(Decision No. C92-865)

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

* * *

THE APPLICATION OF FJE) ENTERPRISES, INC., FOR AUTHORITY) TO EXTEND OPERATIONS UNDER) CONTRACT CARRIER PERMIT NO.) B-6937.)

DOCKET NO. 92A-189BY-EXTENSION

COMMISSION ORDER GRANTING EXTENSION OF PERMANENT AUTHORITY

Mailed date: July 7, 1992 Adopted date: July 1, 1992

STATEMENT, FINDINGS, AND CONCLUSIONS

BY THE COMMISSION:

1. Proper notice of the filing of this application has been given under § 40-6-108(2), C.R.S. No petition to intervene or otherwise participate in this proceeding has been filed by any person within the time prescribed. This proceeding is noncontested. Under § 40-6-109(5), C.R.S., this matter may be determined without a hearing.

2. The evidence submitted warrants the grant of authority as requested.

3. A present and special need for the requested transportation services exists. A grant of the requested authority will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.

4. Applicant is fit, willing, and able to properly perform

the extended service as requested and will conform to the applicable statutory requirements and the Commission's rules and regulations.

THEREFORE THE COMMISSION ORDERS THAT:

1. Applicant is authorized to extend operations under Contract Carrier Permit No. B-6937 as follows:

Transportation of cleaning materials, equip-ment, and supplies between the facilities of Colorado Chemical Co. in Denver, Colorado, on the one hand, and points within a 20-mile radius of the inter-section of Colfax Avenue and Broadway in Denver, Colorado, on the other hand. Restricted to providing service for only Colorado Chemical Co.

2. The complete authority under Contract Carrier Permit No. B-6937, as extended, shall be as set forth in the attached Appendix and this Order is a PERMIT therefor.

3. Applicant shall cause to be filed with the Commission certificates of insurance as required by Commission rules. Applicant shall file a proper tariff and pay the issuance fee and annual vehicle identification fee. Operations may not begin until these requirements have been met. If the Applicant does not comply with the requirements of this ordering paragraph within 60 days of the effective date of this Order then ordering paragraph 1 above, which grants authority to the Applicant, shall be void, and the authority granted shall then be void. On good cause shown, the Commission may grant additional time for compliance, if the request for additional time is filed within the 60 days.

4. This Order is effective on its date of mailing.

DONE IN OPEN MEETING July 1, 1992.

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

Commissioners

Appendix A Page 1 of 1 page Docket No. 92A-189BY Decision No. C92-865 July 1, 1992

Transportation of:

I.Shipments exceeding 100 pounds of

- (A) paper and printed forms, printing supplies and materials for Woehrmyer Printing Co., and
- between points within 15 miles of the intersection of Colfax Avenue and Broadway in Denver, Colorado, excluding service locally within the Denver corporate limits.
 - II.Mattresses, box springs, sofa beds, hide-a-beds, and related
 frame assemblies
 - between the facilities of Simmons, USA located in Aurora, Colorado, on the one hand, and, on the other hand, all points in Colorado.
 - III.Cleaning materials, equipment, and supplies
 - between the facilities of Colorado Chemical Co. in Denver, Colorado, on the one hand, and points within a 20-mile radius of the intersection of Colfax Avenue and Broadway in Denver, Colorado, on the other hand.

This Permit is restricted as follows:

- (A) Item No. II is restricted against the transportation of shipments moving to or from points in the Counties of Logan, Morgan, Phillips, Sedgwick, Yuma, or Washington, State of Colorado;
- (B) Item No. II is restricted to rendering transportation services for the following named customer only, Simmons, USA; and
- (C)Item No. III is restricted to providing service for only Colorado Chemical Co.

ORDER-FY

APPLICANT: FJE Enterprises, Inc. 8414 Garland Court Arvada, CO 80005

APPLICANT'S ATTORNEY:

Charles J. Kimball, Esq. KIMBALL & NESPOR, P.C. 1775 Sherman Street Suite No. 1500 Denver, CO 80203

MISCELLANEOUS:

Brad Mallon, Director Office of Policy & Research Dept. of Regulatory Agencies 1560 Broadway, Suite No. 1550 Denver, CO 80202

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