, DENVER AND GOLDEN,  
COLORADO; AND COAL FROM THE NORTHERN  
COLORADO COAL FIELDS TO SAID 15-MILE  
RADIUS OF HUDSON, COLORADO.

APPLICATION NO. 6321-PP

-----  
June 18, 1943  
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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;  
Arthur Brooks, Jr., Denver, Colorado,  
for Colorado Transfer and Ware-  
housemen's Association;  
Harold Swena, Golden, Colorado,  
pro se.

S T A T E M E N T

By the Commission:

At the hearing which was held in Denver, Colorado, on May 19,  
1943, no appearance was entered on behalf of applicant, although our  
records disclose that due notice of the time and place of said hearing had  
been mailed to him.

Motion was made that the application be dismissed for failure to  
prosecute.

As the Commission is without any word from the applicant as to why  
he failed to appear, we are of the opinion, and so find, that the motion  
to dismiss should be granted.

ORDER

IT IS ORDERED:

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  
OF THE STATE OF COLORADO

170 Shorman

Edward D. D. D. D.

Maam E. E. E.

Commissioners

Dated at Denver, Colorado,  
this 13th day of June, 1943.

hs

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MYRTLE L. CHAPMAN, LA JUNTA, COLORADO, )  
FOR AN EXTENSION OF PERMIT NO. B-2257 )  
TO INCLUDE THE TRANSPORTATION OF FARM )  
PRODUCTS, INCLUDING LIVESTOCK, FARM )  
MACHINERY AND LUMBER FROM POINT TO )  
POINT WITHIN A RADIUS OF 60 MILES OF )  
LA JUNTA AND FROM AND TO POINTS IN )  
SAID RADIUS TO AND FROM POINTS IN THE )  
STATE OF COLORADO )

APPLICATION NO. 4786-PP-B

-----  
June 18, 1943  
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Appearances: Robert R. Sabin, Esq., La Junta,  
Colorado, for applicant;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer and Storage  
Company, R. S. Thompson, James  
Richardson, Hubbard Transfer &  
Storage Company, and Dallas Transfer  
and Storage Company;  
T. A. Stockton, Jr., Esq., Denver,  
Colorado, by A. J. Fregeau, for The  
Common Carrier Division of the  
Colorado Motor Carriers' Association.

S T A T E M E N T

By the Commission:

Hearing on the above matter was held in La Junta, Colorado, on  
May 21, 1943. The evidence disclosed that applicant is now the owner of  
Permit B-2257, which authorizes the transportation of, -

"(a) loose hay from farms within a radius of 30 miles  
of La Junta to alfalfa mills in said area; (b) farm  
products, excepting livestock, within a radius of 10  
miles of La Junta to storage and shipping points in  
said area."

Applicant restricted the instant application to farm products,  
including livestock, and used farm machinery, and agreed that no town to  
town service would be rendered. It was also stipulated that no pickups  
would be made within a 25-mile radius of Kim, and no deliveries to said  
25-mile area except of livestock and bulk grain.

All objections to the authority sought to transport loose hay, bulk grain and livestock were withdrawn.

The manager of the elevator company at La Junta testified as to the difficulty his company had experienced in getting transportation service for the movement of grain to the elevator.

Applicant's agent stated that she had had numerous requests to perform the service for which she seeks authority and that, in her opinion, the Hubbard Transfer and Storage Company at La Junta could not adequately serve the public.

On behalf of protestants, Earl Hubbard, doing business as Hubbard Transfer and Storage Company, operating under Certificate No. 246 which authorizes the transportation of all commodities in Otero, Bent and Crowley Counties, and from and to said area to and from points outside thereof, including local drayage service in La Junta, testified that he owns seven trucks; that he maintains an office and telephone accommodations at La Junta; that his trucks are idle 35% of the time; that he has been able to handle all business offered to him, although once or twice in emergency matters, he has called upon the common carrier at Rocky Ford to assist him; that 40% of his business consists of local drayage work in La Junta; that in addition to his own service, the Dallas Transfer and Clyde Lenoeker both operate out of La Junta, and the Silvers Truck Service and Jackson Transfer and Storage Company are both located at Rocky Ford; that the granting of further authority in said territory would impair his business and no need existed for same.

The record does not disclose any lack of service other than for the transportation of livestock, bulk grain and loose hay in the La Junta area, and it does disclose affirmatively that the granting of additional authority in said area might impair the service of presently established common carrier operators.

As the law does not permit granting of private permits if, in the opinion of the Commission, the common carrier service might be impaired, we are of the opinion, and so find, after careful consideration of the

record, that applicant's extension should be limited to the transportation of livestock, bulk grain and loose hay.

O R D E R

IT IS ORDERED:

That Mrs. Myrtle L. Chapman, La Junta, Colorado, be, and she is hereby, authorized to extend her operations under Permit B-2257 to include the transportation of loose hay, bulk grain, and livestock, from point to point within a radius of 60 miles of La Junta, and from and to points in said area to and from points in the State of Colorado, save and except that no pickups, except bulk grain, shall be made within a radius of 25 miles of Kim, Colorado, and no deliveries, except of Livestock and bulk grain, shall be made within said 25-mile radius.

This order is made a part of the permit granted to applicant.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

W. D. Shuman

Edward V. O'Connell

Walter E. Evers  
Commissioners

Dated at Denver, Colorado,  
this 18th day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THE WESTERN COLORADO POWER COMPANY )  
AND UTAH POWER & LIGHT COMPANY FOR )  
COMMISSION CONSENT TO AND APPROVAL )  
OF THE TRANSFER OF CERTAIN CERTIFI- )  
CATES OF PUBLIC CONVENIENCE AND NE- )  
CESSITY. )  
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APPLICATIONS NOS. 781-A, 788-A,  
971-A, 1103-AA, 1107-AA, 1257-A,  
1283-AA, 1337-A, 1338-A, 1339-A,  
1935-A, 1684-A, 1752-AA, 1775-A,  
2081-A, 2126-A, 4600-A, 4653-A,  
5127-A, 5475-A.

SUPPLEMENTAL ORDER

-----  
June 18, 1943  
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Appearances: George R. Corey, Esq., Salt Lake  
City, Utah, and  
Moynihan, Hughes and Sherman, Esqs.,  
Montrose, Colorado, for the ap-  
plicants;  
John L. Stivers, Esq., Montrose,  
Colorado, for John L. Burritt, on  
behalf of himself and others  
similarly situated, as protestant.

S T A T E M E N T

By the Commission:

On June 9, 1943, by Decision No. 20996, this Commission authorized the transfer of certain thereindescribed certificates of public convenience and necessity from Western Colorado Power Company to Utah Power and Light Company.

Attorneys for applicants point out that the words "capital reorganization" used in the fifth and fourth lines from the bottom of the Findings, and in the seventh line of the Order, may result in misinterpretation, in that if Electric Power and Light Corporation is compelled to dispose of its holdings in Utah Company, the capital reorganization of Utah Company will not be complete until such is accomplished, and thus the order dated June 9, 1943, would not be effective until such capital reorganization were completed. This was not the intention of the Commission.

The Commission finds that said original order of June 9, 1943, should be amended to conform to the facts, viz.: that the words "capital

reorganization" used in said order as specified above, be deleted, and the words "refunding plan" be substituted therefor in both instances.

The Commission further finds that the word "providence" appearing in the eleventh line of Page 7 of said order should read "province."

O R D E R

IT IS ORDERED:

The words "capital reorganization," as described in the above findings, be deleted, and the words "refunding plan" be substituted therefor, as above set forth, and the word "providence," as above set forth, be amended to read "province."

This supplementary order shall become effective on the effective date of Decision No. 20996.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners

Dated at Denver, Colorado,  
this 18th day of June, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
E. W. WALKER, 2442 WEST BELLVIEW )  
AVENUE, LITTLETON, COLORADO, FOR )  
AUTHORITY TO TRANSFER PERMIT NO. )  
B-1496 TO R. R. SMITH, WRAY, COLO- )  
RADO. )  
-----

APPLICATION NO. 3025-PP-BA

-----  
June 19, 1943  
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Appearances: R. R. Smith, Wray, Colorado,  
pro se.

S T A T E M E N T

By the Commission:

By Decision No. 7513, E. W. Walker was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

farm products, including livestock, to Wray and Denver from points in the area around Wray, Colorado, extending south to Idalia, north to the township line between Townships 4-North and 5-North, west to Yuma and east to the State line, with back-haul of coal from the northern Colorado coal fields, cement from Boettcher, to points in said area and farm supplies (including coal), from Wray to points in said area.

By Decision No. 12546, said authority was extended to include the right to transport:

ice from Sterling to Wray, Colorado.

He now seeks authority to transfer said permit to R. R. Smith, Wray, Colorado.

At the hearing, in Denver, Colorado, on June 10, 1943, it appeared that there are no outstanding unpaid debts against said operations; that the consideration for the transfer of said permit and a truck is the

sum of \$1,200.00, the truck being valued at about \$900.00; that transferee, pecuniarily and otherwise, is able and qualified to carry on the proposed operation.

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

O R D E R

IT IS ORDERED:

That E. W. Walker, Littleton, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to Permit No. B-1496 to R. R. Smith, Wray, 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 the 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

W. D. Shuman

Edward D. Walker

Wm. Ericson  
Commissioners

Dated at Denver, Colorado,  
this 19th day of June, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LLOYD ALLEN, LOVELAND, COLORADO, )  
FOR AUTHORITY TO TRANSFER A PORTION )  
OF PUC NO. 498 TO CHESTER D. APGAR, )  
JR., LOVELAND, COLORADO. )  
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APPLICATION NO. 711-AB-AA-A

-----  
June 19, 1943  
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Appearances: Chester D. Apgar, Jr., Love-  
land, Colorado, pro se.

S T A T E M E N T

By the Commission:

Lloyd Allen, who operates under PUC No. 498, herein seeks authority to transfer the operating rights which he acquired from Luther Fincher (PUC No. 226) to operate as a "motor vehicle carrier" for hire for the transportation of:

express between the City of Loveland and the Town of Estes Park, via the Big Thompson River proper, and the north fork thereof, with the right to serve all intermediate points (Decision No. 1404), and freight between Loveland and points within a radius of five and one-half miles of the Village of Estes Park (Decision No. 15224),

to Chester D. Apgar, Jr., Loveland, Colorado.

At the hearing, in Denver, Colorado, on June 10, 1943, it appeared that the consideration for the transfer is the sum of \$50.00; that there are no outstanding unpaid operating obligations against said operation, except a small amount of ton-mile tax, which transferor will pay.

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

After careful consideration of the record, the Commission is of the opinion, and finds, that the authority sought should be granted, and that said operation, as conducted by transferee, shall be given the number "PUC No. 226."

O R D E R

IT IS ORDERED:

That Lloyd Allen, Loveland, Colorado, be, and he hereby is, authorized to transfer that portion of his certificate of public convenience and necessity (PUC No. 498) authorizing the transportation of:

express between the City of Loveland and the Town of Estes Park, via the Big Thompson River proper, and the north fork thereof, with the right to serve all intermediate points, and freight between Loveland and points within a radius of five and one-half miles of the Village of Estes Park,

to Chester D. Apgar, Jr., Loveland, Colorado, subject to conditions, if any, imposed by the Commission restricting said authority.

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 transferred authority, as conducted by transferee, shall be operated under the number "PUC 226."

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

L. D. Shuman

Edward D. Decker

Wm. E. Eason  
Commissioners

Dated at Denver, Colorado,  
this 19th day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
BYRON T. KNOWLES, ROUTE 1, BOX 30, )  
GOLDEN, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 6334-PP

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June 19, 1943  
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Appearances: Byron T. Knowles, Golden,  
Colorado, pro se;  
T. A. Stockton, Jr., Esq.,  
Denver, Colorado, for  
Gurnow Livery and Trans-  
fer Company, Swena Trans-  
fer Company.

S T A T E M E N T

By the Commission:

As limited by the testimony offered at the hearing, in Denver, Colorado, on June 10, 1943, applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of loose hay and livestock between points within a radius of twenty-five miles of Golden; poles and fence posts from mills in the vicinity of Pine Cliff to points in said area; coal from mines in the northern Colorado coal fields to points within a radius of five miles of Golden, without the right to engage in any transportation service between or from or to points in Clear Creek County, or to transport livestock to the Denver Union Stockyards.

It also appeared that applicant, for a number of years, has been operating a dairy; that he recently disposed of the dairy, and now wants to engage in the truck service mentioned; that most of the hay will be hauled to dairies located around Golden, and as far south as Morrison; that he has some pasture land in Golden Gate Canyon, and occasionally moves a cow or two from a dairy to the pasture and return, and handles stock in

small numbers to and from sales rings in said twenty-five-mile radius -- excluding service in Clear Creek County -- to or from farms and dairies in the same area; that he does not desire to haul livestock to the stockyards in Denver.

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

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

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

#### O R D E R

##### IT IS ORDERED:

That Byron T. Knowles, Golden, Colorado, 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 livestock between points within a radius of twenty-five miles of Golden; poles and fence posts from mills in the vicinity of Pine Cliff to points in said area; coal from mines in the northern Colorado coal fields to points within a radius of five miles of Golden; without the right to engage in any transportation service between or from or to points in Clear Creek County, or to transport livestock to the Denver Union Stockyards.

All operation 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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

W.D. Shuman

Edward D. T. Tessler

Wm. E. Thurn  
Commissioners

Dated at Denver, Colorado,  
this 19th day of June, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
E. WILLIAMS AND V. WILLIAMS, SALIDA, )  
COLORADO, FOR AUTHORITY TO EXTEND )  
THEIR OPERATIONS UNDER PERMIT NO. )  
A-2589. )  
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APPLICATION NO. 5294-PP-BB-B

-----  
June 19, 1943  
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S T A T E M E N T

By the Commission:

On May 9, 1943, applicants above named asked the Commission to cancel that part of their authority under Permit No. A-2589 which authorizes the transportation of:

"coal from Grassy Creek Mine to Mount Harris, Colorado; coal from Sleepy Cat Mine seven miles south of Hayden, to Hayden; coal from mine of Champion Fuel, Inc., two and one-half miles north of Mount Harris, to Mount Harris; coal from Crowbar Mine, six miles south of Hayden, to Hayden; and coal from the Hammond Mine, four miles north of Mount Harris, to Mount Harris."

On May 20, 1943, they filed application for an extension of their authority under said Permit No. A-2589 to include the right to transport ore to Kramer Mill, located about eleven miles northwest of Salida, from Kramer Mines, situated within a radius of fifty miles of said mill; ore and concentrates from said mines and mill to railroad loading points in said area; mine and mill supplies (lumber, rails, pit cars, balls, etc.) from points in said fifty-mile radius to said mill and to said Kramer Mines.

Inasmuch as a number of permits, from time to time, have been granted in the past for service to or from the Kramer Mines without objection by carriers serving points in said vicinity, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein, and from consideration thereof, is of the opinion, and finds, that the extension sought should be granted, with

the proviso that if any carrier authorized to serve said territory desires to object to the granting of said extension, it may file written objections within a period of thirty (30) days from the date hereof, in which event said matter will be set for hearing as to that part of the authority granted to which objection is filed. Also, since the operations under said extension are those of a Class "B" private carrier, said permit, hereafter, shall be known as "Permit No. B-2589," instead of "Permit No. A-2589."

#### O R D E R

##### IT IS ORDERED:

That the authority heretofore granted C. Williams and V. Williams, Salida, Colorado, under their Permit No. A-2589, authorizing the transportation of coal:

from Grassy Creek Mine to Mount Harris; from Sleepy Cat Mine, seven miles south of Hayden, to Hayden; from mine of Champion Fuel, Inc., two and one-half miles north of Mount Harris, to Mount Harris; from Crowbar Mine, six miles south of Hayden, to Hayden; from the Hammond Mine, four miles north of Mount Harris, to Mount Harris,

be, and the same hereby is, cancelled.

That C. Williams and V. Williams be, and they hereby are, authorized to extend their operations under said Permit No. A-2589 to include the right to transport ore to Kramer Mill, located about eleven miles northwest of Salida, from Kramer Mines, situated within a radius of fifty miles of said mill; ore and concentrates from said mines and mill to railroad loading points in said area; mine and mill supplies (lumber, rails, pit cars, balls, etc.) from points in said fifty-mile radius to said mill and to said Kramer Mines.

Said authority is subject to the objections of any competing carrier; that if said carrier shall file objections to the granting of said authority, or any part thereof, within thirty (30) days from the date hereof, said matter shall be set for hearing upon said application and said objections, and to that end jurisdiction in the premises is retained by the Commission to make such further order or orders as to the Commission may seem proper.

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

That said permit, in the future, shall be known as "Permit No.  
B-2589."

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

L. D. Shuman

Edward E. D. D.

Wm. E. E.  
Commissioners

Dated at Denver, Colorado,  
this 19th day of June, 1943.

EW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
S. F. RENAUD, 6598 MORRISON ROAD, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE CARRIER )  
BY MOTOR VEHICLE FOR HIRE FOR THE )  
TRANSPORTATION OF BULK GRAIN AND PRE- )  
PARED FEEDS AND USED MACHINERY BETWEEN )  
POINTS WITHIN A RADIUS OF 150 MILES OF )  
DENVER. (NO TOWN TO TOWN SERVICE) )  
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APPLICATION NO. 5278-PPBBB

-----  
June 19, 1943  
-----

Appearances: S. F. Renaud, 6598 Morrison Road,  
Denver, Colorado, pro se;  
W. J. Browning, c/o Montgomery  
Ward & Co., Denver, Colorado,  
for applicant;  
T. A. Stockton, Jr., Esq., Denver,  
Colorado for E. F. Anderson,  
Yuma County Transfer, Curnow  
Livery & Transfer Co., Swena  
Express, Gilpin Co. Bus &  
Freight Line, and Grand County  
Transportation Co.  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer & Storage  
Company;  
Arthur Brooks, Jr., Esq., Denver,  
Colorado, for the Colorado Transfer  
and Warehousemen's Association.  
Marion F. Jones, Esq., Denver, for  
Willard Britt, and Gately Motor Co.

S T A T E M E N T

By the Commission:

At the hearing, which was held in Denver on May 19, 1943, it developed that applicant, in Application No. 5278-PP, Decision 14711, was granted a Class "B" permit authorizing:

"the transportation of coal from mines in the northern Colorado coal fields to Denver and points within a radius of five miles thereof; loose hay and bulk grain between points within the area extending to Broomfield on the north, Littleton on the south, Keenesburg on the east, and Idaho Springs on the west."

Thereafter, on December 13, 1940, Decision No. 16265, he was authorized to extend his operations under said permit to include:

"The transportation of farm machinery for one customer, only, namely, Montgomery Ward and Company, Denver, Colorado, between points within a radius of fifty miles of Denver, Colorado, and to points outside thereof when said Company is required to make deliveries to points outside of the fifty-mile radius; and the transportation back or return of used or trade-in machinery from farms to the warehouse of Montgomery Ward and Company, or to points within the fifty-mile radius around Denver, as directed by Montgomery Ward and Company; provided, however, that this service is limited to the transportation of farm machinery being delivered by Montgomery Ward and Company to farmers, and a service such as assembling or setting up of same at the farm, is rendered in addition to the transportation thereof, and that no authority is granted to render a scheduled service between towns in competition with scheduled carriers serving within the area here authorized to be served."

Thereafter, on April 11, 1941, Decision 16951, he was authorized to extend his operations under said permit to include the transportation of sand, gravel, rock and road surfacing materials from pits and supply points within a radius of five miles of Denver, to points within a radius of 50 miles of Denver.

At the hearing, protestants advised that they had no objection to the additional authority sought for the transportation of bulk grain, but protests were introduced to the granting of authority for the transportation of prepared feeds and used machinery.

Testifying in his own behalf, applicant stated that he had had at least 50 requests from neighbors living within 25 miles of him to transport farm machinery for them; that a machinery dealer living on the Morrison Road also had requested him to transport machinery; that these hauls would consist of bringing in the machinery for repairs or movements between farms, and transporting the machinery back after same was repaired; that his Montgomery Ward business had been falling off since the spring of 1942 and that was one reason why he was seeking this additional authority; that he had the equipment available for such additional service.

Mr. Browning, the manager of the farm store department of Montgomery Ward & Company, testified that they were interested only in the transportation of prepared feeds, which was a new department for Montgomery Ward and one which they expected to increase immediately; that the feed would be packed in 100-pound lots, and they felt a special delivery service was necessary and doubted whether established line haul carriers could properly meet their demands in this regard.

On behalf of protestants, the Denver manager of the Yuma Transportation Company testified that said company had ten trucks and operate daily into Denver from points in Yuma County; that they kept four trucks in Denver all the time and could give Montgomery Ward & Company adequate line haul service for points which they are authorized to serve.

Mr. Anderson, who has authority in Washington County, gave somewhat similar testimony. Mr. Swena, of Golden, who operates a common carrier service within a 25-mile radius of Golden, as well as a line haul service between Denver and Golden, testified that he could handle prepared feeds to all points west out of Denver, that he does haul prepared feeds now for the Golden mill and the Superior Company; that he also handles lots of used machinery along the Morrison Road, and that his authority covers not only the 25-mile radius, but from and to points outside thereof.

The certificates of the Gately Motor Company, Willard Britt, and South Park Transportation Company were made part of the instant record.

The record does not disclose that any inadequacy of shipping facilities exists for the movement of prepared feeds and used machinery. It is true that Montgomery Ward & Company might find it more convenient to have a special carrier for the transportation of their prepared feeds, but in view of the existing available service, we do not believe the Commission would be justified, upon the record as made, in granting new and additional service. War demands require that all existing service should be utilized to the fullest extent, and if every large shipper is granted the right to have some individual and special for hire carrier service, the volume of freight that would be available for established carrier service might soon be materially reduced. Certainly, it is of more importance to retain existing common carrier service available to all shippers than to keep on granting private carrier permits that must, of necessity, reduce the volume of traffic available for line haul carriers.

After careful consideration of the record, the Commission is of the opinion, and so finds, that applicant should be permitted to extend his operations to cover the transportation of bulk grain, but that in other respects said application should be denied.

ORDER

IT IS ORDERED:

That S. F. Renaud should be, and he hereby is, authorized to extend his operations under Permit B-2482 to include the transportation of bulk grain between points within a radius of 150 miles of Denver.

That said application in all other respects be, and the same is hereby denied.

This order is made a part of the permit granted to applicant.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

This authority shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

W. D. Shuman

Edward J. Wheeler

Walter E. Quinn

Commissioners

Dated at Denver, Colorado,  
this 19th day of June, 1943.

hs

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF	)	
LOUISE B. HAMMOND, DOING BUSI-	)	
NESS AS "HAMMOND AUTO LIVERY,"	)	<u>PUC NO. 696</u>
COLORADO SPRINGS, COLORADO.	)	
-----		

-----  
June 19, 1943  
-----

S T A T E M E N T

By the Commission:

On September 30, 1941, by Decision No. 17725, Certificate No. 696 was suspended for a period expiring June 1, 1942.

No further action was taken in said matter, and said certificate became automatically revoked for failure to reinstate during said suspension period.

Request has been made to reinstate said certificate and extend the suspension thereof. In support of said request, the Commission has been furnished with copy of a letter said to have been written to the Commission under date of April 27, 1942, by Miss Barbara Hammond, daughter of Mrs. Louise B. Hammond, the present owner of said certificate, stating that her mother was quite ill, and would be unable to operate the certificate, and requesting another suspension for the year 1942. The original of this letter does not appear in the files. It is quite possible said letter became lost en route, and due to war conditions, we know it was questionable how much sightseeing business would develop in Colorado Springs in the summer of 1942, and all such operations were stopped by order of the O.D.T. in September, 1942.

Considering all facts in connection with this matter, including the illness of Mrs. Hammond, the Commission is of the opinion, and so finds, that Certificate No. 696 should be reinstated and operations again suspended until such time as same may again be lawfully resumed.

O R D E R

IT IS ORDERED:

That Certificate No. 696 is hereby reinstated, effective as of June 1, 1942.

That Louise B. Hammond, doing business as "Hammond Auto Livery," be, and she is hereby, permitted to suspend operations under PUC 696 for the period from June 1, 1942, until such time as legal operations under said certificate may again be commenced and for a period of thirty days thereafter.

That unless Louise B. Hammond, doing business as "Hammond Auto Livery," 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 this Commission applicable to common carrier 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

L. T. Thomsen

Edward D. T. Seeler

Walter E. Egan  
Commissioners

Dated at Denver, Colorado,  
this 19th day of June, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
)  
CORA DeFRANCE FORSTER )  
Route 1 )  
Berthoud, Colorado )  
-----)

PERMIT NO. C-8713

-----  
June 19, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Cora DeFrance Forster of Route 1 Berthoud, Colorado,  
-----, requesting that his Permit No. C-8713 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-8713, heretofore issued to Cora DeFrance Forster of Route 1, Berthoud, Colorado be, and the same is hereby, declared cancelled effective May 30, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shaw*  
*Edward E. Wheeler*  
*Malcom Erickson*

Commissioners.

Dated at Denver, Colorado,

this 19th day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

GEORGE A. FIDLER )  
654 Marine St., )  
Boulder, Colorado )  
..... )

PERMIT NO. C-9798

.....  
June 19, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
George A. Fidler ..... of 654 Marine St., Boulder, Colorado,  
requesting that his Permit No. C-9798 ..... be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-9798, heretofore issued  
to George A. Fidler of 654 Marine St., Boulder, Colorado ..... be,  
and the same is hereby, declared cancelled effective May 19, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shuman*  
*Edward E. Wheeler*  
*Malcom Erickson*  
.....

Commissioners.

Dated at Denver, Colorado,

this 19th day of June, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
JOE L. SPARKS )  
2604 Mapleton Ave., )  
Boulder, Colorado )  
----- )

PERMIT NO. C-13174

-----  
June 19, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Joe L. Sparks of 2604 Mapleton Ave., Boulder, Colorado,  
requesting that his Permit No. C-13174 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13174, heretofore issued  
to Joe L. Sparks of 2604 Mapleton Ave., Boulder, Colorado be,  
and the same is hereby, declared cancelled effective June 10, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Brown*  
-----  
*Edward J. Wheeler*  
-----  
*Malcolm Erickson*  
-----  
Commissioners.

Dated at Denver, Colorado,

this 19th day of June, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
WILLARD HUBBS )  
Strasburg, Colorado )  
 )  
 )  
 )

PERMIT NO. C-13453

June 19, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Willard Hubbs ..... of Strasburg, Colorado ,  
requesting that his Permit No. C-13453 ..... be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13453 , heretofore issued  
to Willard Hubbs of Strasburg, Colorado ..... be,  
and the same is hereby, declared cancelled effective June 7, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Sherman*  
*Edward E. Wheeler*  
*Malcom Erickson*

Commissioners.

Dated at Denver, Colorado,

this 19th day of June, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

F. J. CORRIGAN )  
2771 W. Short Place )  
Denver, Colorado (4) )  
..... )

PERMIT NO. C-13900

.....  
June 19, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
F. J. Corrigan of 2771 W. Short Place Denver, Colorado (4)  
requesting that his Permit No. C-13900 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13900, heretofore issued  
to F. J. Corrigan of 2771 W. Short Place, Denver, Colorado (4) be,  
and the same is hereby, declared cancelled effective May 21, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shuman*  
.....  
*Edward D. Buckley*  
.....  
*Malcom Erickson*  
.....

Commissioners.

Dated at Denver, Colorado,

this 19th day of June, 1943

(Decision No. 21049 )

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
R. F. BALDWIN )  
Elbert, Colorado )  
 )  
 )  
 )

PERMIT NO. C-5932

June 19, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
R. F. Baldwin of Elbert, Colorado,  
requesting that his Permit No. C-5932 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-5932, heretofore issued  
to R. F. Baldwin of Elbert, Colorado be,  
and the same is hereby, declared cancelled effective June 10, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. [Signature]*  
*Edward [Signature]*  
*Malcolm Erickson*  
Commissioners.

Dated at Denver, Colorado,

this 19th day of June, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

R. F. BALDWIN  
Elbert, Colorado

P U C  
~~RECEIVED~~ NO. 878

**June 19, 1943**

# STATEMENT

By the Commission:

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

R. F. Baldwin of Elbert Colorado

P U C

requesting that his ~~Permit~~ No. 878 be cancelled.

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

# ORDER

**P U C**

IT IS THEREFORE ORDERED, That ~~Patent~~ No. 878, heretofore issued to R. F. Baldwin of Elbert, Colorado be, and the same is hereby, declared cancelled effective June 10, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry D. Shuman

James O. Wheeler

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 19th day of June, 19 43

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
)  
GUS CARLSON )  
Route 3, Box 157 )  
Golden, Colorado )  
.....)

PERMIT NO. B-2818

.....  
June 19, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Gus Carlson ..... of Route 3, Box 157 Golden, Colorado  
requesting that his Permit No. B-2818 ..... be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-2818 ....., heretofore issued  
to Gus Carlson of Route 3, Box 157, Golden, Colorado ..... be,  
and the same is hereby, declared cancelled effective June 8, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shuman*  
.....  
*Edward E. Wheeler*  
.....  
*Malcom Erickson*  
.....  
Commissioners.

Dated at Denver, Colorado,

this 19th day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
WATSON MEMORIAL COMPANY )  
7245 E. Alameda Ave., )  
Denver, Colorado )  
----- )

PERMIT NO. B-1083

-----  
June 19, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Watson Memorial Company of 7245 E. Alameda Ave., Denver, Colorado  
requesting that his Permit No. B-1083 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-1083, heretofore issued  
to Watson Memorial Company of 7245 E. Alameda Ave., Denver, Colorado be,  
and the same is hereby, declared cancelled effective June 12, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry S. Shuman*  
-----  
*Donald E. Decker*  
-----  
*Malcolm Erickson*  
-----  
Commissioners.

Dated at Denver, Colorado,

this 19th day of June, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
FLORENZ S. ORDELHEIDE, 518 N. CUSTER )  
STREET, COLORADO SPRINGS, COLORADO, )  
FOR A CERTIFICATE OF PUBLIC CON- )  
VENIENCE AND NECESSITY AUTHORIZING A )  
TAXICAB SERVICE FOR THE TRANSPORTA- )  
TION OF PASSENGERS BETWEEN COLORADO )  
SPRINGS AND CAMP CARSON AND PETERSON )  
FIELD. )

APPLICATION NO. 6283

-----  
IN THE MATTER OF THE TAXI OPERATIONS )  
CONDUCTED BY HOLDERS OF CERTIFICATES )  
OF PUBLIC CONVENIENCE AND NECESSITY )  
AUTHORIZING SIGHTSEEING OPERATIONS )  
IN AND AROUND COLORADO SPRINGS, COLO- )  
RADO, TO-WIT: ANTLERS LIVERY AND )  
TAXICAB COMPANY AND WALTER COLBURN, )  
ET AL. )

APPLICATIONS NOS. 753. et al.

-----  
IN THE MATTER OF THE TAXI OPERATIONS )  
CONDUCTED BY HOLDERS OF CERTIFICATES )  
OF PUBLIC CONVENIENCE AND NECESSITY )  
AUTHORIZING SIGHTSEEING OPERATIONS IN )  
AND AROUND COLORADO SPRINGS, COLORADO, )  
TO-WIT, PIKES PEAK AUTO LIVERY, ET AL.)

APPLICATIONS NOS. 736, 555 AA  
614-A, 777-AA

-----  
June 23, 1943.  
-----

Appearances: Frank Moberly, Esq., Colorado Springs,  
Colorado, for Florenz S. Ordelheide,  
Applicant in application No. 6283;  
Marion F. Jones, Esq., Denver, Colorado,  
for Cleo L. Starks, Ed Tarman, D. L.  
Snouffer and D. T. Thompson;  
Truman A. Stockton, Jr., Esq., Denver,  
Colorado, for Antlers Livery and  
Taxicab Company, Walter Colburn,  
Individual, and Pikes Peak Auto Livery;  
Strachan and Horn, Esqs., Colorado  
Springs, Colorado, for Colorado Springs  
Bus Company;  
J. A. Carruthers, Esq., Colorado Springs,  
Colorado, for Yellow Cab Company;  
Ben S. Wendelken, Esq., Colorado Springs,  
Colorado, for City of Colorado Springs.

The above matters, which were heard at Colorado Springs on March 17, 1943, were, by stipulation, consolidated for the purpose of hearing.

In Application No. 6283, applicant seeks a new certificate authorizing a taxicab service for the transportation of passengers and their hand baggage between Colorado Springs and Camp Carson, and between Colorado Springs and Peterson Field.

In Applications Nos. 753, et al, Antlers Livery and Taxicab Company and Walter Colburn, doing business as Colburn Motor Tours, and in Applications 736, et al., Pikes Peak Auto Livery, seek to have the authority granted to them in Decisions Nos. 15523 and 17012 amended so that they may furnish taxi service to Camp Carson and Peterson Field from and to Colorado Springs and Manitou in the case of Pikes Peak Auto Livery, and from and to Camp Carson and Peterson Field to and from Colorado Springs in the case of Antlers Livery and Taxicab Company and Walter Colburn, doing business as Colburn Motor Tours, with rates applicable from Colorado Springs as follows:

"35¢ per passenger, subject to a minimum car charge of \$1.50 for one-way service, and a waiting charge for the purpose of assembling a full car at the rate of 25 cents for each 15 minutes after the first 15 minutes of waiting time, which shall be without charge."

At the hearing, the evidence disclosed that applicant Ordeltelheide was willing that any certificate granted to him should be limited to the two cars which he was at that time authorized by the Office of Defense Transportation to operate. These two cars are one 1937 Cadillac and one 1937 Plymouth.

Applicant Colburn was willing that any authority granted to him and Antlers Livery & Taxicab Company (which he is also operating) be limited to the operation of five 8-passenger limousines and one 12-passenger coach, all of which have been cleared through the Office of Defense Transportation for such service.

Applicant Pikes Peak Auto Livery agreed to be limited to the operation of ten cars under any authority granted herein, which is the number it has cleared through ODT.

All of said applicants agreed to be bound by the restriction that

their cars be permanently marked with the word "Taxi" on each side thereof and the certificate number under which it is operating, and further stipulated that they would abide by the restriction that all taxicab service in Colorado Springs would be to and from a fixed terminal to be designated by the City Council of Colorado Springs.

Counsel for Yellow Cab Company and Colorado Springs Bus Company state that his clients had no objections to the granting of the authority sought in the instant applications, provided the above restrictions were contained in the order granting same.

All applicants stated that they desired to increase the presently established minimum of \$1.50 to \$2.00.

The Major in charge of transportation at Camp Carson testified that if any change was made in the presently established rate schedule, cabs would not be permitted to enter the camps; that lots of overloading existed at the present time in all cars; that he felt that each cab should be required to carry a sign inside the cab showing what the legal load limit was, as well as the legal fares; that at the present time, three places are designated at Camp Carson where pickups can be made; that these could be increased to twenty-four.

The testimony as to the public convenience and necessity existing for additional authority between Colorado Springs and said army camps, which was given in Application No. 6229, Victory Cab Service, was made part of the instant record. Additional testimony was also given as to the continuing need for further service.

The application as filed by Pikes Peak Auto Livery seeks authority to serve said camps from Manitou Springs as well as Colorado Springs. However, at the hearing, Mr. Shabouh testified that that portion of the application could be disregarded, as he was only seeking authority from Colorado Springs in the instant matter.

Mr. Jones, representing some of the applicants in the Victory Cab application, objected to permanent markings on the cabs.

At the close of the hearing, it was suggested to the Commission that the operators and the army authorities might be able to agree upon the question of some change in the existing rates. However, the Commission has never been advised that such an agreement has been consummated.

The record, as a whole, discloses the need for additional service between Colorado Springs and both of said army camps. While in Application No. 6283, applicant is seeking a new and additional certificate, we believe it would be better to consider said application upon the same basis that the other two are filed, namely, an amendment to their so-called "auto livery service", permitting this taxicab service from Colorado Springs upon certain prescribed rates. It appears that applicant Florenz S. Ordelheide has heretofore been authorized to operate one of the so-called auto livery services.

In our opinion, the record justifies the imposing of such restrictions upon these operations as will tend to help in the policing of same and will fully advise the public of the nature of the operations being performed by certain cabs.

After careful consideration of the record, the Commission is of the opinion, and so finds, that, as hereinafter limited, the authority sought should be granted, limited to the duration of the war and three months thereafter.

#### O R D E R

##### IT IS ORDERED:

That the public convenience and necessity requires the amendment of Decisions Nos. 15523 and 17012 to authorize Florenz S. Ordelheide, Walter Colburn, doing business as "Colburn Motor Tours", Antlers Livery & Taxicab Company, and Pikes Peak Auto Livery, to transport passengers between Colorado Springs and Camp Carson, and Colorado Springs and Peterson Field, subject to the following conditions:

(a) The operations herein authorized are only for the duration of the war and three months thereafter, unless upon proper showing prior to expiration of said period we find public convenience and necessity require

further service.

(b) All operations by Florenz S. Ordelheide under the authority herein granted shall be limited to the operation of the two cars now authorized to be operated by applicant by the Office of Defense Transportation; the operations of Walter Colburn, doing business as "Colburn Motor Tours", and Antlers Livery & Taxicab Company under the authority herein granted shall be limited to the operation of the six cars now authorized by the Office of Defense Transportation; the operations of Pikes Peak Auto Livery to be limited to the operation of the ten cars authorized by the Office of Defense Transportation.

(c) All cars operated under the authority herein granted shall obtain all necessary licenses required by the City of Colorado Springs.

(d) All cars used under this authority shall be permanently marked with the word "Taxi" on each side thereof, and each and every car operated hereunder shall carry inside of said car in a conspicuous place a statement of the legal load limit and the legal fares that may be charged between Colorado Springs and Camp Carson and Peterson Field.

(e) Each car operated hereunder shall be limited to 5, 7, 8, or 12 passengers, exclusive of the driver, depending on the ordinary and reasonable carrying capacity of the car, and no additional seats shall be installed for the purpose of carrying extra passengers.

(f) The service authorized to be performed hereunder shall be upon the following rates:

35¢ per passenger, subject to a minimum car charge of \$1.50 for one-way service, and a waiting charge for the purpose of assembling a full car at the rate of 25 cents for each 15 minutes after the first 15 minutes of waiting time, which shall be without charge.

IT IS FURTHER ORDERED, That applicants are authorized to publish and place such rates in effect on less than thirty days notice, to-wit, one day's notice as provided by the Public Utilities Act.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*[Signature]*  
*[Signature]*  
*[Signature]*  
Commissioners.

Dated at Denver, Colorado,  
this 23rd day of June, 1943.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
V. H. JORGENSEN, BOX 152, ROUTE 5, )  
HIGHLAND STATION, DENVER, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS A PRIVATE CARRIER BY MOTOR VE- )  
HICLE FOR HIRE. )  
-----

APPLICATION NO. 6355-PP

-----  
June 21, 1943  
-----

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado within a radius of fifty miles of Denver, to jobs within said area, 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That V. H. Jorgensen, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado within a radius of fifty miles of Denver, to jobs within said area, 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 this Commission.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
W. D. Roman

Edward D. Decker

Wm. E. Eason  
Commissioners

Dated at Denver, Colorado,  
this 21st day of June, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
R. A. GIRARDOT, 800 MARIPOSA ST., )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 6356-PP

-----  
June 21, 1943  
-----

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of 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.

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

O R D E R

IT IS ORDERED:

That R. A. Girardot, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other 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.

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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
W.D. Shuman

Edward D. D. Geller

Michael Epifanio  
Commissioners

Dated at Denver, Colorado,  
this 21st day of June, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
SAM DEINES, 3847 FOX STREET, DENVER, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 6357-PP

-----  
June 21, 1943  
-----

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of 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, 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

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

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

W. D. Thorman

Edward D. D. D. D.

Wm. E. E. E.

Commissioners

Dated at Denver, Colorado,  
this 21st day of June, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
AUDREN COSBY, 1401 SOUTH KNOX COURT, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 6358-PP

-----  
June 21, 1943  
-----

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of 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 the Denver area.

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

O R D E R

IT IS ORDERED:

That Audren Cosby, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other 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 the Denver 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 this Commission.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

L. D. Sherman

Edward D. U. Guler

Maureen E. Quinn  
Commissioners

Dated at Denver, Colorado,  
this 21st day of June, 1943.

EW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
F. TEEL ADAIR AND HAROLD ADAIR, )  
CASTLE ROCK, COLORADO, FOR AUTHOR- )  
ITY TO TRANSFER THE REMAINING POR- )  
TION OF PERMIT NO. A-529 TO W. I. )  
GENTRY, CASTLE ROCK, COLORADO. )

APPLICATION NO. 2672-PP-AB-A

June 21, 1943

Appearances: F. Teel Adair and  
Harold Adair, Castle Rock,  
Colorado, pro se;  
W. I. Gentry, Castle Rock,  
Colorado, pro se;  
A. J. Fregeau, Denver, Colo-  
rado, for Weicker Trans-  
fer and Storage Company;  
T. A. Stockton, Jr., Esq.,  
Denver, Colorado, for the  
Common Carrier Division  
of The Colorado Motor  
Carriers' Association.

S T A T E M E N T

By the Commission:

On December 3, 1935, by Decision No. 6874, F. Teel Adair and  
Harold Adair were authorized to acquire Permit No. A-529, with authority  
to transport:

milk from Larkspur and vicinity to Denver,  
Colorado, with back-haul of small articles  
of freight for the Larkspur Garage from  
Denver.

They now seek authority to transfer said permit and the operat-  
ing right aforesaid to W. I. Gentry, Castle Rock, Colorado.

At the hearing, in Denver, Colorado, on June 14, 1943, it ap-  
peared that the consideration for the transfer of said permit and a num-  
ber of pieces of equipment is the sum of \$4,900.00; that transferee, for  
a number of months, has worked for transferers, and is familiar with the  
operation; that, pecuniarily and otherwise, he is qualified to conduct the  
truck line.

It also appeared that the transfer, if authorized, is to be effective August 1, 1943, and that ten-mile tax deposit is to be transferred to the account of purchaser.

After careful consideration of the record, the Commission is of the opinion, and finds, that the authority sought should be granted.

O R D E R

IT IS ORDERED:

That F. Teel Adair and Harold Adair, Castle Rock, Colorado, be, and they hereby are, authorized to transfer all their right, title and interest in Permit No. A-529, authorizing the transportation of:

milk from Larkspur and vicinity to Denver, Colorado, with back-haul of small articles of freight for the Larkspur Garage from Denver,

to W. I. Gentry, Castle Rock, 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.

That said transfer shall become effective August 1, 1943.

That ten-mile tax deposit on deposit with the Commission be transferred from account of transferors to account of transferee.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

170 Shuman

Edward D. O'Sullivan

Malcolm E. Eason  
Commissioners

Dated at Denver, Colorado,  
this 21st day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOE HEPPBERGER, DOING BUSINESS )  
AS "GILPIN COUNTY BUS AND )  
FREIGHT LINE," BLACKHAWK, )  
COLORADO. )  
-----

PUC NO. 1127

-----  
June 21, 1943  
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S T A T E M E N T

By the Commission:

The Commission has been requested by Joe Heppberger, doing business as "Gilpin County Bus and Freight Line," Blackhawk, Colorado, PUC No. 1127, for authority to suspend his daily bus service between Central City, Colorado, and Russell Gulch, Colorado, and his schedule to Denver from Central City on Saturday evening, and from Denver to Central City on Sunday morning, and to substitute therefor "on call" service between Central City and Russell Gulch, regular seven-days-a-week service, as otherwise scheduled, to be maintained between Central City and Denver, Colorado.

He stated as justification for said request that postoffice and store at Russell Gulch have been closed; that, in addition to passengers, he also transported freight and newspapers between Central City and Russell Gulch; that residents of Russell Gulch secured their mail in Central City; that passenger business is very light, and does not justify continuance of the operation under O.D.T. regulations and during the present Emergency; that during the months of April and May, 1943, a total of eight passengers were transported on Saturday evening and Sunday morning bus schedules; that petitioner operates a bus which leaves Denver in the afternoon on Sunday, and passengers can be handled on said operation; that newspapers now handled on the Sunday morning bus schedule can be handled on the afternoon bus, although they will arrive much later in Central City.

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

O R D E R

IT IS ORDERED:

That Joe Heppberger, doing business as "Gilpin County Bus and Freight Line," Blackhawk, Colorado, be, and he hereby is, authorized to suspend his daily bus service between Central City, Colorado, and Russell Gulch, Colorado, and to substitute "on call" service therefor during the period of suspension, and to also suspend his Saturday evening bus service, Central City to Denver, and his Sunday morning bus service, Denver to Central City.

This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

L. D. Thomas

Edward D. O'Sullivan

Malcolm Erickson  
Commissioners

Dated at Denver, Colorado,  
this 21st day of June, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
L. S. AND W. N. RIGG, BOX 462, )  
ARVADA, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 6335-PP

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June 21, 1943  
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Appearances: A. J. Fregeau, Denver, Colo-  
rado, for Weicker Trans-  
fer and Storage Company;  
T. A. Stockton, Jr., Esq.,  
Denver, Colorado, for the  
Common Carrier Division  
of The Colorado Motor  
Carriers' Association.

S T A T E M E N T

By the Commission:

The above-styled matter was set for hearing in Denver, Colo-  
rado, on June 14, 1943, and notwithstanding said setting and notice of  
hearing being duly served upon applicants, they failed to appear.

However, at the time and place of hearing, protestants agreed  
that the matter might be heard in the absence of the applicants, that the  
files might be made a part of the record, and that permit, limited to  
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, and cement to road construction jobs from railheads within a  
radius of fifty miles thereof, excluding service in Boulder County, could  
issue.

The matter was taken under advisement.

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

O R D E R

IT IS ORDERED:

That L. S. Rigg and W. N. Rigg, Arvada, Colorado, be, and they

hereby are, authorized 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, and cement, to road construction jobs from railheads within a radius of fifty miles thereof, excluding service in Boulder County.

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

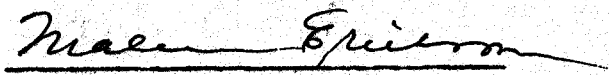
This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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 21st day of June, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LLOYD W. WOOD AND CLAUDE A. WOOD, )  
DOING BUSINESS AS "WOOD BROTHERS," )  
3446 WEST ALAMEDA, DENVER, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS PRIVATE CARRIERS BY MOTOR VEHICLE )  
FOR HIRE. )  
-----

APPLICATION NO. 6363-PP

-----  
June 21, 1943  
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S T A T E M E N T

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 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 area.

Inasmuch as the motor carrier associations, heretofore, have stated 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That Lloyd W. Wood and Claude A. Wood, doing business as "Wood Brothers," Denver, Colorado, be, and they hereby are, 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 the Denver area.

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

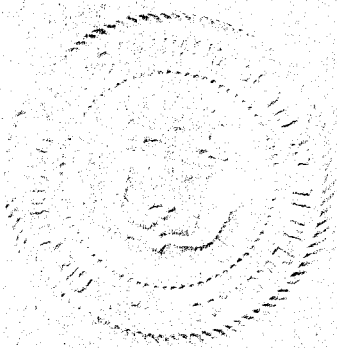
This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



W. D. Shuman

Edward D. Decker

W. E. Epison  
Commissioners

Dated at Denver, Colorado,  
this 21st day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CLAUDE E. HARDRICK, 1025 WEST 19th )  
STREET, PUEBLO, COLORADO, FOR A )  
CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY. )  
----- )

SUPPLEMENTAL ORDER

APPLICATION NO. 6209

RE MOTOR VEHICLE OPERATIONS OF )  
CLAUDE E. HARDRICK, 1025 WEST )  
19th STREET, PUEBLO, COLORADO )  
----- )

PERMIT NO. B-1978

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June 21, 1943  
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Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for the applicant  
and Frank Merrill Hardrick;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transportation  
Company;  
T. A. Stockton, Jr., Esq., Denver,  
Colorado, for the Common  
Carrier Division of The Colo-  
rado Motor Carriers' Association;  
Wes V. McKaughan, Southwestern  
Transportation Company, Cripple  
Creek-Victor-Colorado Springs  
Stage Line, and Ever-ready Truck  
Service;  
J. S. Wright, Pueblo, Colorado,  
pro se;  
J. D. Blunt, Esq., Canon City,  
Colorado, for Southwestern  
Transportation Company.

S T A T E M E N T

By the Commission:

On February 26, 1943, the Commission entered its order and de-  
cision, No. 20518, granting certificate of public convenience and necessity  
to Claude E. Hardrick.

Notwithstanding, as stated in the decision, there was no objection

to the granting of authority to haul tile pipe between points within a radius of twenty-five miles of Pueblo, and from the City of Pueblo only to Government projects in the State of Colorado, excepting projects in Chaffee, Fremont and Teller Counties and the south one-half of Lake County, and the transportation of said tile pipe between towns served by line haul motor vehicle common carriers, said authority to perform such service was not included in the order.

After careful consideration of the record, the Commission is of the opinion, and finds, that, all interested parties being agreeable thereto, order should be amended by inserting after the semi-colon in next-to-the-last line of the first paragraph of said Order, following the word and figures "Highway 85", the following:

"(7) tile pipe between points within a radius of twenty-five miles of Pueblo and tile pipe from the City of Pueblo only to Government projects in the State of Colorado, excepting projects in Chaffee, Fremont and Teller Counties and the south one-half of Lake County, and the transportation of said tile pipe between towns served by line haul motor vehicle common carriers;"

that said order, in all other respects, should remain in full force and effect.

#### O R D E R

##### IT IS ORDERED:

That Decision No. 20518, of date February 26, 1943, be, and the same hereby is amended by inserting after the semi-colon in next-to-the-last line of the first paragraph of said Order, following the word and figures "Highway 85", the following:

"(7) tile pipe between points within a radius of twenty-five miles of Pueblo, and tile pipe from the City of Pueblo only to Government projects in the State of Colorado, excepting projects in Chaffee, Fremont and Teller Counties and the south one-half of Lake County, and also excluding transportation of said tile pipe between towns served by line haul motor vehicle common carriers."

That said Decision No. 20518, in all other respects, shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

L. D. Shuman

Edward D. Sullivan

Walter Epistom  
Commissioners

Dated at Denver, Colorado,  
this 21st day of June, 1943.

hs

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HARRY E. WARFEL, 1715 SOUTH DOWNING )  
STREET, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----

APPLICATION NO. 6362-PP

-----  
June 23, 1943  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of 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.

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

O R D E R

IT IS ORDERED:

That Harry E. Warfel, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other 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.

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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

W. D. Shuman

Edward D. Baker

Malcolm Episcopo  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of June, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
A. T. SWANSON, 4479 INCA STREET, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 6361-PP

-----  
June 23, 1943  
-----

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of 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, 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That A. T. Swanson, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other 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, 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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

L. D. Shuman

Edward E. Dineen

Walter E. Epison  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of June, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DONALD SPENCER, 1422 MARIPOSA ST., )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 6360-PP

-----  
June 23, 1943  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of 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.

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

O R D E R

IT IS ORDERED:

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

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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*R. D. Shuman*

*Edward D. O'Connell*

*Max E. Quinn*  
Commissioners

Dated at Denver, Colorado,  
this 23rd day of June, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DONALD BAKEL, 4570 STEWART STREET, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 6359-PP

-----  
June 23, 1943  
-----

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado within a radius of fifty miles of Denver, to jobs in said area, 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That Donald Bakel, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado within a radius of fifty miles of Denver, to jobs in said area, 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 regulations of this Commission.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



L. J. Shorman

Edward E. Decker

Max Erickson  
Commissioners

Dated at Denver, Colorado,  
this 23 day of June, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF )  
RALPH E. YOCKEY, BOULDER, COLO- )  
RADO, P.U.C. NO. 451. )  
-----

CASE NO. 4907  
NOTICE OF HEARING AND  
ORDER TO SHOW CAUSE

-----  
June 23, 1943.  
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S T A T E M E N T

By the Commission:

The records of this Commission disclose that the above-named respondent was heretofore issued a certificate of public convenience and necessity numbered 451, authorizing him to engage in the business of a common carrier by motor vehicle, and respondent is now enjoying the privileges so granted.

The Commission is informed and believes, and upon such information and belief alleges, that during the years 1941 and 1942 and the months of January, February, March, April, and May, 1943, respondent has violated the provisions of Chapter 16, 1935 Colorado Statutes Annotated, the rules and regulations of this Commission governing motor vehicle carriers, and the terms and provisions of his said certificate No. 451 in the following particulars, to-wit:

1. That respondent has failed, refused, and neglected to keep daily records as required by Section 309 of said Chapter 16, 1935 C. S. A.

2. That respondent has failed and refused to make and certify to this Commission, within the time prescribed by law and the rules and regulations of this Commission governing motor vehicle carriers, monthly reports showing the ton-miles traveled by said respondent, as required by Section 309 of said Chapter 16, 1935, C. S. A., and Rule 27 of the rules and regulations of this Commission governing motor vehicle carriers.

3. That respondent has knowingly made and filed with this

Commission false and fraudulent reports, with intent to evade payment of highway compensation taxes due to this Commission; contrary to Sections 309 and 311 of Chapter 16, 1935 C. S. A. and Rule 26 of the rules and regulations of this Commission governing motor vehicle carriers.

4. That respondent has failed and refused to issue, at the time of accepting shipments, a bill of lading covering each shipment which was itemized in a manner so as to fully and clearly show the description and classification of the shipment and the rate charged for the transportation thereof, upon forms prescribed by this Commission, and has failed and refused to file copies of all of said bills of lading in chronological order, separate and apart from all other records retained by said respondent at his place of business; contrary to Rule 30 of the rules and regulations of this Commission governing motor vehicle carriers.

5. That respondent has charged, demanded, collected, or received a less or different compensation for the transportation of commodities or shipments than the rates and charges prescribed by the Commission and contained in the tariffs of respondent; contrary to law and Rule 34 of the rules and regulations of this Commission governing motor vehicle carriers.

6. That respondent has been operating outside of and beyond the authority granted to him in said certificate of public convenience and necessity; contrary to law and the rules and regulations of this Commission governing motor vehicle carriers.

7. That respondent has otherwise failed and refused to comply with the provisions of law and the rules and regulations of this Commission governing motor vehicle carriers and the certificate of public convenience and necessity heretofore issued to said respondent.

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

#### O R D E R

#### IT IS ORDERED:

That an investigation be made and a hearing held to determine if

if respondent has violated the provisions of law and the rules and regulations of this Commission governing motor vehicle carriers, or the terms and provisions of respondent's certificate of public convenience and necessity No. 451.

That respondent show cause, if any he have, by verified written 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 or revoking the certificate of public convenience and necessity 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 8th day of July, 1943, 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

*W. D. Thorman*

*Edward D. O'Connell*

*Wm. E. Spitzer*  
Commissioners.

Dated at Denver, Colorado,  
this 23rd day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
MAURICE E. HILL, ENGLEWOOD, COLORADO,) )  
FOR A CERTIFICATE OF PUBLIC CONVEN- )  
IENCE AND NECESSITY. )

APPLICATION NO. 5875-B

-----  
June 26, 1943.  
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Appearances: Worth Allen, Esq., Denver, Colorado,  
for applicant;  
Cecil R. Ditsch, Esq., Littleton,  
Colorado, for Julius Bussard,  
doing business as Bussard Taxi,  
and Harry's Taxicab Service.

S T A T E M E N T

By the Commission:

Hearings in the above matter were held at Denver, Colorado, on January 8 and March 30, 1943. The application filed seeks authority to transport passengers on schedule between the city of Englewood and Fort Logan. Applicant is now engaged in taxicab and bus service at Englewood. His taxicab service extends to Fort Logan as well as to Denver and other points. While the application does not state the route proposed to be followed, an exhibit was introduced at the hearing which discloses that the proposed service would extend from Hampden Avenue along Bannock Street to Oxford, then west to Fort Logan, with service desired at points intermediate.

Mr. Hill testified that he proposed to use two busses, one 24-passenger and one 18-passenger, supplemented by station wagons, in rendering the proposed service. He also proposed a fare of 10 cents per passenger for a one-way trip. He further testified that he had been requested to furnish the proposed service by the manager of the Metzger Manufacturing Company, which operates a Navy munitions plant at Oxford and Santa Fe Drive; by Army officers living outside of Fort Logan where a Federal Housing project is in operation and in which some fifty families now live; by workers

for the Hamilton-Gleason Company which has a yard and plant at the corner of Santa Fe and West Oxford, as well as other individuals.

He further testified that the present service from Fort Logan was inadequate, particularly at certain hours of the day, and that even taxicabs could not supply the required service without long waiting periods; that he himself was transporting at least 6,000 passengers a month from Fort Logan by taxicab; that the taxicab rate is 30 cents for a single passenger, or 15 cents per passenger for more than one, from Fort Logan to Englewood. He proposed to put on 30-minute schedules between Englewood and Fort Logan, and in his opinion there is sufficient business to justify his operation of said busses, as well as the busses that are now being operated by Mr. Bussard. Applicant further stated that the Bussard operation, prior to December of last year, had been operated on Hampden, but that Oxford was now being used. Applicant's financial statement shows a net worth of approximately \$23,000.00.

It was developed that Mr. Hill has no present authority to enter Fort Logan and formerly operated on Hampden with his taxicabs to Fort Logan, but did operate on Oxford to some extent prior to the time said street was closed for construction of a bridge, which prevented travel over same for a period of eighteen months to two years. Both Hampden and Oxford are paved all the way to Fort Logan, but Hampden is a narrower highway and is not as highly improved as Oxford.

John W. Metzger, president of the John W. Metzger Company, which operates a Navy ammunition plant, stated that he had started the construction of said plant in May, 1942; that they expected to put on a peak force of approximately 200; that up to the time of the hearing many of their employees had their own means of transportation, but due to gas rationing and the tire situation, felt that more and more of them would become dependent upon for-hire transportation. He believed that scheduled service to their

plant would be advantageous and so far as he knew no regular scheduled bus passed there, until Mr. Bussard brought him a schedule prior to the hearing, which he had posted and which disclosed some 80 trips passed their plant; that their greatest demand would be when the shifts changed, which would be at 8:00 A. M. and 4:30 P. M.; that if a third shift were installed, it would create an extra demand for service at 12:30 A. M. He also felt that the question of the amount of fare charged, was an important one.

At the time of the hearing, the Metzger Company was employing approximately 50 workers, and in the opinion of the witness from one-fourth to one-half of these would be dependent upon for-hire service.

Mr. R. M. Hamilton, Secretary of the Hamilton-Gleason Company, heretofore referred to, testified that their plant employed from 20 to 25 workers in the winter and about double that number in the summer; that some sort of scheduled transportation was needed, due to the tire and gas situation; that it was expensive for employes to depend upon taxicab service; that he was not aware that scheduled service was then operating past their plant; that he had had only one complaint during the last month from one man who had to hire a taxicab from Englewood to get out to the plant and back.

Mrs Hilda Dudley, who operates a restaurant at 4265 S. Santa Fe Drive, stated that she had about ten employes, although more would be employed in the summer; that most of them came to work in taxicabs; that they were charged all the way from 20 to 35 cents, and that the ordinary waitress could not afford to pay these charges; that she felt a scheduled service at lower rates was needed.

Mr. James F. Self, who is employed by the Federal Government at the Housing Project heretofore referred to, which is located just outside of Fort Logan and which now has fifty family units occupied, stated that scheduled transportation service was needed into Englewood at as low a price as would be consistent with good service. This witness stated that he had seen cabs come to the gate at Fort Logan and they would always pick up a full load of soldiers so that anyone else going into town had very little

opportunity to ride; that it was necessary for the people of the housing units to go into Englewood to purchase groceries and supplies, and taxicab rates were entirely too high. He felt that a 10-cent fare would be a reasonable one.

Mr. Charles F. Lamb, who is the owner of the Black Gold Oil Company, stated that he operated a filling station at the corner of Santa Fe and Oxford; that applicant had a stand at his station; that many people came to said station and had to wait there for transportation until they could call a cab, and he felt that many of them would avail themselves of regular scheduled service if same existed.

On behalf of protestant, Julius Bussard, the evidence disclosed that Mr. Bussard owns a certificate which authorizes a taxi operation from point to point in Littleton and within a radius of 10 miles thereof, on call and demand, and has leased from Harry A. Taylor a certificate which authorizes the transportation, on schedule, of passengers between Englewood and Fort Logan, as well as a taxi service in Englewood and between Englewood and other points in the vicinity thereof, including Fort Logan. Mr. Bussard testified that at the time of the hearing, he was operating a scheduled service between Englewood and Fort Logan at ten-minute intervals; that by permission of the Military authority, he operated through both the north gate and the east gate into the Post Exchange and Reception Center at Fort Logan; that due to military regulations, he was compelled to go out the same gate through which he entered, and therefore his operations from Englewood were to both said gates; that he is using station wagons and operates three continuously to four o'clock, the rush hour, when four units are operated until 1:30 A.M.; that said station wagons will comfortably seat ten people; that sometimes the equipment is fully loaded, but frequently is not. He introduced a number of report cards in evidence which show the number of passengers carried upon all trips for any particular day. One of these exhibits disclosed that on January 5, 1943, the average number of customers per

trip was four; another indicated an average of six. From these exhibits, it would appear that the only times when station wagons are fully loaded occur about twice a day, or at the so-called "rush periods". Mr. Bussard testified that many of the soldiers who wait at the gates for transportation service, wanted to go directly to Denver, and that in his opinion all service between the Fort and Englewood was being amply taken care of. He formerly operated on Hampden, but, starting on November 28, 1942, instituted a 15-minute scheduled service on Oxford and Hampden, and on December 23, he increased this to a 10-minute scheduled service. This service extends from 5:40 A. M. to 1:40 A.M. and is divided between service over West Hampden through the north gate of Fort Logan and service over Oxford through the east gate of Fort Logan. The witness further stated that immediately after gas rationing became effective, he realized that additional service was needed, and that was why he commenced his increased service on November 28. This need continued and he started his 10-minute service as soon as he obtained permission from the authorities at the Fort, which was not until December 23.

He further testified that he had no knowledge that the instant application had been filed on December 12, 1942, at the time of this increased service.

A Corporal stationed at Fort Logan, who was the sentry at the north gate, testified that he was entirely familiar with the Bussard service; that he thought it was adequately taking care of the public through both the north and east gates; that most of the soldiers who were waiting at the gates or walking down the road, were those who desired "to bum rides"; that Tramway busses run to Denver on hourly schedules except on Saturdays and Sundays when it is every 30 minutes, and this service is through the north gate. One of the drivers for Bussard who had been in his service since December 4, testified that the service was adequate to take care of the demands, and that the station wagons had room for extra passengers practically

all of the time. Another driver for protestant, who has operated through both the north and east gates, testified that the service is entirely adequate and that usually he only handled an average of about three passengers, and that he stopped and picked up passengers at intermediate points.

One of the sergeants stationed at Fort Logan for the past 23 months, stated that he was entirely familiar with protestant's service, as he rides the bus in and out about four times a day, and that present service is entirely adequate in his opinion. Another soldier who had been in the Night School Squadron at Fort Logan and had been there for the past 21 months, stated that he uses Bussard's service to Englewood every day and that in his opinion said service is entirely adequate.

Counsel for applicant raises the question that Bussard has no authority to operate to Fort Logan over Oxford. The original certificate granting the authority under which Bussard is now operating, was issued May 7, 1935, Decision No. 6457, and reads as follows:

"IT IS THEREFORE ORDERED, That the public convenience and necessity require the transportation, on schedule, of passengers by Harry A. Taylor between Englewood and Fort Logan."

It will be noted that the order does not provide over what route or routes said service shall be performed. The application filed under which the above authority was granted, did not specify any route or routes. However, from the testimony given by Taylor at the hearing upon said original application, as well as the schedules which he filed, all of which were made part of the instant record, we believe it is a fair assumption to say that at the time of the hearing applicant Taylor intended to operate over Hampden. We do not know and the record is silent as to the condition of Oxford at that time, but we do know that since the date of said original decisions, Oxford was closed for approximately a year and a half, and that it has only been improved as a modern highway and open for traffic since Taylor secured his original certificate. Today, it appears that service

from and to the north gate of Fort Logan is handled via Hampden, while service to and from the east gate is handled via Oxford. When the Fort officer required that busses must leave the reservation through the same gate by which they entered, it became necessary for Bussard to use Oxford if he was to continue service to the east gate.

In Applications Nos. 2138 and 2102, Decision No. 16857, Re Harold Swena, the Commission held that a certificate which authorized the transportation of freight and express between Denver and Golden, and intermediate points, could not authorize the establishment of line haul scheduled service between Denver and the Remington Arms munition plant, where the application stated that the proposed route would be over South Golden and West Colfax paved highway, and the evidence disclosed that his operations generally had been over West Colfax Avenue. If Swena had been permitted, in that case, to establish a line haul service from this plant to Denver, it would have meant that all demand carriers serving said plant and Denver would have been required to charge twenty per cent more than the prescribed line haul carrier freight rates. We stated in said decision that we felt Swena should be confined to the route specified in the original application for a certificate and the one which he generally used, particularly if his operation over other routes raised any question in connection with competitive service. The instant case can be differentiated from the Swena case upon these two points, because Taylor's application did not describe the route over which he proposed to operate, and because so far at least, no competitive service exists in connection with the Bussard operation and certainly did not exist in November when he started operating over Oxford.

Considering the record as a whole, we are unable to determine that the public convenience and necessity require any additional service between Englewood and Fort Logan and points intermediate along Oxford. It is elemental that certificates may not be granted merely because a cheaper rate is offered, and if the rates presently charged are too high, proper action can be instituted to determine that question. It is also elementary that

additional certificates will not be granted if presently established service is adequate or can be made so, and apparently Bussard has made his service adequate.

Considering the record as a whole, the Commission is of the opinion, and so finds, that applicant has failed to establish that the public convenience and necessity require his proposed operation, and that the instant application should be denied.

O R D E R

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 26th day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
C. C. COVINGTON, 2516 NORTH MAIN )  
STREET, PUEBLO, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION NO. 6370-PP

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June 26, 1943  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal and slack from Florence-Canon City coal fields to Pueblo and Baxter, Colorado, over Highways Nos. U. S. 50 and Colorado 96; also to Camp Carson and Peterson Field, at Colorado Springs, over Highways Nos. 50, 115, 85 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That C. C. Covington, Pueblo, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal and slack from Florence-Canon City coal fields to Pueblo and Baxter, Colorado, over Highways Nos. U. S. 50 and Colorado 96; also to Camp Carson and Peterson Field, at Colorado

Springs, over Highways Nos. 50, 115, 85 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 rules and regulations of the Commission.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

W. D. Shuman

Edward D. Dineen

Maas Spivey  
Commissioners

Dated at Denver, Colorado,  
this 26th day of June, 1943.

RW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FRANK D. JENKINS, DOING BUSINESS AS )  
"RUGBY COAL COMPANY," 1144 FIFTH )  
STREET, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION NO. 6369-PP

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June 26, 1943  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of 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.

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

O R D E R

IT IS ORDERED:

That Frank D. Jenkins, doing business as "Rugby Coal Company," Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other 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.

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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Edward D. [Signature]

Edward D. [Signature]

Neale E. [Signature]  
Commissioners

Dated at Denver, Colorado,  
this 26th day of June, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
ESTELLA AND ROY WREN, 808 WEST )  
FOURTH AVENUE, DENVER, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS PRIVATE CARRIERS BY MOTOR VE- )  
HICLE FOR HIRE. )

APPLICATION NO. 6368-PP

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June 26, 1943  
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S T A T E M E N T

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 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 the Denver area.

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

O R D E R

IT IS ORDERED:

That Estella and Roy Wren, Denver, Colorado, be, and they hereby are, authorized 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 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 the Denver 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 applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and have secured 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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

L. D. Shuman

Edward D. D. D.

Wm. E. E.

Commissioners

Dated at Denver, Colorado,  
this 26th day of June, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
E. D. CHILCOTT, 2201 SOUTH SANTA FE )  
DRIVE, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION NO. 6365-PP

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June 26, 1943  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of 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, 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted, and that said permit, when issued, should bear the number "B-2879," being the number of a permit formerly held by applicant.

O R D E R

IT IS ORDERED:

That E. D. Chilcott, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for

hire for the transportation of sand, gravel, and other 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, 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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

That said permit, when issued, should bear the number "B-2879."

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

L. J. Shorman

Edward E. T. T. T.

Commissioners

Dated at Denver, Colorado,  
this 26th day of June, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GEORGE A. AMIDON, 2155 WEST 4TH )  
AVENUE, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION NO. 6366-PP

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June 26, 1943  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of 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, 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That George A. Amidon, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other 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, 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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



W. D. Thoman

Edward D. D. D.

William E. Quinn  
Commissioners

Dated at Denver, Colorado,  
this 26th day of June, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
R. J. MILES, 2925 WYANDOTT STREET, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 6367-PP

-----  
June 26, 1943  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of 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, 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

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

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

W. D. Thomas

Edward D. D. D. D.

Wm. E. E. E.

Commissioners

Dated at Denver, Colorado,  
this 26th day of June, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOHN GOLDSMITH )  
35 S. 1st )  
Brighton, Colorado )  
..... )

PERMIT NO. C-13273

June 29, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
John Goldsmith of 35 S. 1st, Brighton, Colorado,  
requesting that his Permit No. C-13273 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13273, heretofore issued  
to John Goldsmith of 35 S. 1st, Brighton, Colorado be,  
and the same is hereby, declared cancelled effective June 17, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shawman*  
*David O. Dwyer*  
*Malcolm Erickson*  
Commissioners.

Dated at Denver, Colorado,

this 29th day of June, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

SWART OIL COMPANY )  
Route 3, )  
Oakley, Kansas )  
..... )

PERMIT NO. C-13595

.....  
June 29, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Swart Oil Company of Route 3, Oakley, Kansas,  
requesting that his Permit No. C-13595 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13595, heretofore issued  
to Swart Oil Company of Route 3, Oakley, Kansas be,  
and the same is hereby, declared cancelled effective January 1, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shuman*  
.....  
*Edward J. Wheeler*  
.....  
*Malcolm Erickson*  
.....

Commissioners.

Dated at Denver, Colorado,

this 29th day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

TIMBER PRODUCTS & SUPPLY COMPANY )  
Box 1595 )  
Pueblo, Colorado )  
----- )

PERMIT NO. C-13641

-----  
June 29, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Timber Products and Supply Company of Box 1595, Pueblo, Colorado  
-----,  
requesting that his Permit No. C-13641 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13641, heretofore issued  
to Timber Products and Supply Company of Box 1595, Pueblo, Colorado be,  
and the same is hereby, declared cancelled effective January 1, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shewman*

*James E. Wheeler*

*Malcom Erickson*

Commissioners.

Dated at Denver, Colorado,

this 29th day of June, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
HERMAN VOLLMERT )  
308 Euclid St., )  
Ft Morgan, Colorado )  
..... )

PERMIT NO. C-13734

.....  
June 29, 1943  
.....

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Herman Vollmert ..... of 308 Euclid St., Ft Morgan, Colorado  
requesting that his Permit No. C-13734 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13734, heretofore issued  
to Herman Vollmert of 308 Euclid St., Ft Morgan, Colorado be,  
and the same is hereby, declared cancelled effective June 10, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shouman*  
.....  
*Edward J. Wheeler*  
.....  
*Malcolm Erickson*  
Commissioners.

Dated at Denver, Colorado,

this 29th day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
CLARENCE POLLOCK )  
512 N. Anna Ave., )  
Wichita, Kansas )  
..... )

PERMIT NO. C-14188

-----  
June 29, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Clarence Pollock of 512 N. Anna Ave., Wichita, Kansas  
....., requesting that his Permit No. C-14188 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-14188, heretofore issued to Clarence Pollock of 512 N. Anna Ave., Wichita, Kansas be, and the same is hereby, declared cancelled effective June 19, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
*Henry S. Phowman*  
*Edward D. Wheeler*  
*Malcom Erickson*  
Commissioners.

Dated at Denver, Colorado,  
this 29th day of June, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

ED HORST )  
1301 Washington St., )  
Loveland, Colorado )  
..... )

PERMIT NO. C-3180

.....  
June 29, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Ed Horst ..... of 1301 Washington St., Loveland, Colorado  
requesting that his Permit No. C-3180 ..... be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-3180, heretofore issued  
to Ed Horst of 1301 Washington St., Loveland, Colorado ..... be,  
and the same is hereby, declared cancelled effective June 22, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry D. Shuman  
.....  
.....  
.....  
Commissioners.

Dated at Denver, Colorado,  
this 29th day of June, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ED HORST )  
1301 Washington St., )  
Leveland, Colorado )  
----- )

PERMIT NO. B-2622

-----  
June 29, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Ed Horst.....of 1301 Washington St., Loveland, Colorado  
requesting that his Permit No. B-2622.....be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-2622....., heretofore issued  
to Ed Horst of 1301 Washington St., Loveland, Colorado.....be,  
and the same is hereby, declared cancelled effective June 22, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry D. Shuman  
Edward E. Wheeler  
Malcolm Erickson  
Commissioners.

Dated at Denver, Colorado,  
this 29th day of June, 19 43

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
)  
SQUAW MOUNTAIN LUMBER MILLS )  
Evergreen, Colorado )  
..... )

PERMIT NO. C-2686

.....  
June 29, 1943  
.....

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Squaw Mountain Lumber Mills of Evergreen, Colorado,  
requesting that his Permit No. C-2686 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-2686, heretofore issued  
to Squaw Mountain Lumber Mills of Evergreen, Colorado be,  
and the same is hereby, declared cancelled effective June 21, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry A. Shaw  
Edward D. Wheeler  
Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 29th day of June, 19 43.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

THE COSNER CANDY COMPANY )  
2009 - 15 Arapahoe St., )  
Denver, Colorado (2) )

PERMIT NO. C-6867

June 29, 1943

S T A T E M E N T

By the Commission:

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

The Cosner Candy Company of 2009-15 Arapahoe St., Denver, Colorado

requesting that his Permit No. C-6867 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-6867, heretofore issued to The Cosner Candy Company of 2009-15 Arapahoe St., Denver, Colorado be, and the same is hereby, declared cancelled effective April 1, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry D. Shouman

Edward J. Dwyer

Malcolm Erickson

Commissioners.

Dated at Denver, Colorado,

this 29th day of June, 19 43.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

E. S. McCracken )  
Route 1 )  
Delta, Colorado )  
..... )

PERMIT NO. C-13784

.....  
June 29, 1943

S T A T E M E N T

By the Commission:

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

E. S. McCracken ..... of Route 1, Delta, Colorado,  
requesting that his Permit No. C-13784 ..... be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13784, heretofore issued  
to E. S. McCracken of Route 1, Delta, Colorado ..... be,  
and the same is hereby, declared cancelled effective May 27, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shuman*  
.....  
*Edward D. Wheeler*  
.....  
*Malcom Erickson*  
.....  
Commissioners.

Dated at Denver, Colorado,

this 29th day of June, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

M. K. GOETZ BREWING COMPANY )  
6th & Albarnel )  
St Joseph, Missouri )

PERMIT NO. C-9580

July 1, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
M. K. Goetz Brewing Company of 6th & Albarnel, St Joseph, Missouri  
requesting that his Permit No. C-9580 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-9580, heretofore issued  
to M. K. Goetz Brewing Company of 6th & Albarnel, St Joseph, Missouri be,  
and the same is hereby, declared cancelled effective June 19, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shuman*  
*Edward J. Wheeler*  
*Malcolm Erickson*

Commissioners.

Dated at Denver, Colorado,

this 1st day of July, 19 43.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
GLENWOOD SPRINGS PRODUCE )  
Box 484 )  
Glenwood Springs, Colorado )  
..... )

PERMIT NO. C-11996

.....  
July 1, 1943  
.....

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Glenwood Springs Produce of Box 484, Glenwood Springs, Colo  
requesting that his Permit No. C-11996 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-11996, heretofore issued  
to Glenwood Springs Produce of Box 484, Glenwood Springs, Colorado be,  
and the same is hereby, declared cancelled effective June 3, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry S. Shawman  
Edward E. Wheeler  
Malcolm Erickson  
.....

Commissioners.

Dated at Denver, Colorado,

this 1st day of July, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
)  
POUND BROTHERS LUMBER )  
COMPANY, INC., )  
Chama, New Mexico )  
..... )

PERMIT NO. C-12321

.....  
July 1, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Pound Brothers Lumber Company, Inc. of Chama, New Mexico,  
requesting that his Permit No. C-12321 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12321, heretofore issued  
to Pound Brothers Lumber Company, Inc., Chama, New Mexico be,  
and the same is hereby, declared cancelled effective June 10, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shuman*  
.....  
*Malcolm Erickson*  
.....  
Commissioners.

Dated at Denver, Colorado,

this 1st day of July, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
W. A. THAYER )  
222 Poncha )  
Alamosa, Colorado )  
----- )

PERMIT NO. A-1057

-----  
July 1, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
W. A. Thayer ----- of 222 Poncha, Alamosa, Colorado,  
requesting that his Permit No. A-1057 ----- be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. A-1057 -----, heretofore issued  
to W. A. Thayer of 222 Poncha, Alamosa, Colorado ----- be,  
and the same is hereby, declared cancelled effective June 11, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry S. Shuman*  
-----  
*Donald E. Wheeler*  
-----  
*Malcom Erickson*  
-----  
Commissioners.

Dated at Denver, Colorado,

this 1st day of July, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
C. E. HAMMOND )  
Burlington, Colorado )  
 )  
 )  
 )

PERMIT NO. C-7251

July 1, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
C. E. Hammond of Burlington, Colorado,  
requesting that his Permit No. C-7251 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-7251, heretofore issued  
to C. E. Hammond of Burlington, Colorado be,  
and the same is hereby, declared cancelled effective June 25, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry P. Shaw  
Edward O. Greer  
Malcolm Erickson  
Commissioners.

Dated at Denver, Colorado,  
this 1st day of July, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

L. H. DOWNS )  
403 Grand Ave., )  
Grand Junction, Colorado )

PERMIT NO. C-7360

July 1, 1943

S T A T E M E N T

By the Commission:

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

L. H. Downs of 403 Grand Ave., Grand Junction, Colo  
requesting that his Permit No. C-7360 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-7360, heretofore issued  
to L. H. Downs of 403 Grand Ave., Grand Junction, Colorado be,  
and the same is hereby, declared cancelled effective June 8, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry D. Shuman  
Donald H. Decker  
Malcolm Erickson  
Commissioners.

Dated at Denver, Colorado,

this 1st day of July, 19 43

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
A. C. HATCH MUSIC COMPANY )  
10 S. Tejon St., )  
Colo Springs, Colorado )  
..... )

PERMIT NO. C-10112

.....  
July 1, 1943  
.....

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
A. C. Hatch Music Company.....of 10 S. Tejon St., Colo Springs, Colorado  
requesting that his Permit No. C-10112.....be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-10112....., heretofore issued  
to A. C. Hatch Music Company of 10 S. Tejon St., Colo Springs, Colorado be,  
and the same is hereby, declared cancelled effective June 1, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry S. Shawman

Edward J. Wheeler

Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 1st day of July, 1943

(Decision No. 21092 )

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

SAM C. MILLER )

Route 1, Stockyards Station )

Denver, Colorado (16) )  
-----)

PERMIT NO. C-10702

-----  
July 1, 1943  
-----

S T A T E M E N T

By the Commission:

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

Sam C. Miller

of Route 1, Stockyards Station Denver, Colorado  
-----,

C-10702

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

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-10702, heretofore issued to Sam C. Miller of Route 1, Stockyards Station, Denver, Colorado be, and the same is hereby, declared cancelled effective May 31, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shivers*  
-----  
*Edward E. Wheeler*  
-----  
*Malcom Erickson*  
-----

Commissioners.

Dated at Denver, Colorado,

this 1st day of July, 1943

(Decision No. 21093)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
STANLEY SAWICK )  
901 E. Alameda )  
Denver, Colorado )  
-----

PRIVATE PERMIT NO. B-2777

-----  
July 1, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2777 be suspended for a period of six months from June 8, 1943.

O R D E R

IT IS ORDERED:

That Stanley Sawick of 901 E. Alameda, Denver, Colorado be, and he is hereby, authorized to suspend his operations under Permit No. B-2777 for a period of not to exceed six months from June 8, 1943.

That unless said Stanley Sawick 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

*Henry D. Shaw*  
*Donald E. Dwyer*  
*Malcolm Erickson*  
Commissioners.

Dated at Denver, Colorado,  
this 1st day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

McGRORY OIL COMPANY )  
402 South 9th )  
Canon City, Colorado )

PERMIT NO. C-13027

July 1, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
McGrory Oil Company of 402 South 9th, Canon City, Colorado  
requesting that his Permit No. C-13027 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13027, heretofore issued  
to McGrory Oil Company of 402 South 9th, Canon City, Colorado be,  
and the same is hereby, declared cancelled effective December 5, 1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shorman*  
*Edward J. Wheeler*  
*Malcom Erickson*  
Commissioners.

Dated at Denver, Colorado,

this 1st day of July, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
PARKINSON TRANSFER AND TRANSPORTATION )  
COMPANY ) P U C NO. 934  
Delta, Colorado )  
-----

-----  
July 1, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named certificate holder, requesting that Certificate Number 934 be suspended for an additional period of six months from July 1, 1943.

O R D E R

IT IS ORDERED:

That Parkinson Transfer and Transportation Company of Delta, Colorado be, and he is hereby, authorized to suspend his operations under Certificate Number 934 for an additional period of six months from July 1, 1943.

That unless said Parkinson Transfer and Transportation Company 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 Certificate holders, said Certificate, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Donald J. Wheeler*  
*Malcom Erickson*  
Commissioners.

Dated at Denver, Colorado,  
this 1st day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )

JOHN M. DORFFLER )  
1050 Monaco Blvd., )  
Denver, Colorado (7) )  
-----

PRIVATE PERMIT NO. B-2767

-----  
July 1, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2767 be suspended for a period of six months from June 12, 1943.

O R D E R

IT IS ORDERED:

That John M. Dorffler of 1050 Monaco Blvd., Denver, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-2767 for a period of not to exceed six months from June 12, 1943.

That unless said John M. Dorffler 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

*Henry D. Shuman*  
*Donald J. Jones*  
*William E. Simpson*  
Commissioners.

Dated at Denver, Colorado,  
this 1st day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

IN THE MATTER OF A GENERAL INVESTIGATION )  
OF THE FREIGHT RATES, AND CLASSIFICATION OF ) CASE NO. 1585  
FREIGHT, OF ALL COMMON AND PRIVATE MOTOR )  
VEHICLE CARRIERS. )

July 1, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a petition from the Rio Grande Motor Way, Inc., The Weicker Transfer and Storage Company, and Southwestern Transportation Company, for an order prescribing the National Motor Freight Classification in lieu of the Western Classification, for classification and billing of all freight moving by motor vehicle carriers, common and private, of freight for hire.

In support of its request, the petition sets forth the following special circumstances and conditions:

1. This Commission, by its order duly entered in the above entitled case, ordered and directed that the rates prescribed in said case should be governed by Western Classification No. 65, Agent R. C. Fyfe's P.U.C. Colorado-W.C. No. 14, supplements thereto and reissues thereof, as more particularly set forth in item No. 1 of Appendix A to the Commission's consolidation of rates, rules and regulations in Case No. 1585, dated June 30, 1939.
2. Your petitioners, and other common carriers of freight by motor vehicle, are parties to National Motor Freight Classification No. 6, M.F.I.C.C. No. 12, which classification governs the rates of your petitioners and such other carriers in the transportation of freight moving in interstate commerce within the State of Colorado. Rates of the motor carriers with which your petitioners and such other carriers interchange freight in the course of interstate transportation are governed by National Motor Freight Classification No. 6, supplements thereto and reissues thereof, and not by Western Classification, and it is therefore essential that your petitioners and other carriers similarly situated participate in said National Motor Freight Classification at considerable expense for a listing and participating charge and for the purchase of such classifications for use at agencies, while at the same time, your petitioners and other carriers similarly situated are also required to bear the same expense for listing and participation in Western Classification and for the purchase of copies thereof for use at agencies.
3. The adoption of National Motor Freight Classification, in lieu of Western Classification, to govern the rates prescribed in said Case No. 1585 would not result in any increase in the level of said rates, but only in an infinitesimal increase or decrease in some rates.

After careful consideration of said petition and our records and files in Case No. 1585, the Commission is of the opinion, and so finds, that the above entitled case should be reopened; that said petition should be set for hearing, and, after notice thereof given to parties in interest, further testimony be taken as to the matters and things hereinbefore set forth.

O R D E R

IT IS THEREFORE ORDERED, That this matter be, and the same is hereby, reopened for further hearing, on said petition to adopt "National Motor Freight Classification" for classification and billing of freight moving by "for hire" motor carriers, before the Commission at 10 o'clock A.M., on the 5th day of August, 1943, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, at which time and place all interested parties are required to present such evidence as they may care to offer concerning said petition.

(S E A L) ATTEST: A TRUE COPY

J. M. McNulty  
Secretary

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

HENRY S. SHERMAN

EDWARD E. WHEELER

WILCOX ERICKSON

Commissioners

Dated at Denver, Colorado,  
this 1st day of July, 1943  
JH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
E. B. FAUS, DOING BUSINESS AS "FAUS )  
TRANSPORTATION COMPANY," MONTE )  
VISTA, COLORADO, FOR AUTHORITY TO )  
TRANSFER CERTIFICATES OF PUBLIC )  
CONVENIENCE AND NECESSITY NOS. 380, )  
446, 632, AND 632-I TO RIO GRANDE )  
MOTOR WAY, INC., A CORPORATION, )  
DENVER, COLORADO. )  
-----

APPLICATIONS NOS. 1419-BA  
(PUC 446), 1183-B-AA, 1639-AA,  
2906-AA (PUC 380,) 2036-I-AAA,  
1489-AAA-BBB-AA (PUC 632, 632-I.)

-----  
July 1, 1943  
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Appearances: Conour and Conour, Esqs., Del  
Norte, Colorado, for Faus  
Transportation Company;  
T. A. White, Esq., Denver, Colo-  
rado, for Rio Grande Motor  
Way, Inc.;  
A. J. Fregoeau, Denver, Colorado,  
for Weicker Transfer and Stor-  
age Company;  
T. A. Stockton, Jr., Esq., Den-  
ver, Colorado, for Weicker  
Transfer and Storage Company.

S T A T E M E N T

By the Commission:

E. B. Faus, doing business as "Faus Transportation Company,"  
Monte Vista, Colorado, herein seeks authority to transfer his certificates  
of public convenience and necessity, PUC Nos. 380, 446, 632, and 632-I,  
heretofore issued by this Commission, and the operating rights granted by  
said certificates, as more particularly set forth in Exhibit B attached  
to the application, which, by reference, is made a part hereof, to Rio  
Grande Motor Way, Inc., Denver, Colorado, for a total consideration of  
\$45,000.00, the terms and conditions of said sale and purchase being set  
forth in detail in Exhibit A attached to the application (Exhibit 1 at  
the hearing) which said contract also, by reference is made a part hereof.

At the hearing, in Denver, Colorado, on June 26, 1943, it ap-  
peared that all ton-mile tax now due has been paid the Commission; that

the deposit paid by Mr. Faus to the Commission to insure payment of ton-mile tax is to be returned to him; that all claims against his operation are to be satisfied by transferor, all equipment and other property to go to Rio Grande Motor Way, Inc. free and clear of encumbrances or liens of any kind or description; that obligations or claims to be paid or adjusted by transferor include the claims of The Colorado Motor Carriers' Association, Quality Tire Company, Green and White Service Station, Valley Motor Company, Monte Vista Motor Company, Rio Grande County, Weicker Transfer and Storage Company, and tax claim of the Commission or State Revenue Department against a truck purchased by Faus from E. C. Bratton, Monte Vista, Colorado, and sold to Rio Grande Motor Way, Inc.

It also appeared that Rio Grande Motor Way, Inc. operates over approximately 1600 miles of highways in the State of Colorado in freight and passenger traffic by motor vehicle; that it has assets in excess of \$1,000,000.00; that it proposes to make the Faus operation an integral part of Motor Way operations; that Motor Way's service is coordinated with that of The Denver and Rio Grande Western Railroad Company; that it is believed that operation of Faus lines under the new arrangement will be in the public interest.

After careful consideration of the record, the Commission is of the opinion, and finds, that the authority sought should be granted.

#### O R D E R

##### IT IS ORDERED:

That E. B. Faus, doing business as "Faus Transportation Company," Monte Vista, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to certificates of public convenience and necessity, Nos. 380, 446, 632, and 632-I, and the operating rights thereunder, to Rio Grande Motor Way, Inc., Denver, Colorado, a Colorado corporation, said operating rights being more particularly described in Exhibit B attached to the application herein, and by reference made a part hereof.

That public convenience and necessity require that Rio Grande Motor Way, Inc., shall consolidate its operations under the Faus certi-

ificates aforesaid with its presently-owned certificates of public convenience and necessity to the end that said Faus operation may become an integral part of the operations of Rio Grande Motor Way, Inc.

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



L. D. Shawan

Edward E. Dwyer

William E. Gibson  
Commissioners

Dated at Denver, Colorado,  
this 1st day of July, 1943.

mw

*Original*

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THE MOUNTAIN UTILITIES CORPORATION, )  
FIRST NATIONAL BANK BUILDING, COLO- )  
RADO SPRINGS, COLORADO, FOR AUTHOR- )  
ITY TO PURCHASE AND OPERATE PROPER- )  
TIES AND DISTRIBUTION SYSTEM IN )  
GRAND COUNTY, COLORADO. )  
-----

APPLICATIONS NOS. 1900-A  
2242-A, 4748-A, 5216-A

-----  
July 1, 1943  
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Appearances: Frank McDonough, Jr., Esq.,  
Denver, Colorado, for  
the applicants;  
D. I. Cox and  
W. D. Clark, Hot Sulphur  
Springs, Colorado, for  
the Town of Hot Sulphur  
Springs, Colorado.

S T A T E M E N T

By the Commission:

The Grand County Light, Heat and Power Company herein seeks authority to transfer to The Mountain Utilities Corporation, a Colorado corporation, its certain certificates of public convenience and necessity to operate generating plants and distribution lines for the generation and distribution of electric energy, as follows:

1. The certificate of public convenience and necessity dated April 14, 1931, granted in Application No. 1529 to the Citizens Light and Power Company for the exercise of certain franchise rights granted to it in and by Ordinance No. 90 of the Town of Hot Sulphur Springs, Colorado, on October 19, 1931, which certificate, by Decisions Nos. 3662 and 3820, dated respectively September 19, 1931 and November 30, 1931, in Application No. 1900, was transferred from Citizens Light and Power Company to The Grand County Light, Heat and Power Company.

2. The certificate issued February 27, 1935, Decision No. 6338, in Application No. 2242, which authorized: "the construction and operation by The Grand County Light, Heat and Power Company of such additions and extensions as are required to enable it to extend its service to West Portal and Tabernash."
3. The certificate granted in Application No. 4748 on September 2, 1938, Decision No. 12319, which authorized: "construction, operation and maintenance of distribution lines and the furnishing of electrical service by applicant for service to consumers in the area between Tabernash and Granby, and from the vicinity of Granby to what is known as 'Camp Chief Ouray' and to what is known as the 'Blayne Ranch' properties, including the right to render service to territory contiguous to its facility, line, plant or system, and not theretofore served by a public utility of like character, and for extensions in or to the territory served by it in the ordinary course of its business, including the right to purchase current from the Federal Government from points on its transmission lines extending from Dillon to Grand Lake," and
4. The certificate granted on January 4, 1940, in Application No. 5216, Decision No. 14593, to exercise "franchise rights granted to it by the Board of Trustees of the Town of Granby, Colorado, in Ordinance No. 104."

At the hearing, in Denver, Colorado, on June 26, 1943, it appeared that terms of sale and purchase have been incorporated in the written contract dated June 1, 1943 between said parties, a copy of which contract was offered in evidence and made a part of the record. It appears that the consideration for the transfer is the sum of \$57,500.00, of which sum, \$2,000.00 was paid in cash, the balance of \$55,500.00 to be paid on or before the 15th day of August, 1943, upon delivery of proper instruments of conveyance and the procurement of approval of the Federal Power Commission of transfer of its license by seller to transferee, the approval of the contract of date June 1, 1943, by the Secretary of the Interior, and prior authorization by The Public Utilities Commission of the State of Colorado of the transfer of said certificates of public convenience and necessity.

Although notice of time and place of hearing was duly served upon the towns of Granby, Hot Sulphur Springs, Kremmling Light and Power Company, Grand Lake Light Company, Public Service Company, and the County Commissioners of Grand County, no one appeared in opposition to the transfer, and Messrs. D. I. Cox and W. D. Clark, who appeared in behalf of the

Town of Hot Sulphur Springs, stated that they had no objection to the transfer, that the town was interested in securing lower rates; that the matter of adjusting rates downward had been discussed with counsel for transferee, and they were satisfied that an adjustment downward would be made by the new owners.

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

### O R D E R

#### IT IS ORDERED:

That the proposed transfer by the Grand County Light, Heat and Power Company, a corporation, of the certificates of public convenience and necessity described in the Statement herein to The Mountain Utilities Corporation, a corporation, be, and the same hereby is, authorized and approved upon the terms and conditions set forth in the agreement between said parties dated June 1, 1943, which, by reference, is made a part hereof.

That the Mountain Utilities Corporation shall file such new rate schedules, rules and regulations as it intends to apply in the Town of Hot Sulphur Springs, or elsewhere, in the territory to be served by it within twenty (20) days after the consummation of said sale, or in the event the rate schedules, rules and regulations of the Grand County Light, Heat and Power Company are to continue effective in all or any part of said territory after said transfer or change of ownership, said petitioner shall comply in full with General Order No. 22 by filing an adoption notice, electing to adopt the existing rate schedules of Grand County Light, Heat and Power Company within twenty (20) days from the date of consummation of said purchase.

That The Mountain Utilities Corporation shall set up its books and accounts in agreement with the uniform classification of accounts, and

in all respects bring its practices as to testing, consumers' deposits, and operations and its record of meters, transformers and complaints into compliance with the Commission's requirements within twenty (20) days from the consummation of said purchase.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

L. T. Shuman

Edward V. O'Leary

Walter E. Quinn  
Commissioners

Dated at Denver, Colorado,  
this 1st day of July, 1943.

hs

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
OLIVER KINGSLEY, 2627 WYANDOTT )  
STREET, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----

APPLICATION NO. 6372-PP

-----  
July 1, 1943  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of 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, 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

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

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



L. D. Sherman

Edward D. W. Dwyer

Malcolm Erickson  
Commissioners

Dated at Denver, Colorado,  
this 1st day of July, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN RE MOTOR VEHICLE OPERATIONS OF )  
FRED W. REYNOLDS, DOING BUSINESS ) PERMIT NO. A-35  
AS "GRAND COUNTY TRANSPORTATION," )  
KREMMLING, COLORADO. )  
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-----  
July 1, 1943  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Fred W. Reynolds, doing business as "Grand County Transportation," Kremmling, Colorado, requesting that he be authorized to suspend his operations under Permit No. A-35:

"\*\* for the duration of the war plus six months or until such intermediate time as such conditions will warrant operations under this permit."

After careful consideration of the record, the Commission is of the opinion, and finds, that permittee should be granted authority to suspend operations under said Permit No. A-35 for six months from the date of this order, with reinstatement proviso.

O R D E R

IT IS ORDERED:

That Fred W. Reynolds, doing business as "Grand County Transportation," Kremmling, Colorado, be, and he hereby is, allowed to suspend his operations under Permit No. A-35 for a period of not to exceed six months from the date hereof.

That, unless said Fred W. Reynolds, prior to expiration of said suspension period, shall reinstate said permit by filing insurance and otherwise complying with all rules and regulations of the Commission applicable to Private Carrier Permits, said permit, without further action

by this Commission, shall stand revoked, without right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

W. D. Sherman

Edward E. Decker

Malcolm E. Quinn  
Commissioners



Dated at Denver, Colorado,  
this 1st day of July, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THE FITZSIMONS BUS COMPANY AND THE )  
DENVER TRAMWAY CORPORATION FOR A )  
CHANGE OF CORPORATE STATUS (OR A )  
TRANSFER OF THE RIGHTS UNDER A )  
CERTIFICATE OF CONVENIENCE AND NE- )  
CESSITY NOW HELD BY THE FITZSIMONS )  
BUS COMPANY). )  
-----

APPLICATIONS NOS. 762-A  
1626-BA

-----  
July 1, 1943  
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Appearances: W. A. Alexander, Denver, Colo-  
rado, for applicants.

S T A T E M E N T

By the Commission:

The Fitzsimons Bus Company herein seeks authority to transfer its certificate of public convenience and necessity, PUC No. 210, and its operating rights thereunder, to The Denver Tramway Corporation.

At the hearing, in Denver, Colorado, on June 25, 1943, it appeared that said bus company now is, and for more than ten years prior to the date of hearing has been, a wholly-owned subsidiary of The Denver Tramway Corporation; that, due to operating conditions arising during the war, Tramway Corporation believes it to be desirable to do away with the separate corporate organization, and to make the bus company operation an integral part of the operations of Denver Tramway Corporation. Therefore, it has determined to acquire, and has acquired, all the assets of said Bus Company, including its certificate of public convenience and necessity, subject only to the approval of The Public Utilities Commission. When the transaction is completed Fitzsimons Bus Company will be dissolved. There is no monetary consideration, the assets being transferred in exchange for the capital stock of the Bus Company, which is owned by the Tramway Corporation.

After careful consideration of the record, the Commission is of

the opinion, and finds, that the authority sought should be granted.

O R D E R

IT IS ORDERED:

That The Fitzsimons Bus Company be, and it hereby is, authorized to transfer all its right, title and interest in and to certificate of public convenience and necessity No. 210 to The Denver Tramway Corporation, Denver, Colorado.

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

L. D. Shuman

Edward E. Wheeler

Malcolm E. Givens  
Commissioners

Dated at Denver, Colorado,  
this 1st day of July, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
ED HAINES, DOING BUSINESS AS  
"HAINES MOTOR FREIGHT," DURANGO,  
COLORADO, FOR AN EXTENSION OF PER-  
MIT NO. A-1268 TO HAUL FREIGHT BE-  
TWEEN DURANGO, COLORADO, AND  
DOLORES, COLORADO, AND ALL INTER-  
MEDIATE POINTS, INCLUDING CORTEZ  
AND MC PHEE, COLORADO.

APPLICATION NO. 2859-PP-AAA-AA-B

July 1, 1943

S T A T E M E N T

By the Commission:

Heretofore, Ed Haines, doing business as "Haines Motor Freight," Durango, Colorado, filed application for an extension of his permit, No. A-1268, said matter being set for hearing, and heard, at Cortez, Colorado, on February 17, 1943.

Also, said application was set for further hearing at Durango, Colorado, on February 18, 1943, but this hearing was vacated at request of applicant.

The Commission is now in receipt of a letter from applicant, requesting that the application be dismissed.

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

O R D E R

IT IS ORDERED:

That the instant application be, and the same hereby is, dismissed, without prejudice.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Edward D. Thomas  
Edward D. Thomas  
Walter Spivey

Commissioners

Dated at Denver, Colorado,  
this 1st day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

ORIGINAL

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN MARTIN, BENNETT, COLORADO, FOR )  
AUTHORITY TO TRANSFER PERMIT NO. )  
B-586 TO HERBERT REFFEL, 4045 CLAY- )  
TON STREET, DENVER, COLORADO. )  
-----

APPLICATION NO. 5293-PP-AB-A

-----  
July 1, 1943  
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Appearances: Herbert Reffel, Denver, Colorado,  
pro se;  
Mrs. John Martin, Bennett, Colo-  
rado, for John Martin;  
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 Stor-  
age Company.

S T A T E M E N T

By the Commission:

On March 27, 1940, by Decision No. 15127, John Martin was per-  
mitted to acquire, and thereafter did acquire, Permit No. A-586 from one  
A. C. Gibson. Said permit authorized the transportation of milk from the  
area described as:

commencing at the southeast corner of Section 35,  
Township 6-South, Range 61-West; thence west 23  
miles to the southwest corner of Section 31, Town-  
ship 6-South, Range 64-West; thence north 4 miles;  
thence west 3 miles; thence north 7 miles; thence  
west 1 mile; thence north 3 miles to the northwest  
corner of Section 28, Township 4-South, Range 65-  
West; thence east 15 miles to the northwest corner  
of Section 25, Township 4-South, Range 63-West;  
thence north 6 miles to the northwest corner of  
Section 25, Township 3-South, Range 63-West; thence  
east 12 miles to the northeast corner of Section 26,  
Township 3-South, Range 61-West; thence south 20  
miles to the point of beginning.

By order, on August 27, 1941, the Commission required that said  
permit thereafter be designated and known as "Permit No. B-586," instead of  
"Permit No. A-586."

Said Martin now seeks authority to transfer said permit to Herbert Reffel, Denver, Colorado.

At the hearing, in Denver, Colorado, on June 14, 1943, it appeared that the consideration for the transfer of permit is the sum of \$600.00; that Martin is now employed by Rio Grande Motor Way, Inc., as a bus driver; that he wants to continue said employment, and being unable to obtain satisfactory drivers for the operation of his milk route, has determined to dispose of the permit; that there are no outstanding unpaid accounts against said operation, except the account of one Alonzo C. Gibson, in the sum of \$138.78 for gas and oil furnished by said Gibson to Martin, and taxes due the Commission in the amount of \$71.84, according to reports filed up to, and including, December, 1942; that additional tax is owing for the period since that time; that Mrs. Martin will file reports showing operations subsequent to December, 1942.

It would seem that the transfer should be permitted, conditioned upon John Martin filing reports covering his operations to date, and the payment by transferee out of said purchase price of \$600.00 said debt due Alonzo C. Gibson, and all ton-mile tax due the Commission, the ton-mile deposit to be returned to John Martin if and when said tax is paid.

After careful consideration of the record, the Commission is of the opinion, and finds, that said transfer should be authorized, subject to the conditions hereinafter expressed; that said permit, hereafter, to be designated as "Permit No. A-586."

#### O R D E R


##### IT IS ORDERED:

That John Martin, Bennett, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to Permit No. B-586, with authority as hereinbefore set forth, to Herbert Reffel, Denver, Colorado, said permit, hereafter, to be designated as "Permit No. A-586", and said transfer not to become effective until after reports showing the operations of Martin under said permit to date have been filed and ton-mile tax owing the Commission, and bill of Alonzo C. Gibson, in the sum of \$138.78 are paid by said Martin, or paid by transferee out of the purchase price for said permit.

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



L. D. Shuman

Edward D. Wheeler

Walter E. Eason  
Commissioners

Dated at Denver, Colorado,  
this 1st day of July, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ADOLPH A. BETHKE, GILCREST, COLO- )  
RADO, TO CLARIFY CERTIFICATE NO. 557.)  
-----

APPLICATION NO. 1764

-----  
July 2, 1943  
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Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for applicant;  
A. J. Fregeau, Denver, Colo-  
rado, for Weicker Transfer  
and Storage Company.

S T A T E M E N T

By the Commission:

At the hearing, which was held in Denver, Colorado, on June 18, 1943, applicant requested the Commission to amend his application to restrict his destination point for the delivery of milk to Greeley, Colorado. Said request was granted.

The evidence disclosed that Certificate No. 557, which was issued to Adolph A. Bethke on April 9, 1931, Decision No. 3328, described a certain route over which applicant was authorized to operate in the transportation of milk to Greeley. The instant application seeks to have said route corrected to conform to the territory which applicant has always served under said certificate.

Applicant testified that he had been transporting milk in said area since 1924; that he always assumed that the description in his certificate covered the territory in which he was actually operating until his attention was called to the matter by Mr. Flower of the Commission; that no other carriers are operating within the territory he has been serving, and he felt his certificate should be corrected to conform to the facts.

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

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

O R D E R

IT IS ORDERED:

That public convenience and necessity require that, in addition to the territory which Adolph A. Bethke was authorized to serve under Decision No. 3328, dated April 9, 1931, said Certificate No. 557 should be amended to include the right to transport milk to Greeley, Colorado, only, from farms within the territory and along the boundary lines described as follows:

Beginning at the southwest corner of Section 20, Township 4-North, Range 65-West, thence east to the southeast corner of Section 20, Township 4-North, Range 64-West, thence north to the south bank of the South Platte River, thence along the bank of the South Platte River to the northwest corner of Section 22, Township 5-North, Range 65-West; thence south to the southeast corner of Section 28, Township 5-North, Range 65-West; thence west to the northwest corner of Section 32, Township 5-North, Range 65-West; thence south to the southwest corner of Section 20, Township 4-North, Range 65-West, being the point of beginning,

and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
*L. D. Sherman*

*Edward E. Wheeler*

*William E. Quinn*

Commissioners

Dated at Denver, Colorado,  
this 2nd day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Original*

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
C. E. MOCK, 3154 COLUMBINE STREET, )  
DENVER, COLORADO, FOR AUTHORITY TO )  
TRANSFER PERMIT NO. B-846 TO H. C. )  
GROENDYKE, LAMAR, COLORADO. )  
-----

APPLICATION NO. 4969-PP-A

-----  
July 2, 1943  
-----

Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for applicants;  
Grant Landreth, Esq., Lamar,  
Colorado, for transferee;  
A. J. Fregeau, Denver, Colo-  
rado, for Weicker Transfer  
and Storage Company.

S T A T E M E N T

By the Commission:

Permit No. B-846 was, by order dated August 30, 1939, Decision No. 13936, construed to authorize the transportation of petroleum products, only.

The instant application, which was heard at Denver, Colorado, on June 18, 1943, seeks authority to transfer said permit from C. D. Mock, the present owner thereof, to H. C. Groendyke, Lamar, Colorado.

The evidence disclosed that the consideration for said transfer, which included one 1939 International truck, was the sum of \$2,900.00.

It was further disclosed that some outstanding highway compensation taxes were still due the Commission from transferor, and transferor agreed to pay the same at once.

The financial standing of transferee, as disclosed by Exhibit No. 1 introduced at the hearing, shows a net worth of approximately \$138,000.00, and he owns approximately 40 units of equipment. His operating reliability was satisfactorily established.

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

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

O R D E R

IT IS ORDERED:

That C. E. Mock, Denver, Colorado, be, and he is hereby, authorized to transfer to H. C. Groendyke, Lamar, Colorado, all his right, title and interest in and to Permit No. B-846.

That this transfer shall not become effective until all highway compensation taxes due the Commission under the operations of transferor shall have been paid.

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

Henry P. Sherman

Edward J. Wheeler

Walter E. Quinn  
Commissioners

Dated at Denver, Colorado,  
this 2nd day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WILLIAM F. BRAY, LOMA, COLORADO. )  
-----

PERMIT NO. B-2604

-----  
July 2, 1943  
-----

S T A T E M E N T

By the Commission:

On January 16, 1943, by order of the Commission, Decision No. 20262, William F. Bray, Loma, Colorado, was given authority to suspend operations under Permit No. B-2604 for a period of six months, 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 so finds, that said order of suspension should be set aside and said permit be restored to its active status.

O R D E R

IT IS ORDERED:

That said order of suspension be set aside, and Permit No. B-2604 is restored to its active status, as of June 14, 1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

W. D. Sherman

Edward D. Deuel

Robert E. Erickson

Commissioners

Dated at Denver, Colorado,  
this 2nd day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CLAUDE E. HARDRICK, 1025 WEST 19th, )  
PUEBLO, COLORADO, TO TRANSFER CER- )  
TIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY GRANTED IN APPLICATION NO. )  
6209 TO HARRY MATHEWS, 804 WEST )  
18th ST., PUEBLO, COLORADO. )  
-----

APPLICATION NO. 6209-A

-----  
July 2, 1943  
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Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for applicants;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer and  
Storage Company.

S T A T E M E N T

By the Commission:

On February 26, 1943, Decision No. 20518, and supplemental order  
Decision No. 21061, Claude E. Hardrick was granted a certificate of public  
convenience and necessity authorizing the transportation, on call and demand,  
of:

"(1) Coal between points within a radius of one hundred  
miles of Pueblo; (2) sand and gravel between points  
within a radius of fifty miles of Pueblo, and from  
points in said area to points in Las Animas County; (3)  
road construction materials and contractors' incidental  
equipment, such as wheelbarrows, tools, forms, etc., of  
the type that can be loaded upon a dump truck, to, from  
and between construction jobs within a radius of one  
hundred miles of Pueblo; (4) cement from Portland to  
points in Las Animas and Huerfano Counties, and to points  
in Pueblo County outside of the City of Pueblo; (5) lime  
from Pueblo and Manitou to points within a radius of one  
hundred and fifty miles of Pueblo, except to the city of  
Las Animas and points in Chaffee and Fremont Counties  
and the south one-half of Lake County; (6) farm products,  
excluding livestock, from points in the State of Colorado  
to points within that part of the area within a radius  
of 25 miles of Pueblo which lies north of Highway No. 50  
and east of a point five miles west of Highway No. 85, and  
within that part of said 25-mile radius which lies south  
of Highway No. 50 and east of the Colorado and Southern

Railway Company right-of-way which extends between Pueblo and Cedarwood; and the transportation of farm products, except livestock, between points in said area lying north and south of Highway No. 50 during harvest season, only; and the transportation of livestock between points in that part of the above-described areas which lie west of U. S. Highway 85 and south of the Arkansas River, and from and to points in said areas to and from points in the State of Colorado, except service to or from that part of Pueblo County which lies north of the Arkansas River and east of Highway 85; (7) tile pipe between points within a radius of twenty-five miles of Pueblo, and from the City of Pueblo, only, to points in the State of Colorado, excepting points in Chaffee, Fremont and Teller Counties and the south one-half of Lake County, said tile moving to points out of said 25-mile radius to go to Government projects, only, and service between towns to be excluded."

The instant hearing, which was held in Denver, Colorado, on June 18, 1943, seeks authority to transfer said certificate to Harry Mathews. The evidence disclosed that the consideration of the transfer of said certificate is the sum of \$300.00; that no debts exist against the operations of transferor; that transferee has a net worth of approximately \$18,000.00 and owns five units of equipment with which he proposes to conduct operations under said certificate.

Transferee testified that he was familiar with the rules and regulations of the Commission and will conform strictly to the prescribed rates of the Commission. His operating reliability was established satisfactorily.

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

#### O R D E R

##### IT IS ORDERED:

That Claude E. Hardrick be, and he is hereby, authorized to transfer to Harry Mathews, of Pueblo, Colorado, all of his right, title and interest in and to that certain certificate of public convenience and necessity heretofore issued in Application No. 6209.

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.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

L. D. Shawman

Edward D. Wheeler

William E. Quinn  
Commissioners

Dated at Denver, Colorado,  
this 2d day of July, 1943.

hs

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
WILLIAM J. SMITH, OURAY, COLO- )  
RADO, PERMIT NO. A-805. )  
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PRIVATE PERMIT NO. A-805

-----  
July 2, 1943.  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above-named permittee, requesting that Permit A-805 be suspended for a period of six months from June 30, 1943.

The Commission heretofore has suspended said permit for a period of six months from January 1, 1943, and ordinarily we grant only one suspension of a private permit unless good reason exists for additional suspension.

In the instant matter, we believe that mining developments in the Ouray territory will require the operations authorized under the above permit, and are of the opinion that an additional suspension of sixty days should be granted to enable the owner of said permit to arrange for operations to commence under this permit.

O R D E R

IT IS ORDERED:

That William J. Smith, of Ouray, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. A-805 for a period of not to exceed (60) days from June 30, 1943.

That unless said William J. Smith, prior to the expiration of said suspension period, shall 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

L. D. Thurman

Edward D. Decker

Walter E. Quinn

Commissioners.

Dated at Denver, Colorado,  
this 2nd day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
OLATHE POTATO GROWERS' ASSOCIATION, )  
OLATHE, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE )  
FOR THE TRANSPORTATION OF POTATOES, )  
ONIONS AND BEANS, ALSO SOME OTHER )  
FARM PRODUCE, FROM POINT TO POINT )  
WITHIN A RADIUS OF TWENTY-FIVE )  
MILES OF OLATHE, COLORADO. )

APPLICATION NO. 6346-PP

-----  
July 6, 1943  
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Appearances: Forest T. Cooper, Olathe, Colo-  
rado, for applicant;  
A. J. Tait, Denver, Colorado,  
for Rio Grande Motor Way, Inc.

S T A T E M E N T

By the Commission:

At the hearing, which was held in Montrose, Colorado, on June 23, 1943, Forest T. Cooper, Manager of the Olathe Potato Growers' Association, testified that said association was composed of approximately one hundred members; that it owns a one-ton Dodge truck, and during the busy season will load approximately three cars of farm produce in a day; that all movements will be from farm to loading points or from farm to farm, except an occasional movement of potatoes and onions in bulk for members of the association, only.

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

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

Considering the record, the Commission is of the opinion, and finds, that the authority sought should be granted.

O R D E R

IT IS ORDERED:

That Olathe Potato Growers' Association, Olathe, Colorado, be, and it hereby is, granted a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of farm produce from point to point within a radius of twenty-five miles of Olathe, Colorado; provided, however, that no town to town movements in competition with established line haul carriers shall be conducted except for the movement of bulk potatoes and onions for members of the Association, only.

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

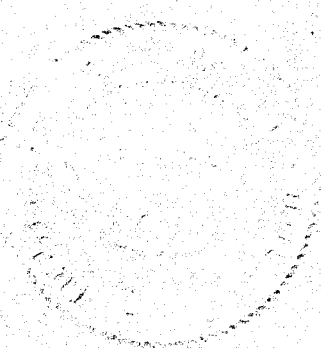
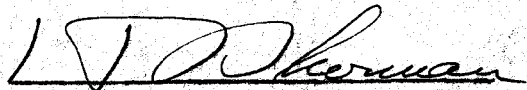
This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of its customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

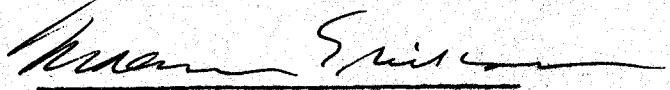
The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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 6th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Original*

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THE GRIZZLY WATER COMPANY, A COLO- )  
RADO CORPORATION, FOR AN ORDER AUTH- )  
ORIZING IT TO SELL, TRANSFER AND )  
CONVEY ITS ENTIRE WATER LINE BETWEEN )  
12TH STREET IN THE CITY OF GLENWOOD )  
SPRINGS, COLORADO, AND THE NORTH )  
SIDE OF THE RIGHT OF WAY OF THE DEN- )  
VER AND RIO GRANDE WESTERN RAILROAD )  
COMPANY'S ASPEN BRANCH TRACKS CROSS- )  
ING COLORADO STATE HIGHWAY NO. 82, )  
AND INCLUDING ITS DISTRIBUTION )  
SYSTEM BETWEEN SUCH POINTS, ALL IN )  
GARFIELD COUNTY, STATE OF COLORADO. )

APPLICATION NO. 6314-A

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July 6, 1943  
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Appearances: C. H. Darrow, Esq., Glenwood  
Springs, Colorado, for ap-  
plicant company;  
M. J. Mayes, Esq., Glenwood  
Springs, Colorado, for the  
City of Glenwood Springs;  
Allyn Cole, Esq., Glenwood  
Springs, Colorado, for pro-  
testants.

S T A T E M E N T

By the Commission:

At the hearing, which was held in Glenwood Springs, Colorado, on June 24, 1943, the evidence disclosed that the Grizzly Water Company is now serving approximately forty customers to the south and outside of the corporate limits of the City of Glenwood Springs, Colorado. It has a four-inch steel pipe approximately 4,000 feet long. This pipe starts from a point one block within the corporate limits of Glenwood Springs, but no customers are served within this block. The Company is incorporated for 21,000 shares of the par value of \$1.00 per share. It has no source of supply for water except City of Glenwood Springs, and has no written contract with said City for the purchase of said water, but under a verbal contract has been paying \$300.00 per year to the City, plus twenty percent

of excess receipts over and above amount of same at time of the first verbal understanding.

The City has a parallel line just across the street from the Grizzly Water Company line, which runs to Cardiff, three and one-half miles south of Glenwood. The Grizzly Water Company formerly served the Community Hospital, which is located at the end of its line, but had to give up this customer as it did not have sufficient pressure to furnish satisfactory service, so the City is now serving this hospital as well as the C.C.C. Camp which is also in the Grizzly Company's service area.

Officers of the Grizzly Company stated that no funds were available to rebuild their line, and that new customers could not be served unless the line was enlarged; that the City could easily and more economically serve Grizzly's customers, and it was the desire of the Grizzly Company to sell to the City.

No outstanding obligations exist against the Grizzly Company. Its total gross revenue in 1942 was the sum of \$2,100.00. Some of its customers were complaining about the pressure which they were receiving. It was stated, without being contradicted, that the City has an abundance of water. A new four-inch line would cost approximately \$3.50 per foot, and the cost of a six-inch line would be \$4.50 per foot.

Mr. W. J. Hutchings, a member of the City Council, Chairman of the Light & Water Committee, and Mayor pro tem of Glenwood Springs, testified that in his opinion the City could serve the Grizzly area and make a saving of between \$1,500 and \$1,600 per year. This amount would be saved through cheaper maintenance and operating costs, taxes saved, and purchase price of water.

The proposed sale is for a cash consideration of \$7,500.00.

It was stipulated between counsel for the City and for protestants that in the event the Commission approved the transfer, customers now served by the Grizzly would not have their present rates increased until such time as a schedule of rates could be agreed upon between the City and protestants, and in the event of their failure to agree, both sides would accept such rates as the Commission's engineers might recommend.

In view of this stipulation, all objections to the granting of the authority sought were withdrawn. The record indicates that substantial sav-

ings could be made if the City of Glenwood Springs operated the Grizzly Company line. The price tentatively agreed upon appears to be a reasonable one.

Considering the record as a whole, the Commission is of the opinion, and so finds, that public convenience and necessity would be best served by granting the authority sought.

O R D E R

IT IS ORDERED:

That the Grizzly Water Company be, and it is hereby, authorized, for the sum of \$7,500.00, to sell, transfer and convey its entire water line between 12th Street in the City of Glenwood Springs and the north side of the right-of-way of The Denver and Rio Grande Western Railroad Company's Aspen Branch tracks crossing Colorado State Highway No. 82, and including its distribution system between such points, all in Garfield County, State of Colorado, and including also the good will of the applicant, to the City of Glenwood Springs, a municipal corporation.

That no change shall be made in the rates now paid by the customers of transferor on the part of transferee until such time as new rates shall have been agreed upon between the City of Glenwood Springs and said users, or a schedule of rates is approved by this Commission upon recommendation of its engineers; provided, however, that the question of the level of said rates is always subject to the jurisdiction and control of the Public Utilities Commission.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

L. D. Sherman

Edward O. Wheeler

William E. Quinn

Commissioners

Dated at Denver, Colorado,  
this 6th day of July, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
T. W. AND C. L. BUTLER, ALMA, COLO- )  
RADO, FOR A CLASS "A" PERMIT TO OP- )  
ERATE AS PRIVATE CARRIERS BY MOTOR )  
VEHICLE FOR HIRE FOR THE TRANSPOR- )  
TATION OF SCRAP AND SALVAGE FROM )  
QUARRY NEAR MARBLE, COLORADO, TO )  
CARBONDALE, COLORADO. )

APPLICATION NO. 6353-PP

-----  
July 6, 1943  
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Appearances: T. W. Butler, Alma, Colorado,  
for applicants.

S T A T E M E N T

By the Commission:

At the hearing, which was held in Glenwood Springs, Colorado, on June 24, 1943, the evidence disclosed that applicants are brothers; that they own a 1929 White flat body two and one-half-ton truck, as well as a one and one-half-ton 1935 International, besides other equipment; that said equipment is all clear.

They are seeking authority to transport scrap and salvage from the quarry near Marble, Colorado, to Carbondale. This scrap consists of three and one-half miles of 60-pound rails from the roadbed of a recently abandoned railroad in that vicinity, as well as other scrap material. The contemplated transportation service will cover approximately twenty-eight miles of highway.

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

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

After careful consideration of the record, the Commission is of the opinion, and so finds, that the permit should issue.

O R D E R

IT IS ORDERED:

That T. W. and G. L. Butler, of Alma, Colorado, be, and they are hereby, authorized to operate as Class "A" private carriers by motor vehicle for hire for the transportation of scrap and salvage from quarry and railroad bed near Marble, Colorado, to Carbondale, 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 applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and have secured 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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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 6th day of July, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF  
E. L. TISLOW, GATEWAY, COLORADO, FOR  
A CLASS "B" PERMIT TO OPERATE AS A  
PRIVATE CARRIER BY MOTOR VEHICLE FOR  
HIRE FOR THE TRANSPORTATION OF ORE  
FROM MINES WITHIN A RADIUS OF 25 MILES  
OF GATEWAY TO GATEWAY, AND MILL AND  
MINING SUPPLIES FROM GATEWAY TO VARIOUS  
MINING CLAIMS IN SAID DISTRICT, AND  
TRANSPORTATION OF ORE FROM GATEWAY  
DISTRICT TO URAPAN AND NATUKITA.

APPLICATION NO. 6351-PP

July 6, 1943.

Appearances: E. L. Tislow, Gateway, Colorado,  
PER SE.

STATEMENT

By the Commission:

At the hearing, which was held in Grand Junction, Colorado, on June 23, 1943, the evidence disclosed that applicant is the owner of a 1936 Diamond T 1½-ton truck; that the Metals Reserve Corporation and other shippers of vanadium ore had requested that he secure authority to transport same for hire. The Supervisor of the Motor Patrol in the Grand Junction District testified that in his opinion the transportation service proposed by applicant was badly needed.

Applicant has been operating under temporary authority, and stated that he would comply with all the laws of the State and the rules and regulations of the Commission if granted the authority sought. No objections were interposed to the granting of the authority sought.

Considering the record, the Commission is of the opinion, and finds, that the authority sought should be granted.

ORDER

IT IS ORDERED:

That E. L. Tislow be, and he is hereby, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of ore from mines within a radius of 25 miles of Gateway to Gateway, and mill and mining supplies from Gateway to various mining claims within said

25-mile radius, including the right to transport ore from said 25-mile radius of Gateway to mills and stock piles at Uravan and Naturita.

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.

The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

1 D D Korman

Edward O. Wheeler

Robert E. Quinn  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF  
SIDNEY J. BEASLEY, RIDGWAY, COLORADO,  
FOR A CLASS "B" PERMIT TO OPERATE AS  
A PRIVATE CARRIER BY MOTOR VEHICLE FOR  
HIRE FOR THE TRANSPORTATION OF LEAD  
AND ZINC ORE FROM IRONTON TO FRANZ  
MILL AT OURAY, AND FROM BROWN MOUNTAIN  
TO MAYFLOWER MILL NEAR SILVERTON, SAN  
JUAN COUNTY, COLORADO.

APPLICATION NO. 6196-PT

July 6, 1943.

Appearances: Sidney J. Beasley, Ridgway, Colorado,  
vs;  
Jerome Paul, Esq., Ouray, Colorado,  
for Fellin Brothers.

STATEMENT

By the Commission:

The instant application was originally denied. However, further hearing was granted, which was held at Ouray, Colorado, June 22, 1943. At said further hearing, protestants, Fellin Brothers, and applicant entered into a stipulation to the effect that authority might issue to applicant for the transportation of ores and concentrates in Ouray County for two customers, only. Prior to the entry of said stipulation, these two customers had testified as to the need of applicant's proposed service.

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

The evidence disclosed that considerable mining activity is anticipated in the Ouray district this coming summer, and we believe the evidence fully justified the stipulation entered into between the parties. Fellin Brothers are the only common carriers serving Ouray County with call and demand service with headquarters at Ouray.

Considering the record as a whole, the Commission is of the opinion, and so finds, that, as limited by the stipulation between applicant and

and pretestants, the authority sought should be granted.

O R D E R

IT IS ORDERED:

That S. J. Beasley, Ridgway, Colorado, be, and he is hereby, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of ores and concentrates between points within the County of Ouray, Colorado, for Sam Thistle and Earl Alexander, only.

IT IS FURTHER ORDERED, That applicant may not extend his service to any other customers than those above named without application to, and authority from the Commission after due notice and hearing.

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

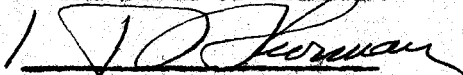
This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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.


The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF  
LUNA CARRELL, GATEWAY, COLORADO, FOR  
A CLASS "B" PERMIT TO OPERATE AS A  
PRIVATE CARRIER BY MOTOR VEHICLE FOR  
HIRE FOR THE TRANSPORTATION OF ORE  
FROM MINES WITHIN A RADIUS OF 25  
MILES OF GATEWAY TO GATEWAY, AND MILL  
AND MINING SUPPLIES FROM GATEWAY TO  
VARIOUS MINING CLAIMS IN SAID DISTRICT  
AND TRANSPORTATION OF ORE FROM GATEWAY  
DISTRICT TO URAPAN AND/OR NATUREITA.

APPLICATION NO. 6352-PP

July 6, 1943.

Appearances: Luna Carrell, Gateway, Colorado,  
ETC. ET.

STATEMENT

By the Commission:

At the hearing, which was held in Grand Junction, Colorado, on June 23, 1943, the evidence disclosed that applicant is the owner of one 1940 Ford 1½-ton dump truck; that the Metals Reserve Corporation and other shippers of Vanadium ore have requested that he secure authority to transport same for hire. The Supervisor of the Motor Patrol in the Grand Junction district testified that in his opinion the transportation service proposed by applicant was badly needed.

Applicant has been operating under temporary authority, and stated that he would comply with all the laws of the State and the rules and regulations of the Commission if granted the authority sought.

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

Considering the record, the Commission is of the opinion, and finds, that the authority sought should be granted.

ORDER

IT IS ORDERED:

That Luna Carrell be, and he is hereby, authorized to operate as

a Class "B" private carrier by motor vehicle for hire for the transportation of ore from mines within a radius of 25 miles of Gateway to Gateway, and mill and mining supplies from Gateway to various mining claims within said 25-mile radius, including the right to transport ore from said 25-mile radius of Gateway to mills and stock piles at Uruvan and Naurita.

All operations hereunder shall be 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.

The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

W. D. Hornum

Edward O. Wheeler

Walter E. Spiker  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of July, 1943.

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
H. E. TYLER TRANSFER COMPANY, 348 )  
MAIN STREET, DELTA, COLORADO, FOR )  
AUTHORITY TO TRANSFER PERMIT NO. )  
B-1305 TO J. R. FARMER, DOING BUSI- )  
NESS AS "DELTA COAL AND TRANSFER )  
COMPANY," 348 MAIN STREET, DELTA, )  
COLORADO. )

APPLICATION NO. 2885-PP-A

-----  
July 6, 1943  
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Appearances: J. K. Farmer, Delta, Colo-  
rado, pro se;  
A. J. Tait, Denver, Colorado,  
for Rio Grande Motor Way,  
Inc.

S T A T E M E N T

By the Commission:

At the hearing, which was held in Montrose, Colorado, on June 23, 1943, the evidence disclosed that transferee was purchasing, not only transferor's permit, but all of his equipment and coal bins now located at Delta.

It does not appear that any outstanding obligations exist against the operations of transferor under Permit No. B-1305, and transferee agreed to pay any such debts if same did exist.

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

Permit No. B-1305 was originally issued to transferor on February 11, 1936, Decision No. 7189. It authorizes the transportation of:

"coal and household goods from point to point within a radius of fifty miles of Delta, Colorado, including the right to deliver general freight from railroad depot in Delta to points within a radius of fifty miles of Delta; provided, however, that the authority herein granted does not include the right to deliver general freight between points now served by any motor vehicle common carrier."

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

Considering the record, the Commission is of the opinion, and finds, that said transfer should be authorized.

ORDER

IT IS ORDERED:

That H. E. Tyler, Delta, Colorado, be, and he hereby is, authorized to transfer all of his right, title and interest in and to Permit No. B-1305 to J. R. Farmer, doing business as "Delta Coal and Transfer Company," of Delta, 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 herein authorized to be transferred, and shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

L. D. Shuman

Edward D. W. Baker

Maureen Spinks  
Commissioners

Dated at Denver, Colorado,  
this 6th day of July, 1943.

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF  
FLORENCE HART, DOING BUSINESS  
AS "FARM HAULING SERVICE,"  
LONGMONT, COLORADO, PUC NOS.  
945 AND 945-I.

CASE NO. 4908  
ORDER TO SHOW CAUSE  
AND NOTICE OF HEARING

July 3, 1943

STATEMENT

By the Commission:

It appears from the records of the Commission that the above-named respondent, heretofore, became the holder of certificates of public convenience and necessity numbered 945 and 945-I, pursuant to the provisions of Chapter 134, Session Laws of 1927, as amended (Sections 300-327, Chapter 16, 1935 C.S.A.), authorizing her to engage in the business of a motor vehicle carrier; that said respondent operates under said certificates by and through her husband, Guy Hart, as her agent; that the territory which the respondent is authorized to serve under and by said certificates is as follows:

Transportation of livestock, feeders' supplies and farm products from point to point within a radius of 20 miles of Longmont, and from points in said area to points outside thereof, all for customers within said area, and for such other customers outside thereof as may maintain feeder lots within the above area.

Feb. 26, 1941: Interstate authority issued:  
Between all points in Colorado and the Colorado  
State Boundary Line where all highways cross  
same in interstate commerce, only.

And now said respondent is operating, and for a long period of time has been operating, under said certificates as a motor vehicle carrier.

The Commission is informed and believes, and upon such information and belief alleges, that the respondent has violated the provisions of law governing motor vehicle carriers and the rules and regulations of

this Commission governing motor vehicle carriers, and the terms and provisions of her said certificates, in the following particulars, to-wit:

1. During the period January 1, 1941, to and including December 31, 1942, the respondent failed and refused to issue bills of lading covering all shipments which are itemized in a manner so as to fully and clearly show the description and classification of said shipments, the points of origin and destination, and the rates to be charged for the transportation of said shipments; contrary to Rule 30 of the Rules and Regulations Governing Motor Vehicle Carriers, as shown by Paragraphs 3, 4, 5, and 7 of Exhibit A attached hereto.

2. During the period January 1, 1941, to and including December 31, 1942, the respondent failed and refused to file with this Commission accurate and correct monthly reports showing the correct number of revenue ton miles traveled by the respondent during the preceeding month, but, on the other hand, has used false and erroneous figures covering the number of tons transported during the preceeding month, and that the respondent had in her possession, prior to the making of said monthly reports, the correct information as to the weight of each shipment, which is demonstrated by the fact that the respondent, in figuring the freight charges, used the weights as given to the respondent by the various commission firms to whom the respondent delivered said shipments, but, in reporting the number of tons to this Commission on said monthly report blanks, said respondent used a much lower figure in practically all instances; that, on the copies of the bills of lading retained by the respondent, either on the face or on the back thereof, the correct weight of each shipment is noted as well as the erroneous and false weight which respondent used in making her reports to this Commission; that, according to the information which this Commission now has in its possession, there is due the State of Colorado the sum of \$68.61, plus a penalty of 50 percent, for the year 1941, and the sum of \$83.58, plus a penalty of 50 percent, for the year 1942, and that, if the respondent had issued and prepared bills of lading in accordance with the rules and regulations of this Commission by showing thereon the exact points of origin and destination, said amounts

due for said years would be increased, but that, on account of the manner in which respondent has prepared and issued her bills of lading, the Commission is at this time unable to determine what the amount of said increased tax is for each of said years; that by reason of the foregoing, the respondent has violated the provisions of law and the provisions of Rules 26 and 30 of the Rules and Regulations of this Commission governing motor vehicle carriers, as shown by Paragraph 5 of Exhibit A hereto attached.

3. That during the period January 1, 1941, to and including December 31, 1942, the respondent extended, changed, altered, and varied the territory established in her said certificates, and has served points not included therein, without first having made application therefor to this Commission upon forms provided by this Commission, and without first having obtained authority from this Commission so to do; contrary to law and the rules and regulations of this Commission governing motor vehicle carriers; that a few of said violations are set forth in Paragraph 6 of Exhibit A hereto attached.

4. That during the period January 1, 1941, to December 31, 1942, the respondent has changed, altered, and varied the authority established in her said certificates, in that the respondent has established and is maintaining an office in Denver, Colorado, or is so conducting her business as to accomplish the same results, as shown by Paragraph 8 of Exhibit A hereto attached.

5. That during the period January 1, 1941, to and including December 31, 1942, respondent has used equipment not listed with this Commission, and for which no identification cards were issued, and without having furnished to the operator of each of said emergency vehicles a letter stating that such vehicle was being operated under the authority of the respondent, and without having mailed a copy of said letter of authority to the office of this Commission within twenty-four hours, or at all, after the use of said emergency vehicles; contrary to Rule 15 of the rules and regulations of this Commission governing motor vehicle carriers, as shown by Paragraph 9 of said Exhibit A hereto attached.

6. That during the period January 1, 1941, to and including December 31, 1942, respondent assessed and collected a different compensation for the services rendered by her than the rates and charges applicable to such transportation as specified in respondent's schedules on file in the office of this Commission, in that the respondent, during said period, transported a great many shipments of corn for the firm of Miller and Karsh, also described as "M & K," from various points in Eastern Colorado to a destination near Longmont, Colorado, and charged therefor but 16 cents per hundred pounds, whereas the correct rate was considerably more, depending upon the specific points of origin; and on various other shipments the respondent has charged, demanded, collected, and received a less or different compensation than shown in said respondent's schedules or tariffs, but that this Commission is unable to determine the correct rate from said bills of lading for the reason that said respondent has failed and refused to accurately and completely fill out said bills of lading by showing the points of origin and destination; all contrary to law and Rules 30 and 34 of the rules and regulations of this Commission, as shown by various shipments described in Exhibit A hereto attached, and particularly those described in paragraph 12 thereof.

7. That on or about May 12, 1942, said respondent filed with this Commission a purported lease between said respondent and M. H. Karsh, whereby said respondent leased to said Karsh one of her trucks; that said lease does not comply with the provisions of Rule 14 of the rules and regulations of this Commission governing motor vehicle carriers, in that said lease does not show any particular period during which said lease is to run, nor any consideration therefor; that on February 4, 1943, said respondent advised by letter to this Commission that said lease arrangement was being renewed effective February 4, 1943; that said lease arrangement is in fact not a bona fide lease, but is a device on the part of the respondent to avoid assessing and charging said Karsh the correct and lawful rate for the transportation of said commodities for said Karsh, in accordance with the tariffs and schedules on file with this Commission, and

that said lease and lease arrangement or other agreement between said respondent and said Karsh should be cancelled and held for naught, and that said respondent be compelled to assess, charge, and collect the correct and proper charges for all transportation made under and pursuant to said lease.

8. That the Commission is informed and believes that the respondent, in carrying on her operations under said certificates of public convenience and necessity, has otherwise violated the provisions of law and of the rules and regulations governing motor vehicle carriers.

Therefore, the Commission is of the opinion, and so finds, that a complaint should be instituted on its own motion, and an investigation and hearing held to determine whether or not the respondent has failed or refused to comply with, or has violated any or all of the provisions of said statute, the rules and regulations of this Commission, or the provisions of her said certificates, and whether or not said lease and lease arrangement mentioned in Paragraph 7 hereof, should be cancelled and the respondent ordered to collect any and all undercharges arising because of her operations thereunder; and further, that said respondent should be required to show cause, by written answer filed with this Commission within ten (10) days from this date, why this Commission should not, because of the foregoing alleged violations and delinquencies, enter an order suspending or revoking said certificates and each of them, and why this Commission should not cancel and revoke said lease arrangement mentioned in Paragraph 5 hereof, and order the respondent to collect any and all undercharges arising because of her operations thereunder, or why this Commission should not enter such other order or orders as may be proper in the premises.

#### O R D E R

IT IS ORDERED:

By the Commission, on its own motion, that an investigation and hearing be had to determine if respondent has violated the provisions of law or the rules and regulations of this Commission governing motor vehicle

carriers, or the terms and provisions of respondent's said certificates.

That respondent show cause, if any she have, by verified written answer filed with this Commission within ten (10) days from this date, why it should not enter an order, because of the aforesaid alleged violations, suspending or revoking said certificates heretofore issued to 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 15th day of July, 1943, at 10:00 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

L. J. Shuman

Edward D. Wheeler

Malcolm F. Quinn  
Commissioners

Dated at Denver, Colorado,  
this 3rd day of July, 1943.

HW

M E M O

April 20, 1943

To: Louis J. Carter, Chief Enforcement Officer

From: Inspector A. E. Murchie

Subject: Operations of Florence Hart d/b/a Farm Hauling Service, Longmont, Colorado, under PUC 945 and 945-I.

An investigation of the operations of the Farm Hauling Service, under PUC 945 and 945-I for the period of January 1, 1942 to December 31, 1942, discloses:

1. Authority PUC 945 and 945-I

"Transportation of livestock, feeders' supplies and farm products from point to point within a radius of 20 miles of Longmont and from points in said area to points outside thereof, all for customers within said area and for such other customers outside thereof as may maintain feeder lots within the above area.

"Feb. 26, 1941: Interstate authority issued: Between all points in Colorado and the Colorado state boundary line where all highways cross same in interstate commerce, only."

2. Map of territory covered by Certificate 945 is attached.

3. Bills of lading are not completely filled out as they do not show (A) actual point of origin, or destination, and (B) no rates are shown on some bills of lading.

A.

B/L	3287	1/5/42	32 head of cows, loaded Dave Labor to D U Stkyds. D & E
B/L	3290	1/5/42	29 cattle & 9 calves, loaded D U Stkyds to Bill Talley's place
B/L	3484	2/1/42	43 cattle, loaded at Henry Ross Place, to D U Stkyds., D & E
B/L	3505	2/3/42	22 cattle, loaded D U Stkyds. to Cris Iverson Place
B/L	3664	3/1/42	43 " , " Dunkin Makee & Churchwell, to D U Stkyds.
B/L	3689	3/18/42	38 " , " D U Stkyds. to C & S & then to Sam Hoffman Place, for Max Lessor
B/L	3760	4/20/42	24 cattle, loaded Hammond Jones Place, to D U Stkyds
B/L	3759	4/20/42	31 heifers, loaded D U Stkyds to Factory place, for Ludlow & McCarty
B/L	3816	5/17/42	41 cows, 27 calves, loaded at Pete Befus Place, to D U Stkyds.
B/L	3783	5/4/42	53 calves, loaded D U Stkyds, to O Johnson Pl., southeast of Mead
B/L	3836	6/9/42	50 cattle, loaded McCaslin, to D U Stkyds.
B/L	3831	6/1/42	45 " " D U Stkyds. to Longmont, for M & K
B/L	3929	7/8/42	21 " " Mike Sickech, to D U Stkyds.

Florence Hart - 2

B/L	4064	7/21/42	30 cattle,	loaded East of Longmont, to D U Stkyds., for Sickech & Sons
B/L	4071	8/3/42	36 "	, loaded West of Erie, to D U Stkyds., for Gust Ogren & Sons.
B/L	4088	8/31/42	65 "	, loaded D U Stkyds., to Chris Iverson
B/L	4209	9/26/42	12 "	, loaded D U Stkyds., to south of Longmont, for Duncan McKie
B/L	4095	9/9/42	17 "	, loaded Bonner Place, south of Longmont, to D U Stkyds.
B/L	4179	10/5/42	199 sheep,	loaded Winslow Place, to D U Stkyds., for Winslow & Cummings
B/L	4177	10/6/42	21 cattle,	D U Stkyds. to Churchwell Place, for Churchwell & McKee
B/L	4325	11/13/42	51 cows,	loaded D U Stkyds., to Pete Befus, for Max Lessor
B/L	4446	11/30/42	155 sheep, 1 hog,	loaded east of Longmont, to D U Stkyds., for Mr. Schrode
B/L	4449	12/1/42	14 head of cattle,	loaded D U Stkyds., unloaded R. McLeod Place, for R. McLeod

B.

B/L	3392	1/16/42	13 head of cattle,	D U Stkyds., to Roy Burns' Place
B/L	3479	1/19/42	9 " "	calves, " " Jim Whisman
B/L	3435	2/5/42	load corn,	Haxtun to Longmont, for M & K
B/L	3436	2/6/42	" " ,	" " " " "

On all bills of lading for loads of corn, no rates are shown

B/L	3529	3/4/42	18 head of cattle for H. Hendler,	loaded C & S., to D U Stkyds.
B/L	3692	3/21/42	8 head of cattle for Irving Ludlow,	loaded D U Stkyds., to Johnson Place
B/L	3707	4/9/42	11 head of cattle, for Ludlow,	loaded at D U Stkyds., to Johnson Place
B/L	4102	4/21/42	3 head of cattle, McKee & Churchwell,	loaded D U Stkyds., to Churchwell
B/L	3774	4/27/42	8 head of cattle, Wadsworth & Grower,	loaded C & S., to D U Stkyds.
B/L	3718	4/29/42	7 head of cattle, for Gardenswartz,	loaded at Longmont, to D U Stkyds.
B/L	3821	5/19/42	7 head of cattle, for Gardenswartz,	loaded C & S., to D U Stkyds.
B/L	3845	6/22/42	28 calves for Don Neighbors,	loaded at D U Stkyds., to C & S., Longmont
B/L	3938	7/21/42	load of railroad ties for Rudy Brand,	loaded east of Longmont, to northwest of Longmont.
B/L	4068	7/28/42	17 heifers for J. DeVids & 3 cows & 2 calves for Rannells Bros.,	loaded Longmont to D. U Stkyds.
B/L	3943	8/5/42	26 cattle for Chris Iverson,	from sw Longmont to D U Stkyds.

B/L 4200 11/3/42 101 steers, loaded at D U Stkyds., unloaded south of Longmont for Ludlow & Elmer Johnson  
 B/L 4474 12/8/42 15 cows, loaded D U Stkyds., unloaded Jones Place, SE of Longmont, for Jones

4. Carrier is not using uniform livestock truck bills of lading, as prescribed by the Commission under Item No. 2, Page 10, of rate Case 1585. Stock taken into the Denver Union Stockyards would have to be made on regular standard uniform livestock truck bills of lading. Mr. Hart advised that he did not keep all of them and did not produce any of them.

5. Carrier is using estimated weights on monthly road tax reports instead of actual weights. Actual weights are given to buyers by the commission firms at the stockyards and also to truckers (attached to their check) for transportation charges, to confirm the amount. (Rule 26, Section A, Page 18, of Rules and Regulations Governing Motor Vehicle Carriers, and Paragraph K, Page 7, in Case 1585). That, according to the information which the Commission has now obtained, said road tax reports have been purposely prepared to avoid payment of the full road tax due; that according to the information the Commission now has, there is due to the State of Colorado the sum of \$68.61 for the year 1941 and the sum of \$83.58 for the year 1942; that said amounts will be increased if the carrier furnishes correct information as required by the rules and regulations.

6. Carrier is hauling out of authority covered by Certificate 945:

B/L 3464 1/8/42 27 cattle for Sam Hessler, loaded at D U Stkyds., to Sam Hessler Place, south of Hudson  
 B/L 3720 5/3/42 19 bulls for Henry Hendler, loaded at Fountain, to D U stkyds.  
 B/L 3928 7/2/42 19 horses for Art Card, loaded at Estes Park, to west of Denver, Colo.  
 B/L 4080 8/18/42 41 calves for W. J. Scheller, loaded at D U Stkyds., unloaded at Wray.  
 B/L 4198 10/31/42 50 head of cattle for Carl Busby, loaded at D U Stkyds., unloaded at Carl Busby Place, east of Idalia.  
 B/L 4224 11/4/42 22 cattle for Joe Miller & Co., loaded D U Stkyds. to Hoffman Place at Fort Morgan, Colo.  
 B/L 4479 12/9/42 35 head of calves for Sam Crosby, loaded at D U Stkyds., unloaded at Schafer Ranch, east of Hugo, Colo.  
 Port Ticket No. 875434 issued at Port No. 3, 42 calves for S. Sheller, origin Denver, destination Sterling, Colo.

7. Carrier is not putting all truck license numbers on bills of lading, per Decision No. 17825, Case 1585, Page 12, Rule 19B, effective Nov. 15, 1941.

B/L 3474 1/17/42 26 cattle, 1 calf, for Joe Cohan, loaded at Waggoner Place, unloaded at D U Stkyds., truck #2 had 10 head, truck #4 had 17 head

B/L 3497	2/16/42	33 cattle for Wetherhell & Nelson, loaded at Herb Nelson Place, unloaded at D U Stkyds, truck #2 had 16 head and Yockey had 17 head
B/L 3672	3/3/42	30 head cattle for Alex Labor, loaded at D U Stkyds, to A. Labor Place, No. 2 - 12 head & Golden 18 head
B/L 3766	4/22/42	39 head, steers for Gardenswartz & G., loaded at Beach Place, west of Mead, unloaded at D U Stkyds., for Lowell & Miller Commission Firm, Weiss 8 head, Hart #2 truck 15 head, Hart No. 4 truck 16 head
B/L 3904	5/17/42	25 head cattle for John Clark, loaded at John Clark Place, unloaded at D U Stkyds, Yockey 15 head, Clynke 10 head
B/L 3839	6/14/42	32 head cattle for Paul Jones, loaded at Paul Jones' Place, unloaded at D. U Stkyds, #3 truck 14 head, #4 truck 18 head
B/L 4061	7/14/42	27 head cattle for Chris Iverson, loaded at his place, unloaded at D U Stkyds, #3 - 12 head, #4 - 15 head
B/L 4074	8/9/42	27 head cattle for Paul Jones, loaded at Paul Jones' east of Longmont, unloaded at D U Stkyds, #3 - 17 head, #2, 10 head

There are many other similar cases. The few shown above are examples.

8. A check of bills of lading show that a large percentage of business originates at the Denver Union Stockyards and the carrier is apparently maintaining an office in Denver, Colorado, or is so conducting its business as to accomplish the same results, as follows:

	<u>Inbound</u>	<u>Outbound</u>
	Shipments - Head	Shipments - Head
Jan. 1942	10 - 243	15 - 373
Feb. "	17 - 416	13 - 259
Mar. "	27 - 742	11 - 259
Apr. "	18 - 354	9 - 240
May "	24 - 592	3 - 84
June "	21 - 591	2 - 73
July "	16 - 433	
Aug. "	9 - 328	7 - 345
Sept. "	3 - 46	14 - 762
Oct. "	3 - 302	16 - 929
Nov. "	7 - 326	44 - 1720
Dec. "	12 - 351	25 - 695
	167 4724	159 5739

9. Bills of lading show that trucks and drivers of other truckers are used by carrier but no emergency letters have been filed or on file in this office.

B/L	3507	2/5/42	37 cattle for Philip Lorenz, loaded at D U Stkyds., unloaded at Chris Lorenz' Place; truck #4, Denver, John had 21 head, Golden 16 head
B/L	3497	2/16/42	33 head cattle for Wetherhell & Nelson, loaded at Hub Nelson's Place, unloaded at D U Stkyds; truck #2, driver Jim, had 16 head; Yockey had 17 head (this bill of lading in item 7)
B/L	3492	2/9/42	17 head of cattle, for Chris Iverson, loaded at D U Stkyds., Hart's No. 2 truck had 9 head, driver Buck, unloaded at Chris Iverson's Place; Yockey's truck had 8 head, unloaded at C & S
B/L	3669	3/2/42	38 heifers for Tollifson & Labor, loaded at Alex Labor's Place, unloaded at D U Stkyds. BILL. shows Hart No. 2 Truck had 16 head, driver Jim Golden's truck, 14 head, Yockey 8 head.
B/L	3544	3/20/42	426 sheep for Miller and Karsh, which shows Hart's #2 truck had 140 head, #4 truck 140 head, and Yockey 146 head
B/L	3533	3/8/42	52 cattle for N. A. Lawson, which shows Hart's #4 truck had 14 head, M. Yockey 18 head, R. Yockey 20 head
B/L	3713	4/14/42	36 head cattle for Walter Price, Hart's #4 truck had 18 head, Yockey 18 head
B/L	3818	5/18/42	25 cattle & 3 calves for H. A. Cole, which shows Hart's #3 truck had 13 cows, 2 calves, Yockey 12 calves & 1 calf
B/L	3926	6/29/42	51 cattle for Mike Allen, which shows Hart's #3 truck had 18 head, #4 truck 21 head and Fred Weiss 12 head
B/L	4062	7/19/42	21 cattle for Elmer Autery, which shows Hart's #3 truck had 13 head, Clynce 8 head (this tonnage was not reported)
B/L	3470	1/13/42	41 calves hauled for Yockey; bill of lading made by Hart, road tax not reported by Yockey or Hart. No rates shown
B/L	3590	4/6/42	26 heifers for Yockey & Blum. Bill of lading made by Hart. Hart's #2 truck, 10 head, #4 truck 16 head. Ticket marked Yockey. Road tax not reported by anyone
B/L	3859	4/13/42	14 cattle for Yockey. Bill of lading made by Hart - marked Yockey. Road tax not reported by anyone. No rate shown
B/L	3703	4/7/42	13 cattle for R. Yockey. Bill of lading made by Hart, marked Yockey, road tax not reported by anyone
B/L	3723	5/10/42	18 cattle for Yockey & Raginio. Bill of lading made by Hart, marked, "tax by Yockey." Road tax not reported by anyone. No rate shown
B/L	4146	9/27/42	Cattle (number not shown) for Ralph Yockey. Bill of lading made by Hart, marked "tax by Yockey." Tax not reported by anyone. No rate shown.
B/L	4409	10/26/42	Cattle (number of head not shown). Bill of lading made by Hart, marked "tax by Sorenson." No rates shown.
B/L	4405	10/11/42	16 cattle. Bill of lading made by Hart, marked "tax by Sorenson." No rate shown.

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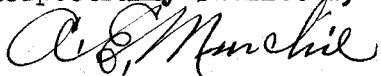
B/L 4229 11/8/42 Cattle (number of head not shown). Bill of lading made by Hart; tax by Clynke. Rate not shown

10. A check of the records shows that on May 12, 1942, Hart filed a lease with the Commission, which does not show a particular period or consideration (lease to become effective the 21st day of April, 1942.)

11. On February 4, 1943, Mr. Hart advised us by letter that the lease agreement between Mr. M. H. Karsh and him was renewed, effective February 4, 1943.

12. The enclosed bills of lading show that Hart was making bills of lading on movement of corn and in a good many cases he was charging a rate of 16¢.

Respectfully submitted,



A. E. Murchie, Inspector  
Enforcement Division

AEM:R

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Original*

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
E. W. TERRILL, GRAND JUNCTION, COLO- )  
RADO, FOR AUTHORITY TO TRANSFER CER- )  
TIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY NO. 345 TO W. R. HALL, )  
GRAND JUNCTION, COLORADO, )  
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APPLICATION NO. 1301-A

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July 6, 1943  
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Appearances: Adams and Heckman, Esqs., Grand  
Junction, Colorado, for Transferor;  
Eugene H. Mast, Esq., Grand Junction,  
Colorado, for Transferee;  
A. J. Tait, Denver, Colorado, for Rio  
Grande Motor Way, Inc.;  
Wayne N. Aspinall, Esq., Grand Junction,  
Colorado, for G. W. Hawthorne.

S T A T E M E N T

By the Commission:

At the opening of the hearing, which was held in Grand Junction, Colorado, on June 23, 1943, counsel for G. W. Hawthorne withdrew the written objections heretofore filed to the proposed transfer.

The evidence disclosed that the consideration being paid for the transfer of the certificate, including five trucks, tools, and other equipment, is the sum of \$5,750.00. This consideration is being paid in cash.

No debts exist against the present operations of transferor.

Transferee has lived in Grand Junction for approximately eight years and is a distributor of petroleum products in Mesa, Delta, Montrose, Rio Blanco, and Garfield Counties. His financial statement indicates a net worth of over \$90,000.00.

Certificate No. 345, which the instant application seeks authority to transfer, was originally issued to E. W. Terrill, doing business as "E. W. Terrill Transfer and Storage Company," on May 3, 1929, Decision No. 2169, and authorizes:

"The conduct of a transfer, moving and general cartage business in the Counties of Mesa, Garfield and Delta in the State of Colorado, and for occasional service throughout the State of Colorado, and in each of the counties thereof, subject to the terms and conditions hereinafter stated.

"For the transportation of commodities other than household goods between points served singly or in combination by scheduled carriers, the applicant shall charge rates which shall be as much as twenty percent higher than those charged by scheduled carriers.

"Applicant shall not operate on schedule between any points.

"Applicant shall 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 Grand Junction for the purpose of developing business."

After consideration of the record, the Commission is of the opinion, and finds, that the authority sought should be granted.

O R D E R

IT IS ORDERED:

That E. W. Terrill, doing business as "E. W. Terrill Transfer and Storage Company," Grand Junction, Colorado, be, and he hereby is, authorized to transfer to W. R. Hall, of Grand Junction, Colorado, all of his right, title and interest in and to Certificate No. 345.

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

I. T. Shuman

Edward D. Daniel

Walter E. Quinn

Commissioners

Dated at Denver, Colorado,  
this 6th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
GLEN HUNTINGTON, BLACKHAWK, )  
COLORADO. )

PERMIT NO. A-2702

-----  
July 6, 1943.  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Glen Huntington, Blackhawk, Colorado, permittee in the above-entitled matter, stating that A. M. Fairchild, his only customer, has sold his business to P. A. Starbranch, of Blackhawk, Colorado, and requesting that the name of his customer be changed accordingly.

The Commission finds that this request should be granted.

ORDER


IT IS ORDERED:

That the name of P. A. Starbranch, Blackhawk, Colorado, be substituted for the name of A. M. Fairchild, of Blackhawk, Colorado, as customer of the above-named permittee, and that Decision No. 18049 of the Commission, issued December 17, 1941, be amended accordingly.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
LOUIE A. THEOBOLD, EDWARD A. THEOBOLD )  
AND FRED W. THEOBOLD, DOING BUSINESS )  
AS THEOBOLD TRUCK LINE, FOR AUTHORITY )  
TO TRANSFER CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY NO. 888 TO )  
C. J. MOBERLY, 219 MAIN ST., MONTROSE, )  
COLORADO. )

APPLICATION NO. 3152-A

-----  
July 6, 1943.  
-----

Appearances: C. J. Moberly, Montrose, Colorado,  
pro se;  
A. J. Tait, Denver, Colorado, for  
Rio Grande Motor Way, Inc.;  
G. W. Hawthorne, Grand Junction,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

On July 13, 1936, Theobold Truck Line was granted a certificate  
of public convenience and necessity authorizing the transportation,-

"(a) on call and demand, of farm products (including  
livestock), and farm supplies (specifically including  
farm machinery and equipment, feed, used furniture  
and household goods), mill and mine supplies, ore and  
petroleum products, between, from and to points within  
a radius of 50 miles of Norwood, Colorado, (excluding  
service between points served by Rio Grande Motor Way,  
Inc.); (b) general freight, on schedule, via U. S.  
Highway No. 50 and State Highways numbered 62, 108,  
145, 90 (or Colo. 141 instead of U. S. 50), from and  
to Grand Junction and Montrose to and from points  
west of (but not including) Ridgway as far as Paradox  
and Telluride by way of Placerville, with the right to  
serve locally points between Ridgway and Paradox and  
between Ridgway and Telluride by way of Placerville."

Thereafter, on May 10, 1941, Theobold Truck Line was authorized  
to transfer to Telluride Transfer Company all that portion of the authority  
above described, which had been designated as Certificate No. 888, which  
authorized the transportation of freight over the highways and between the  
points described as follows:

"Beginning at the junction of State Highways Nos. 62 and 145 and at the town and place known as "Old Placerville" in San Miguel County, to the City of Telluride, including all points intermediate on said State Highway No. 145; provided, however, that transfer is confined to the line haul rights of transferor and does not cover any portion of its call and demand or rover's certificate, and does not exclude transferor from rendering service to the town of Placerville."

The instant application, which was heard at Montrose on June 23, 1943, seeks authority to transfer the remaining authority under Certificate No. 888 to C. J. Moberly, of Montrose, Colorado.

The evidence disclosed that the consideration for said transfer is the sum of \$1,000.00, payable \$500.00 down upon approval of transfer by this Commission; \$250.00 within three months after said approval, and balance of \$250.00 within six months after said approval.

Evidence was introduced showing that no outstanding obligations exist against operations under said certificate by transferor, except a claim of the Colorado Motor Carriers Association in the amount of \$12.00, which item transferee agreed to see was adjusted and settled.

Transferee is now operating under a certificate of public convenience and necessity heretofore issued by the Commission, and his financial statement on file herein shows a net worth of approximately \$28,000.00.

It was stipulated between G. W. Hawthorne and transferee that if transfer was permitted, transferee would not, in his line haul operations under said certificate, compete with the Hawthorne Truck Line in its transportation of freight from Grand Junction to Gateway and points intermediate Whitewater to Gateway. However, transferee reserved the right under his rover's certificate to pick up or deliver freight in the Gateway area.

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

Considering the record, the Commission is of the opinion, and so finds, that said transfer should be authorized.

#### O R D E R

#### IT IS ORDERED:

That Theobald Truck Line be, and it is hereby, authorized

to transfer all its right, title, and interest in and to certificate of public convenience and necessity No. 888 to C. J. Moberly, of Montrose, Colorado.

IT IS FURTHER ORDERED, That transferee, in his line haul operations under said certificate, shall not compete with Hawthorne Truck Line in its operations between Grand Junction and Gateway and points intermediate Whitewater to Gateway, but will have the right under the call and demand authority herein transferred, to pick up and deliver truckloads in said Hawthorne territory.

IT IS FURTHER ORDERED, That transferee shall settle and adjust account of the Colorado Motor Carriers Association in the amount of \$12.00 out of the consideration price to be paid herein.

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.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



*L. J. Moberly*

*Edward V. Steele*

*William E. Quinn*  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
ESTHER V. SWANSON )  
Frisco, Colorado )  
 )  
 )  
 )

PERMIT NO. C-13995

July 6, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Esther V. Swanson of Frisco Colorado,  
requesting that his Permit No. C-13995 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13995, heretofore issued  
to Esther V. Swanson of Frisco, Colorado be,  
and the same is hereby, declared cancelled effective June 30, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shuman*  
*David D. Beebe*  
*Malcolm Erickson*

Commissioners.

Dated at Denver, Colorado,

this 6th day of July, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

HERMAN RAMER )  
37 S. Pearl St., )  
Denver, (9), Colorado )

PERMIT NO. C-11819

July 6, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Herman Ramer of 37 S. Pearl St., Denver, (9), Colorado  
requesting that his Permit No. C-11819 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-11819, heretofore issued  
to Herman Ramer of 37 S. Pearl St., Denver, (9), Colorado be,  
and the same is hereby, declared cancelled effective June 22, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry D. Shaw  
Edward D. Wheeler  
Malcolm Erickson

Commissioners.

Dated at Denver, Colorado,

this 6th day of July, 1943.

21123

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

C. C. ANKENY, JR  
1601 - 8th St.,  
Greeley, Colorado

PERMIT NO. C-11241

July 6, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
C. C. Ankeney, Jr of 1601 - 8th St , Greeley, Colorado,  
requesting that his Permit No. C-11241 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-11241, heretofore issued  
to C. C. Ankeney, Jr of 1601 - 8th St., Greeley, Colorado be,  
and the same is hereby, declared cancelled effective January 1, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shawman*

*John J. Greer*

*William Erickson*  
Commissioners.

Dated at Denver, Colorado,

this 6th day of July, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

BAUM OIL COMPANY )  
4344 Thompson Court )  
Denver, (16), Colorado )

PERMIT NO. C-8631

July 6, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Baum Oil Company of 4344 Thompson Court Denver, Colorado (16)  
requesting that his Permit No. C-8631 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-8631, heretofore issued  
to Baum Oil Company of 4344 Thompson Court, Denver, (16), Colorado be,  
and the same is hereby, declared cancelled effective January 1, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry S. Blount*  
*Edward D. Wheeler*  
*Malcom Erickson*

Commissioners.

Dated at Denver, Colorado,

this 6th day of July, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

HENRY L. ZINCK )  
Canon City, Colorado )  
..... )

PERMIT NO. C-3399

.....  
July 6, 1943.....

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Henry L. Zinck.....of Canon City, Colorado.....,  
requesting that his Permit No. C-3399.....be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-3399....., heretofore issued  
to Henry L. Zinck of Canon City, Colorado.....be,  
and the same is hereby, declared cancelled effective June 28, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry S. Peterson  
Edward J. Wheeler  
Malcom Erickson  
.....  
Commissioners.

Dated at Denver, Colorado,

this 6th day of July, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

COMMUNITY OIL COMPANY )  
Trinidad, Colorado )  
 )  
 )  
 )

PERMIT NO. C-10902

July 6, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Community Oil Company of Trinidad, Colorado,  
requesting that his Permit No. C-10902 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-10902, heretofore issued  
to Community Oil Company of Trinidad, Colorado be,  
and the same is hereby, declared cancelled effective January 1, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry P. Shuman  
Edward E. Wheeler  
Malcom Erickson

Commissioners.

Dated at Denver, Colorado,

this 6th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
EUGENE HAIGHT )  
1558 Yosemite )  
Aurora, (8), Colorado )  
..... )

PERMIT NO. B-2931

.....  
July 6, 1943  
.....

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Eugene Haight of 1558 Yosemite Aurora, (8), Colorado  
....., requesting that his Permit No. B-2931 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-2931, heretofore issued to Eugene Haight of 1558 Yosemite, Aurora (8), Colorado be, and the same is hereby, declared cancelled effective June 28, 1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shuman*

*Donald H. Wheeler*

*Malcolm Erickson*

Commissioners.

Dated at Denver, Colorado,

this 6th day of July, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

FRANTZ LUMBER & SUPPLY COMPANY )  
4391 York St., )  
Denver, (16), Colorado )  
..... )

PERMIT NO. B-2839

.....  
July 6, 1943

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Frantz Lumber & Supply Company of 4391 York St., Denver, Colorado,  
requesting that his Permit No. B-2839 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-2839, heretofore issued  
to Frantz Lumber & Supply Company of 4391 York St., Denver, Colorado be,  
and the same is hereby, declared cancelled effective June 1, 1943

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shuman*  
.....  
*Edward E. Wheeler*  
.....  
*Malcom Erickson*  
.....  
Commissioners.

Dated at Denver, Colorado,

this 6th day of July, 1943

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )

ALBERT A. MELICHAR )  
1573 S. Broadway, )  
Denver, (10) Colorado )  
----- )

PERMIT NO. B-2820

-----  
July 6, 1943  
-----

S T A T E M E N T

By the Commission:

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

Albert A. Melichar of 1573 S. Broadway Denver, (10) Colorado,  
requesting that his Permit No. B-2820 be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. B-2820, heretofore issued  
to Albert A. Melichar of 1573 S. Broadway, Denver (10) Colorado be,  
and the same is hereby, declared cancelled effective January 1, 1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Pherson*  
-----  
*Edward E. Wheeler*  
-----  
*Malcolm Erickson*  
-----

Commissioners.

Dated at Denver, Colorado,

this 6th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WILLIAM JURGENS )  
354 S. Stuart St., )  
Denver, Colorado )  
-----

PRIVATE PERMIT NO. B-2795

-----  
July 6, 1943  
-----

STATEMENT

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2795 be suspended for a period of six months from June 9, 1943.

ORDER

IT IS ORDERED:

That William Jurgens of 354 S. Stuart St., Denver, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-2795 for a period of not to exceed six months from June 9, 1943.

That unless said William Jurgens 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

*Henry D. [Signature]*  
*Edward E. [Signature]*  
*Malcom Erickson*  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
A. R. DAUGHERTY )  
Windsor, Colorado )  
-----

PRIVATE PERMIT NO. B-1886

-----  
July 6, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-1886 be suspended for a period of six months from June 26, 1943.

O R D E R

IT IS ORDERED:

That A. R. Daugherty of Windsor, Colorado be, and he is hereby, authorized to suspend his operations under Permit No. B-1886 for a period of not to exceed six months from June 26, 1943.

That unless said A. R. Daugherty 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

*Henry D. Shover*  
*Donald E. Dwyer*  
*Malcolm Erickson*  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
VERNE SCHNEPF )  
123 North Mack )  
Ft Collins, Colorado )  
-----

PRIVATE PERMITS NOS. B-1325 & B-1325-I

-----  
July 6, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit Nos. B-1325 & B-1325-I be suspended for a period of six months from June 26, 1943.

O R D E R

IT IS ORDERED:

That Verne Schnepf of 124 North Mack, Ft Collins, Colorado be, and he is hereby, authorized to suspend his operations under Permit Nos. B-1325 and B-1325-I for a period of not to exceed six months from June 26, 1943.

That unless said Verne Schnepf 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

*Henry D. Shaw*  
*Edward J. Dwyer*  
*Malcolm Erickson*  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
HERMAN RAMER )  
37 S. Pearl St., )  
Denver, (9). Colorado )  
-----

PRIVATE PERMIT NO. B-2843

-----  
July 6, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2843 be suspended for a period of six months from June 22, 1943.

O R D E R

IT IS ORDERED:

That Herman Ramer of 37 S. Pearl St., Denver, (9), Colorado be, and he is hereby, authorized to suspend his operations under Permit No. B-2843 for a period of not to exceed six months from June 22, 1943.

That unless said Herman Ramer 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

*Henry D. Shaw*  
*Edward E. O'Connell*  
*William E. Erickson*  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
V. H. JORGENSEN )  
Route 5, Box 152 )  
Highland Station )  
Denver, 11, Colorado )  
----- )

PRIVATE PERMIT NO. B-2948

-----  
July 6, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-2948 be suspended for a period of six months from June 30, 1943.

O R D E R

IT IS ORDERED:

That V. H. Jorgensen of Route 5, Box 152, Highland Station, Denver, 11, Colorado be, and he is hereby authorized to suspend his operations under Permit No. B-2948 for a period of not to exceed six months from June 30, 1943.

That unless said V. H. Jorgensen 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 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

*Henry D. Shuman*

*Edward E. Wheeler*

*Malcolm Erickson*

Commissioners.

Dated at Denver, Colorado,  
this 6th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Original*

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
LELAND GROZIER, GOULD, COLORADO, }  
FOR A CLASS "A" PERMIT TO OPERATE }  
AS A PRIVATE CARRIER BY MOTOR VE- }  
HICLE FOR HIRE. }

APPLICATION NO. 6374-PP

-----  
July 8, 1943  
-----

S T A T E M E N T

By the Commission:

On June 22, 1943, application was filed by Leland Crozier, Gould, Colorado, for a private carrier permit to haul timber products between Gould and Walden, Colorado, over State Highway No. 14, for Michigan River Timber Company.

Inasmuch as common carriers serving that territory, on a number of occasions, have stated that they do not object to the issuance of private carrier permits, limited to the transportation of timber products from mills and timber camps near Gould to Walden, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

After careful consideration of the files herein, the Commission is of the opinion, and finds, that said permit should issue, subject to complaint by any interested carrier, filed within twenty (20) days from the date of this order.

O R D E R

IT IS ORDERED:

That Leland Crozier, Gould, Colorado, be, and he hereby is, authorized to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of timber products between Gould and Walden, Colorado, over State Highway No. 14, for Michigan River Timber Company.

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.

That the authority herein granted be, and it hereby is, made subject to objections by any common carriers authorized to perform the same service, said objections to be filed within twenty (20) days from date.

The Commission hereby retains jurisdiction to enter such further order or orders herein as may be required.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



1. J. J. Thomas

Edward D. Wheeler

Walter E. Quinn  
Commissioners

Dated at Denver, Colorado,  
this 8th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF  
DONNELLY'S, INC., IDAHO SPRINGS,  
COLORADO.

PERMIT NO. A-122

July 8, 1943

S T A T E M E N T

By the Commission:

Heretofore, Private Carrier Permit No. A-122, issued to Donnelly's, Inc., Idaho Springs, Colorado, a corporation, was suspended at the request of the corporation for a period of six months.

Within the time limited for reinstatement, said permit-holder asked that the permit be reinstated.

It appears that proper insurance has been filed, ton-mile deposit has been paid, and permittee, otherwise, has complied with our rules and regulations applicable to Private Carrier Permits.

The Commission is of the opinion, and finds, that said permit should be reinstated.

O R D E R

IT IS ORDERED:

That Permit No. A-122 be, and the same hereby is, reinstated.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

1 J D Shuman

Edward D. O'Connell

Wm. J. Quinn  
Commissioners

Dated at Denver, Colorado,  
this 8th day of July, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WILLIAM COOK, BERTHOUD, COLORADO, )  
FOR A REISSUE OF PERMIT NO. B-1905. )  
-----

APPLICATION NO. 6344-PP

-----  
July 8, 1943  
-----

Appearances: William Cook, Berthoud, Colo-  
rado, pro se;  
T. A. Stockton, Jr., Esq.,  
Denver, Colorado, for the  
Common Carrier Division of  
The Colorado Motor Carriers'  
Association;  
A. A. Brooks, Jr., Denver, Colo-  
rado, for the Colorado Trans-  
fer and Warehousemen's Associa-  
tion;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer and Stor-  
age Company.

S T A T E M E N T

By the Commission:

On April 1, 1937, William Cook was authorized to operate as a  
Class "B" private carrier by motor vehicle for hire (Permit No. B-1905)  
for the transportation of: .

coal, cement, plaster and building materials from  
the Berthoud yards of the Gould Lumber Company to  
points where these commodities are being used with-  
in a radius of ten miles of Berthoud, Colorado,  
without the right to haul said commodities between  
towns served by line haul motor vehicle common  
carriers for hire.

By Decision No. 19180, of date June 27, 1942, said permit was  
cancelled, effective June 6, 1942.

On May 15, 1943, said William Cook filed his application for  
a permit to haul farm products and other commodities between points  
within a radius of fifty miles from Berthoud, said permit to bear the  
same number as the cancelled permit.

At the hearing, in Fort Collins, Colorado, on June 15, 1943, it developed that applicant wants to haul coal, cement, plaster and building materials from the Berthoud yards of the Gould Lumber Company and the Harsh Lumber Company to points within a radius of twenty miles of Berthoud, without the right to haul said commodities between points served by line haul motor vehicle common carriers; farm products between points within said twenty-mile radius, and mill feeds and grain from mills in Berthoud to farms and feeders within said twenty-mile radius of Berthoud, 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 careful consideration of the record, the Commission is of the opinion, and finds, that said permit should issue, with authority as hereinafter set forth.

#### O R D E R

##### IT IS ORDERED:

That William Cook, Berthoud, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal, cement, plaster and building materials from the Berthoud yards of the Gould Lumber Company and the Harsh Lumber Company to points within a radius of twenty miles of Berthoud, without the right to haul said commodities between points served by line haul motor vehicle common carriers; farm products between points within said twenty-mile radius, and mill feeds and grain from mills in Berthoud to farms and feeders within said twenty-mile radius of Berthoud, 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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

That said permit, when issued, shall bear the number "B-1905."

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

L. J. Shuman

Edward E. Wheeler

Malcolm Smith  
Commissioners

Dated at Denver, Colorado,  
this 8th day of July, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
NORRIS B. COOK, DOING BUSINESS AS )  
"STRATHMORE TAXI," CANON CITY, COLO- )  
RADO, FOR A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY FOR THE )  
TRANSPORTATION OF CIVILIANS AND SER- )  
VICE MEN, BOTH WITHIN THE CONFINES )  
OF THE CITY LIMITS OF CANON CITY, )  
COLORADO, AND WITHIN A RADIUS OF TEN )  
MILES THEREOF, WITH OCCASIONAL TRIPS, )  
ON CALL AND DEMAND, TO CAMP CARSON )  
AND PUEBLO, COLORADO. )  
-----

APPLICATION NO. 6347

IN THE MATTER OF THE APPLICATION OF )  
DUSKY BAXTER KIER, DOING BUSINESS AS )  
"EL RIO HOTEL TAXI," CANON CITY, )  
COLORADO, FOR A CERTIFICATE OF PUB- )  
LIC CONVENIENCE AND NECESSITY FOR )  
THE TRANSPORTATION OF CIVILIANS AND )  
SERVICE MEN, BOTH WITHIN THE CONFINES )  
OF THE CITY LIMITS OF CANON CITY, )  
COLORADO, AND WITHIN A RADIUS OF TEN )  
MILES THEREOF, WITH OCCASIONAL TRIPS, )  
ON CALL AND DEMAND, TO CAMP CARSON )  
AND PUEBLO, COLORADO. )  
-----

APPLICATION NO. 6348

-----  
July 8, 1943  
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Appearances: James T. Locke, Esq., Canon  
City, Colorado, and  
T. A. Stockton, Jr., Esq.,  
Denver, Colorado, for the  
applicants;  
T. A. White, Esq., Denver,  
Colorado, for Denver-  
Colorado Springs-Pueblo  
Motor Way, Rio Grande  
Motor Way, Inc., Colburn  
Motor Tours;  
Joseph G. Shabouh, Colorado  
Springs, Colorado, for  
Pikes Peak Auto Livery.

S T A T E M E N T

By the Commission:

The above matters were heard at Colorado Springs, Colorado,  
on June 24, 1943. By stipulation, they were consolidated for hearing.

Applicants seek taxi service, as hereafter indicated.

Both applicants agreed to restrict their operations:

1. To within a radius of ten miles from the City Limits of Canon City proper.
2. To exclude Royal Gorge and the High Bridge, insofar as sightseeing operations are concerned, until such time as regulations of the Office of Defense Transportation permit the same.
3. To limit service from Canon City to Camp Carson and Pueblo to the origin points of Canon City and within a ten-mile radius, except on round trips.
4. That service to Camp Carson and Pueblo be limited to the duration of the war.
5. That service be confined to ordinary taxi operations, operating cars with a capacity of not to exceed six, including the driver, and carrying no more than such seated capacity.
6. That rates be sufficiently high as to be non-competitive with rates of protestants.
7. That no application for increase in rates should be made, except on notice to all protestants.
8. That each applicant be limited to one taxi in operation at any given time.
9. That rates shall be forty cents per car mile (loaded movement), with a minimum charge of thirty-five cents.

Neither applicant objected to the application of the other.

Applicants have licenses to operate in Canon City proper, and they were not aware until recently that they were required to obtain certificates of public convenience and necessity for service outside of Canon City proper.

Applicant Kier has owned and operated the El Rio Hotel in Canon City since 1929. In her taxi service she has delivered messages for Western Union Telegraph Company and the telephone company after office hours, has received calls from doctors to bring people into Canon City from the radius requested, has taken salesmen from Canon City to South Canon City and East Canon City and other points within the above radius, and has had requests

from East Canon City and South Canon City to go to various points within the ten-mile radius. She has received very few requests to transport civilian passengers from Canon City to Pueblo, only one request every two or three months, and that from the same individual. She has had requests for transportation almost every Sunday night since the operation of military bases at Camp Carson and Pueblo, such requests usually being for five or six soldier passengers who have hitch-hiked to Canon City. Her normal requests for service within the ten-mile area run about ten per day. She is of the opinion that there is a sufficient demand for two taxies to serve the public convenience and necessity of Canon City and its environs. She testified that there are three bus schedules daily from Canon City to Pueblo and one train to Pueblo daily, also one bus daily directly from Canon City to Colorado Springs. Colorado Springs can be further served from Canon City via Pueblo. Applicant Kier's net worth is from \$65,000.00 to \$70,000.00.

Ted Cook, testifying for his brother, Norris B. Cook, doing business as "Strathmore Taxi," stated that his brother had been called to the Army, and that he is managing Strathmore Hotel and Strathmore Taxi during his absence. He stated that the net worth of his brother is approximately \$600.00 or \$700.00; that he receives 11.5 calls per day outside of the City of Canon City and within the ten-mile radius, and has about two requests a month for service from Canon City to Pueblo, always on Sundays, and usually for two passengers, and about two requests per week for transportation from Canon City to Camp Carson, always on Sunday nights, and for several passengers.

The record justifies the declaration that present and future public convenience and necessity require the proposed operation, as limited, within a radius of ten miles of the City Limits of Canon City proper, but, in the opinion of the Commission, it does not justify sightseeing operations to Royal Gorge or the High Bridge, or to the extent of the ten-mile radius for the purpose of carrying sightseers to a point near the Royal Gorge or the High Bridge, from which they might thence walk the remainder of the way.

In view of the restriction by the Office of Defense Transportation upon taxi operations, limiting same to trips of twenty-five miles or less be-

yond the City Limits of towns of less than 10,000 population, it is not deemed advisable to issue certificates of public convenience and necessity to applicants for transportation of passengers from Canon City to either Camp Carson or Pueblo at the present time.

The Commission finds that present and future public convenience and necessity require the proposed operations of applicants, as hereinafter limited, and certificates of public convenience and necessity should issue therefor, without prejudice to filing future applications for sightseeing purposes; and for service to Camp Carson and Pueblo if and when O.D.T. restrictions are lifted.

#### O R D E R

IT IS ORDERED:

That public convenience and necessity require, and will require, the operation of taxi service, on call and demand, by Norris B. Cook, doing business as "Strathmore Taxi," Canon City, Colorado, and Dusky Baxter Kier, doing business as "El Rio Hotel Taxi," Canon City, Colorado, for the transportation of passengers within the confines of the City Limits of the City of Canon City, Colorado, and within a radius of ten miles from the City Limits thereof, subject to the following limitations:

1. Operations to be limited to within a ten-mile radius of the City Limits of Canon City proper.
2. Service excluded insofar as sightseeing operations are concerned.
3. Service to be confined to ordinary taxi operations, operating cars with a capacity of not to exceed six, including the driver, and carrying no more than such seated capacity.
4. Rates shall be forty cents per car mile (loaded movement), with a minimum charge of thirty-five cents.
5. No application for increase in rates shall be made, except on notice to all protestants.
6. Service shall be limited to the use of one taxi in operation at any given time by each applicant,

and this order shall be taken, deemed and held to be certificates of public convenience and necessity therefor.

Applicants shall file tariffs of rates, rules and regulations, as required by the rules and regulations of this Commission, within twenty

(20) days from date.

Applicants shall operate their carrier systems 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 applicants with all present and future laws and rules and regulations of this Commission.

Certificates of public convenience and necessity issued herein are granted without prejudice to filing future applications for sightseeing operations, and for service to Camp Carson and Pueblo, if and when O.D.T. restrictions are lifted.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



1 D Shouman

Edward D. Shouman

Walter E. Shouman  
Commissioners

Dated at Denver, Colorado,  
this 8th day of July, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
VIRGIL WILLIAMS, 1114 ACOMA STREET, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 6380-PP

-----  
July 8, 1943  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado within a radius of fifty miles of Denver, Colorado, to jobs within said area, 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

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

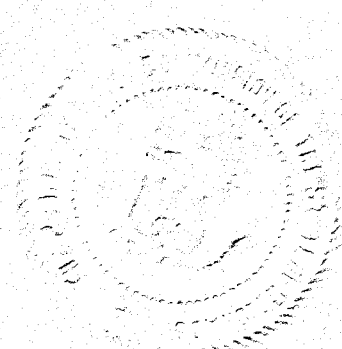
This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



*L. D. Thurman*  
*Edward D. DeLoe*  
*Paul Smith*  
Commissioners

Dated at Denver, Colorado,  
this 8th day of July, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CARL A. SEIPP, 4617 QUITMAN STREET, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 6381-PP

-----  
July 8, 1943  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of 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 the Denver area.

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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted, and that said permit, when issued, should bear the number "B-2555," being the number of a permit formerly held by applicant.

O R D E R

IT IS ORDERED:

That Carl A. Seipp, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other 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 the Denver 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 this Commission.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

That said permit, when issued, should bear the number "B-2555."

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

L. D. Sherman

Edward D. Decker

Wm. E. Quinn

Commissioners

Dated at Denver, Colorado,  
this 8th day of July, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JAMES H. FARMER, 836 DEXTER STREET, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 6383-PP

-----  
July 8, 1943  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of 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 jobx 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

That James H. Farmer, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other 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, 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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

L. J. Thomsen

Edward V. Wheeler

Maude E. Quinn  
Commissioners

Dated at Denver, Colorado,  
this 8th day of July, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
H. O. WILLISON, ROUTE 1, GRAND )  
JUNCTION, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE CAR- )  
RIER BY MOTOR VEHICLE FOR HIRE FOR )  
THE TRANSPORTATION OF LUMBER AND )  
LUMBER MILL SUPPLIES FROM POINT TO )  
POINT WITHIN A RADIUS OF 100 MILES )  
OF GRAND JUNCTION, COLORADO, AND )  
FARM PRODUCTS FROM POINT TO POINT )  
WITHIN A RADIUS OF 35 MILES OF )  
GRAND JUNCTION, COLORADO. )

APPLICATION NO. 6345-PP

-----  
July 9, 1943.  
-----

Appearances: H. O. Willison, Route 1, Grand  
Junction, Colorado, Pro Se;  
A. J. Tait, Denver, Colorado,  
for Rio Grande Motor Way, Inc.;  
Wayne H. Aspinall, Esq., Grand Junction,  
Colorado, for Hawthorne Truck Line.

S T A T E M E N T

By the Commission:

At the hearing, which was held in Grand Junction, Colorado, on June 23, 1943, applicant stipulated that he would perform no service in competition with the operations of the Hawthorne Truck Line, and also that he did not propose to perform any town to town service in competition with Rio Grande Motor Way, Inc. It was agreed that the transportation of lumber from points of origin not located on the line haul routes of competitive carriers, would not be competitive service even though its destination was some point served by said line haul carrier.

It was further developed that applicant is the owner of three Ford trucks, and his financial standing and operating reliability were established to the satisfaction of the Commission.

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

Considering the record, the Commission is of the opinion, and

so finds, that, as limited by the testimony at the hearing, permit should issue.

O R D E R

IT IS ORDERED:

That H. O. Willson, Route 1, Grand Junction, Colorado, 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 35 miles of Grand Junction, and the transportation of lumber and lumber mill supplies between points within a radius of 100 miles of Grand Junction, Colorado; provided, however, that no town to town service shall be rendered in competition with Rio Grande Motor Way, Inc., and the movement of lumber mill supplies shall be limited, so far as destination points are concerned, to those mills from which applicant is transporting lumber; and provided also that no service shall be rendered in competition with the Hawthorne Truck Line.

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.

The authority herein granted is subject to all applicable order of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
*[Signature]*  
*[Signature]*  
*[Signature]*  
Commissioners.

Dated at Denver, Colorado,  
this 9th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
VIVIAN APODACA, 1622 WEST 34th )  
AVENUE, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )

APPLICATION NO. 6376-PP

-----  
July 9, 1943.  
-----

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, rock, 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 the Denver area.

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

O R D E R

IT IS ORDERED:

That Vivian Apodaca, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of rock, 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 the Denver area.

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

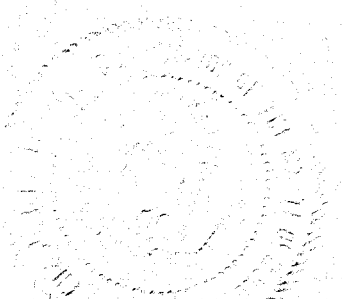
This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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.

The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
W. D. Thorman

Edward D. Decker

Walter E. Quinn  
Commissioners.

Dated at Denver, Colorado,  
this 9th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*

IN THE MATTER OF THE APPLICATION OF  
FRANCIS KELLIE, 1305 DOWNING STREET,  
DENVER, COLORADO, FOR A CLASS "B"  
PERMIT TO OPERATE AS A PRIVATE  
CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 6379-PP

July 9, 1943.

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 within a radius of fifty miles of Colorado Springs, to Colorado Springs, 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

ORDER

IT IS ORDERED:

That Francis Kellie, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other 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 within a radius of fifty miles of Colorado Springs, to Colorado Springs, 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.

The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*W. D. Thomas*

*Edward D. Wheeler*

*William E. Smith*  
Commissioners.

Dated at Denver, Colorado,  
this 9th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
J. R. WYATT AND JOHN B. FURSTENBERG, )  
3759 FEDERAL BOULEVARD, DENVER, )  
COLORADO, FOR AUTHORITY TO TRANSFER )  
PERMIT NO. A-2806 TO J. R. WYATT, )  
3759 FEDERAL BOULEVARD, DENVER, )  
COLORADO. )  
-----

APPLICATION NO. 6006-PP-A

-----  
July 10, 1943  
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S T A T E M E N T

By the Commission:

Heretofore, J. R. Wyatt and John B. Furstenberg, Denver, Colorado, were authorized 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 seventy-five 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, Colo.

Said permit-holders now seek authority to transfer said permit to J. R. Wyatt, Denver, Colorado.

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

After careful consideration of the record, the Commission is of the opinion, and finds, that transfer of Permit No. B-2806 should be authorized.

O R D E R

IT IS ORDERED:

That J. R. Wyatt and John B. Furstenberg, Denver, Colorado, be, and they hereby are, authorized to transfer all their right, title and interest in and to Permit No. B-2806 to J. R. Wyatt, 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 transferred, and shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

W. D. Howard

Edward D. Decker

Walter Smith  
Commissioners

Dated at Denver, Colorado,  
this 10th day of July, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GEORGE N. NELSON, HUDSON, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS A PRIVATE CARRIER BY MOTOR VE- )  
HICLE FOR HIRE. )  
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APPLICATION NO. 6371-PP

-----  
July 10, 1943  
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Appearances: George N. Nelson, Hudson,  
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, Colo-  
rado, for Weicker Transfer  
and Storage Company.

S T A T E M E N T

By the Commission:

The above matter was heard in Denver, Colorado, on July 7,  
1943, at 10:00 o'clock A. M.

Applicant 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 Boul-  
der, Clear Creek and Gilpin Counties; coal from mines in the northern  
Colorado coal fields to points within a radius of thirty miles of Hud-  
son, Colorado; farm produce, including livestock, between points within  
the area bounded on the south by U. S. Highway No. 36, east to intersec-  
tion with Highway No. 71, north on Highway No. 71 extended to a point  
that would intersect Highway No. 14, west on Highway No. 14 to Ault,  
thence south to Highway No. 85 to Platteville, thence west to the inter-  
section with Highway No. 185 (North Washington Street), thence south to  
Denver, the point of beginning.

Under cross-examination by Mr. Stockton, applicant testified that practically his only request for the transportation of farm produce, including livestock, was from points within a radius of fifteen miles of Hudson, Colorado.

No protests were made to the operation, as limited by the testimony of applicant.

Applicant is the owner of a one and one-half-ton Ford truck, with grain bed, and has been in the trucking business elsewhere for four or five years, his net worth being approximately \$500.00.

The Commission finds that the authority, as limited by the testimony, should be granted.

#### O R D E R

##### IT IS ORDERED:

That George N. Nelson, Hudson, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other 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 thirty miles of Hudson, Colorado; farm products, including livestock, between points within a radius of fifteen miles of Hudson, Colorado, and from points within said radius to markets within a radius of fifty miles of Hudson, 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.

The authority herein granted is subject to all applicable orders of The Office of Defense Transportation of the Federal Government.

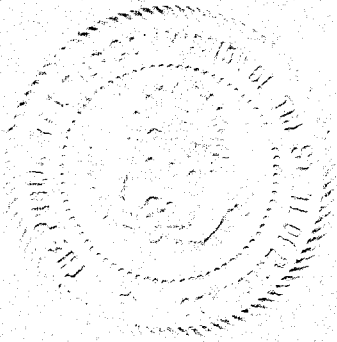
This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

L. J. Thurman

Edward D. U. U. U.

W. E. U. U. U.  
Commissioners



Dated at Denver, Colorado,  
this 10th day of July, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
N. C. WINTEROWD, ARRIBA, COLORADO, )  
FOR AUTHORITY TO TRANSFER PERMIT NO. )  
A-662 TO CLARENCE H. DAVIS, ARRIBA, )  
COLORADO. )  
-----

APPLICATION NO. 4301-PP-AAA

-----  
July 10, 1943  
-----

Appearances: N. C. Winterowd, Arriba, Colo-  
rado, pro se;  
T. A. Stockton, Jr., Esq.,  
Denver, Colorado, for the  
Common Carrier Division of  
The Colorado Motor Carriers'  
Association.

S T A T E M E N T

By the Commission:

On April 24, 1934, permit to operate as a Class "A" private  
carrier by motor vehicle for hire for the transportation of:

freight between Flagler and Denver and inter-  
mediate points, over Highway No. 40, and be-  
tween Anton and Denver, and intermediate points,  
over Highway No. 36,

issued to Ivan Spath.

On November 27, 1937, by Decision No. 11026, said Spath was  
authorized to transfer the authority issued to him (Permit No. A-662) to  
Ray Ballard, doing business as "Arriba-Denver Truck Line."

On May 27, 1940, by Decision No. 15439, said Ballard was auth-  
orized to transfer Permit No. A-662 to N. C. Winterowd, Arriba, Colorado.

The transfer was duly consummated, and said N. C. Winterowd  
now seeks authority to transfer Permit No. A-662 to Clarence H. Davis,  
Arriba, Colorado.

At the hearing, in Denver, Colorado, on July 7, 1943, it ap-  
peared that transferor is the owner of a one and one-half-ton Chevrolet  
truck enclosed van body, which he proposes to transfer, together with

permit. The total consideration for said transfer is \$1,300.00 in cash upon approval of the transfer by this Commission.

Transferee is familiar with trucking operations, and his financial standing and operating reliability were established to the satisfaction of the Commission.

The Commission finds that said transfer should be authorized.

O R D E R

IT IS ORDERED:

That N. C. Winterowd, Arriba, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to Permit No. A-662 to Clarence H. Davis, Arriba, 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 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 10th day of July, 1943.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ELMER LOGAN, 912 ARAPAHOE STREET, )  
GOLDEN, COLORADO, FOR AN EXTENSION )  
OF HIS PERMIT NO. B-2312. )  
-----

APPLICATION NO. 4888-PP-BB

-----  
July 10, 1943  
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S T A T E M E N T

By the Commission:

Heretofore, Elmer Logan filed application for an extension of his permit, No. B-2312, to include the right to transport coal from Mount Carbon Coal Company Mine, near Morrison, Colorado, to Coors Brewery, at Golden, Colorado.

The Commission is now in receipt of a communication from said Elmer Logan, stating he desires to withdraw this application.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be dismissed, without prejudice.

O R D E R


IT IS ORDERED:

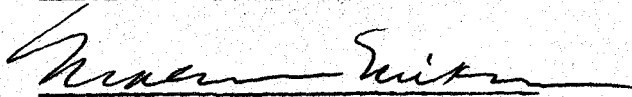
That the above-styled application be, and the same hereby is, dismissed, without prejudice.

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 10th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
C. B. RADER AND C. A. RULE, DOING )  
BUSINESS AS RADER & RULE, GLENWOOD )  
SPRINGS, COLORADO, FOR AUTHORITY TO )  
TRANSFER P. U. C. NO. 1244 TO J. R. )  
JANTZEN, GLENWOOD SPRINGS, COLORADO. )  
-----

APPLICATION NO. 4184-A

-----  
July 9, 1943  
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Appearances: J. R. Jantzen, Glenwood Springs,  
Colorado, pro se;  
A. J. Tait, Denver, Colorado,  
for Rio Grande Motor Way, Inc.

S T A T E M E N T

By the Commission:

On October 18, 1937, Decision No. 10740, C. B. Rader and  
C. A. Rule, doing business as Rader & Rule, were granted a certificate  
of public convenience and necessity authorizing the transportation by  
motor vehicle of:

"passengers and hand baggage, on call and demand only,  
from Glenwood Springs to Redstone, Aspen, Marble,  
Rifle Creek, Trappers' Lake, Grand Mesa, Mesa Verde,  
Estes Park, Meeker via Buford, and Twin Lakes, over  
the various highways between Glenwood Springs and said  
points, subject to the following provisions:

"(a) No scheduled service shall be conducted or main-  
tained by applicants under this certificate.

"(b) The fares and charges to be assessed for the  
passengers service, including hand baggage, shall be  
the same as heretofore described in Amended Exhibit "A",  
and said rates and charges shall not be changed by  
applicants without due notice to the Commission, as well  
as to T. A. White, Esq., Denver, Colorado, attorney for  
Rio Grande Motor Way, Inc., and Marion F. Jones, Esq.,  
Denver, attorney for The Colorado Trucking Association."

The instant hearing, which was held in Glenwood Springs, on  
June 24, 1943, seeks authority to transfer said certificate from the said  
Rader and Rule to J. R. Jantzen.

The evidence disclosed that the consideration to be paid for said certificate was the sum of \$130.00, and that no debts exist against the operations of transferor.

Transferee testified that he owned two Plymouth five-passenger sedans and could obtain other equipment if required.

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

It appeared that transferee also desires to perform a taxi service within the city limits of Glenwood Springs, which is not covered by the authority granted Rader and Rule. However, transferee stated that he would file an application for an extension of said certificate if the transfer herein sought is granted.

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

Considering the record, the Commission is of the opinion, and so finds, that said transfer should be authorized.

#### O R D E R

#### IT IS ORDERED:

That C. B. Rader and C. A. Rule, doing business as Rader & Rule, be, and they are hereby, authorized to transfer to J. R. Jantzen, of Glenwood Springs, Colorado, all of their right, title and interest in and to certificate of public convenience and necessity No. 1244.

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.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

L. D. Thomas

Edward D. Wheeler

Walter E. Quinn  
Commissioners

Dated at Denver, Colorado,  
this 9th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
JOHN CAREY, 254 JOSEPHINE STREET, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 6378-PP

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July 10, 1943.  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of 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, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits limited to the service 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 careful consideration of the record, the Commission is of the opinion, and finds, that said application should be granted.

O R D E R

IT IS ORDERED:

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

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

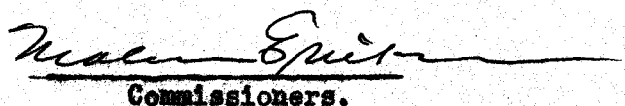
This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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.

The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
H. L. BACHMAN, WEST SIXTH AVENUE & )  
HOOKER STREET, DENVER, COLORADO, FOR )  
A CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE FOR )  
HIRE. )

APPLICATION NO. 6377-PE

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July 10, 1943.  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of 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.

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

O R D E R

IT IS ORDERED:

That H. L. Bachman, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other 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.

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.

The authority herein granted is subject to all applicable orders of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



L. D. Thomas

Edward D. Allen

William S. Smith  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

ORIGINAL

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FRANK ATWOOD AND L. W. ATWOOD, CO- )  
PARTNERS, DOING BUSINESS AS "ATWOOD )  
BROTHERS," FORT MORGAN, COLORADO, )  
FOR A CERTIFICATE OF PUBLIC CONVEN- )  
IENCE AND NECESSITY. )

APPLICATION NO. 2370-BB

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July 15, 1943  
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Appearances: Worth Allen, Esq., Denver, Colo-  
rado, for applicants;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer and Stor-  
age Company;  
Truman A. Stockton, Jr., Esq.,  
Denver, Colorado, for Ralph  
Senseney, doing business as  
"Arnold Transfer," Paul Hick-  
man, doing business as "Yuma  
Transportation Company,"  
Northeastern Motor Freight,  
Inc., Colorado Transfer and  
Warehousemen's Association,  
George Henry, doing business  
as "Airline Express," and the  
Common Carrier Division of  
The Colorado Motor Carriers'  
Association.

S T A T E M E N T

By the Commission:

On July 23, 1935, Atwood Brothers were granted a certificate of  
public convenience and necessity, Decision No. 6572, authorizing the trans-  
portation by motor vehicle of:

furniture, livestock, farm products, farm machinery  
and supplies from and to, and to and from all points  
within Morgan County, and an occasional haul of farm  
products to Sterling, Colorado, including the trans-  
portation of livestock from points in Morgan County  
to markets in Denver, and in emergencies only for the  
transportation of farm machinery, irrigation and high-  
way supplies from Denver and other points in the state  
to points in Morgan County, subject to the following  
conditions:

(a) For the transportation of all commodities, in-  
cluding machinery and irrigation and highway supplies,  
other than household goods and livestock, between

points served by scheduled carriers, applicants shall charge rates which in all cases shall be at least 20 per cent in excess of those charged by the scheduled carriers.

(b) Applicants shall not operate on schedule or engage in the transportation of freight generally between points served by scheduled carriers.

Thereafter, on July 14, 1937, Decision No. 10327, said certificate, which had been designated as "No. 755," was extended to include the transportation, in intrastate and interstate commerce, of:

"all commodities into, out of, and between points in Morgan County; provided, however, the applicants shall not transport furniture from or to Brush, to and from points in Colorado, or otherwise compete with service of Estel Roe except as authorized by Decision No. 6572, and shall not engage in any transportation service of a direct competitive character between towns on the line of scheduled common carriers now serving Morgan County, and particularly shall not render point to point service along U. S. Highways 6 and 138, or along State Highway 144 between Orchard and Fort Morgan (except livestock and bulk farm produce), or between points on said Highway No. 144 and a ten-mile radius from Orchard, Goodrich and Weldona (except livestock and bulk farm produce and commodities already authorized) or between Denver and any of the aforesaid points; provided, however, nothing herein is intended to modify any of the authority already held by applicants under Decision No. 6572."

In the instant matter, which was heard at Fort Morgan, Colorado, on May 18, 1943, applicants seek a further extension of authority under said Certificate No. 755 to include the transportation of commodities generally from point to point in an area in Colorado situated east of a north and south line running through the Town of Roggen, and north of U. S. Highway No. 36, and between points in said area and other points in Colorado east of the Continental Divide, including the right to transport hay between points east of the Continental Divide and in Middle Park and all other points east of the Continental Divide, except that applicants did not seek authority to transport milk and cream between any points, or to transport any other commodities than used household goods between towns and cities on routes served by scheduled common carriers.

On behalf of applicants, Mr. McConnell, of Fort Morgan, testified that he had been in the hay business since 1934; that his operations covered all of northern Colorado east of the Rocky Mountains in the buying of hay, which he delivered to customers, not only in Colorado, but also in

Wyoming and Nebraska; that City Park Dairy in Denver was his best dairy customer, but he also sold hay in Colorado Springs, Pando, Pueblo, and other points on the eastern slope; that he loads from five to ten tons on a truck and finds truck delivery service much speedier than by rail; that no other carrier has ever offered to serve him except Atwood Brothers, and his experience with them has been highly satisfactory; that North, South, and Middle Parks supply native hay and northeastern Colorado alfalfa hay; that where available and service is satisfactory, he uses the local trucker, referring particularly to the operations of E. F. Anderson and Homer Jessup; that in his opinion, the proposed service of applicants was very essential so far as the movement of hay is concerned.

Mr. Rowland, of Fort Morgan, who is in the hay baling business, gave somewhat similar testimony to that of Mr. McConnell. He further testified that he baled from 5,000 to 6,000 tons of hay a year, and was familiar with the service of Atwood Brothers, which was very prompt and reliable, and badly needed in that territory.

Mr. Howell, of Fort Morgan, superintendent of the Bijou Irrigation Project, testified as to the need for the Atwood service in connection with the movement of materials for the maintenance of the ditch, consisting of rock which came from the vicinity of Lyons, and gravel, which was obtained locally except coarse gravel which was brought from Denver. He further testified in regard to a drag line weighing some 53,000 pounds which it was necessary, at times, to move from one point on the ditch to another, and stated that the cost of securing equipment from Denver to make these moves was from \$100. to \$150.; that the cost of getting the empty equipment down and back amounted to more than the actual haul; that the ditch line is about twenty-one miles long, and irrigates some 29,000 acres, and it was the opinion of this witness that if a break occurred, quick truck service would be very necessary. This witness also testified as to the reliability of applicants.

The manager of the Warren Lumber Company at Fort Morgan stated that they had seven yards in eastern Colorado, and at times it is necessary to make hauls from one yard to another, as well as to points throughout the country; that Atwood had been used, and found to be very satisfactory.

A Morgan County well driller testified that he was engaged in the business of drilling domestic water wells, as well as selling Worthington pumps; that he drills from thirty to forty irrigation wells a year, and from one hundred to one hundred and fifty stock wells; that a need exists for the transportation of well casing which come from Denver and go to mostly country points; that it was necessary to transport gravel from Denver; that the Atwood service had been highly satisfactory, and he felt the public convenience and necessity required the extension sought. In the opinion of this witness, it was very inconvenient to call a trucker in Denver and explain the location of the well and just where the well casing should be delivered; that Atwood was located in Fort Morgan and it was much more convenient to be able to deal with a local trucker.

Mr. Clapworthy, who operates a hardware, implement and plumbing establishment at Fort Morgan, as well as being engaged in livestock raising and farming, testified that they handle International Harvesters and have a large service department; that considerable demand exists for bringing these tractors in to Fort Morgan to be serviced and delivering them again to the country points; that some machines are brought in from as far as fifty or sixty miles from Fort Morgan; that Atwood Brothers had given them very satisfactory service and that same, including the extension sought, was very essential to the Fort Morgan territory.

Mr. Foster, a contractor for the construction of irrigation ditches, etc., from Fort Morgan, testified as to the inconvenience of getting service out of Denver for the movement of the drag line heretofore referred to; that it sometimes took over a day to find out when the Denver operator could come, and he felt local service was very much needed; that in addition to the heavy drag line, he has a one-half-ton shovel of his own that has to be moved three or four times a year.

Mr. Rush, a scrap dealer of Fort Morgan, testified that he needed trucking service in connection with the collection of scrap from the points where he purchased same to the final consumer; that he sells this scrap as far south as the Colorado Fuel & Iron Company at Pueblo; that he used the Atwood service, and has found same more available than any other trucker in that territory; that he probably had had at least one hundred different

movements of freight within the last six months into Denver from a radius of twenty-five miles of Fort Morgan.

Frank Atwood, one of the applicants, testified as to the equipment owned by Atwood Brothers, consisting of straight trucks, trailers, semi-trailers, etc. He also testified that they had under lease one so-called "low boy," upon which they could handle  $24\frac{1}{2}$  tons, and they expected to be able to continue to lease this equipment, or purchase a similar one. He further testified that Atwood Brothers were called upon to transport cement and road supplies; that no one in northeastern Colorado was equipped to handle this kind of business; that calls were constantly made to haul all classes of commodities, including grain, used household furniture, and livestock from country points to town, and from town into the country; that the transportation of livestock had not amounted to much in volume the past two years, but this year plenty of livestock is in the country. He also detailed a number of movements he had been asked to make for the transportation of used household goods; that mostly the movements of household goods were to Denver, Greeley and Fort Collins; that three weeks ago, he had a call for movement of household goods from the other side of Merino into Denver. He also testified as to calls outside of Morgan County, which had been received for the transportation of heavy machinery. Atwood Brothers employ six men. They were willing to have a provision in any extension granted that they would not maintain an office anywhere except Fort Morgan.

On behalf of protestants, Mr. George R. Henry, owner of the Air-line Express, which has authority to transport:

farm produce, farm supplies and equipment, including livestock, from a distance of 20 miles on each side of Highway No. 36 between certain areas,

testified that he had a semi-trailer and two straight trucks; that he operates a line haul from Denver east three, and sometimes four, times a week; that his westbound movement is sometimes but fifty per cent loaded; that he had recently sold his interstate rights, and this would probably cut down his weekly operations to two trips per week; that, heretofore, he had paid but little attention to the transportation of livestock and farm products from points off of his line haul route, but hoped to increase his business in that particular; that no hay moves out of his area; that at the present

time eighty per cent of his business was line haul, and that he only had four movements of used household goods last year; that no heavy machinery moved into or out of his territory; that Kirk is the largest town he serves, and that has a population of only sixty; that he felt the granting of another certificate authorizing service in his area, would be detrimental to his business.

E. F. Anderson, who has a certificate authorizing the transportation of:

freight of all kinds from point to point in Washington County, and between points in said county and other points in the State of Colorado, as well as the right to transport farm products and livestock in territory surrounding Otis, Colorado,

stated that he felt that his certificate should be protected from any encroachment by Atwood Brothers.

Mr. Arnold, President of North Eastern Motor Freight, Inc., which operates a line haul transportation service:

between Denver and Sterling and certain intermediate points,

and has authority to transport:

used household goods and office equipment to all points in the state from Logan County,

as well as a rover's authority for the transportation of:

general commodities, except livestock, along a portion of Highway No. 6,

testified that his company had twenty pieces of equipment; that they hauled no livestock, but had hauled some farm products in both their line haul and call and demand service; that they had not transported any hay, but would like to haul hay from Fort Morgan and Sterling into Denver; that they had had no requests to move heavy machinery, although his equipment is better able to perform this service than Atwoods', and this style of equipment was kept either in Sterling or Denver; that they used to haul scrap iron to Denver five or six years ago, but had performed none of this service of late years; that the granting of more competitive service would hurt their business, particularly movements into Denver, which would be a back-haul for them; that ninety-five per cent of business of North Eastern at this time consists of line haul freight.

Mr. Fregeau, for Weicker, testified that his company had no ob-

jection to the extension authorizing service between points east of Roggen and north of Highway 36, but did object to the movement of household goods, pipe and heavy machinery from this territory to other points in the State; that Weicker has \$500,000 invested in equipment; that much of their heavy equipment is idle a goodly portion of the time; that they have thirty-eight vans for transportation of household goods now in use which have been idle twenty per cent of the time since January 1, 1943; that they have plenty of equipment for the handling of oil well casing from Denver, as well as experienced men to handle same.

In determining this application, we are confronted with a question of the extent to which call and demand service should be protected from any possible competition. Generally speaking, as pointed out in former decisions, the Commission has held that each local territory is entitled to a local call and demand service. Applicants now have such a service at the present time so far as Morgan County is concerned, and the record justified the conclusion that the public convenience and necessity require some extension of said authority. We believe that in the movement of hay, the record justifies the extension sought. So far as used household goods are concerned, we do not see where the record justifies the transportation of same along routes now served by scheduled common carriers.

Applicants undoubtedly are furnishing excellent transportation service in the territory which they are serving, and this is undoubtedly true also of protestants who appeared at the hearing. However, in view of the testimony of shipper witnesses, it is apparent that some inadequacy of transportation service exists in the extended territory which applicants desire to serve. It is true that this will cause some overlapping of territory heretofore authorized to be served by other carriers, but this is true in nearly all cases of call and demand service in the state, and as we have heretofore pointed out, the same protection of established service cannot be sustained so far as irregular and call and demand service is concerned as would be the case with line haul carriers. In our opinion, the public would suffer if this was attempted. Considerable of the extended territory would be about equally distant from Denver and Fort Morgan, and if the extension sought is granted, shippers will have the privilege of securing service at

either place, depending upon their own particular location. Apparently, from the nature of the country served by Airline Express, but little, if any, competition will be involved, and we also believe that Mr. Anderson will be able to more conveniently serve his customers in the territory which he is authorized to operate than could Atwood Brothers at Fort Morgan. After all, the business will ordinarily go to the carrier which can most conveniently render the service desired.

Considering the record as a whole, the Commission is of the opinion, and so finds, that except for the movement of household goods along the line and between the points served by established common carriers, the extended authority sought should be granted.

#### O R D E R

##### IT IS ORDERED:

That the public convenience and necessity require the proposed extended motor vehicle operations of applicants, and that said Certificate No. 755 should be extended to include the transportation of commodities generally, except milk and cream, from point to point in an area in Colorado situated east of a north and south line running through the Town of Roggen, and north of U. S. Highway No. 36, and between points in said area and other points in Colorado east of the Continental Divide, including the right to transport hay between all points east of the Continental Divide, including Middle Park, subject to the following restrictions, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor:

(a) Applicants shall not operate on schedule or over regular routes and shall not transport any commodities between towns or cities on routes presently served by scheduled common carriers.

(b) Applicants shall not maintain an office at any point except the City of Fort Morgan.

(c) The extended authority herein granted is subject to the same restrictions as to service contained in Decision No. 6572, so far as competitive service is concerned.

The applicants 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 applicants shall operate their 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

W. D. Shuman

Edward E. Farrell

Walter E. Smith  
Commissioners

Dated at Denver, Colorado,  
this 15th day of July, 1943.

mw

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
A. L. ATWOOD, FORT MORGAN, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS A PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE FOR THE TRANSPORTATION OF )  
FARM PRODUCTS, GRAIN AND HAY, SCRAP )  
IRON, USED FARM MACHINERY, FROM FARM )  
TO FARM WITHIN A RADIUS OF 100 MILES )  
OF FORT MORGAN, COLORADO. )  
-----

APPLICATION NO. 6320-PP

IN THE MATTER OF THE APPLICATION OF )  
A. L. ATWOOD, FORT MORGAN, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE AS )  
A PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE FOR THE TRANSPORTATION OF )  
FARM PRODUCTS, GRAIN AND HAY, SCRAP )  
IRON AND USED FARM MACHINERY, FROM )  
FARM TO FARM WITHIN A RADIUS OF 150 )  
MILES OF FORT MORGAN, COLORADO. )  
-----

APPLICATION NO. 6319-PP

-----  
July 16, 1943.  
-----

Appearances: R. L. Atwood, Fort Morgan, Colorado,  
pro se;  
A. L. Atwood, Fort Morgan, Colorado,  
pro se;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer & Storage  
Company;  
T. A. Stockton, Jr., Esq., Denver,  
Colorado, for the Common Carrier  
Division of The Colorado Motor  
Carriers' Association;  
E. F. Anderson, Akron, Colorado,  
pro se;  
Worth Allen, Esq., Denver, Colorado,  
for Atwood Brothers.

S T A T E M E N T

By the Commission:

Instant cases were consolidated at the hearing, which was held in  
fort Morgan, Colorado, on May 18, 1943. Applicants both testified that they  
were willing to restrict their operations to the transportation of hay. In

view of this statement, all objections to the granting of the authority sought were withdrawn. Applicant R. L. Atwood requested authority to amend his application to cover a radius of 150 miles of Fort Morgan, and no objections were interposed.

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

Considering the record, the Commission is of the opinion, and so finds, that said applications should be granted.

#### O R D E R

##### IT IS ORDERED:

That in Application No. 6320-PP, R. L. Atwood be, and he is hereby, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of hay from point to point within a radius of 150 miles of Fort Morgan, Colorado.

IT IS FURTHER ORDERED, That in Application No. 6319-PP, A. L. Atwood be, and he is hereby, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of hay from point to point within a radius of 150 miles of Fort Morgan, Colorado.

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

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

The authority herein granted is subject to all applicable orders

of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

I. J. Shorman

Edward E. Decker

Wm. E. Spitzer

Commissioners.

Dated at Denver, Colorado,  
this 16th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROY KOHL, BRECKENRIDGE, COLO- )  
RADO. )  
-----

PRIVATE PERMIT NO. B-2012

-----  
July 16, 1943  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that the authority transferred to him under Permit No. B-2012, but not yet completed, be suspended for a period of six months from July 7, 1943.

O R D E R

IT IS ORDERED:

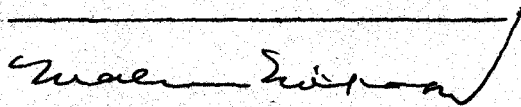
That Roy Kohl of Breckenridge, Colorado, be, and he is hereby, authorized to suspend his operations under Permit B-2012 for a period of not to exceed six months from July 7, 1943.

That unless said Roy Kohl 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



EDWARD E. WHEELER



Commissioners

Dated at Denver, Colorado,  
this 16th day of July, 1943.

hs

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PERMIT NO. C-14408

July 16, 1943.

## S T A T E M E N T

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

Joe P. Babcock ..... of ..... Oak Creek, Colorado .....  
requesting that his Permit No. .... C-14408 ..... 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-14408, heretofore issued to Joe P. Babcock, Oak Creek, Colorado, be, and the same is hereby, declared cancelled effective June 29, 1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

EDWARD E. WHEELER

Commissioners.

Dated at Denver, Colorado,

this 16th day of July, 193

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
R. H. FISHER, 2413 E. LEWIS, )  
WICHITA, KANSAS. )

PERMIT NO.C-13748

July 16, 1943.

S T A T E M E N T

By the Commission:

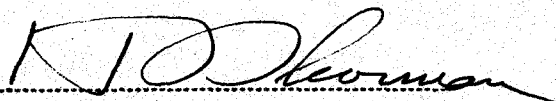
The Commission is in receipt of a communication from.....  
R. H. Fisher.....of.....Wichita.....,.....Kansas.....,  
requesting that his Permit No.....C-13748.....be cancelled.

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

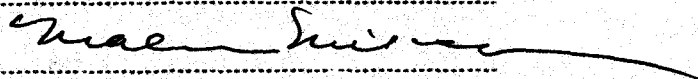
O R D E R

IT IS THEREFORE ORDERED, That Permit No.....C-13748....., heretofore issued  
to R. H. Fisher, Wichita, Kansas.....be,  
and the same is hereby, declared cancelled effective July 1, 1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



EDWARD E. WHEELER

  
Commissioners.

Dated at Denver, Colorado,

this.....16th.....day of.....July....., 1943..

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LEE CHAMBERS, AUSTIN, COLORADO.)  
)  
)  
)  
.....)

PERMIT NO. C-13211

July 16, 1943.

S T A T E M E N T

By the Commission:


The Commission is in receipt of a communication from.....  
Lee Chambers ..... of Austih, Colorado, .....  
requesting that his Permit No. C-13211 ..... be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-13211, heretofore issued  
to Lee Chambers, Austin, Colorado ..... be,  
and the same is hereby, declared cancelled effective July 1, 1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
EDWARD E. WHEELER

  
Commissioners.

Dated at Denver, Colorado,

this 16th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
DRAKE GRAIN COMPANY, PEYTON, )  
COLORADO. )

PERMIT NO. C-12236

July 16, 1943.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Drake Grain Company.....of.....Peyton.....,.....Colorado.....,  
requesting that his Permit NoC-12236.....be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No.C-12236....., heretofore issued  
to.....Drake Grain Company, Peyton, Colorado.....be,  
and the same is hereby, declared cancelled effective July 1, 1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
EDWARD E. WHEELER

  
Commissioners.

Dated at Denver, Colorado,

this.....16th.....day of.....July....., 19..43..

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BUILDERS MATERIAL & SUPPLY CO., )  
3023 WALNUT STREET, DENVER, )  
COLORADO. )  
 )  
 )  
 )

PERMIT NO. C-8371

July 16, 1943.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Builders Material & Supply Company.....of.....Denver....., ..Colorado.....,  
requesting that his Permit No. ....C-8371..... be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. ....C-8371....., heretofore issued  
to Builders Material & Supply Co., Denver, Colorado.....be,  
and the same is hereby, declared cancelled effective June 18, 1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
EDWARD E. WHEELER

  
Commissioners.

Dated at Denver, Colorado,

this.....16th.....day of.....July....., 1943.....

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
C. F. BEHRENT, c/o KING HEREFORD )  
FARMS, ROUTE 1, ABERDEEN, ) PERMIT NO. C-8336  
SOUTH DAKOTA. )  
 )  
 )  
..... )

.....  
July 16, 1943.  
.....

S T A T E M E N T

By the Commission:

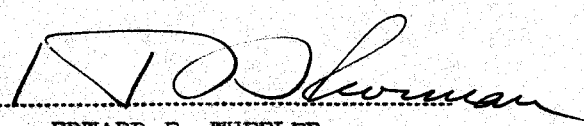
The Commission is in receipt of a communication from.....  
C. F. Behrent.....of.....Aberdeen....., South Dakota.....,  
requesting that his Permit No. C-8336.....be cancelled.

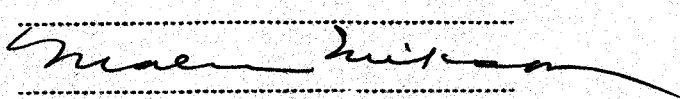
After careful consideration, the Commission is of the opinion, and so  
finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-8336....., heretofore issued  
to C. F. Behrent, Aberdeen, South Dakota.....be,  
and the same is hereby, declared cancelled effective May 24, 1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
EDWARD E. WHEELER

  
Commissioners.

Dated at Denver, Colorado,

this 16th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GLENN HARDWARE & FURNITURE CO., )  
425 MAIN STREET, DELTA, COLORADO )  
 )  
 )  
..... )

PERMIT NO. C-7423

July 16, 1943.

S T A T E M E N T

By the Commission:

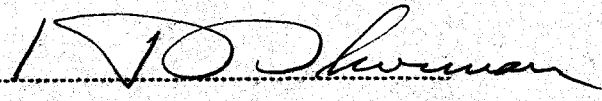
The Commission is in receipt of a communication from.....  
Glenn Hardware & Furniture Co. .... of Delta, ..... Colorado  
requesting that his Permit No. .... C-7423 ..... be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. .... C-7423 ..... heretofore issued  
to Glenn Hardware & Furniture Co, Delta, Colorado ..... be,  
and the same is hereby, declared cancelled effective June 17, 1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
EDWARD E. WHEELER

  
Commissioners.

Dated at Denver, Colorado,

this 16th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LAWRENCE GISI, 548 N. JESSUP )  
STREET, PORTLAND, OREGON. )  
 )  
 )  
 )  
..... )

PERMIT NO. C-7097

July 16, 1943.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Lawrence Giso.....of.....Portland....., Oregon.....,  
requesting that his Permit No. C-7097.....be cancelled.

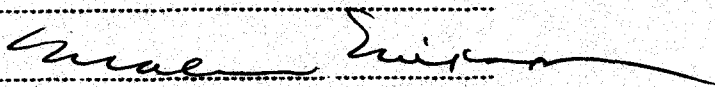
After careful consideration, the Commission is of the opinion, and so  
finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-7097....., heretofore issued  
to Lawrence Gisi, Portland, Oregon.....be,  
and the same is hereby, declared cancelled effective June 27, 1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
EDWARD E. WHEELER

  
Commissioners.

Dated at Denver, Colorado,

this 16th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

IN THE MATTER OF THE APPLICATION )  
OF R. I. NIGHTINGALE AND VERLA )  
NIGHTINGALE FOR PERMISSION TO )  
TRANSFER ELECTRICAL PLANT AND )  
DISTRIBUTION SYSTEM AT NORWOOD, )  
COLORADO, TO SAN MIGUEL POWER )  
ASSOCIATION, INC., NORWOOD, )  
COLORADO. )

APPLICATION NO. 4812-A

-----  
July 14, 1943.  
-----

Appearances: Lowell D. Hunt, Esq., Denver, Colorado,  
for Transferors;  
Harry W. Guano, Esq., Delta, Colorado,  
for Transferee.

**S T A T E M E N T**

By the Commission:

On July 21, 1939, Decision No. 13773, R. I. Nightingale, doing business as San Miguel Light and Power Company, was granted a certificate of public convenience and necessity to exercise certain franchise rights granted by the Board of Trustees of the Town of Norwood. On June 30, 1943, R. I. Nightingale and Verla Nightingale filed their petition with the Commission alleging that they are the owners of said certificate of public convenience and necessity issued under Decision No. 13773, and that they have entered into a contract, in writing, for the purpose of selling and transferring their plant and system at Norwood, Colorado, to the San Miguel Power Association, Inc., and asking approval of the Commission of said agreement, together with authority to transfer and convey said certificate of convenience and necessity and all other franchise and operating rights which petitioners possess in San Miguel County, including the transfer of physical property connected with said plant at Norwood and its distribution system.

At the hearing, which was held in Denver, Colorado, on July 13, 1943, the contract above referred to was introduced in evidence as "Exhibit No. 1" and discloses that the consideration to be paid by transferee to

transferors for the conveyance of the said property is the sum of \$16,000.00.

The evidence further disclosed that transferee is a cooperative association organized under the laws of the State of Colorado, which, under a loan of Federal funds, has constructed extensive distribution and transmission lines in the counties of San Miguel and Montrose. It is presently serving some 400 customers, including the rural areas surrounding Norwood, and purchases its current from Western Colorado Power Company at Illium, Colorado. Its management and service to its customers have apparently been entirely satisfactory, and it has been assured of additional funds for the proposed extensions of its service when materials become available after the war. Transferor is presently serving some 90 customers at Norwood, and all of said customers signed a written request to the Commission asking our approval of the proposed transfer.

Considering the record, we are of the opinion that the proposed transfer would be in the public interest and that customers of transferors will receive from transferee adequate and dependable service at reasonable rates. We therefore find that the public convenience and necessity require the proposed transfer and sale to the San Miguel Power Association, Inc., of certificate of public convenience and necessity issued in Application No. 4812, and all other properties as set forth in agreement dated June 10, 1943, received in evidence as "Exhibit No. 1" at the hearing, and which by reference is made a part hereof, and that said agreement should be approved by the Commission.

#### O R D E R

##### IT IS ORDERED:

That the public convenience and necessity require the transfer and sale by R. I. Nightingale and Verla Nightingale to San Miguel Power Association, Inc., of the certificate of public convenience and necessity issued July 21, 1939, Decision No. 13773, including all other properties set forth in agreement between transferors and transferee, dated June 10, 1943, received

in evidence as "Exhibit No. 1", which by reference is made a part hereof,  
and the terms and conditions of said agreement are hereby approved.

This order shall become effective five (5) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

RTD Shorman

Edward J. W. W.

Walter E. E.  
Commissioners.

Dated at Denver, Colorado,  
this 14th day of July, 1943.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DWIGHT CHAPIN, JR., FOR AUTHORITY )  
TO TRANSFER CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY TO THE )  
MOUNTAIN UTILITIES CORPORATION, A )  
COLORADO CORPORATION. )  
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APPLICATION NO. 2074-A

-----  
July 16, 1943  
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Appearances: Dwight Chapin, Jr., Colorado  
Springs, Colorado, pro se.

S T A T E M E N T

By the Commission:

On November 18, 1932, by Decision No. 4710, in Application No. 2074, the Commission granted a certificate of public convenience and necessity to Dwight Chapin, Jr., to construct an electric transmission line from the City of Colorado Springs, Colorado, to the Town of Palmer Lake, Colorado, and to distribute electric energy to consumers residing along that portion of said transmission line where service was not then being rendered by the City of Colorado Springs.

Prior thereto, said Chapin, in Applications Nos. 2000, 2001, and 2002, had been granted certificates of public convenience and necessity, authorizing him to exercise certain franchise rights in the Towns of Monument and Palmer Lake, as well as to construct a transmission line and the necessary distribution system to serve the Towns of Franktown, Parker, Lark Spur, and Monument and farms and ranches adjacent to such line. The transmission line constructed pursuant to the certificate granted in Decision No. 4710, primarily, was for the purpose of transporting energy from the generating plant of the City of Colorado Springs, where said energy was purchased by applicant, to the territory served by him under said certificates granted in Applications Nos. 2000, 2001, and 2002, and became an integral part of said system.

In the year 1933, Chapin and his associates organized The Mountain Utilities Corporation for the purpose of taking over his operating rights in Colorado and the electric properties constructed pursuant thereto, and transferred the same to said corporation, which ever since said time, has owned and operated said properties.

Immediately prior to said transfer, he filed petition with the Commission to transfer said certificates of public convenience and necessity granted in Applications Nos. 2000, 2001, and 2002 to The Mountain Utilities Corporation, but through oversight, failed to include the certificate granted in Application No. 2074, which he intended to, and had included in the property transferred to The Mountain Utilities Corporation.

The Mountain Utilities Corporation has arranged to transfer its properties to The Intermountain Electric Association, a Colorado cooperative, and has filed petition with the Commission, asking ~~leave~~ to transfer its certificates of public convenience and necessity.

In checking the records, it was discovered that the certificate granted in Application No. 2074 is still in the name of Dwight Chapin, Jr., on the records of the Commission.

In order to effectuate the transfer contemplated, The Mountain Utilities Corporation has asked that the sale and transfer of the certificate of public convenience and necessity granted in Application No. 2074, Decision No. 4710, to it, by Dwight Chapin, Jr., be confirmed and approved.

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

#### O R D E R

IT IS ORDERED:

That the sale and transfer of the certificate of public convenience and necessity granted on November 18, 1932, Decision No. 4710, in Application No. 2074, by Dwight Chapin, Jr., to The Mountain Utilities Corporation, be, and the same hereby is, approved and confirmed.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

I. J. Shuman

Edward E. Wheeler

Walter Smith  
Commissioners

Dated at Denver, Colorado,  
this 16th day of July, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

ORIGINAL

IN THE MATTER OF THE APPLICATION OF )  
THE MOUNTAIN UTILITIES CORPORATION, )  
479 FIRST NATIONAL BANK BUILDING, )  
COLORADO SPRINGS, COLORADO, FOR )  
AUTHORITY TO SELL TO THE INTER- )  
MOUNTAIN ELECTRIC ASSOCIATION, 132 )  
WEST MAIN STREET, LITTLETON, COLO- )  
RADO, THE PROPERTIES AND DISTRIBUTION )  
SYSTEM OF THE COMPANY LOCATED )  
IN EL PASO, DOUGLAS AND ELBERT )  
COUNTIES, COLORADO. )  
-----

APPLICATIONS NOS. 1878-AA,  
1879-AA, 1880-AA, 2000-AA,  
2001-AA, 2002-AA, 2074-AA.

-----  
July 17, 1943  
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Appearances: Frank McDonough, Jr., Esq.,  
Denver, Colorado, and  
B. E. Jacks, Esq., Colorado  
Springs, Colorado, for  
applicants.

S T A T E M E N T

By the Commission:

On August 22, 1931, Dwight Chapin, Jr., in Applications Nos. 1878, 1879, and 1880, was granted a certificate of public convenience and necessity to exercise certain franchise rights granted to him by the Towns of Elbert, Elizabeth, and Kiowa, and the right to construct a transmission line between said towns, a generating plant in either the Town of Elizabeth or the Town of Kiowa, and a distribution system in the Town of Elizabeth, the right to operate in the Town of Elbert being subject to certain prior rights of one George H. Shultz, which were to be acquired by applicant before said certificate should become effective in the Town of Elbert.

Subsequently, by authority of Decision No. 5176, dated August 2, 1933, said Dwight Chapin, Jr. transferred certificate granted in Application No. 1878 to the said George H. Shultz, so that he, instead of Dwight Chapin, Jr., became operator of plant in Elbert.

On June 10, 1932, the Commission issued a certificate of public convenience and necessity to the said Dwight Chapin, Jr., in Applications Nos. 2000, 2001, and 2002, authorizing him to exercise certain franchise rights in the Towns of Monument and Palmer Lake, Colorado, as well as to construct a transmission line and the necessary distribution system to serve the Towns of Franktown, Parker, Larkspur, and Monument, Colorado, and farms and ranches adjacent to such line.

On November 18, 1932, by Decision No. 4710 in Application No. 2074, said Dwight Chapin, Jr. was granted a certificate of public convenience and necessity to construct an electric transmission line from the City of Colorado Springs, Colorado, to the Town of Palmer Lake, Colorado, and was authorized to distribute electric energy to consumers residing along that portion of said transmission line where service was not then being rendered by the City of Colorado Springs.

Pursuant to authority granted in Decisions Nos. 5071, of date June 13, 1933, and Decision No. 5176, of date August 2, 1933, said Dwight Chapin, Jr. transferred the certificate of public convenience and necessity granted to him in Applications Nos. 1879, 1880, 2000, 2001, 2002, to "The Mountain Utilities Corporation," a Colorado corporation, and George H. Shultz, pursuant to authority granted in Decision No. 7364, of date March 18, 1936, transferred to The Mountain Utilities Corporation the certificate of public convenience and necessity granted in Application No. 1878, which had been acquired by him from Dwight Chapin, Jr. The instruments of conveyance and sale then executed also included the transmission line constructed pursuant to authority granted in Application No. 2074, and the operating rights granted by our Decision No. 4710 in said application, but through oversight, Chapin failed to obtain consent of this Commission to transfer said property and certificate. Subsequently, The Mountain Utilities Corporation filed petition with the Commission, asking that said transfer be confirmed and approved, which petition was granted in Decision No. 21164.

On June 18, 1943, The Mountain Utilities Corporation filed its petition with the Commission, asking for an order of the Commission authorizing it to sell and convey to The Intermountain Rural Electric Associa-

tion, a cooperative association organized and existing under the laws of the State of Colorado, the certificate of public convenience and necessity granted in Applications Nos. 1878, 1879, 1880, 2000, 2001, 2002, and 2074, upon terms provided in Agreement of Sale and Purchase dated March 15, 1943, and, as set forth in Bill of Sale attached to said agreement:

"all licenses, franchises, ordinances, privileges or permits held by the applicant which had been granted, issued, or executed to the applicant or to its predecessors in interest by the United States of America or by the State of Colorado or by any county, municipality, or political subdivision thereof, or by any agency, board, commission, or department of any of the foregoing authorizing the construction, operation, or maintenance of its electric lines, facilities, or systems,"

and its generating plant and transmission and distribution lines and other properties.

The matter was set for hearing, and heard, in Denver, Colorado, on July 7, 1943, after due notice to the Counties of Douglas, Elbert and El Paso, the Towns of Monument, Kiowa, Elbert, Elizabeth and Palmer Lake, E. L. Mosley, City Manager of Colorado Springs, Colorado Central Power Company, and the Commonwealth Utilities Corporation, transferee in the meantime -- i.e., on June 26th, having been authorized by the Commission to take over and conduct the operations of applicant, pending hearing and final order herein, upon terms provided in written agreement between the parties for such temporary operations.

No one appeared in opposition to the granting of the authority sought.

At the hearing, it appeared that The Intermountain Rural Electric Association is organized under Colorado statutes providing for organization of cooperatives; that it is financed by the Reconstruction Finance Corporation, through the national Rural Electric Association. It has constructed extensive distribution lines for the purpose of serving rural customers in territory adjacent to the territory served by The Mountain Utilities Corporation. Recently, it acquired, with the consent of the Commission (Decision No. 19970) the operating rights of The Mountain Utilities Corporation in the Town of Woodland Park, Colorado, and its distribution lines in said town and transmission line between Green Mountain

Falls and Woodland Park. It obtains its electrical energy from the City of Colorado Springs, which also furnishes electrical energy to The Mountain Utilities Corporation for distribution in a considerable portion of the territory served by applicant under the certificate of public convenience and necessity which it herein seeks to convey to Intermountain R.E.A. It also developed that its service in the area served by it has been satisfactory; that it is adequately financed, and apparently can obtain on easy terms such additional funds as it may need for its current operations or to extend the same or to purchase properties of other utilities, the purchase monies for purchase of The Mountain Utilities Corporation having been obtained by it from the Reconstruction Finance Corporation; that the base purchase price is \$147,500., such base purchase price being subject, however, to certain adjustments provided for in said contract of sale and purchase, of date June 15, 1943, being Exhibit No. 1 offered at the hearing.

Here, the management, after careful consideration, desires to sell its properties and operating rights to an R.E.A. with a satisfactory operating history. Apparently the proposed transfer is believed by the contracting parties to be in their interests. We believe that the customers of The Mountain Utilities Corporation will continue to receive from transferee adequate and dependable service at reasonable and proper rates, and that the convenience and necessity of the public, generally, in said territory will be served by allowing the transfer.

We therefore find that public convenience and necessity require the proposed transfer and sale to The Intermountain Rural Electric Association by The Mountain Utilities Corporation of its certificates of public convenience and necessity, and other properties, as set forth in the agreement made between them, of date June 15, 1943, being Exhibit No. 1 at the hearing, which, by reference, is made a part hereof, upon the terms and conditions set forth in said contract.

#### O R D E R

IT IS ORDERED:

That public convenience and necessity require the transfer and sale to The Intermountain Rural Electric Association, a cooperative association organized and existing under the laws of the State of Colorado, by The

Mountain Utilities Corporation, a Colorado corporation, of its certificates of public convenience and necessity and other properties, as set forth in the agreement made between them, of date June 15, 1943, being Exhibit No. 1 at the hearing, which, by reference, is made a part hereof, upon the terms and conditions set forth in said contract.

This order shall become effective five (5) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*W. D. Shuman*

*Edward E. Wheeler*

*Walter E. Smith*  
Commissioners

Dated at Denver, Colorado,  
this 17th day of July, 1943.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
EARL F. SILER, DOING BUSINESS AS )  
SILER DRILLING COMPANY, DENVER, )  
COLORADO, FOR A CERTIFICATE OF PUB- )  
LIC CONVENIENCE AND NECESSITY. )

APPLICATION NO. 6270

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July 19, 1943.  
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Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for applicant;  
T. A. Steckton, Jr., Esq., Denver,  
Colorado, for Duffy Storage and  
Moving Company and Gallagher  
Transfer & Storage Company;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer and  
Storage Company.

S T A T E M E N T

By the Commission:

At the hearing, which was held in Denver, Colorado, on March 16, 1943, applicant, testifying in his own behalf, stated that he is now the owner of Permit No. B-953, under which he has been operating since 1935; that said permit authorizes the transportation of heavy machinery, boilers, casings, and oil well equipment, only, without any restrictions as to the territory to be served within this state. He is seeking a common carrier certificate for exactly the same authority.

It developed that he now has interstate authority as common carrier to serve all points in Colorado. His financial statement shows a net worth of approximately \$30,000.00. Five exhibits were introduced, which are photographs of some of the equipment owned by applicant, and four of these exhibits disclose particularly difficult and unusual types of machinery and supplies which applicant has been called upon to transport. Applicant described in detail some of his special equipment which was available for the transportation of heavy machinery and pointed out that Exhibit 5 shows

his Diesel tractor with a 26-foot semi-trailer, with a rolling tail-board, and stated that no other truck in Colorado, to his knowledge, had this same equipment.

It was further developed that applicant, not only performs the transportation service, but also renders a dismantling and resetting service. This is particularly true of oil well equipment, as applicant is thoroughly familiar with same, having been engaged in oil drilling for approximately 22 years. He operates in several states surrounding Colorado and finds it difficult to keep his customers listed in this state. One instance was recalled where he has transported heavy machinery interstate to some point in Colorado, and at that point has been requested to transport heavy machinery back to another point within this state, but not having the shipper listed as a customer, he was unable to perform the service. It was his opinion that other heavy haulers could not give the complete service which he rendered, as often their drivers were not familiar with the dismantling and setting up of certain types of machinery as he himself and his employees were.

Mr. C. L. Baker, district manager of the National Supply Company, which deals in oil well supplies, testified that part of their service consisted of looking up carriers for customers; that this year's movement of oil drilling supplies was expected to be quite heavy, as large acreage of possible oil land in Colorado was being looked over, with the view of drilling wells following the recommendations of Secretary Ickes of the Interior Department. This witness knew applicant and stated that his ability is outstanding and that he not only performs a satisfactory transportation job, but is also very helpful in dismantling and resetting of boilers, etc. He had used the service of both Duffy and Gallagher and found them satisfactory within the limits of their resources, but felt that the personal supervision which Siler gave to his work was very much needed. At one time, he had called on Weicker for service, which had not been satisfactory, but it developed that this was eight or nine years ago.

It was stipulated for the record that Mr. Prickett, of Stearns-Roger Manufacturing Company, Allen Kaiser and Oscar Johnson, of the Minneapolis

Oil Company, would testify to the same effect as Mr. Baker.

On behalf of protestants, witness for the Gallagher Transfer Company stated that his company was equipped to do the same character of work which Siler is doing and had the equipment to properly perform the same, as well as state-wide authority. He felt that the granting of a certificate would cause some inroads on their business, although he would have no objection if said authority were limited to oil well equipment and supplies.

Mr. Fregeau, for Weicker, who has state-wide authority, testified that in his opinion the granting of this certificate would increase Siler's business; that Weicker had \$513,000 invested in equipment; that in 1942, some of this equipment, particularly for the movement of heavy machinery, was idle about 25 per cent of the time; that such highway work had been discontinued, and he felt this would last for the duration of the war; that Weicker would object to the granting of the certificate even though limited to oil well equipment and supplies, because they had two men who were familiar with this class of machinery and could handle the same when the occasion arose; that they had added three new pieces of equipment in 1942 and had leased some additional equipment in said year, but only to make interstate movements.

Applicant has between 16 and 20 customers now listed with the Commission.

We are impressed with the responsibility and operating fitness of applicant. He owns some exceedingly useful equipment designed to handle the particular commodities he seeks to transport, and we have no doubt that he is making a valuable contribution to the transportation facilities of this State. However, we are unable to determine from the record that any inadequacy of service on the part of common carriers now authorized to perform the same exists. A certificate may not be granted merely as a convenience to applicant, but we must be able to determine from the record that the public convenience and necessity require the proposed service.

The shippers, or agents of shippers, who testified in his behalf, certainly impressed the Commission with his reliability, but they did not disclose any fact which would justify changing the status of applicant from a private to a common carrier. In all the years of service which applicant has rendered as a private carrier in Colorado, only one specific instance was recalled where he was unable to make a movement of freight that could have been made had he been a common instead of a private carrier.

Whether or not the movement of heavy machinery and oil well equipment will increase in this State to such an extent that further common carrier service is required, we do not know, but upon the record made at the hearing, we are unable to determine that such is the present situation.

Considering the record as a whole, we are of the opinion, and so find, that the instant application should be denied.

O R D E R

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

W. D. Johnson

Edward D. L. Reed

Walter E. Quinn

Commissioners.

Dated at Denver, Colorado,  
this 19th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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THE HIGHLAND UTILITIES COMPANY,  
A Corporation,

Complainant,

vs.

THE WESTERN COLORADO POWER COMPANY,  
A Corporation,

Defendant.

CASE NO. 4891

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July 19, 1943.  
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Appearances: Dan Milenski, Esq., Cortez, Colorado,  
and Lowell D. Hunt, Esq., Denver,  
Colorado, for Complainant;  
George B. Corey, Esq., Salt Lake City,  
Utah, and  
Moynihan, Hughes and Sherman, Esqs.,  
Montrose, Colorado, for Defendant;  
E. B. Evans, Esq., Denver, Colorado,  
for the Commission.

S T A T E M E N T

By the Commission:

On April 24, 1943, Decision No. 20832, the Commission entered its order dismissing the complaint in the instant matter. Thereafter, on May 1, 1943, petition for rehearing was filed by complainant. Some six reasons are set forth in said petition for rehearing as to why the same should be granted.

The Commission, after considering said petition, believes that the matters complained of have been sufficiently covered in the original opinion and that no good purpose would be served by granting a further hearing.

We consider that discrimination in favor of the Empire Electric Association as against complainant exists, but are of the opinion that same is not, as disclosed by this record, an unreasonable one.

After careful consideration of the record, the Commission is of the opinion, and so finds, that the petition for rehearing should be denied.

O R D E R

IT IS ORDERED:

That the petition for rehearing in the instant matter by complainant  
be, and the same is hereby, denied.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

[Signature]

[Signature]

[Signature]  
Commissioners.

Dated at Denver, Colorado,  
this 19th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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COMMON CARRIER DIVISION OF THE  
COLORADO MOTOR CARRIERS' ASSOCIA-  
TION, A Corporation,

Petitioner,

vs.

STEVE MALIN,

Respondent.

CASE NO. 4905

July 19, 1943.

Appearances: Truman A. Stockton, Jr., Esq., Denver,  
Colorado, for Petitioner;  
Paul W. Crawford, Esq., Leadville,  
Colorado, for Respondent.

S T A T E M E N T

By the Commission:

On June 10, 1943, Decision No. 21007, the Commission entered its order dismissing the instant case. Thereafter, on June 16, 1943, motion for rehearing was filed by petitioner, alleging some eight reasons why the decision of the Commission was in error.

Our attention has been called to the decision of the Commission in Application No. 1889-AA, Decision No. 18112, in support of petitioner's view that the Commission took a different position relative to abandonment than that expressed in our original decision in the instant matter. However, an examination of said decision No. 18112 discloses an entirely different set of facts than exists herein. In the former case, we were considering the question of the transfer of a certificate of public convenience and necessity and not the transfer of a private permit. We stated in the former case that,-

"the fact that transferer did file monthly reports even though no business was transacted, would be indicative of the fact that the did not intend to abandon his operations."

We further held that the fact that no operations had been conducted under said certificate for a period exceeding one year, would place the burden of proof on transferer to explain why this service had not been operated. However, we might point out that a duty is owed to the public under a certificate of public convenience and necessity that does not exist so far as a private carrier is concerned, and we might further point out that other questions were involved in Decision No. 18112 upon which the denial of transfer was also based, to-wit, the question as to whether the transferee would be operating as both a common and a private carrier with the same equipment and over the same routes.

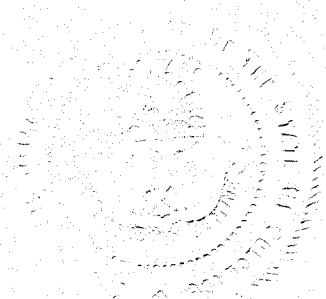
An examination of all the allegations in the petition for rehearing fails to disclose any fact which, in our opinion, would justify a rehearing. Considering the record, the Commission is of the opinion, and so finds, that said petition for rehearing should be denied.

O R D E R

IT IS ORDERED:

That the petition for rehearing filed June 16, 1943, in the instant matter be, and the same is hereby, denied.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



*W. D. Sherman*  
*Edward D. [unclear]*  
*Malcolm [unclear]*

Commissioners.

Dated at Denver, Colorado,  
this 19th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Original*

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IN THE MATTER OF THE APPLICATION OF )  
ALBERT SCHWILKE, DOING BUSINESS AS )  
SCHWILKE TRUCK LINE, ESTES PARK, )  
COLORADO, FOR AN EXTENSION OF CERTIFI- )  
CATE NO. 1321. )

APPLICATION NO. 4834-BB

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July 21, 1943.  
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A ppearances: Marion F. Jones, Esq., Denver,  
Colorado, for applicant;  
Walter Borgmann, Longmont, Colorado,  
for Borgmann Brothers;  
Shelby M. Daniels, Allens Park,  
Colorado, pro se;  
W. C. Moore, Denver, Colorado,  
Security Life Building, Denver,  
for Denver Milk Producers  
Association;  
Fred H. Austin, Boulder, Colorado,  
for Austin Brothers;  
Hodges, Vidal and Goree, Esqs., Denver,  
for Rocky Mountain Parks Transportation  
Company.

S T A T E M E N T

By the Commission:

The instant matter was heard at Denver, Colorado, on April 16,  
1943. The record discloses that applicant has heretofore been granted  
certificate of public convenience and necessity No. 1321, which authorizes,-

a general cartage business in Estes Park, as well as  
the transportation of general commodities between  
points within a radius of 15 miles of Estes Park and  
to and from said points from and to points in the State  
of Colorado, with certain exceptions.

The instant application seeks authority to extend operations under  
said certificate to include the transportation of milk on schedule that will  
be picked up at farms in Boulder and Jefferson counties and that part of Adams  
County lying west of Buckley Field, to Estes Park and Allens Park for the  
purpose of processing and bottling, also for the transportation from Allenspark  
and Estes Park to Buckley Field.

Testifying in his own behalf, applicant stated that he could render

the above service under his call and demand certificate, but desired a scheduled operation; that he only seeks authority for the duration of the war and six months thereafter; that he has two refrigerated trucks with which to perform said operation and has been operating under temporary authority heretofore granted; that the movement would be from Estes Park rather than from Allens Park, as the processing plant was being moved to Estes Park; that under his temporary authority, the milk is being picked up from 4:00 to 6:00 P. M., transported to Estes Park, and the next day is hauled to Buckley Field.

Mr. Marden, owner and operator of the Ferncliff Dairy, which has a contract with the Quartermasters Department at Buckley Field for possibly 1000 gallons of milk a day, testified that he produces approximately ten per cent of this quantity himself; that refrigerated trucks are absolutely necessary to transport Grade "A" milk which the Government requires; that he had had considerable trouble in getting this milk transported, but that applicant was handling the same in a very satisfactory manner.

The Lieutenant Colonel in charge of the Quartermaster Department at Buckley Field testified that they purchased the milk under contract from the Ferncliff Dairy; that the type of milk required which was available from Denver was now largely taken up by Fitzsimons Hospital and Lowry Field; that transportation service rendered by applicant had been entirely satisfactory.

On behalf of protestants, Mr. Moore, Manager of the Denver Milk Producers Association, testified that he felt the proposed operation was an unnecessary waste of transportation; that the effect would be to pull down the price of milk and that trucks were available to bring this milk into Denver from most of the origin points, although this would not be true of the Marden milk.

R. K. Holmes, Manager of Rocky Mountain Motor Company, testified that said company was furnishing, at the time of the hearing, twice a week service into Estes Park from Denver; that if Schwilke were granted the certificate sought, it would to some extent cut into their business; because

he would operate more schedules between Denver and Estes Park than at present; that they have to comply with the orders of the Office of Defense Transportation and he felt no new operations should be authorized.

Mr. Shelby M. Daniels, representing himself, started to testify in regard to competition from Allens Park, whereupon counsel for applicant stated that any operation out of Allens Park would be waived.

Mr. Walter Borgmann defined the areas north of Denver which Borgmann Brothers were authorized to serve and objected to the picking up of milk from their shippers which was now coming to Denver and taking same to Estes Park. To the same effect was the testimony of Fred Austin, representing Austin Brothers, common carriers of milk. Neither Borgmann nor Austin have authority to serve Buckley Field.

In connection with the additional mileage that would be required to transport the milk to Estes Park rather than bringing same directly to Denver, it was developed that Mr. Schwilke now operates two trips a week between Denver and Estes Park, although in the summer he operates three trips a week, and by combining his freight and milk operations, it was shown that no extra mileage would be involved.

In view of the fact that this authority is being sought only for the duration of the war, we believe that but little, if any, opposition could legitimately be maintained against applicant's proposed extension. Apparently, the present set-up is perfectly satisfactory to the Quartermaster Department at Buckley Field, and while it is true that some of this milk might be transported by other carriers under their present certificates into Denver, yet if shippers desire to sell their milk to be processed and bottled at Estes Park, we do not believe they should be deprived of that privilege.

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

O R D E R

IT IS ORDERED:

That the public convenience and necessity require, for the duration of the war and six months thereafter, the proposed extended motor vehicle operations of Albert Schwilke, under Certificate No. 1321, to include the transportation of milk from farms in Boulder and Jefferson Counties and that part of Adams County lying west of Buckley Field, to Estes Park for the purpose of processing and bottling, including the right to transport milk from said Estes Park to Buckley Field, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

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.

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 is subject to compliance by applicant with all applicable order of the Office of Defense Transportation of the Federal Government.

This order shall become effective twenty days from date

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners.

Dated at Denver, Colorado,  
this 21st day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
JOHN R. MARTIN, BENNETT, COLORADO, )  
FOR AUTHORITY TO TRANSFER CERTIFI- )  
CATE OF PUBLIC CONVENIENCE AND )  
NECESSITY NO. 463 TO DAVID SMALL, )  
BENNETT, COLORADO. )

APPLICATION NO. 1483-AAA

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July 19, 1943.  
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Appearances: David Small, Bennett, Colorado,

pro se;

T. A. Stockton, Jr., Esq., Denver,  
Colorado, for the Common Carrier  
Division of The Colorado Motor  
Carriers' Association, and P. M.  
Stewart.

S T A T E M E N T

By the Commission:

On March 14, 1930, certificate of public convenience and necessity  
was issued to Tom Morris, authorizing,-

"the transportation of freight between the following  
described territories, to-wit, a territory bounded by  
a line running east and west about 10 miles north of  
Wolf Creek, Colorado, and bounded by a line running  
east and west about 8 miles south of said Wolf Creek,  
and within a radius of about 4 miles east and west of  
said Wolf Creek, which radius would end at what is  
known as Bijou Creek on the east and Kiowa Creek on  
the west, and Denver, Colorado, but not between any  
intermediate points; between said above-described  
territory and Strasburg, Colorado, and from point to  
point within said described territory."

On April 21, 1931, this authority was transferred by order of the  
Commission to Thomas Haugen, and on November 18, 1941, said authority was  
transferred by order of the Commission to John H. Martin.

In the instant case, which was heard at Denver, Colorado, on  
June 29, 1943, authority is sought to transfer said certificate, which has  
been designated PUC No. 463, from the same John H. Martin to David Small,  
of Bennett, Colorado.

The evidence disclosed that the consideration for said transfer was the sum of \$500.00, and that no outstanding obligations exist against the operations of transferer under said certificate.

No protests were interposed to the granting of the authority sought, and the financial standing and operating reliability of transferee were established to the satisfaction of the Commission.

Considering the record, the Commission is of the opinion, and so finds, that said transfer should be authorized.

O R D E R

IT IS ORDERED:

That John H. Martin be, and he is hereby, authorized to transfer all of his right, title and interest in and to Certificate No. 463 to David Small, of Bennett, Colorado.

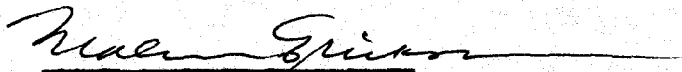
The tariff of rates, rules and regulations of the transferer shall become and remain those of the transferee until changed according to law and the rules and regulations of this Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners.

Dated at Denver, Colorado,  
this 19th day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
ANDREN COSBY, 1401 SOUTH KNOX COURT, ) APPLICATION NO. 6358-PP-B  
DENVER, COLORADO, FOR AN EXTENSION )  
OF PERMIT NO. B-2954. )  
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July 21, 1943.  
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Appearances: T. A. Stockton, Jr., Esq.,  
Denver, Colorado, for Grand  
County Transportation Company.

S T A T E M E N T

By the Commission:

This matter was heard at Denver, Colorado, on July 13, 1943.

Applicant herein seeks authority to extend his operations under Permit No. B-2954 to include the right to transport lumber and building materials between points within a radius of 25 miles of Winter Park and Denver, Colorado.

Applicant did not appear at the hearing, and counsel for Grand County Transportation Company moved to dismiss for failure to prosecute.

The Commission finds that the motion should be granted.



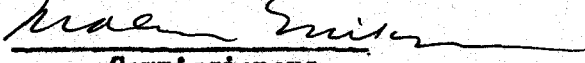
O R D E R

IT IS ORDERED:

That the instant application be dismissed for lack of prosecution.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 21st day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
HERBERT A. PREUSS, KIRK, COLORADO, )  
FOR AN EXTENSION OF PERMIT NO. B-497. )  
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APPLICATION NO. 3373-PP-BB

-----  
July 21, 1943.  
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Appearances: Mrs. Herbert A. Preuss, Kirk,  
Colorado, for applicant;  
Truman A. Stockton, Jr., Esq.,  
Denver, Colorado, for Martin  
Stutheit, George Henry, doing  
business as Airline Express,  
protestants.

S T A T E M E N T

By the Commission:

This matter was heard at Denver, Colorado, on July 13, 1943.

On July 21, 1931, Herbert A. Preuss was authorized to operate as  
a private carrier by motor vehicle for hire, said permit being designated as  
"Permit No. B-497."

Applicant now seeks extended authority to transport bulk grain to  
and from presently authorized points during all months of the year.

Mrs. Preuss testified that during 1942 and 1943, there were enormous  
crops in the area sought to be served, involving late harvest, and that shipping  
of grain will continue throughout the fall of 1943. She testified that appli-  
cant keeps getting calls from farmers saying they cannot get their grain  
transported. Applicant had had occasional calls outside of the harvest season.

Martin Stutheit, of Idalia, Colorado, testified that he is the  
owner of PUC No. 1150, which embraces the same territory included in the  
above application, and that Airline Express also includes this territory;  
that he operates three units, and is of the opinion that services of applicant  
are not needed, except during the peak of the harvest season, and then only  
under such abnormal conditions as were referred to above. He further stated

that after grain comes out of the field and is binned, there is no necessity of haste in moving the same; that he has had no complaints concerning his operations outside of the harvest season; that if the authority requested is granted, he would not need his ~~trucks~~ truck which he is now using.

Protestant Stutheit stated that he had no objection to a grant of additional authority as requested for the months of September and October of the current year, and Mrs. Preuss stated that, in her opinion, it would not be necessary to seek additional authority requested unless in future years grain crops would be of similar magnitude to the years 1942 and 1943.

Considering the testimony and the statements of parties, the Commission finds that the applicant's request for authority to transport bulk grain to and from presently authorized points should be granted for the year 1943 only during the months of September and October, but that otherwise the application should be denied.

#### O R D E R

#### IT IS ORDERED:

That Herbert A. Preuss, Kirk, Colorado, is hereby authorized to extend his operations under Permit No. B-497 to include the right to transport bulk grain during the months of September and October in the year 1943, only, from all points within the area lying 15 miles north and 15 miles south of Highway No. 36, and between Colorado Highway No. 57 extended, on the west, and the Colorado-Kansas state line on the east, to points within a radius of 15 miles of Kirk, and to Denver and points in Yuma and Kit Kit Carson Counties.

That said application, in all other respects, is hereby denied.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*W. A. Thomas*  
*Edward F. J. O'Connell*  
*Walter E. Smith*  
Commissioners.

Dated at Denver, Colorado,  
this 21st day of July, 1943.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*original*

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CARL MILLER, 2491 QUITMAN STREET, )  
DENVER, COLORADO, FOR AUTHORITY TO )  
TRANSFER PERMIT NO. B-503 TO BENNIE )  
GOLDSTEIN, DOING BUSINESS AS "GOLD- )  
STEIN REFRIGERATOR LINE," 3434 WAL- )  
NUT STREET, DENVER, COLORADO. )  
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APPLICATION NO. 3247-PP-AAA-A

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July 20, 1943  
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Appearances: John P. Beck, Esq., Denver,  
Colorado, for the applicant;  
T. A. White, Esq., Denver, Colo-  
rado, for Rio Grande Motor  
Way, Inc.;  
T. A. Stockton, Jr., Esq., Den-  
ver, Colorado, for the Common  
Carrier Division of The Colo-  
rado Motor Carriers' Associa-  
tion;  
Marion F. Jones, Esq., Denver,  
Colorado, for South Park Motor  
Lines.

S T A T E M E N T

By the Commission:

This matter was heard at Denver, Colorado, on May 20, 1943.

On August 4, 1933, an unrestricted Class "B" permit was issued to G. R. French, Idaho Springs, Colorado, said permit being designated as "Permit No. B-503."

In Application No. 3247-PP-A, Decision No. 8429, under date of September 21, 1936, G. R. French was authorized to transfer this permit to Lester W. McManis, Idaho Springs, Colorado.

In Application No. 3247-PP-AA, Decision No. 11671, under date of April 6, 1938, Lester W. McManis was authorized to transfer this permit to Blanche Johnson, Idaho Springs, Colorado.

In Application No. 3247-PP-AAA, Decision No. 14507, under date of December 19, 1939, Blanche Johnson was authorized to transfer this permit to Carl Miller, Denver, Colorado.

Carl Miller now seeks authority to transfer Permit No. B-503, with authority therein granted, to Bennie Goldstein, doing business as

"Goldstein Refrigerator Line," Denver, Colorado,

All reports have been filed, and all taxes paid. The consideration for the purchase is \$1,000.00, represented by a down-payment of \$50., balance due upon approval of transfer by this Commission.

The financial responsibility and operating reliability of transferee were demonstrated to the satisfaction of the Commission.

Protestants advanced the position that the operations of transferor have been abandoned -- hence there is nothing to be transferred. It appeared from the evidence that Carl Miller, transferor, has filed reports and paid all taxes. Upon his application, his operations were suspended by Decision No. 18206, dated January 21, 1942, for six months from January 1, 1942, with reinstatement proviso. Thereafter, upon his application, by Decision No. 19119, dated June 26, 1942, said operations were reinstated to active status, as of the date of said order. Although June, 1942 was the last time Miller made any shipments under said permit, he used it considerably in the summer of 1940 hauling concentrates and oil. He admitted that he had possibly made no haul under this permit in the last eighteen months, and not much hauled since 1939.

Abandonment is a matter of intention, although, of course, such intention may be inferred. However, the fact that transferor made application for suspension of his permit for the period of six months from January 1, 1942, to July 1, 1942, negatives any idea that he intended to abandon his permit up to the expiration of that time, and the action of the Commission in granting such suspension affirmatively shows that the Commission considered such permit in good standing to the first day of July, 1942. Thereafter, Miller filed his road tax reports regularly, which also indicates that there was no intention to abandon.

It must be remembered that Miller is a contract carrier, and is not obliged to serve the public indiscriminately. For all the evidence shows, there may have been no transportation required by his customers during this period of time. The situation might be different were a common carrier involved where there is an obligation to serve the public at all times.

The Commission finds that the transfer should be authorized.

O R D E R

IT IS ORDERED:

That Carl Miller, Denver, Colorado, is hereby authorized to transfer all his right, title and interest in and to Permit No. B-503 to Bennie Goldstein, doing business as "Goldstein Refrigerator Line," 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 transferred, and shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

W. D. Shuman

Edward J. O'Connell

Wm. E. Egan  
Commissioners

Dated at Denver, Colorado,  
this 20th day of July, 1943.

EW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOHN WM. STECKEL, 409 WEST 4TH )  
AVENUE, STERLING, COLORADO. )  
 )  
 )  
 )  
..... )

PERMIT NO. C-12493

July 17, 1943.

S T A T E M E N T

By the Commission:

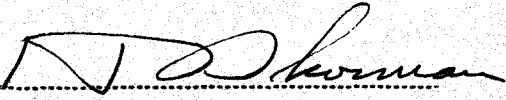
The Commission is in receipt of a communication from.....  
John Wm. Steckel.....of Sterling, Colorado,  
requesting that his Permit No. C-12493.....be cancelled.

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

O R D E R

IT IS THEREFORE ORDERED, That Permit No. C-12493....., heretofore issued  
to John Wm. Steckel, Sterling, Colorado.....be,  
and the same is hereby, declared cancelled effective June 27, 1943.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
EDWARD E. WHEELER

Commissioners.

Dated at Denver, Colorado,

this 17th day of July, 1943